



Right-wing greens

Porn extortion?

DON'T DRILL ON ME

Meet the new face of environmental activism

BY DEAN KUIPERS

Larry Bell is a conservative and a successful brewer in Michigan. His Bell's Brewery makes some of the best-loved craft beers in the country, selling 250,000 barrels a year of its highly rated Two Hearted Ale and other brews across 18 states.

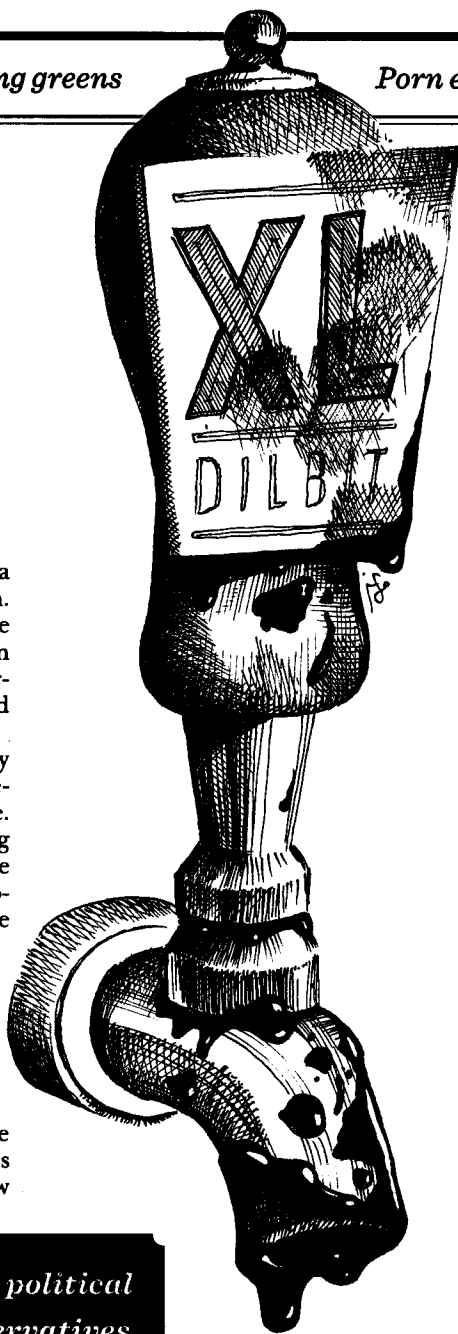
He is, in political terms, the kind of guy you'd want to have a beer with. He believes in American energy independence. He thought it was a good idea to wring oil from the tar sands of Canada and pipe it into the U.S., even to build the controversial Keystone XL pipeline to run the oil down to Port Arthur, Texas.

But then tar-sands oil threatened Bell's beer, and what he found out about this particular oil changed his mind completely. "I was on the side of building Keystone XL," says Bell. "But I certainly couldn't condone it now."

Similar stories are piling up: Some political conservatives and supporters of U.S. energy independence are now opposed to tar-sands oil. Terry Van Housen, originally a big fan of the Keystone XL pipeline, which is supposed to run through his Nebraska farm and cattle feedlot, is now fighting it. Debra Medina, former Tea Party candidate for governor of Texas, supports a Texas Supreme Court case against the pipeline. Ex-marine Michael Bishop says he wouldn't have fought the pipeline for environmental reasons but has filed three lawsuits to stop it, including one against the U.S. Army Corps of Engineers.

They have a litany of complaints. Some question why the foreign company building Keystone XL—Calgary-based

Some political conservatives are now opposed to tar-sands oil.



TransCanada—can grab U.S. property under eminent domain. Some want to see more money for landowners. Others don't like that TransCanada has been providing lists of "aggressive" landowners and activists to local authorities.

But all of them fear an oil spill.

