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Oregon is hiding its own scam

DOE conceals rationale for energy credit discounts

Imagine a government agency that thwarts the will of elected officials, as it makes dubious deals with businesses, then tries to hide from the public the purported legal rationale for its actions.

No need to invent such a cagey agency. It already exists. Here in Oregon. It's called the state Department of Energy.

When the Oregon Legislature passed laws creating the Business Energy Tax Credit program, the purpose was to encourage individuals and businesses to invest in projects that were energy efficient or would use renewable sources. Recipients could use the credits to reduce their tax bill. The credits could also be transferred to a third party to raise capital.

The program and the prices were to be administered by the state Department of Energy. Hillary Borrud, a reporter with our Capital Bureau, uncovered how shoddy that oversight has been.

She revealed that Energy officials quietly stopped enforcing pricing and other rules for the credit transfers back in 2011. This allowed private brokers to arrange deals in which the prices were never verified by the state. It was later learned that some buyers avoided paying capital gains taxes on the transfer.

Energy's inconsistent handling of the credits program is troubling and smacks of political favoritism. In the wake of these revelations, there has been a steady stream of

resignations of Energy officials, including the head of the loan program and the agency's chief financial officer.

Gov. Kate Brown has asked the Legislature to review and then shut down the Business Energy Tax Credit program. That's not good enough. A full audit is warranted.

Gov. Brown should also order the release of a recent opinion on the matter by the Department of Justice. Energy officials have claimed for years that lawyers at Justice vetted and approved the discounted sales. If that's the case, why are Energy officials and the governor refusing to release that report?

Our company, EO Media Group, along with Pamplin Media Group and the Oregonian, have been rebuffed in attempts to obtain the opinion under Oregon's Public Records Law. That law is aimed at ensuring that the public's business is transparent to its citizens and taxpayers.

Officials at the Department of Energy have ignored directions from the Legislature and its own administrative rules. Now they're hiding behind claims of attorney-client privilege. It's past time they give up this charade.

Importing the California dream

It's only a matter of time before Oregon starts acting out the latest remake of the long-running cultural series, "Californians go home!"

Bemoaning the arrival of interstate migrants from The Golden State — mostly due to impacts on housing costs — has been a favorite theme in Western states since at least the 1970s. Some Oregonians half-seriously joked about building a border fence on Interstate 5 south of Ashland. Many vehicles sported bumper stickers bragging "Native Oregonian" or "Washington Native."

John Steinbeck wrote *The Grapes of Wrath* about the Dust Bowl-era influx of "Okies" making their way to California. Its modern equivalent might be *The Grapes of Wealth*, a tale of Californians cashing-out bloated home equities and heading north to pay cash for homes in places like Astoria and Cannon Beach.

Columbia-Pacific homeowners are delighted to finally be able to make a profit. Sales agents and brokers report a great year. Anecdotal, a noticeable fraction of sales are to newly arrived Californians.

Along with urban residents moving here from elsewhere in our region, they are a significant

part of why home rentals have become so tight. Houses that had been rented out to produce enough to pay their mortgages are now instead being sold outright. Scarcity of rentals is swirling through the market. Rents and selling prices are trending upward.

Although controversies over incoming Californians have come and gone over the years, this time might be different. An Oct. 24 *New York Times* column by San Francisco writer Daniel Duane (www.tinyurl.com/CADarkDream) suggests a deepening gloom about insanely high property prices, pollution, drought, failing schools, congestion and other growing flaws in the California dream.

Most of us will continue to welcome new neighbors from California. But we're going to have to actively plan how to avoid importing California-like problems. Recent arrivals may themselves be some of the best sources of insights about how to avoid the worst mistakes.

Preserving our premium-quality lifestyle won't happen by accident. Every decision we make must take a long-term view of how to preserve this as a place where our children and grandchildren will still want to live and afford to live.

Carson inspires, but not for president

By NICHOLAS KRISTOF
New York Times News Service

Dr. Ben Carson has the most moving personal narrative in modern presidential politics.

