



**MILLENNIUM DIGGERS  
ASSOCIATION  
Keizer, Oregon**



**Secretary: Marlea Sheridan**

**Editor: Penny Esplin**

2012-2013 Officers:

-President: PENNY ESPLIN

-Vice-President: KEN ORNDORFF

-Treasurer: ALICE PHILLIPS

DATE: JULY, 24, 2014

**Call to Order:** Penny called the meeting to order, and welcomed members and guests. Welcome to Dakota, Chuck's guest. We were very happy that Ted Staley, our new lifetime honorary member, was present!

**Meeting Minutes:** Minutes from last meeting passed.

**Treasurer's Report:** Alice gave us a short report.

**Claims Report:** New claim, Diggers LNF Jeeter Creek, has some issues with neighbors. Discussion followed for how to create good mojo with them. Plan is to talk to Wes Haugen about setting up a neighborhood meeting with Stream Savers group as a go-between. A plan to discuss "Rights and Responsibilities" for claim owners and land owners is needed for both surface and minerals. Chuck used GPS coordinates (maybe 20 or 40 acres) and found that the claim runs onto private land areas. Letters will need to be written to property owners within claim boundaries introducing our club and our claim responsibilities, etc.

**Millennium Diggers Raffle:** Ken encouraged members to buy tickets for the 50/50 drawing to be held in December. The 1/2 # Nugget drawing was held in July. The Miner Statue netted \$21.00 and the check will be mailed.

**Ongoing:** The E.O.M.A. (Eastern Oregon Mining Organization) is dealing with court costs. \$5,000 bill from Buchal. This covers the appeal. There is still \$5,000 remaining. This will need more money to make it to SCOTUS. **Ideas:** PLG members contribute monthly. 27 PLG members donate \$20.00 a month. Perhaps

we need new ideas for fundraising: EBay, crowdfunding, more regular events, other?

*Notice to members:* Please think of more items to bring to upcoming meetings for the General Raffle table that we can use as prizes. If they are for "rocking" or mining of any kind, all the better! Baked goods would be great, too!

**Old Business:**

Check out the Facebook Site: <https://www.facebook.com/streamsavere> or contact Karen Darnell at : [Streamsavere.org@gmail.com](mailto:Streamsavere.org@gmail.com)

**New Business:** **Augusts club outing meets at Don Esch's home**. Penny will send an e-mail with this date to members. Christoph and David will bring snacks for the August meeting. Thanks fellas!

**Sharing:** Crystals from the Jackson claim were shared. Twin pyrites, sulfur, fossils from Clarno, garnets and some unidentified finds were shared. Penny brought Wulfenite from Red Cloud Mine in New Mexico.

Alice suggested that a **M.D. Member Directory** be updated and shared with members. It's always so much more fun to invite a friend/club member on an outing when you have their email or phone number!



**Our Next Club Meeting: Thursday, August 28, 2014**

Visit our website at <http://www.millenniumdiggers.com/>

The Millennium Diggers Club is a group based in Keizer, Oregon, which is near Salem, Oregon. The club is for people that share an interest in searching for things of value. The club's charter is to provide members with a club that will help promote the hobbies of metal detecting, prospecting, rock hounding, and treasure hunting. Part of our yearly dues pay for mining claims that are available for all club members to use. We use club meetings to share information about locating gold, silver, coins, jewelry, gemstones, fossils and metal detecting. We plan club outings each month where we can help each other learn all aspects of our hobbies. This is a great family activity, bring the kids! Please feel free to drop in on one of the monthly meetings or outings.

We meet the 4<sup>th</sup> Thursday of each month, 7:00 p.m, at:

**Clear Lake United Methodist Church**

**920 Marks Drive**

**Keizer, OR 97303**

We meet in the church's Fellowship Hall; a real a nice meeting place complete with tables, chairs and a kitchen. The church is located across the street from the Clear Lake Fire Station. There's plenty of parking in the church's parking lot.



