



# A CAPITOL IDEA

With the first 100 days of the Republican party's "Contract With America" nearing completion, *LANDSCAPE MANAGEMENT* magazine sent Cleveland-based business and issues writer Tom Johnson to Washington to survey the landscape and report back on what drastic changes in the direction of the federal government might mean to our readers. Johnson, a former editor of *Pest Control* magazine, interviewed industry association officials, Congressmen and federal officials in preparing this report. Is your business world about to change for the better? Read on.



## Big winner in new 'American revolution' is small businessman

**Young Republicans open the way for pro-business legislation that had been blocked or buried in four decades of liberal and activist control.**

by Tom Johnson

■ It was the best of times. When the 104th Congress was gavelled to a close on April 7th, 100 days of Republican leadership in the U.S. House of Representatives and Senate had changed the way America is governed.

The consensus opinion is that one big winner in this typically bloodless American revolution is small business—in particular, small businesses most tormented by the regulatory excesses that have ranged from the harmless and ludicrous to the repressive and expensive.

For the green industry, the promise of relief is in the air. If the Senate follows the

"take-no-prisoners" lead of the House, and Congress has enough clout to override Presidential vetoes, you can look forward to legislation that means a sunnier business climate ahead.

Among them:

- **Incentives** for small business worth billions of dollars, including better estate tax exemptions, a 50 percent capital gains tax rate cut for individuals (25 percent for corporations), and a higher limit on equipment and structure write-offs.

- A **regulatory relief** package—the Job Creation and Wage Enhancement Act; the Regulatory Moratorium Bill; the Private Property Bill; the Risk Assessment and Cost Benefit Bill (a direct attack on the Environmental Protection Agency and the Occupational Health and Safety Administration); the Paperwork Reduction Act and the Regulatory Flexibility Bill.

- **Judicial limits** to punitive damages that juries can award, and restrictions on business liability.

Last November's elections resulted in wholesale changes that stripped a generation of older, mostly liberal committee chairmen from the Congressional roster. Patrick Leahy (D-Ver.), the liberal who controlled the Senate Agriculture,



Nutrition and Forestry Committee and stifled attempts at pesticide legislative compromise, has passed the chairman's gavel to the Republican Richard Lugar (R-Ind.).

Educating freshmen Congressmen on pesticide issues is one of the daunting tasks that faces the green industry.

Six weeks ago in the Washington offices of Responsible Industry for a Sound Environment (RISE), executive director Allen James had taken on the fatigued look that enveloped Congressmen and lobbyists alike in the nation's capital as legislation moved with lightning speed through the corridors of power.

James was working nights to keep track of scores of bills and regulations that could affect the green industry. He wasn't feeling overly optimistic that the Republican "Contract With America" had yet done anything for specialty pesticides.

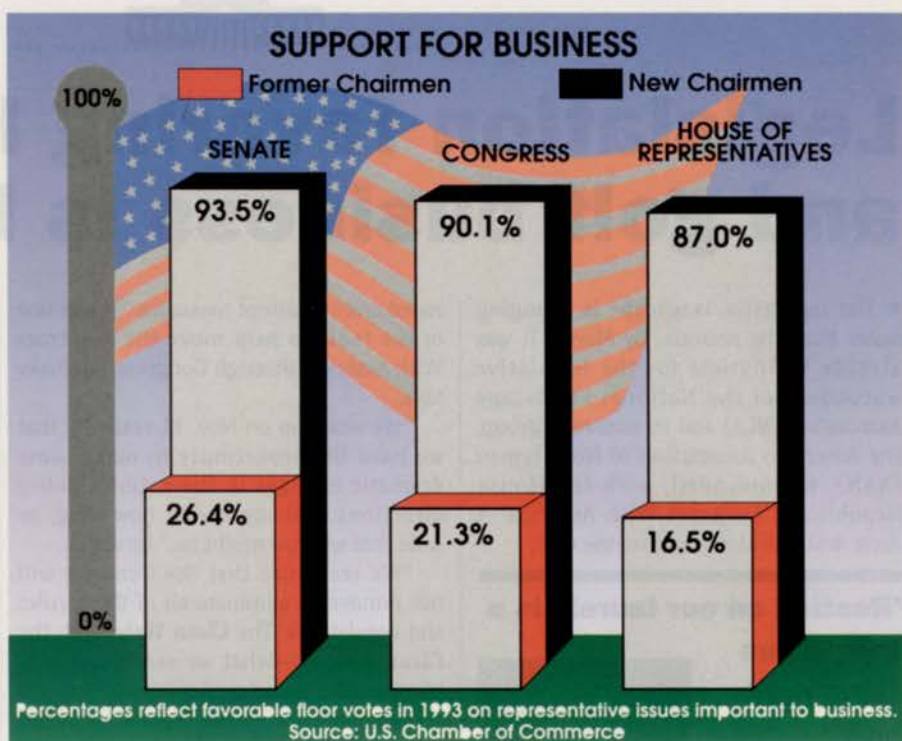
"I would have to challenge the assumption that things have turned completely around. Very few bills have started moving that will have an impact on our industry," he says.

