

EAST OREGONIAN

Founded October 16, 1875

KATHRYN B. BROWN
Publisher

DANIEL WATTENBURGER
Managing Editor

TIM TRAINOR
Opinion Page Editor

MARISSA WILLIAMS
Regional Advertising Director

MARCY ROSENBERG
Circulation Manager

JANNA HEIMGARTNER
Business Office Manager

MIKE JENSEN
Production Manager

OUR VIEW

Pre-emption of local GMO regulations must remain

Biotech critics are calling on Oregon lawmakers to overturn a prohibition against local government restrictions on genetically engineered crops because the state has not enacted regulations.

Such regulation that is required should come from the state. Voters with little first-hand agriculture experience can be easily swayed by emotional arguments short on facts and long on fear mongering. Legislators agreed.

In 2013, the Oregon Legislature passed a law that pre-empted cities and counties from setting their own rules over seeds, which blocked most local ordinances banning genetically modified organisms, or GMOs.

Groups that opposed the pre-emption bill say state inaction since it was passed has justified the passage of House Bill 2469, which would carve out an exemption allowing local GMO regulations.

"Oregon farmers can't wait another four years to protect themselves from this harm," said Amy van Saun, a legal fellow at the Center for Food Safety nonprofit group.

Beyond ideological resistance to GMOs, the practical concern for organic growers and some conventional farmers is a fear that their crops will be contaminated through cross-pollination.

That's a reasonable fear, as accidental contamination of a farmer's organic crops would render them unsellable in the organic market.

But there is scant evidence that anyone in Oregon has yet been so harmed.

In 2015, Oregon lawmakers passed House Bill 2509, which created mediation protocols for growers who believe nearby farming practices are interfering with their operations.

Because of an error in that law, the Oregon Department of Agriculture actually lacked the authority to implement the program.

Nonetheless, since the law was passed the

agency has received no requests for mediation under the program. Growers can seek similar mediation through the USDA, but none have expressed interest with that agency, either.

It is possible that growers are working out problems with their neighbors without involving government. That's what good neighbors do.

The lack of official complaints does not minimize the potential for cross-pollination contamination or other issues. And the unintended release from field trials of Roundup Ready creeping bentgrass that has taken hold in Malheur and Jefferson counties is evidence that things can get out of control.

We are not arguing against a reasonable regulatory scheme that does not favor one type of crop or farming practice over another.

We are against 36 separate regulatory schemes, particularly those that impose outright bans.

"Oregon farmers can't wait another four years to protect themselves from this harm,"

— Amy van Saun,
Center for Food Safety

OTHER VIEWS

Civil forfeiture laws need reform

The Dallas Morning News

When President Donald Trump recently offered to "ruin the career" of the Texas lawmaker pushing civil forfeiture reform, the ensuing political maelstrom made headlines for days. But far more important than the president's remarks, which seemed to have been offered at least half in jest, is the question of whether the laws need changing in the first place.

Boy, do they. Civil forfeiture as practiced in Texas and many other states is an affront to even the most basic notions of due process and of presumed innocence. It's also a direct assault of property rights.

In Texas, the government routinely seizes cash, cars, homes and other valuables for people suspected of certain crimes, especially those related to drugs. A suspected drug dealer may have a satchel of cash seized. Or a parent whose adult child is accused of dealing drugs in the home may even have the house seized.

The scandal is that the government often gets to keep the money even if the suspects are never convicted or, as in many cases, never even charged.

If the property belongs to someone else — say, the suspect had borrowed a car or lived with a parent or friend — the true owners must at their own considerable expense prove they were "innocent owners." That's a burden of proof higher than what it takes to convict a defendant.

If they can't prove it, they lose the property — whether they had anything to do with the crime or not.

This system ought to offend anyone,

liberal or conservative, who values property rights, respects due process or values simple fairness.

It's true that local departments have come to depend on money from these forfeitures. Federal agencies reported more than \$4.5 billion worth of seized property in 2014, with some paid back to victims but much more shared with local, state and federal law enforcement. In Texas, the annual total seized by state and local officials was over \$63 million in 2013. Local officials have been dinged in the past for violating rules on how to spend the money, too.

