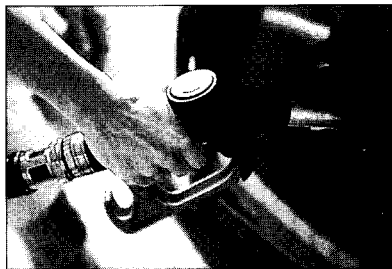


## Gas Pains

By Brian Doherty

In March, the EPA announced a ban on the fuel additive Methyl tertiary butyl ether (MTBE), a substance it had previously mandated. This ban followed nearly a year of low-key national panic, starting when California announced its own ban of the additive in April 1999 after the chemical began showing up in drinking water supplies from Santa Monica to Lake Tahoe.

Several other states have found MTBE in their water since then, and in January it earned the health-scare laurel: a scary *60 Minutes* seg-



ment. A February study from Rutgers University found that MTBE can cause headaches and eye irritations in humans. The usual cancers in lab animals have also been created, under conditions nowhere near analogous to exposure in minuscule amounts through drinking water.

MTBE has been added to fuel in 16 states because it increases gasoline's oxygen content, helping it burn cleaner. Areas with low air qualities, as defined by the feds, are required by the EPA to have 2 percent oxygen content in their fuel. MTBE had been the cheapest and

most efficient way to meet that clean air mandate.

The EPA now wants to replace the 2-percent rule with a rule forcing gas to contain a certain amount of material from renewable sources. With either the 2-percent rule with no MTBE, or the EPA's new proposal, farmers are cheering. Corn-based ethanol is the other leading oxyfuel option, and unlike MTBE (a petroleum byproduct), it's renewable. MTBE beat ethanol in the market because of lower shipping and mixing costs—a switch from MTBE to ethanol will be felt in the pocketbook at the filling station.

The EPA hasn't emphasized that MTBE is around in the first place because of its own oxyfuel mandate. Nor has it pointed out that the only way this stuff gets into water in the first place is along with the gasoline to which it's added. Gasoline in your water is a bad thing, MTBE notwithstanding.

In other words, the MTBE flap is the very model of modern environmental action: Not only is banning MTBE a reaction to a federally created problem, but getting rid of it won't make anyone's water safer to drink.

## Coloring America

By Jeff A. Taylor

The Office of Management and Budget has cleared up one big census confusion: Government bureaucrats will determine your race. People who check off more than one racial group on census forms will be assigned to one category for the purpose of monitoring discrimination and enforcing

## Balance Sheet

By Jeff A. Taylor

### ASSETS

▲ **Linked Up.** A federal judge in Los Angeles rules that so-called "deep linking"—jumping past a Web page's front door to get to content via another site—is not copyright infringement. Surfers are "automatically transferred to the particular genuine Web page of the original author. There is no deception in what is happening."

▲ **Play Ball.** Baseball opening day in San Francisco means a new privately funded \$345 million ballpark. Pacific Bell Park is the first privately built Major League Baseball stadium in 38 years. Other cities still try to fend off demands for public cash from sports moguls.



▲ **Weight Gain.** The IRS mulls making the cost of weight-loss programs tax deductible. Anti-fat groups lobby with the message that excess weight is closely tied to disease. The IRS recently ruled that anti-smoking programs count as a medical expense. Maybe moderate alcohol consumption can be next.

▲ **Blown Out.** The Supreme Court rules that the FDA can't regulate tobacco products. Justices say that Congress never explicitly gave the FDA that job, and so the bureaucrats can't claim it no matter how lofty the goals.

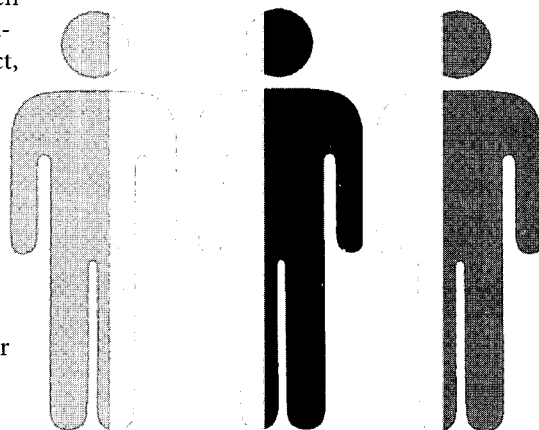
▲ **Voice Lessons.** While the feds futz with new regulations for Web site accessibility, the private sector actually does something about it. The VoiceXML Forum, made up of Lucent, IBM, Motorola, and AT&T, creates a spec that will transform Web links to speech.

▲ **Chain Gang.** A funny thing happens when big chain drugstores set out to kill Mom & Pop shops: They fail. After seeing their numbers fall by nearly a quarter since 1992, the National Association of Chain Drugstores reports that indie drugstores are again on the rise. Willingness to experiment, nimble stocking to produce bargains, and good service explain why.

civil rights laws. And anyone who checks both "white" and a minority designation will be counted as a minority when the feds pore over the census data to help enforce the Voting Rights Act, job bias rules, and other racial bean-counting laws.