He has other misgivings. The industry could well win the battle at the federal level, and still find itself hobbled as activists take their battles to the states, where legislators aren't as well educated in the intricacies of pesticide technology and don't have as much time to consider legislation.

His federal legislative laundry list will take considerably longer than 100 days to wash. Here are the top two:

**1) FIFRA**—In a nutshell, lawmakers are preparing to rewrite the nation's pesticide laws. The troublesome Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) will be under review this year. House subcommittees will see it in the late spring, and action will commence on the "everything is a carcinogen-zero risk" Delaney Clause of the Federal Food, Drug and Cosmetic Act (FFDCA) in the House Commerce Committee. Left unchallenged, enforcement of the Delaney Clause could strip the green industry of necessary pesticides.

H.R. 1627 was introduced last year in the House by Rep. Roy Rowland, (D-Ga.), Rep. Richard Lehman (D-Calif.) and Rep. Tom Bliley (R-Va.). Bottled up in Democrat-controlled committees in the last Congress, the legislation would establish a "negligible risk" policy, diluting the Draconian theoretical risk levels established by the EPA. It would also speed up



the review and cancellation of suspect pesticides, allowing older, theoretically riskier pesticides to be removed from the market to be replaced with newer, "less risky" pesticides.

Even the EPA wants FIFRA amended to drop Delaney and replace it with some form of negligible risk legislation. It is putting pressure on Congress to reform FIFRA with the announcement that it plans to release an extended list of pesticides marked for review under Delaney.



**Allen James has loads of political 'laundry' ahead.**

James expects the EPA to snipe at the bill, and small groups of Democrats want to water down the negligible risk language. He isn't counting on the bill coming out the way it was written.

Other hurdles? James fears that President Clinton will veto the bill "if it goes too far in helping an industry like ours."

**2) Clean Water Act**—Reauthorization of this law, a centerpiece of activist policy as originally proposed, would force mandatory reductions in what technicians call non-point source reduction (run-off) from

urban areas. RISE and allied organizations are working with the new Republican majority to fold industry concerns into less stringent legislation.

Enforcement would mandate pesticide reduction, James warns, "when in fact, the detections of our products are not really an issue of concern for water quality. The fact is that there is little contamination of waterways from urban areas.

"Our objective," he says, "is to remove those mandatory requirements, and to make certain that, when passed, the act does not include enforcement language. The goal is to prevent legislation that would inadvertently continue to over-regulate our industry."

"In the past," James continues, "we were trying to stop legislation that would absolutely have harmed our industry. It was easy to see the problems." Now, he says, RISE has to see that well-intended legislation "does not unintentionally hurt our industry."

Even with friendlier faces in the committee rooms, the lot of the pesticide lobby is not going to be an easy one. James cautions that "legislative reform is not going to happen overnight. I see a lot of negotiation and education, and the final result will still require compromise." □





# Legislation favoring landscape and golf business is blooming

■ The legislative landscape is changing faster than the seasons. By March, it was already springtime for the legislative watchdogs of the National Landscape Association (NLA) and its umbrella group, the American Association of Nurserymen (AAN). By mid-April, with the House Republican "Contract With America" a done deal, the bloom was on the rose.