In July 2010, a pipeline owned by Enbridge (another Calgary-based energy-transport company) ruptured near Marshall, Michigan, dumping nearly a million gallons of tar-sands oil into the

READER RESPONSE

LIBERTY AND LIBERTARIANISM

In "The War on Sex" (September), Nancy L. Cohen's hastily tacked-on jab at Rand Paul is not only misleading but outright false. Senator Paul believes states have the right to ban gay marriage just as much as he believes they have the right to legalize it. Also,



including his stance on marijuana? What does that have to do with sex? Paul is a huge advocate of growing hemp and legalizing medical marijuana, which is certainly more 420-friendly than our current administration. To try to misleadingly label Paul as some far-right puritan à la Todd Akin is a clear indicator that Cohen's article is not about the alleged war on sex but rather an attempt to smear as many potential 2016 GOP candidates as possible in her allotted page and a half.

Cody Joel
Louisville, Kentucky

Nancy L. Cohen responds: "The true libertarian position is that gay marrying, dope smoking and nonprocreative



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fucking are individual rights that should not be abridged by any government, federal or state. Rand Paul earns his inclusion in the GOP's war on sex through his avid support for a 'personhood amendment' to the U.S. Constitution. By defining life as beginning at fertilization, such an amendment would have the effect of classifying popular forms of birth control as instruments of murder. I thought PLAYBOY readers might also be interested to learn about Paul's politically ambidextrous positioning on drugs. On May 12, The Washington Post reported on a meeting in which Paul 'assured' evangelical pastors 'that he disagrees with libertarians who support legalizing drugs.' On medical marijuana, Paul has said he believes it is a state-rights issue but takes no public position himself. Neither PLAYBOY's fact-checkers nor I found any evidence that Paul is a 'huge advocate' of legalizing medical marijuana, and the senator's office did not respond to our request for clarification."

CRIME AND PUNISHMENT

I disagree with Ishmael Reed ("Who's Next?," July/August). Gays aren't the new blacks; felons are. I have three felony convictions for possessing small amounts of marijuana, less than half an ounce each time. Unfortunately,

Kalamazoo River about 30 miles upstream from Bell's Brewery. The complex clean-up has cost more than \$1 billion, making it the costliest on-shore spill in U.S. history—and it's not finished. In March 2013 a smaller spill from an ExxonMobil line flowed through the city of Mayflower, Arkansas. Bell and others believe the spills are caused in part because what flows through these pipes is not conventional oil but diluted bitumen, or dilbit.

"The first week, Enbridge told people it was crude oil, but the cleanup people who dove right in to help us out were exposed to benzene and other toxic materials that aren't in crude oil," says Bell. "They got sick from it, and they went to the doctor. He said, 'What were you exposed to?' And they have to say, 'I don't know.' That's heinous behavior."

Tar-sands oil is not what we picture when we think of a gusher of light sweet crude. Bitumen from the Athabasca tar sands has the consistency of peanut butter. It's too thick to pump through a pipeline, so it's diluted by about 30 percent with solvents called "diluent." Thus, dilbit.

is required to keep records that explain the makeup of each batch of dilbit. What's left to clean up at the bottom of the river today, he says, is a nontoxic solid.

But when Enbridge moved to dredge the river and pile the sludge about 60 yards from his brewery, Bell brought experts to visit the local planning commission and had the dredging halted. Enbridge hadn't even gotten the right permit for the site before cleanup began.

"It was our error," says Manshum, noting that two other dredge sites weren't required to have the same permits.

"How could I let my people work," asks Bell, "knowing that stuff was blowing in the windows?"

The brewer's stance inspired other Michiganders to look at the pipeline. Dan Musser III, president of the Grand Hotel on Mackinac Island and a member of the Mackinac Bridge Authority, was concerned when Enbridge announced it would increase the volume of oil running through a

"How could I let my people work, knowing that stuff was blowing in the windows?"



BREWER LARRY BELL BECAME AN OPPONENT OF THE KEYSTONE XL PIPELINE AFTER A SPILL IN THE KALAMAZOO RIVER.

Enbridge spokesman Jason Manshum acknowledges that Line 6B carries dilbit but insists it's no different from other kinds of heavy crude oil.

"Crude oil is crude oil," he says. "It's liquid oil. When it's in the pipe it's all the same. The benzene and other chemicals in this product tend to evaporate and disperse within hours of an incident."

By summer 2012, Manshum notes, Michigan's Department of Community Health declared the river safe for recreational activities. Moreover, the company

60-year-old underwater pipeline that crosses the Straits of Mackinac. "If there were a spill in the straits, all eyes would be on us," Musser says. "It's not all altruistic; it would affect our business."