His mother, one of 24 children, had only a third-grade education.

She was married at age 13, bore Ben and his brother, and then raised the boys as an impoverished single mother in Detroit.

As a young boy, Carson was a terrible student. "Most of my classmates thought I was the stupidest person in the world," he recalls in his book "One Nation." "They called me 'Dummy.'"

But his mother responded by tightly limiting Ben's television time and requiring the boys to read two books a week from the library, and then submit book reports to her, even though she couldn't read them.

Carson evolved into an excellent student but still suffered from an explosive temper. When he was in the ninth grade, he argued with his friend Bob about what radio station to listen to, and, furious, tried to stab Bob in the stomach. Fortunately, the blade broke on Bob's belt buckle, and Carson had an epiphany that led him to curb his temper.

He attended Yale on a scholarship and became a brilliant neurosurgeon and best-selling author. He and his wife, Candy, started a scholarship program, the Carson Scholars Fund, now active in all 50 states, and he won the Presidential Medal of Freedom. He also comes across as a really nice guy.

And now he has surpassed Donald Trump to lead in a *New York Times*/CBS News poll for the Republican nomination for president.

In the end, I'm betting that Carson will lose. His candidacy has been propelled by his biography and first-rate demeanor, not by policies, and he has largely avoided close scrutiny. That will change as he tops polls.

Carson has a penchant for over-the-top statements, such as that Obamacare is "the worst thing that has happened in this nation since slavery." His assertions that Jews were slaughtered in Europe because they didn't have guns, or that we need guns in the home today to defend ourselves from Islamic militants — well, "kooky" is a polite way to describe those views.

Then there are his policy proposals, which are mostly vague or



Jim Wilson/The New York Times

Ben Carson speaks during a campaign appearance at Colorado Christian University in Lakewood, Colo., Oct. 29. Carson's candidacy has been propelled by his biography and first-rate demeanor, not by policies.

absurd or both. Carson wants to end Medicare and replace it with health savings accounts, and that pretty much makes him unelectable, although he's now backing away from his position. So my hunch is that the betting markets are right and that Sen. Marco Rubio will ultimately emerge as the nominee.

But maybe the more interesting question is what Carson says about America. He seems to see his rise as an indication that America needs not so much social programs as firmer character. In his moving memoir, "Gifted Hands," he writes that he tries to be a role model for young blacks, explaining, "These young folks need to know that the way to escape their often dismal situations is contained within themselves."

He also offers a tinge of reproach for those who stumble. Carson likes to cite a poem by Mayme White Miller that suggests: "If things go bad for you ... You have yourself to blame."

Carson acknowledges that his family relied on food stamps — "we ... couldn't have made it without them" — but repeatedly warns that government benefits can breed dependency.

One reason he is popular on the right, I think, is that many conservatives feel bruised by liberals' jibes that they are closet racists or have no compassion for the poor. Supporting Carson validates their self-perception as good people who are doing the right thing by slashing social programs.

The problem is that there's grow-

ing evidence that Carson's policy solutions are plain wrong. Social support programs for young children in particular nurture opportunity and even save public money in the long run. When done right, these are investments with a high return.

Indeed, a careful 2012 study found that children who received food stamps in the 1960s (a group that included Carson) had better health outcomes even decades later as adults. So maybe Carson's accomplishments are also a tribute, in some tiny way, to the nutritional support he received as a child from food stamps. (He's probably rolling his eyes as he reads this!)

Ben Carson is a better role model than a policymaker.

More broadly, Carson's rise from inner-city poverty is inspiring but not easily replicable. Muggsy Bogues became an NBA star even though he was 5 feet 3 inches tall, but short people are still at a disadvantage in basketball.

Inner-city black children, especially boys, face similar long odds. The reasons are complex and have to do with family structure, poverty and education, and also with discrimination. Devah Pager, a sociologist, sent out young black and white men to pose as job applicants and found that the whites were twice as likely to get callbacks as identically qualified black men. A white man with a felony conviction had as good a chance of getting a callback as a black applicant with a clean record.