## 'Resting on our laurels is a dangerous thing right now.'



Ashby P. Ruden

"This is the window of opportunity we have for legislation beneficial to the landscape businesses," says Ashby P. Ruden, the new administrator of NLA. "Resting on our laurels is a dangerous thing right now. The representatives who have moved in are going to take some nicks and chips, and we have to make sure we don't take too many of those nicks ourselves."

For green industry business interests—golf maintenance included—optimism is growing like a weed.

What has the first 100 days of the Republican "Contract With America" done for the green industry? The AAN was an early member of a powerful business lobby called "Project Relief," a brainchild of House Majority Whip Tom DeLay (R-Tex.) and a strong marriage of business interests and the Congress.

"It's a textbook case of how you can move things when things need to be moved," says Ben Bolusky, director of government affairs for the AAN and its 2,300 members.

Certainly the November elections were the catalyst in shifting priorities and focus around, particularly on the House (of Representatives) side. "Project Relief" helped keep the pressure on with coordi-

nated and consistent messages. "It was one of the tools to help move the 'Contract With America' through Congress," Bolusky says.

"We woke up on Nov. 11 realizing that we have the opportunity to make some dramatic changes in the nation's policy directions. Nobody knows how long, or wide that window might be," he warns.

"We recognize that the Contract will not remove or eliminate all of these rules and regulations. The **Clean Water Act**, the **Clean Air Act**—what we see is just nibbling around the edges."

Bolusky decries the legislative trend that resulted in "a lot of rules and regulations that are unnecessary, or may have been propelled by the bureaucracy, that really don't get the job done. There's a point of diminishing returns at which legislation becomes very expensive with limited benefits."

The traffic jam of laws had become so intense in recent years, Bolusky said, "that laws became duplicative and contradictory. To comply with one Clean Water Act regulation, you can find yourself in violation of a wetlands regulation."

## 'We have the opportunity to make some drastic changes.'

Bolusky's goal? "We would like to see environmental rules and regulations—in terms of water, pesticides, and air—that achieve what they were meant to achieve without exacting a toll on business," he says.

Together with the Minor Crop Farmer Alliance, AAN has worked to solve the minor use pesticide problem that goes along with the reauthorization of FIFRA

(the **Federal Insecticide, Fungicide and Rodenticide Act** whose 1988 amendments set a date of 1997 for the re-registration of minor use pesticides).

The legislation would streamline the EPA pesticide registration process, and provide incentives for the chemical manufacturers to maintain and develop new products.

However, because of the high cost of EPA pesticide registration, it may make good business sense in some cases for manufacturers to simply remove minor use products from the market because of their limited sales potential. "Minor Use" is usually defined as any crop other than corn, wheat, cotton and soybeans, based on volume of pesticides used.

With fresh help in Congress, AAN and its allies have reintroduced last year's **Minor Use Pesticide** legislative package, designed to inject some flexibility into the EPA's registration system, and to provide incentives for chemical manufacturers to continue marketing the pesticides necessary to the green industry.

Here are other top current issues supported by the AAN that affects the industry:

□ **Repeal of the Davis-Bacon Act:** This Depression-era law has artificially inflated wages on federally financed projects, including landscaping. The Congressional Budget Office projects that outright repeal would save the country over \$3 billion.

□ **Immigration:** A section in proposed stricter immigration laws would impose stricter sanctions against employers who employ unregistered aliens. Because landscape and related businesses often depend on seasonal labor. Passage may serve to deplete an already tight labor pool, driving up costs.

□ **Clean Water Act:** The bill sets up voluntary state standards for non-point source pollution (run-off). It also addresses wetlands, where it offers opportunities for landscape contractors as part of wetlands fill and restoration projects. (Friends of the Earth has targeted this bill for activist attention, warning Congressmen

*continued on page 12*



Ben Bolusky





## Help wanted...

■ Even with the best intentions in the world, our trade associations in Washington say they can't win these legislative battles alone. Director Ashby Ruden of the National Landscape Association wants your help.