Steve Wuori, president of Enbridge's major projects division, came to see Musser in August. Musser says Wuori assured him it was light crude from North Dakota, not dilbit, running through the line. "I feel reasonably optimistic that they are on the right track to ensure a safe pipeline in our neck of the woods," Musser says.

Bell is not as optimistic. "Politically, I'm a guy who supports energy independence," he says. "But now that I understand dilbit



in Oklahoma marijuana is considered a controlled dangerous substance. It is grouped in the same class of drugs as heroin and methamphetamine. My only crime is smoking marijuana. Since



THE GRAND HOTEL ON MACKINAC ISLAND IN MICHIGAN: NOT SO FAST WITH THAT UNDER-WATER PIPELINE.

and its brother, horizontal fracking, I know we need clean water."

These words echo across the 2,100 acres of corn on Terry Van Housen's farm in Polk County, Nebraska. He grows corn to feed cattle in his feedlot, where, he says, he can "make 30,000 pounds of steak a day." What he learned about the Keystone XL pipeline has him worried about his livelihood.

When TransCanada first sent a survey crew to look at his property, 61-year-old Van Housen was pleased. Crude oil sounded fine to him. They gave him \$500 and told him he'd get money for the easement. The pipe would be buried and he could farm right over it. He was ready to sign. Then he started talking to his neighbors. "The land manager who came to see me from TransCanada made it sound so rosy, so perfect. But it wasn't so perfect at all," says Van Housen.

It's his understanding that he is liable for a spill if he runs his heavy equipment over the line—a claim TransCanada spokesman Grady Semmens dismisses, saying the pipe is buried in a way that makes it safe for farming. Then Van Housen learned about the Kalamazoo and Mayflower spills, as well as a number of smaller spills on existing Keystone pipelines. This worried him. Heavy crude, like dilbit, moves at higher pressures than light crude, and he, like many others, believes this is causing leaks.

Semmens deflects this argument too, saying tar-sands oil poses no increased risk from either pressure or corrosion. "Several studies have shown there is no difference in safety or risk for pipelines carrying bitumen-derived crude oil compared with traditional, lighter crude oils," he says, citing a recent study by the National Research Council.

Van Housen's big fear, however, is that his property sits atop the Ogallala Aquifer, a vast underground freshwater lake close to the surface of the Great Plains that irrigates nearly a third of all the cultivated land in the U.S. The state of Nebraska convinced TransCanada to re-route Keystone XL so it misses the environmentally sensitive Sandhills region, but it still goes right over the aquifer.

"I told the land manager, 'What if it gets down into the aquifer and it destroys my ability to water my corn and my cattle? I'm done. I'm ruined,'" Van Housen says.

Semmens says environmental-impact studies have determined that a leak into the aquifer may affect an area measured

in only "hundreds of feet" and that "TransCanada recognizes the significance of this critical resource and will not jeopardize it."

Van Housen is hardly reassured. He hasn't signed an easement and is trying to figure out a way to keep the pipeline off his land.

"I'm starting to freak out now," he says, sitting in his farm truck and barking into the phone about TransCanada. "What the hell are you trying to do? You're trying to get a lifetime easement and make billions of dollars but ruin

our land. And you can't even protect us?"

Stakeholders like Van Housen got a further shock this summer when anti-Keystone XL activist group Bold Nebraska found documents in which TransCanada suggests to local law enforcement that particularly aggressive landowners and activists may be candidates for domestic terrorism charges.

"It's all bad," Van Housen says of the pipe. "There's no upside to it whatsoever."

In July 2011 Republican activist Debra Medina, head of a policy nonprofit called We Texans, got a phone call about looking into the Keystone XL pipeline.

"I asked why I would get involved with it," she says. "It's a private company. I'm

TransCanada suggested that aggressive landowners and activists may be candidates for terrorism charges.



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my incarceration I have experienced housing discrimination and difficulty finding a job. I can no longer get the state licenses I used to have. My voting rights have been curtailed and my gun rights taken away, even though I have never been violent. When I tell people I've been to prison, they look at me as if I'm a terrorist. I definitely feel like three fifths of a person. This will be a rising social issue as we increasingly lock up more people for bullshit reasons.