## Table of Contents

Environmental Groups in Oregon Partner with Domestic Terrorists!.....	5
I stand corrected.....	10
Dredge Mine Proposed for Bed of Salmon River.....	13
Dredging in protest, Miners find 'pay streak' on the South Fork Clearwater; defy EPA.....	16
Working to fix the unimproved boat ramp.....	19
Fixing commonly used put-in and take-out spot will require permits.....	21
Congressman Peter DeFazio on Hardrock Mining.....	23
Washington State Ecology Official Who Sees Citizens As Prey Keeps His Job.....	26
Top 5 Shocking Companies Hurting YOU!.....	29
Is The Unpatented Mining Claim Real Estate?.....	34
Gold & Outdoor Festival Set for Sonora Aug. 23-24 .....	47
PLP OCTOBERFEST FUNDRAISER EVENT.....	52
Family finds 300-year-old sunken treasure off Florida's east coast.....	55
NOAA says 28,504 Low Max Records Set in U.S. in Last 365 Days.....	56
Supreme Court To Obama Administration– Congress Writes Laws; You Don't!.....	57
<i>The Chain of Environmental Command</i> .....	59
Exploiting Indians.....	68
Gov. Pence urges Congress to block EPA regs.....	82
Border patrol agents handcuffed by wildlife rules.....	83
Arctic Oil Spill Kills Santa Claus.....	86
Carbon Tax Repealed, Australian Government Puts People First.....	90
EPA chief, Teach climate change in schools.....	91
Here's How to Make Sure Students Learn About Climate Science.....	92
IMF urges higher energy taxes to fight climate change.....	94
Watch Kerry Give Advice To Starving African Nations, Don't Build Farms Because Of Global Warming.....	95
Need Proof Communists Are Behind Global Warming Hype? Here It Is.....	96
World's top PR companies rule out working with climate deniers.....	98
Convicted felon designed EPA's playbook for faking science.....	102
California Farmers Worry More about Climate Policy than Climate Change.....	105
Liberals & Locusts.....	106
Major nation has <u>zero</u> illegal's coming in, Here's how.....	107
Theodore Roosevelt's ideas on Immigrants and being an AMERICAN in 1907...	109
The Reasons We Fight The New World Order.....	110
Armed BLM 'Gestapo' Threatening Rural Citizens.....	116
The NDAA Explained in 3 Minutes.....	120



## Environmental Groups in Oregon Partner with Domestic Terrorists!

July 1, 2014 – by Dominic Aiello, President

<http://oregonoutdoorcouncil.org/anti-you-environmental-groups-in-oregon-partner-with-domestic-terrorists/>



### Cascadia Wildlands

 **Cascadia Forestdefenders** shared a link.  
June 4

Exciting news in the fight to save the Elliott!

Yesterday our allies at Cascadia Wildlands, the Portland Audubon Society, and Center for Biological Diversity filed to sue Scott Timber and Seneca Jones, who bought three parcels of Murrelet ... [See More](#)



**Cascadia Wildlands » Lawsuit Launched to Protect Threatened Marbled Murrelets From Clearcutting...**  
www.cascwild.org

Categories:Featured Case: Marbled Murrelet Home Page  
Hot Topic News Press Room Protecting Forests and Wild

Like · Comment · Share 4 Shares

16 people like this.

More proof Cascadia Wildlands is partners with a domestic terrorist\* group.

- Cascadia Wildlands openly partners with Defenders of Wildlife, Center For Bio Diversity, Cascadia Forest Defenders (labeled a domestic terrorist\* group by Oregon legislators), Oregon Wild, Trap Free Oregon, Portland Audubon Society, and many other anti-sportsmen groups.

- The Executive Director of Cascadia Wildlands was employed by Defenders of Wildlife during the re-introduction of the wolf in the lower forty eight states.



Opposed to spring bear hunts, but claim they're not anti-hunting!



Reply to @cascwild

Cascadia Wildlands encouraged people to support a trapping ban in California!