"There are people out there who have specific areas of expertise. I would love to see them plugged into their relevant interest areas in AAN," she says.

"For instance," she suggests, "a landscape company involved in wetlands reclamation would be an asset to the AAN water management task force.

Tell your readers to get in touch with me if they would like to volunteer."

Ruden says she's aware of the enormous demands made on people in the green industry, but promises that, "when we ask for that involvement, we can streamline it so that it isn't burdensome, but a real opportunity."

If you agree that 1995 is a rare chance to make a difference, and you can help, get in touch with Ruden or Ben Bolusky at:

**American Assn. of Nurserymen**  
**1250 I St., N.W., Suite 500**  
**Washington, DC 20005**  
**Voice: (202) 789-2900**  
**Fax: (202) 789-1893**

## LEGISLATION from page 10

that they risk the wrath of their constituents by trying to weaken it, and calling on Congress to reject changes).

□ **Ergonomics standards:** This innocuous-sounding OSHA-backed package would force employers to adopt equipment and work practices designed to alleviate such problems as back strain or carpal tunnel syndrome. It would address workplace conditions where bending, stooping, lifting or using forceful finger exertion are required. There would be penalties. To quote Bolusky, "This one will hit the nursery and landscape business in the head with a two-by-four." □

# New common-sense laws on the horizon?

**Is it true? Are legislators like Rep. Pombo really going to break up the logjam of stupid regulations?**

■ Perhaps no one in Washington illustrates the changes in Congress that will affect the green industry better than second-term Rep. Richard W. Pombo (R-Calif.). A fourth-generation San Joaquin County rancher, Pombo represents some of the state's richest agricultural lands.

He is a member of the House Agriculture Committee and the House Resources Committee. His subcommittee assignments cover specialty crops and water policy among other things, and he has been named chairman of the task force charged with the reauthorization of the **Endangered Species Act**.

He is one of the co-founders of the San Joaquin County Citizen's Land Alliance, a group of farmers and property owners who advocate private property rights, and fight



attempts by government to strip these rights away from citizens. Such alliances are a rapidly growing national movement.

Pombo is a new kind of activist: a crusader for common sense in government. "The majority of my work has been on environmental laws—EPA or Fish and Wildlife or the Department of the Interior in general," he notes.

"We're trying to instill common sense into what they're doing and trying to rein in those federal bureaucracies. We're going to accomplish a lot in the next two years. You're going to see a major breakthrough in the regulatory jam. Some of the crazy things they expect people to abide by are going to end," he predicts.

"Once they have to justify their rules and regulations, it's going to break down a lot of the things they're doing now."

Take the reauthorization of FIFRA, the **Federal Insecticide, Fungicide, and Rodenticide Act**, which Rep. Pat Roberts (R-Kans.) believes Congress will get out of committee by the August break.

Now that the agriculture committee is in the majority, it's trying to make sure that legislation actually works in the real world. "And the need to have input from industry is more important that it ever was," Pombo states.

Where the **Delaney Clause**, the zero-

risk anti-pesticide law that threatens to remove a score of effective pesticides from market is concerned, he is particularly intense. "The whole concept of cost/benefit and risk management, and that applying that concept to the use of pesticides is extremely important," he says. "Being a farmer, that's what I'm most passionate about. No farmer applies any pesticides they don't have to. What you do put on, you want to work."

Within the realm of government anti-pesticide legislation, Pombo says that, "Some of the EPA decisions and those of other agencies have not exactly made a lot of common sense."

He thinks he knows what happens to turn bad ideas into burdensome legislation. "What happens now is somebody inside Washington or a university comes up with what sounds like a good idea. Because Washington is political, if they can make it sound good, they can pass it, whether or not it works in the real world."

He believes an important key to successful pesticide legislation is to require that applicators be educated.