No wonder officials like Rockwall County Sheriff Harold Eavenson like the program. But his decision to squander his time with the president to complain about reform efforts was a poor one.

The bills filed to fix this situation need help, not scorn. Perhaps the best bill this session has been filed by Sen. Konni Burton, a Colleyville Republican. SB 380 would require that seized property be returned unless the suspect is convicted of a crime. Even then, the owner would be entitled to a hearing to determine whether the value of the seized property is massively out of proportion to the crime itself.

The bill, which reasonably includes a dozen or so broadly worded exceptions, also would require the government to return property to third parties who were not convicted, unless it can show they were somehow involved or had knowledge of the crime.

Civil forfeiture is a national scandal, and reforms are needed by Congress too. But Texas lawmakers have the chance to clean up our house first, and they should do so while the current Legislature meets.

LETTERS POLICY

The East Oregonian welcomes original letters of 400 words or less on public issues and public policies for publication in the newspaper and on our website. The newspaper reserves the right to withhold letters that address concerns about individual services and products or letters that infringe on the rights of private citizens. Submitted letters must be signed by the author and include the city of residence and a daytime phone number. Send letters to 211 S.E. Byers Ave. Pendleton, OR 97801 or email editor@eastoregonian.com.



OTHER VIEWS

Time to hit the campaign trail

President Trump's many critics say his young administration is a hot mess. His defenders say Trump has accomplished more in three weeks than many presidents do in years.

At the moment Trump is in what might be called the executive-action phase of his presidency. Beyond fighting for his Cabinet appointments on Capitol Hill, everything Trump has done has relied solely on his executive power as president. At some point he'll have to move into a legislative phase, with the introduction of bills dealing with health care, taxes, immigration and more.

But for now, Trump has a number of executive actions to point to: orders to 1) reduce the regulatory burdens of Obamacare; 2) freeze federal hiring; 3) pull the United States out of the Trans-Pacific Partnership; 4) approve the Keystone XL and Dakota Access pipelines; 5) strengthen enforcement of the nation's immigration laws; 6) authorize planning for a U.S.-Mexico border wall; 7) tighten White House ethics rules; 8) reduce the number of federal regulations; 9) weaken Dodd-Frank financial regulations; and 10) temporarily suspend immigration from some terrorism-plagued nations.

It's a pretty solid list. The last, called a "Muslim ban" by detractors, has attracted the most attention — and litigation. But each item on Trump's list would be worth a White House rollout and promotion campaign.

Instead, Trump threw them out in a firehose of appearances, tweets, and controversy. And Trump regularly distracted from his own message by doing something to set off what might be called the Daily Agitation — the frenzy of media and opposition politicians reacting to whatever the president has said most recently.

Now, Trump is preparing more action. (And in the case of the immigration suspension, action to repair the first action.) If his first weeks in office have taught the new president anything, it is that far-reaching presidential directives are complicated things and need care and preparation. So Trump appears ready to slow the process of introducing new actions.

And while he is doing that, what would most benefit Trump would be to sell what he has already done.

During the campaign, Trump developed a fondness for performing in front of big rallies. By many reports, he didn't love the drudgery that accompanied campaigning, but he liked the rallies.

Why not start holding rallies again? It's not unusual for presidents to take to the campaign trail to promote their initiatives. All presidents have done it, from their post-State-of-the-Union tours to campaigning for specific initiatives, like Obamacare (successfully for President Obama) and Social Security reform (unsuccessfully for President Bush). So hitting the trail would be nothing unusual for Trump.

A leader explains what he is doing, and then explains again, and then explains again. Campaigning for his initiatives would give



BYRON YORK
Comment

Trump the vehicle to explain an impressive set of actions.