Rodger Alan Gibson
Tulsa, Oklahoma

HOW IT ALL BEGAN

Robert Perry's letter in June ("Keynes Was Right") tells the story of the downturn as I understand it. However, I disagree with his assessment that Fannie Mae and Freddie Mac deserve much of the blame. Certainly they contributed to the financial crisis, but they were late to the game. You need to return to November 1999 to reach ground zero. That's when Senator Phil Gramm (Republican of Texas) slipped an amendment into a bill that eliminated the last vestiges of the



Glass-Steagall Act. Passed during the Depression, the act created divisions in the financial industry. With these restrictions removed, behemoths such as Citigroup bought brokerage firms, real estate firms, savings and loans and commercial and individual loan operations. With the complicity of Wall Street, everyone and his brother jumped into the loan-origination game. Even drug dealers got into writing mortgages



READER RESPONSE

because it was so lucrative and no one shot at you. Previously, savings and loans originated, funded and serviced a loan to term (usually 20 to 30 years). This chain of custody disappeared once Glass-Steagall was dead. Hefty fees were taken up front, and the mess was tossed over the fence for someone else to either squeeze out whatever profit they could or be stuck with the nonperformers. Without regulation, you get a market run amok, with many losers and a few big winners. One of those winners is Gramm, who became a senior executive at UBS, formerly a bank but now a financial services firm that couldn't have existed under Glass-Steagall. Finally, lest we forget, it was a Republican-controlled Congress that ordered Fannie and Freddie to buy those toxic loans. When they resisted, Congress changed their charters to compel their participation.

Donald Lovett
Sugar Land, Texas

A NECESSARY TRUTH

In response to "What Happened to Science?" (July/August): Since truth is now relative, the postmoderns have a new term for one reason people disagree—*confirmation bias*. Believe me, it's a dodge. Plato states that the republic's elites—the guardians and philosopher-kings of his time—should be lovers of



learning and as such should be in an uncompromising and relentless pursuit of truth. Falsehoods, as well as those who spew them (the Sophists), were rightly held in contempt. Since everyone now has a valid point of view, sophistry has become high art. It should come

all about private enterprise flourishing and making money. Then he told me they're using eminent domain to take Texas property to build the pipeline. I about fell out of my chair."

Thus began a legal battle over whether TransCanada, a foreign corporation, has the authority to use eminent domain in the state of Texas.

No one was more willing to take that on than Medina, a private-property and state-sovereignty advocate who is popular in Texas, where she got 19 percent of the vote for a third-place finish in the 2010 Republican gubernatorial primary.

Medina says Texas statutes maintain that to use eminent domain to take property from folks who don't want to give it up, a company has to be a "common carrier," meaning it carries oil "to or for the public for hire" and is permitted by the Railroad Commission of Texas. Medina argues that TransCanada doesn't cut it.

"Unfortunately there hasn't been a court in the state of Texas that has agreed with me yet," she says.

She notes, however, that case law is evolving, including a key 2011 Texas Supreme Court decision that established that private landowners have standing to appeal eminent-domain decisions regard-



CLEANUP EFFORTS IN MICHIGAN: NEARLY A MILLION GALLONS OF TAR-SANDS OIL LEAKED INTO THE KALAMAZOO RIVER IN 2010.

ing pipelines. And a case that could affect the Keystone XL project, *Crawford Family Farm Partnership v. TransCanada*, will soon be heard by the Texas Supreme Court.

TransCanada's Semmens says Keystone is a common carrier and that the two percent of landowners whose easements are grabbed by eminent domain get less money than those who sign an agreement. That's the brutal logic. "The real problem," Medina says, "is that government is giving private enterprise immunity from civil liability. You can call it

INDECENT EXPOSURE

Preying on those who would download porn

It looked like another Comcast bill, but as James opened the letter, its implications became clear. "If you have any legal questions about this matter," it read, "please contact an attorney."