So by all means let's celebrate Carson's achievements. But he's better as a role model than as a policymaker.

Dreading those recreational drones

By GAIL COLLINS
New York Times News Service

There's something very wrong with recreational drones.

You can see the attraction. They can be extremely easy to fly, and they take cool pictures.

The Consumer Electronics Association forecasts about 700,000 will be sold to hobbyists, gift-givers and random shoppers this year, up from 430,000 in 2014 but far fewer than the 1.1 million sales anticipated for 2016. Some are tiny flying toys, weighing less than an ounce. Some weigh more than 50 pounds and still count as "recreational."

I think I speak for all of us when I say that we do not want to get in between a child and his ToyJoy F8 Space Trek RC Nano Drone. But it's absolutely crazy that the bigger ones — the ones capable of flying in the same airspace as a helicopter or dropping a mystery package on a nuclear power plant — aren't being licensed and strictly regulated.

Every day there seems to be a new story. A drone flew over the Oklahoma State Penitentiary this week, carrying a bundle of drugs and hacksaw blades dangling from a fishing line. Fortunately, it crashed before any inmates could grab the loot. Meanwhile, a drone flew into power lines in West Hollywood and knocked one to the ground, leaving about 700 customers without electricity.

Now it's true that squirrels knock out power lines and nobody's talking about regulating them. But squirrels don't get in the way of passenger planes. The Federal Aviation Administration is getting about 100 reports

of close encounters every month.

How can something terrible not happen sooner or later? "From the California point of view it's only a matter of time," said Sen. Dianne Feinstein, the sponsor of the Consumer Drone Safety Act, which is at this point still just a proposal, not an actual law. The many near-disasters Feinstein's office has chronicled include a number of cases in which planes and helicopters attempting to put out wildfires were forced to pull back because of drones in the airspace.

Also on this week's drone report: A judge in Kentucky dismissed charges against a man who shot down a drone he said was flying over his property and spying on his family. We are not taking sides in this dispute, but since the point of most drones is the taking of pictures, you can see where this is going to become an issue.

When recreational drones came on the market, Congress regarded them as another version of model airplanes and basically told the FAA to keep its hands off. Model airplanes do have a long and relatively problem-free history. This is possibly because they're kind of difficult to master, and someone who will go to the trouble of learning how to fly one will probably be disciplined enough not to do anything incredibly stupid.

But some drones don't require much more skill than opening a box. And the incredibly stupid issue is extremely important here. Remember, we live in a land where professional football players lost fingers in two separate incidents involving playing



Gail Collins

with fireworks last Fourth of July.

The FAA has some authority over commercial drones, but on the recreational front there's not much it can do unless Congress gets its act together. This is the same Congress that nearly collapsed from exhaustion this week after it managed to pass legislation calling on the federal

government to keep paying its bills, but hope springs eternal.

Right now, the FAA and the Transportation Department are working on a drone registration program — like a warranty, when you buy a blender. Ideally, the registration system would make owners aware there are rules governing where they can fly, although there'd apparently be no way to guarantee they had actually read them.

It's already totally illegal to fly a drone near an airport, but almost none of the violators have ever been caught. It's also against the law to send one over a sports stadium on game day, but it still happens quite a bit. Last month one smashed into the stands at the U.S. Open in New York. Fortunately, the match underway at the time was not particularly thrilling and nobody was occupying the seats that got hammered. The operator turned out to be a local science teacher who said he was taking pictures of the scenery nearby when he lost control. "He was trying to fulfill his own intellectual curiosity," the defense lawyer told *The Daily News*.

This is all very wrong. These things need to be identifiable, even when they're in the air. And their owners ought to be required to take a safety course and get a license before they fly. You shouldn't be able to go on the Web, make three clicks and — with no training whatsoever — buy a product that could threaten public safety. That's only true for drones. And of course, in some states, handguns.

Squirrels don't get in the way of passenger planes.