Trump's immigration enforcement order, for example, is a remarkable change in direction for the nation's border and interior enforcement. The ending of so-called "catch-and-release" policies, the speeding up of deportations of criminal illegal immigrants, the crackdown on sanctuary cities — all of that could play well in parts of the country that voted heavily for Trump. Why not arrange a presidential visit or two?

Likewise, Trump's orders on regulations, federal hiring, and Dodd-Frank represent a

package of actions Trump could tout as not only easing the burden of government on businesses but helping to create the jobs Trump promised in the campaign. Why not have the president tout them in those Rust Belt states that put him over the top last November?

Then there is the Trans-Pacific Partnership order, and Trump's pledge to re-open NAFTA. Those, too,

are worth some presidential campaign stops.

As for Trump's litigation-magnet order temporarily halting non-Americans from entering the U.S. from seven troubled countries — the White House has clearly suggested that it ultimately plans to amend or rewrite the order to fix some of its legal weaknesses. When that is done, Trump would do well to campaign for that order, too. While the courts work on a separate track, public support would be a huge benefit for Trump, and by aggressively defending a reasonable national security measure, he could put his critics on the defensive, or at least force them to focus on the substance of the order.

Of course, Trump rallies will attract protesters. Indeed, the Trump adversaries who now style themselves The Resistance would like to shut down any Trump appearance. But the president has the best security in the world. It can keep the worst elements out. Of course, Trump will have hecklers who interrupt his speech. But as the president outlines a solid and reasonable policy, as a matter of optics it would not hurt to have a screaming maniac trying to shut him down.

And if there are crowds outside harassing attendees, trying to stop traffic, and making life miserable for people nearby? That wouldn't hurt Trump a bit, either.

In more than a year on the trail, Trump improved as a campaigner. After delivering wildly improvisational performances in the early months of the campaign, candidate Trump developed a style in which he used ad libs to embellish a Teleprompter speech with a focused message. He undoubtedly remembers how to do it.

Facing united Democratic opposition, a Trump resistance wing within the GOP and a mostly hostile media, Trump, after just weeks in the White House, is in a political fight for survival. The campaign stump is one of his most effective weapons.

Byron York is chief political correspondent for *The Washington Examiner*.

YOUR VIEWS

Walden sides with energy companies over planet health

Most climate scientists agree that climate change is happening, that human activity contributes to that process and that there isn't much time left before it becomes irreversible. We're at a point where we don't get to pick and choose which steps we take to reduce greenhouse gas emissions. We need to take them all, now.

Representative Greg Walden doesn't seem to see it that way. On Feb. 3, he voted to disapprove the BLM regulation requiring oil and gas drillers on public lands to limit the amount of methane they vent or flare from drilling sites. He gave two reasons for his vote. The first was that the regulations exceeded the authority of the BLM. The second was that greenhouse gas emissions from forest fires are more significant, even though methane holds 20 times more heat in the atmosphere than CO2 released by fire. I believe he was wrong on both accounts.

Did the BLM exceed its authority in issuing the regulation? A U.S. District Judge in Wyoming says the BLM has that authority. An analysis in *The Denver Post* (Feb. 2) points out that the BLM is charged to ensure taxpayers

receive a fair return from federal leases. If drilling gases are captured rather than wasted, their sale results in royalties for state, federal and tribal governments, helping to fulfill the charge. Many drilling companies already capture methane. We can't wait for other drillers to adopt those practices at their leisure? Congressman Walden should have voted "nay."

As for the role of forest fires in greenhouse gas emissions, the congressman is right that globally, forest fires have a significant impact. That's one of the reasons we need to remain an active participant in the Paris Climate Accords so we continue to provide leadership to the rest of the world. But the rate of release in the U.S. from forest fires is much smaller. A 2010 OSU study estimated U.S. fires account for only 3 percent of U.S. industrial and fossil fuel emissions over the decade studied. The congressman should continue to work with federal agencies to improve reclamation and replanting in forest fire areas so they quickly return to capturing carbon rather than releasing it. But he also needs to work with his colleagues in the House and Senate to speed us in controlling emissions on all fronts, not just in forests.

Lindsay Winsor
Milton-Freewater