The OMB had to make this ruling for government agencies be-

cause of differences in census data sets. The problem is that the census forms individuals receive allow 63 possible race categories, while schools, em-



▼ **Farmed Out.**

Government surveys show American farmers, bending to a greenie fear campaign, intend to plant 24 percent less genetically modified seed this year. Seed-makers belatedly launch a multi-million dollar effort touting the virtues of science.

▼ **Preying Hands.** Alighting from the pecked-over remains of Microsoft and big tobacco, state attorneys general turn their gaze to gun makers who, unlike Smith & Wesson, refuse to cut a deal with the government. Subpoenas hit the gun industry in search of an anti-S&W "conspiracy."

▼ **New New Thing.** President Bill Clinton opens the "White House Conference on the New Economy," thereby ensuring that whatever the New Economy is, it is almost over.

▼ **Dilbert Tax.** High tax states like New York look to telecommuters as a potential source of revenue. Pajama-clad drones can pay income taxes if their employer has offices in a rapacious jurisdiction.

▼ **Wanking Matilda.** The Australian Broadcasting Authority notifies Aussie Web sites guilty of violating standards for content that some X- and even R-rated material must be taken down. Some sites respond by moving their servers offshore, but others comply.



▼ **Problem Parts.** The Federal Trade Commission frets that plans by the Big Three automakers to build an online parts bazaar violate antitrust rules. The Pep-Boys-meets-eBay venture would have \$240 billion a year to spend and allow the companies to pool orders, thus saving money.

employers, and other institutions can report only about a dozen categories. So there will obviously have to be some mix-and-match when it comes time to look for "patterns" of discrimination.

**Acquitting Sprawl**

By Brian J. Taylor

Suburban sprawl has been blamed for almost every social ill, with the most common accusations damning it for traffic congestion and the decline of the inner city. But according to a recent study,

it's getting a bum rap.

In "Some Realities about Sprawl and Urban Decline"—published in the most recent issue of *Housing Policy Debate*, a journal of the Fannie Mae Foundation, a private (though tax funded) community development group—Anthony Downs of

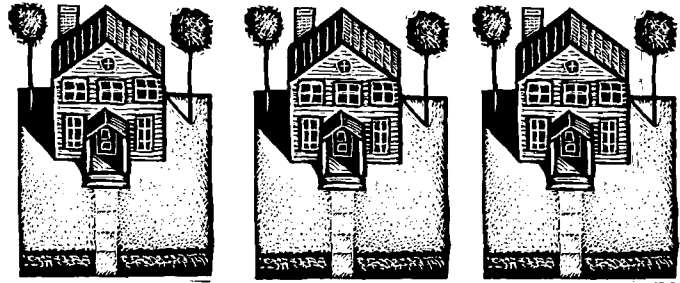
the Brookings Institution distinguishes sprawl from general suburban development by listing 10 characteristics specific to the former, such as low-density "leap-frog" development, reliance on the private automobile, and a political order in which planning power is fragmented across several municipal authorities. According to Downs, most analysts oversimplify the problem—and possible solutions—by focusing on only a few of sprawl's defining traits.

Downs analyzed data from 1980 and 1990 in 162 urbanized areas to measure both sprawl and urban decline, using nine variables for each. Low or diminishing population density, for example, was a marker for sprawl; so was the ratio of central city density to densities on the outlying fringe. Measures of urban decline included increasing crime rates, decreasing income, and decreasing population.

Downs' conclusion, which he found "very surprising": "There is no meaningful and significant statistical relationship between any of the specific traits of sprawl, or a sprawl index, and either measure of urban decline." The "basic traits of the general growth process"—the relatively high standards required of new housing, the concentration of public housing in urban cores, the exclusionary zoning laws adopted by suburban governments, the tax systems that encourage



**LIABILITIES**



**SOURCES**

"As with every other kind of government action, I think the first rule has to be: Do no harm. And I think it is likely that the **more government tries to support open source, the more it will end up harming it.**" So writes Jeff A. Taylor—author of *Reason Express*, our weekly online news update—in an online debate on whether the government should foster "open source" software standards. The debate, sponsored by *The American Prospect*, also features Eric S. Raymond, Nathan Newman, and Jonathan Band, and is available at [http://www.prospect.org/controversy/open\\_source/](http://www.prospect.org/controversy/open_source/). To subscribe to *Reason Express*, point your browser to <http://www.reason.com/re/subscribe.html>

**QUOTE**

"In a country where Madonna is an icon... **a boy relieving himself is not that bad.**"  
—Bernard Geenen, Belgian trade official, reacting to Ohio's decision to ban the beer Manneken Pis because its label features the famous 17th-century Brussels statue of a child urinating, in the *Cincinnati Enquirer*, April 9, 2000.