- Cascadia Wildlands is against bear hunting in Oregon
- Along with the other groups, Cascadia Wildlands is a major proponent of the Northwest Forest Plan
- Cascadia Wildlands has attacked pro-sportsmen bills to allow sensible cougar management in Oregon. Even though some of these bills received super majority bipartisan support and were endorsed by the Oregonian!
- **Cascadia Wildlands openly acknowledges their partnership with a domestic terrorist\* group that advocates arson, burglary, murder, fire bombing, sabotage, and much more! All while they attempt to vilify Oregon sportsmen groups as morally bankrupt!**
- **Cascadia Wildlands is a leader in Oregon to destroy the rights of citizens to mine for gold using small-scale gold suction dredges!**

## U.S.-held Earth & Animal Liberation Prisoners

### Walter Bond

#37096-013, USP Marion CMU, PO Box 1000, Marion, IL 62959, USA

Serving 12 years (until 03-21-2021) for the "ALF Lonewolf" arsons of the Sheepskin Factory in Colorado, the Tandy Leather Factory and the Tiburon Restaurant that sold Foie Gras in Utah.

*Birthday:* April 16

*Diet:* Vegan



### Marie Mason

#04672-061, FMC Carswell, Federal Medical Center, P.O. Box 27137, Fort Worth, TX 76127, USA

Serving 21 years and 10 months (until 09-18-2027) for her involvement in an ELF arson at a University building carrying out genetically modified crop tests. Marie also pleaded guilty to conspiring to carry out ELF actions and admitted involvement in 12 other ELF actions. Join the campaign to [move Marie](#) from the extreme isolation at FMC Carswell.

*Birthday:* January 26, 1962

*Diet:* Vegan



### Eric McDavid

#16209-097, FCI Terminal Island, P.O. Box 3007, San Pedro, CA 90731, USA



Cascadia Forest Defenders, Cascadia Wildlands, and Portland Audubon support imprisoned domestic terrorist\* including arsonist, burglars, fire bombers, murderers, and more!

- Cascadia Wildlands supported a trapping ban in California
- Cascadia Wildlands was caught fabricating lies in an effort to discredit the Oregon Outdoor Council
- **Cascadia Wildlands continues to call pro-sportsmen groups in Oregon “radical” or “fringe” groups while they support illegal actions!**

As a result of these actions and others, our predator populations continue to grow, timber harvest is at all time lows and, our ungulate numbers continue to decline. Do these groups sound like they speak the voice of reason for the majority of Oregonians?

\*<http://www.nrtoday.com/news/9781437-113/blm-timber-jossie-sale>

*“The fact that you have, and I will call them terrorists, going out and stopping a public process and timber operations, I think it should be a crime,” Freeman said.*

Obviously domestic terrorist groups and their allies do not represent the majority of Oregonians' views!

### **Ask Governor Kitzhaber & ODFW!**

Email Governor Kitzhaber

(<http://www.oregon.gov/gov/Pages/ShareYourOpinion.aspx>) and ask him why this group, that has been labeled terrorists by his peers, is allowed to operate in Oregon and why he gives these groups more of a voice than you!

Email ODFW Director Roy Elicker ([roy.elicker@state.or.us](mailto:roy.elicker@state.or.us)) and ask him why he gives these groups more of a voice than you — the customer, the budget funder, the conservationist!

**Read this entire interesting and informative article at**  
**<http://oregonoutdoorcouncil.org/anti-you-environmental-groups-in-oregon-partner-with-domestic-terrorists/>**

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## **I stand corrected**

Don Smith, July 8, 2014

<http://riversandmountains.biz/i-stand-corrected-p1090-90.htm>

# **Rivers and Mountains**

*... exploring Central Idaho from the town of Riggins  
on the legendary Salmon River of No Return*

Friday, July 04, 2014, 6:53 AM

SunCloud Productions • PO Box 1450 • Riggins • ID • 83549 • Phone: 208-628-3307



**Some tailing piles are visible near this dredge on the Salmon River.**

Photo taken July 4, 2014.

Hold my feet to the fire! I asked readers to tell me where I go wrong or how what I say does not hold up, and Jonathan Oppenheimer from the Idaho Conservation League questioned one of my assertions last week. This issue is about the controversial ruling by the US EPA that has shut dredge miners out of the lower Salmon River near Riggins because of declaring it critical habitat for endangered species. I cannot find in print where I questioned the claim that fish (fall Chinook salmon in this case) will spawn on unstable dredge tailings by mistake, but I did report that there is not a tremendous amount of scientific studies out there on the overall issues, and there has been no study on this section of the Salmon River upon which most of my reporting has focused. In any case I was sent a .pdf file that specifically reports on a study done in California in 1999.