"They have to know what they're putting on, what the risks are and the proper way to apply the chemical," he states. "If they're educated, and the production of chemicals that are out there is safe, we can eliminate 99 percent of the risk. A lot of the scare tactics can be taken away just by doing that. There is legislation we are working on right now that would accomplish those goals," he says, with evident satisfaction. □





## Are activists headed for all 50 states?

■ While the attention of the nation is riveted on Washington, where 100 days of intense Republican legislation are making a huge dent in 40 years of liberal government, activist coalitions are already hard at work on Plan B—a stepped-up attack on pesticides and applicators at the state level.

Compared to Washington, it's a cherry-pick. At the state legislative level, overworked legislators meeting in short sessions have shown an alarming tendency to cave in to strident activist demands to curb pesticide use.

RISE executive director Allen James admits the state battlefield can be tougher than Washington, because, he notes, "Legislation at the state level is moving faster, and is more likely to be enacted before we can do anything about it. We have to be alert and quickly responsive."

The tide of issues is rising, swirling around buzzwords that activists believe can win strong public support, such as school IPM, banning herbicides in roadside spraying, and a welter of notification laws.

Allan Noe, RISE's director of state affairs, would like some help from the bleachers.

"It would be great if your readers would shed their apathy when they see and hear of legislation of this nature," he observes. Here's Noe's state-by-state list of the most dangerous state legislation out there, together with his commentary (in *italics*):

### CALIFORNIA

**S. 929—Prohibits new use registration for extremely hazardous pesticides.**

*The problem here is that "extremely hazardous" is extremely hazardous by the definition of enviro-senator Nicholas Petris. One subtlety in Petris' bill is that it goes back and captures other pesticides on his list after the bill's enactment date. This bill surfaces periodically, an annual event in the California legislature.*

**S. 1287—Study to identify estrogen-imitating compounds and effects on humans.**

*Another hardy California perennial. Reintroduced this session by activist Sen. Tom Hayden after its defeat last year, it*

*attempts to establish a link between pesticides and breast cancer. Hayden has retailored it to fund research into estrogen-imitating compounds, including pesticides. On the surface, you might ask, "What's wrong with more research?" but in this case, there is adequate ongoing research.*

### HAWAII

**S. 1320—Bans use of herbicides in maintenance of public roadways.**

*This one would eliminate roadside spraying by eliminating any chemical means of controlling weeds. Hawaiian activists claim roadside mowing will control the vegetation problem.*

### ILLINOIS

**H. 1058—Amends the mosquito abatement district acts, asserting municipal rights.**

*Would rescind uniform statewide pesticide legislation on abatement, giving cities and towns the right to regulate and prohibit mosquito spraying. There are 51,000 municipalities in America. Do you want to be in the mosquito abatement or landscape management business when they all establish their own regulations?*

### MASSACHUSETTS

**H. 2619—Landlords need permission from the Health Board prior to application.**

*You must apply for permission before spraying for termites and cockroaches. That's any application, inside or out, and on the grounds. Paperwork heaven.*

### MARYLAND

**S. 128—Mandatory IPM in public schools.**

*Mandatory is the operative word. IPM ought to be done on a case-by-case basis. Each school is a different eco-system. The good news: this one is dead, but RISE is cooperating in setting up a voluntary program in cooperation with the state department of agriculture.*

### NEW YORK

**A. 3755—Pesticide use reporting: breast cancer study.**

*The nightmare of nightmares. Politicians would require a report of every pesticide application in the state, with a long, detailed form. It would apply to commercial and private applicators. What they're trying to do is use this information they will have generated to try to establish a link between breast cancer and pesticide use. Nobody has enough people on the payroll to sort through this stuff.*

**A. 604 and 2269—Local regulation of commercial lawn applicators and reverse pre-emption of state pesticide laws, returning law-making to the local level.**

*Another door-opener to local option regulations.*

**A. 955—Replaces herbicides as method of weed control on rights-of-way.**

*(See Hawaii bill.)*

**A. 2072—Provides for reduction of pesticide use by state agencies.**

*Requires state agencies to develop plans to reduce overall pesticide use. Fits in with the activist agenda that reduced use equals reduced risk. The two are not necessarily connected.*