Comcast was handing over James's personal records to a company called Malibu Media. Allegedly, someone using James's internet connection had illegally downloaded pornographic movies with titles such as *Harley Loves It Anally*. Malibu Media had filed suit, citing copyright violations, and on July 3 Comcast sent the news.

James had a password-protected wi-fi network that he allowed friends and neighbors to access freely. "It was hell for the first few nights," he says. "I thought about the FBI warnings I've skipped in movies, the agreements I've clicked on without reading. I felt squeezed for what little money I have—money I don't have."

Lawyers and judges have seen plenty of such lawsuits from Malibu Media, Prenda Law and other "porn trolling" operations since 2010, some demanding settlements as high as \$20,000. "These companies don't want to go to court," says Billy Joe Mills, who bills himself as "the friendliest attorney in Chicago" and who special-

izes in cases like James's. "They want settlements, and they rely on the shame of porn. Pay us or we'll launch a federal lawsuit—with public documents a basic Google search can find that reveal you were sued for stealing *Interracial Gang Bang Anal Explosion*."

This past summer, the Pirate Bay, a file-sharing hub, used the porn trolls' tricks against them, subpoenaing records for an IP address from which many of the adult films cited in copyright lawsuits had been uploaded.

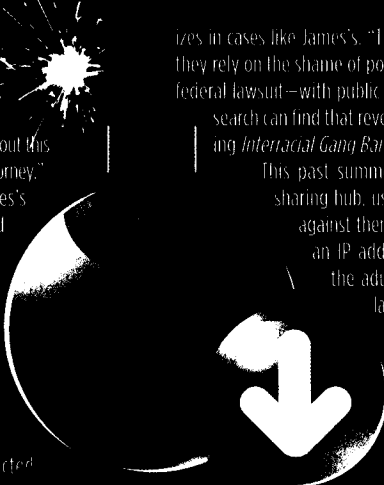
It belonged to a company once operated by Prenda's lead attorney.

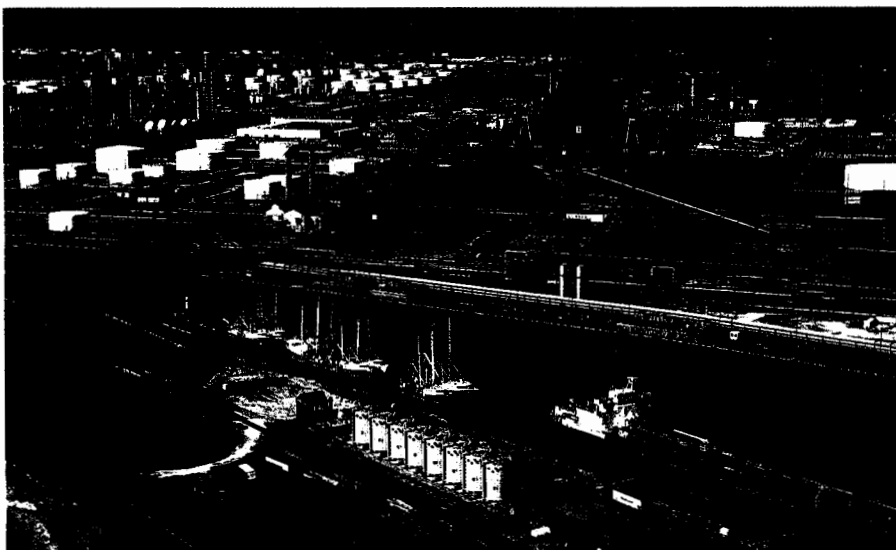
The summer also saw sanctions levied against Prenda and Malibu in U.S. district courts. The

sanctions crippled Prenda, and though Malibu was allowed to continue its suits, its counsel is now required to mention the sanctions in future cases. One plaintiff's lawyer admitted his client's trolling had a 30 percent error rate.

"I have people on the phone in tears, contemplating suicide," says Mills, "paying even though they couldn't have done it because they were abroad, for example, but can't risk muddying their name."

"Part of me wants to fight," says James. "but there's a part of me that... Look, I'm a teacher. This would end me." —Richard Morgan





THE TERMINUS OF THE KEYSTONE XL PIPELINE WILL BE IN PORT ARTHUR, TEXAS; WHO WILL REPRESENT THE INTEREST OF ALL TEXANS?

crony capitalism or corporatism or statist policy, but Republicans are getting pretty confused about their ideas of limited government and free markets."