The study was reported in an article that appeared in the journal published by the American Fisheries Society called *North American Journal of Fisheries Management*. The article titled "Scour of Chinook Salmon Redds on Suction Dredge Tailings" is by biologists Bret Harvey and Thomas Lisle and there is a link to it at the end of this article. When it comes to scientific studies, several research articles from these scientists are often referred to by people who are alarmed by the effects of dredge mining. These two scientists and others have pointed out that there is not much out there in terms of scientific studies on the effects of small scale dredge mining and claim in another article and this one that each situation or section of river is unique and conclusions can vary on how much damage is actually being done. The authors write, "We recommend that managers carefully analyze each water shed so regulations can be tailored to particular issues and effects."

But getting back to specifically calling me out on fall Chinook spawning in gravel tailings from dredges that are not appropriate for the success of their offspring, the authors write, "Our results show that fisheries managers should consider the potential negative effects of dredge tailings on the spawning success of fall-spawning fishes such as chinook salmon and coho salmon." And, "...dredging during summer may affect the reproductive success of fall-spawning fishes..." And, "**Tailings may significantly increase the availability of spawning sites for salmonids in channels lacking spawning gravel such as those that are armored with cobbles and boulders too large to be moved by spawning fish** (Kondolf et al. 1991). However if such tailings are unstable, the population-level consequences of dredging could be negative. Considering the decline of populations Chinook salmon and coho salmon in western North America (Nehlsen et al. 1991), we think information on the relative stability of tailings and their use for spawning by these species is needed." And, "Where threatened or endangered species exist, managers would be prudent to assume activities such as dredging are harmful unless proven otherwise (Dayton 1998)."

The article should be read in its entirety. The conclusion from my point of view is that a specific in-depth study is needed to explore the effects of small suction dredge mining on the stretch of river in question. The Nez Perce Tribe and the Idaho Department of Fish and Game also question the impact on a sensitive species, the Pacific Lamprey, which potentially spawn in the river's gravel and the juveniles rear in the gravel for over four years. Questions such as how many of these species use this sixty mile stretch of river are unknown. To what effect does dredge mining have on them is also an unknown. Perhaps it is insignificant-perhaps not.

If dredge mining is harmful to a certain species, is there a scale of mining and method that is acceptable? Who decides what is acceptable? But the

question, does dredge mining harm aquatic life in the Salmon River and to what extent, has not been answered either way.

**EDITORS COMMENT:** The author did not mention that the Harvey and Lisle reported that when redds were being washed from tailings they were also being washed from the riverbed undisturbed by mining. That is a very important point.

There have been a number of surveys performed by the U.S. Fish and Wildlife Service from 1993 to 2006. They all conclude that spawning on suction dredge mine tailings is an insignificant problem.

*J. Kilgore, U.S. Forest Service* shared with Harvey and Lisle *unpublished data* that illustrated, on the Scott River, CA, much more natural substrate than dredge tailings provided spawning habitat and the fish exhibited no strong preference for either substrate. However, **where natural spawning substrate is in short supply**, a large proportion of redds may be located on dredge tailings.

Fall chinook redd count of **1,578** was the fourth highest number observed since the initiation of these surveys in **1993**. There was only **2 redd (0.127%)** observed this year on suction dredge tailings. *Magneson, M., P. McNeil, and T. Shaw. 2001. Mainstem Klamath River fall Chinook salmon spawning survey 2001. U. S. Fish and Wildlife Service,*

In **1996 1,372 redds** were observed on the mainstem Klamath River. only **2 redds (0.15%)** were observed on recent dredge tailings." *U.S. Fish and Wildlife Service. 1997. Mainstem Klamath River Fall Chinook Spawning Redd Survey: Fiscal Year 1995 and 1996. USFWS, Coastal California Fish and Wildlife Office, Arcata, CA, 27pp.*