**A. 3164—Prior notice to owners of adjacent property.**

*Another pain-in-the-neck notification bill.*

**A. 3968—Outlaws uses of pesticides that are "known/probable/possible" carcinogens.**

*This one would outlaw all pesticides that ever gave a problem to a laboratory rat. Will New York solons start in next on naturally-occurring pesticides with alleged carcinogen risks? They outnumber chemical pesticides 100 to one.*

**A. 5507—Applicator must file written proof of the existence of target organisms prior to application.**

*Sure, right after we get done notifying the neighbors, getting the landlord to ask the city for permission, filling out a pesticide use form for breast cancer studies and checking to see if we are complying with bizarre local laws.*

### OKLAHOMA

**H. 1165—Prohibits certain public entities from using herbicides. Prohibits state agencies from pesticide use.**

*Bill is a perennial, same guy comes up with the same basic bill. Dead—for now.*

**S. 308—Requires 24 hour pre-notification of spraying, and 14-day post-notification.**

*Not only do you notify the neighborhood before you spray, you make sure those notices stay up for two weeks. Known as the "printer's relief act."*

### TENNESSEE

**S. 1740—IPM in schools; calls for "least harmful" pesticides to be used.**

*A very popular issue in legislatures. This one died for lack of support.*

### TEXAS

**H. 1471—Structural pest board to adopt IPM standards in day-care centers.**

*This one, like so many others, is backed by the National Resources Defense Council and the National Coalition Against the Misuse of Pesticides (NCAMP).*

### WEST VIRGINIA

**H. 2471—Mandatory IPM for schools and day care centers.**

*Face it, this one passed the legislature and the Governor allowed it to become law without his signature. RISE is working with state to help them put a sensible law in place by the Aug. 15 deadline, when the state agriculture department must have a program in place and delivered to local school boards. □*





## EPA focuses on birds, fish

■ The "E" still stands for "environmental," asserts Dr. Anne R. Leslie, a chemist with the EPA. And its mission will be focused on the effects which foreign materials have on the environment—specifically, bird and fish kills—in the near future.

The EPA has called in data for any bird and fish kills that may be pesticide-related. Leslie suggests that landscapers, lawn care owners and golf course superintendents "save the carcass and send it to us for sampling."

"The toxicity we've seen has occurred at the proper application rates," she notes. "We see a number of instances where birds are affected by pesticides, and it's not always immediate. And it's happening on turf."

What the EPA is doing to reduce its regulatory burden:

- Using quick registration (six months) as an incentive for manufacturers to bring to market less risky pesticides.
- Giving exemptions for tolerances of residues in food, like pheromones.
- Requiring Experimental Use Permits to test at least 250 acres.
- Giving blanket exemptions to pesticides that need no registration (like cedar wood blocks for moth control).
- Supporting and encouraging new bio-pesticides.

Nonetheless, she says that some materials used on turf "may need stricter regulation," to wit: ethoprop, diazinon, bendiocarb, isofenfos, chlorpyralid and trichlorofon.

"We regulate pesticides, not the uses of pesticides," says Dr. Leslie. "Our job is to assure that the benefits outweigh the risks.

But the true benefits are far from being clear; in fact, they're quite controversial."

The EPA's new "Pesticide Environmental Stewardship Program" will give landscape managers safer options.

It may well be offered in cooperation with user groups such as the Golf Course Superintendents Association of America, the Professional Lawn Care Association of America, and the U.S. Golf Association, all of which want to participate.

Dr. Leslie made her comments in front of an audience at the Virginia Turfgrass Conference earlier this year.



Dr. Anne R. Leslie

—Jerry Roche

## Can't we all just get along? *Hell no!*

■ In Washington, it is said, 50 percent of the job in getting legislation passed is in knowing who your friends are. Based on experience, those interviewed for this report on the prospects for legislation affecting the green industry separated the industry's friends from its foes.