Most of this jibes with the complaints of Texas landowner Michael Bishop, a vocal opponent of the southern section of the Keystone XL project, which was praised by President Obama in March 2012 and is already completed on Bishop's land.

"When my research led me to the truth about this pipeline, I was outraged," Bishop writes via e-mail. He, like Medina, is afraid of a spill. A self-proclaimed libertarian, Bishop is also upset because landowners have little recourse to fight the project.

"They have more rights than we do," he writes. "That is not equal protection under the law, and the current laws are skewed in favor of the oil companies—unjustly."

Genieve Long, a stay-at-home mother of four in Mayflower, Arkansas, didn't have any opinion about tar-sands oil—until it poured through her town.

"I was never completely against them until the pipeline broke. And once I realized the devastation it can cause, I thought, This is ridiculous," she says.

When the ExxonMobil pipeline ruptured in Mayflower in March, an estimated 5,000 barrels of dilbit rushed through town. Twenty-two homes (two of which ExxonMobil later bought) were evacuated as the goo pooled in a marshy cove of Lake Conway about 300 yards from Long's home.

"The oil companies have more rights than we do. That is not equal protection under the law."

"You immediately had the throat-burning sensation, lungs burning; it would take your breath away," says Long. "Then came the lasting respiratory issues, migraines, nausea, vomiting, abdominal pain, confusion, skin rashes."

These symptoms, she says, affect her and two of her children. But she says her medical claims were denied because the air quality is now deemed acceptable and the dilbit never physically touched her property. She is preparing a lawsuit, and she traveled to Washington, D.C. to speak out against the Keystone XL pipeline.

ExxonMobil spokesman Aaron Stryk says the company's medical-claims hotline is still open, as is its community information center, and the company has been paying all valid claims as determined by the Arkansas Department of Health. Many residents have complained that their symptoms were dismissed. "ExxonMobil Pipeline regrets the Mayflower spill and apologizes for the inconvenience we have caused the people of Arkansas," he adds.

As symptoms linger, regular Mayflower community meetings about the spill have been growing in size. "They have seen what has taken place and the lack of communication from Exxon to the residents," Long says. "The level of trust from the citizens has completely diminished. And as the trust from these citizens diminishes, so diminishes their trust about the oil that runs through the rest of the country—Keystone XL and all the other pipelines too. The more these people screw over the citizens of this country, the less we have faith that this oil is what we need. We need to find something else."

PLAYBOY READER RESPONSE

as no surprise that truth as well as science is doubted. The internet, the decline of civil discourse once known as debate and the sensitivity of modern journalism have only added to the cacophony. Separating shit from Shinola was Plato's true goal of education, but it seems that mission has been scrubbed. Perhaps now is the time to return to Plato, not out of ideology or inclination but out of necessity.

James F. Brown
Pinole, California

THE RIGHT TO RESPOND

Few of the readers who wrote in September about the U.S. government using drones to kill American citizens abroad seem to understand that without due process we are all targets. You may think your beliefs, actions and organizations would never cause the government to want



you dead, but you have no way of knowing until the moment it kills you. No matter how angry you get at someone accused of heinous acts based on what you read in the media (since that's the only evidence most of us have), the seriousness of a crime does not dictate whether a person qualifies for protection under the Constitution. Our justice system is the best in the world—let it work. Everyone should have the chance to defend themselves, every time, or none of us will.

Liz Feola
Bethel, Connecticut

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PLAYBOY

ENTERTAINMENT FOR MEN

DECEMBER

GALA HOLIDAY ISSUE

HELMUT NEWTON
RETROSPECTIVE

THE INTERVIEW: NYPD
TOP COP RAY KELLY

THE YEAR IN SEX

JAMES MARSDEN 200

WEBCAM GIRLS

ROCKSTAR GAMES/
SAM HOUSER

COLLEGE HOOPS
PREVIEW

NEW FICTION FROM
ROBERT COOVER

THE ULTIMATE
GIFT GUIDE



ALL I WANT FOR CHRISTMAS