The **2002** fall Chinook salmon redd count of **4,652** was the highest combined total for the six reaches of the Mainstem Klamath River surveyed since the initiation of these surveys in 1993. Arcata Fish and Wildlife Office, Arcata Fisheries Data Series Report 2006-02, Arcata, California. Only **one redd (0.022%)** was observed in 2002 on suction dredge tailings. *Magneson, M., P. McNeil, and T. Shaw. 2001. Mainstem Klamath River fall Chinook salmon spawning survey 2001. U. S. Fish and Wildlife Service, Arcata Fish and Wildlife Office, Arcata Fisheries Data Series Report 2006-02, Arcata, California.*

A total of **1,186** fall Chinook salmon redds were counted. **No redds** were observed in **2006** on suction dredge tailings. *Magneson, M., R. Studebaker, and J. Ogawa. 2008. Mainstem Klamath River Fall Chinook Salmon Spawning Survey 2006. U. S. Fish and Wildlife Service, Arcata Fish and Wildlife Office, Arcata Fisheries Data Series Report Number DS 2008-13, Arcata, California.*

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## **Dredge Mine Proposed for Bed of Salmon River**

Posted by [Jonathan Oppenheimer](#), Jul 22, 2014

<http://www.idahoconservation.org/>



Idaho  
Conservation  
League

**At least we are not disappointed for an expectation of accuracy or honesty in this propaganda article.**



**An untended suction dredge on the Salmon River. J. Oppenheimer photo.**

A Riggins-based miner has applied for a 5-year commercial riverbed lease in a popular section of the Salmon River near Time Zone Bridge just below Riggins. The mining operation could impact up to one mile of the riverbed in habitat designated for the protection of endangered species — including Chinook salmon, steelhead trout and bull trout.

In 2012, [a similar mineral lease was withdrawn](#) in response to a lawsuit filed by the Idaho Conservation League. This new proposal also follows [a controversial protest](#) held on the Salmon River upstream of Riggins, which attracted some 60 miners over the course of a week.

Regardless of whether the state issues a lease, the proposed mining operation would require a permit from the Environmental Protection Agency. Unfortunately for the miner, the EPA has restricted dredge mining in the Salmon River and in other rivers and streams that have been designated as critical habitat for

salmon, steelhead and trout. As a result, mining in this area could warrant penalties of up to \$37,500 per day.

### **What Is Suction Dredge Mining?**



**Dredge mining can have significant impacts on rivers and streams. Note the sediment deposited downstream of this dredge in the South Fork Payette River. Justin Hayes photo.**

Imagine a high-powered vacuum, floating on pontoons. The miner dives to the bottom of the stream and sucks up gravel and sediment with a large hose, excavating down to the bedrock. The dredged material (sediment, gravels, rock and water) is discharged through a sluice box on the back of the floating dredge, capturing the gold, and spewing the sediment and gravel back into the water.

#### **The practice can wreak havoc on fish habitat and stream water quality:**

- Sediment discharged by the dredges can smother fish eggs.
- Gravel deposited behind the dredges can create unstable spawning beds, which can be attractive to fish yet fail to provide the stable substrate the eggs need to survive.
- Holes created by the dredging can persist, changing river hydrology, leading to downstream erosion and creating dangerous wading conditions for boaters and anglers.
- Mercury can be released into the water column, threatening public health, aquatic species and downstream users.
- Fisheries biologists, hydrologists and others agree that the impact from [suction dredge mining is harmful to fish and threatens water quality](#). That's why restrictions, limitations or statewide bans have been put in place in Idaho, Oregon, California, and other western states.
- Dredges can harm stream banks and streamside vegetation as the equipment is hauled in and out of the water or used to dredge beneath streambanks.

## **So, What's the Deal with the EPA Permit?**

**Up until 2013, nearly 1,000 miners each year operated suction dredges in Idaho's rivers and streams** with a \$10 state permit. Similar to a fishing license, the \$10 permit allowed dredgers to mine in waters designated by the Idaho Department of Water Resources as open to this activity. Based on concerns raised by Idahoans, **the EPA recognized that Idaho's permitting system was not adequate to protect clean water.**

In response, **the EPA issued the new permitting system in 2013 and authorized suction dredge mining in Idaho in places where negative impacts could be avoided.** Recognizing the effects of dredge mining on water quality and endangered species, the [EPA prohibited suction dredge mining in Idaho rivers](#) that were already impacted by sediment or that were designated critical habitat for fish. The free EPA permit represents the only way for Idaho miners to comply with the Clean Water Act and operate a suction dredge in Idaho. In 2013, 81 separate operations were approved under the new system.