### FRIENDS

**Rep. Tom Bliley, R-Va.** Chairman of the full House Commerce Committee.

**Rep. John Boehner, R-Ohio.** GOP conference committee chairman.

**Rep. Gary Condit, D-Fla.** The person who, along with Rep. Karen Thurman, led the fight against elevating the EPA to full cabinet status (See Karen Thurman).

**Kika de la Garza, D-Tex.** ranking member, full House Agriculture Committee.

**Rep. Tom DeLay, R-Tex.** House Majority Whip. The moving force behind Project Relief, the small business coalition that sparked much of the GOP's "Contract With America" regulatory reform legislation.

**Rep. John Dolittle, R-Calif.** A strong, consistent industry supporter.

**Rep. Cal Dooley, D-Calif.** He has carried amendments for the industry in the Agriculture and Natural Resources committees.

**Rep. Bill Emerson, R-Mo.** Chairs House Agriculture Subcommittee on Department Operations, Nutrition and Foreign Agriculture. Critical to success of new legislation.

**Rep. Tom Ewing, R-Ill.** Early booster of reform, pro-small business and regulatory

reform.

**Rep. Mark Foley, R-Fla.** Freshman and one of the new breed, former chairman of the Fla. Senate Agriculture Committee.

**Sen. Mark Hatfield, R-Ore.** Sits on the Senate Appropriations Committee, is a strong supporter of the nursery industry.

**Rep. Tim Johnson, D-S.D.** An immense help on the crop insurance issue.

**Rep. Bob Livingston, R-La.** Chairs full Appropriations Committee.

**Rep. Richard Lugar, R-Ind.,** Chairs Senate Ag Committee. Good, solid lawmaker with reputation for integrity.

**Rep. David McIntosh, R-Ind.** Chairs House Subcommittee on Government Reform and Oversight, and is a leading regulatory reform advocate in the House.

**Rep. Charlie Norwood, R-Ga.** A guy with a huge interest in changing the way OSHA does business. His biting one-minute speeches kept liberals off-balance during the first 100 days of the "Contract With America."

**Rep. Jim Nussle, R-Iowa.** A key player on House Ways & Means Committee.

**Rep. Richard Pombo, R-Calif.** Second term Congressman sits on House Ag Committee. Ferocious fighter for common sense pesticide laws based on bitter experience.

**Rep. Earl Pomeroy, D-N.D.**

**Rep. Pat Roberts.** Chairs House Agriculture Committee. See how fast bills fly out of there now.

**Rep. Karen Thurman, D-Fla.** The moderate on the House Agriculture Committee who led the fight against elevating the EPA to cabinet status unless it agreed to consider costs vs. benefits and

risk assessment in passing new regulations.

**Rep. Charles Stenholm, D-Tex.** The highly respected ninth term member of the House Agriculture Committee.

### FOES

**Rep. Sam Farr, D-Calif.**

**Sen. Russ Feingold, D-Wis.**

**Rep. Jon Fox, R-Pa.** Perennial sponsor of the worst piece of state notification legislation ever conceived.

**Rep. Maurice Hinchey, D-N.Y.** Watch this one, based on his activist legislation in the New York state legislature.

**Sen. Pat Leahy, D-Vt.** A key barricade in the liberal roadblock that stymied common-sense pesticide legislation in the House and Senate.

**Sen. Joe Lieberman, D-Conn.** "Mr. Notification Law" in Congress.

**Rep. Cynthia McKinney, D-Ga.**

**Rep. George Miller, D-Calif.**

**Sen. Patty Murray, D-Wash.** An activist on each shoulder.

**Gerry Studds, D-Mass.** Activist on water issues, wants to drive up the price tag of cleaning up waterways, billing pesticide users and producers in the Dem version of the Clean Water Act.

**Rep. Henry Waxman, D-Calif.** The man most responsible for bottling up the legislation in the House Energy and Commerce Committee for four years that was needed to overturn the Delaney Clause. Need we say more?

**Sen. Paul Wellstone, D-Minn.** Strong anti-industry proclivities. □