In early July 2014, a protest was held on the Salmon River, an area closed to dredging. Approximately 60 miners showed up, with upwards of 10 dredges working the riverbed. Even so, the EPA elected not to enforce the Clean Water Act in the face of the violations. Other miners have similarly been openly violating the Clean Water Act, and it is unclear whether and when the EPA or other agencies might choose to hold them accountable.

## **What Happens Next?**

The Idaho Conservation League will be monitoring the proposal closely and encouraging supporters to voice their concerns in comments to the Idaho Department of Lands (**sign up for our email updates at the top of this page to be notified**). A public hearing is also scheduled in McCall on Sept. 3. Finally, the Idaho Land Board (made up of the Governor, Secretary of State, Controller, Attorney General and Superintendent of Education) will consider the lease, likely in October, providing another opportunity to voice your concerns.

**Clean water and a healthy Salmon River are priceless assets for Idahoans and those who live and play downstream. We all have the right to use the Salmon River, but no one has the right to abuse it.**

- See more at: <http://www.idahoconservation.org/blog/dredge-mine-proposed-for-bed-of-salmon-river#sthash.AUOGnFjB.mreAfpD4.dpuf>

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## **Dredging in protest, Miners find ‘pay streak’ on the South Fork Clearwater; defy EPA**



**An American Mining Rights Association-affiliated suction dredge operator pauses while clearing an obstruction from the sluice on Shannon Poe’s dredge. As of last Sunday, July 20, three AMRA setups continued to work the South Fork Clearwater River in opposition to federal permit requirements. The pictured dredge is a six-incher Poe refers to as “Big Blue”; details are available on AMRA’s Facebook page, [facebook.com/americanminingrights](https://www.facebook.com/americanminingrights). Photo by [Andrew Ottoson](#).**

IDAHO'S OLDEST WEEKLY NEWSPAPER

By Andrew Ottoson, **IDAHO COUNTY FREE PRESS**, July 23, 2014

<http://www.idahocountyfreepress.com/news/2014/jul/23/dredging-protest-miners-find-pay-streak-south-fork/>

ELK CITY — East of old Golden, the South Fork Clearwater River bent around the feet of mountains. Where the river slowed, it deposited gold which over time settled to the very bottom, to bedrock. Here, near Mile Marker 39, two workers decked out in diving gear operated Shannon Poe’s dredge – a six-incher – while the Free Press interviewed Poe last Saturday, July 19.

“We’re getting some stuff out of here that’s a quarter-inch, maybe a third of an inch – it’s some nice stuff,” Poe said, pulling out a half-inch hunk he keeps as a necklace. “But you don’t get big gold out of this river.”

“Not like that,” Elk City resident and longtime South Fork dredger Gay Richardson chimed in. “The biggest I ever actually weighed was three-quarters of an ounce.”

Poe gestured toward the dredge, saying: “In a hole like that, if you hit a pay streak that is a real collection spot for a concentration of it, you could pull a hundred grand out of there in a day.”

The chance to strike it rich – combined with enough actual strikes – once sustained thousands of people in Elk City. The gold rush ended about a hundred years ago.

A few ounces might not be enough to fuel a new heyday, but thousands of dollars came to town last week as miners – some local, some from as far away as Florida and Arizona – put their setups to work in defiance of a federal regulation that threatens to close local rivers to suction dredging.

Shannon Poe founded the American Mining Rights Association (AMRA) in 2013 as an educational non-profit, he said, to help miners keep access to their claims. AMRA miners have been working the river since July 15 to protest a permit requirement that would end all dredging in the Clearwater and Salmon drainages. He said they chose July 15 because, under state rules, that's the day the South Fork Clearwater River opened.

The Idaho Department of Water Resources “letter permit” is required of dredgers and other miners who use mechanical equipment; the “letter permit” caps dredging motors at 15 horsepower and caps the intake diameter at five inches.

The miners are ignoring a federal permit the Environmental Protection Agency (EPA) mandated in 2013, which shuts dredgers out of both of the area's major salmon-bearing rivers, their tributaries and all their associated streams.

The miners – and their political supporters – describe this act of defiance as a protest.

Sometimes swimming, sometimes standing in the shallows, Poe's workers direct a hose connected to a small gasoline-powered engine on a platform supported by two pontoons; behind the engine is a sluice. Eventually, Poe said, they'll reach a large boulder which juts several feet above the surface. Yards downstream from the boulder, they found a gold deposit. When they reach the boulder, they'll angle toward the inside edge of the river's curve, and follow the pay streak into the shallows.

At the surface, the workers take time to set aside larger rocks and refuel the rig.

Mostly, they work below the surface in a hole that includes one major safety feature. Rather than undercutting large rocks by removing underlying gravels, they use the dredge to create a set of stair-steps from bedrock to the surface. Poe said the hole is about eight feet deep.



Topside, the color of the sandy material sloughed from the sluice betrays its geological secrets. Poe describes one layer as “coffee creamer” – a reasonable description for a milky brown wash. Deep layers show the reddish tint of iron. These gravels settle out within a few hundred feet of the dredge; it's visible from a couple hundred yards downstream, near where AMRA posted its sign earlier in the week.

There is no “coffee creamer” – nor any other trace of the work – visible at Mile Marker 38.

The EPA permit is founded on the idea that these sediments pollute the beds where salmon spawn; Idaho's permit advises “suction dredges and other recreational mining equipment, when improperly used, can cause severe damage to fish populations.”

Gay Richardson suggested the stretch Poe is dredging would be too rocky for spawning if not for the gravels settling off of the sluice. To support his argument – that suction dredging does not pollute – Richardson cites two dozen documents, primarily testimony and research by Joseph C. Greene, a retired EPA research biologist. Among them are the essentials of the argument dredgers and their supporters pressed in a hearing by the Idaho legislature earlier this year.

Several local elected officials have long supported the miners: Sen. Sheryl Nuxoll visited Poe's dredge earlier in the week; Rep. Paul Shepherd sponsored legislation to nullify the EPA last year; Idaho County Sheriff Doug Giddings and Idaho County Commissioner Jim Chmelik both testified on the miners' behalf at the legislature's hearing; Chmelik has directly compared the miners' disobedience to that of Rosa Parks, whose disobedience on a bus sparked boycotts that fueled the civil rights movement.

Poe turned to the words of Supreme Court Justice Sandra Day O'Connor to sum up the dredgers' view: The river system is like a pot of soup, and dredging (like stirring the pot) adds nothing – so dredging does not pollute. Poe and Richardson also said it will take just one seasonal runoff surge for the signs the place was ever dredged to disappear.

Later, when the workers approach the boulder, Poe explained, there's a chance the sluice could retain an ounce of gold in an hour of operation. For Poe, it would be a return on a sizable investment – about \$100,000 just in dredges.

“There's nothing recreational about this,” he said.

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## Working to fix the unimproved boat ramp

7-29-14

# Rivers and Mountains

*... exploring Central Idaho from the town of Riggins  
on the legendary Salmon River of No Return*

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<http://riversandmountains.biz/working-to-fix-the-unimproved-boat-ramp-p1133-90.htm>



**Several local outfitters and guides work on trying to level the rock bar at the east end of Island Bar yesterday.**

Several local outfitters and guides worked on rehabilitating the unimproved boat ramp at Island Bar yesterday. The unimproved boat ramp at the upriver east end of Island Bar on the Salmon River has been used for years as a put-in and take-out for jet boats, rafts, and drift boats. Over time the smooth roundish river rocks on the bar at this location were compacted and made relatively level allowing vehicles, including two wheel drives, with trailers to back in two at a time to retrieve or put-in boats. The boat launching and retrieval place was

damaged over the July 4th weekend by small scale suction dredge miners. - See more at: <http://riversandmountains.biz/working-to-fix-the-unimproved-boat-ramp>.

The Occupy Idaho Waters protest early in July was centered at Island Bar about four miles up the Salmon River from Riggins. The protest was made by small scale suction dredge miners and supporters to draw attention to their plight about overreaching Environmental Protection Agency (EPA) rules that significantly curtailed suction dredge mining in Idaho and outright banned it in the stretch of the Salmon River here by Riggins where the activity was practiced for years. The protesters expressed a desire to appeal to and work with broader local interests who they said would be impacted next by growing EPA regulation. Since there was a significant disconnect with this group and the local dredge miners and their supporters, the protesters, in this writer's opinion, did not know that that particular section of Island Bar was a well known boat launching and retrieving site.

Last year local dredge miners and their supporters formed an ad hoc grassroots coalition that took their concerns with the new EPA regulations to the Idaho Legislature in an attempt to repeal the federal regulations. Their local state Representative Paul Shepherd attempted a bill to do just that but it did not make it onto the floor for a vote. They vow to try again next year. The coalition continued to lobby and work towards regress. When a southern Idaho mining group announced that they were planning an "Occupy Protest" that would include actually dredge mining in the Salmon River, many local miners and their supporters had reservations. Those concerns coalesced over several months and this reporter knows of no local miner that put in a dredge during the protest. The local coalition of miners that this writer spoke to sympathized with the goals of the protesters but had various reservations about the protest itself. One local miner expressed concerns that because the water would be high during the protest, the holes in the shore line when the water receded would not be an effective way to promote the cause. Without the guidance of locals, I am speculating, the put-in/take-out spot on Island Bar was damaged.

In an interview with protest organizer John Crossman and his wife Nicole during the event, John said he hoped to mine on the Salmon River all summer, but one of them (Nicole or John, my notes don't show) had concern about the water temperature later in August being too cold. I explained that the water would actually be much warmer in August then it is in early July. They were surprised. Apparently they did not know our area well.

The four outfitters and guides working with shovels yesterday at Island Bar said that the job was pretty big, and they most likely will have to try and get

motorized equipment to complete the job. They asked not to be identified and choose not to make any other statements.

The spot at Island Bar is recognized both by the BLM and the Idaho Outfitters and Guides Board as the place where a guided fishing section of river ends (during steelhead season) and guided fishing boats take out. If not boats have to go another 3 miles or so downriver to take out at a boat ramp. The anglers in those guided boats are not allowed to fish in that 3 mile stretch of water as it is part of the river reserved for private anglers only. Rules, rules, rules.

- See more at: <http://riversandmountains.biz/working-to-fix-the-unimproved-boat-ramp-p1133-90.htm#sthash.SqrSQ6Oo.dpuf>

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## **Fixing commonly used put-in and take-out spot will require permits**

8-7-14

# **Rivers and Mountains**

*... exploring Central Idaho from the town of Riggins  
on the legendary Salmon River of No Return*

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SunCloud Productions • PO Box 1450 • Riggins • ID • 83549 • Phone: 208-628-3307

<http://riversandmountains.biz/fixing-commonly-used-putin-and-takeout-spot-will-require-permits-p1153-90.htm>



**As the Salmon River dropped damage to a popular boat launching spot was revealed. Photo taken 7-12-14.**

According to a representative for the Idaho Department of Water Resources (IDWR), using mechanical equipment to re-level the rock bar at the east end of Island Bar will require permits from his agency and from the Army Corps of Engineers. Aaron Golart with the IDWR recently explained in a phone interview that the spot is not an official boat ramp so no violation in the rules occurred, and it was “unfortunate” that it happened and no one is responsible. The rock bar in question was a popular put-in and take-out location for rafters and drift boaters. During the Occupy Idaho Waters protest in early July, miners operated their gold seeking dredges on the location. When the water went down the holes and gravel piles made it difficult to launch or take-out boats.

Because the spot is under the mean high water mark (river bed), Golart explained this makes the location Idaho state property under his agency’s jurisdiction. He said his agency did supply some dredge miners at Island Bar at the beginning of the several-day protest in early July or late June with an “expedited LETTER PERMIT” that gave the permit holder “authorization to operate recreational mining equipment to alter a stream channel...” To read an example of the Letter Permit click [HERE](#).

One of the IDWR rules for recreational dredge mining in Idaho is that they operate more than 200 feet from any boat ramp. The location in question though commonly used was just a level rock bar made up of roundish river rock and gravel. It was level enough and compacted enough to allow 2 two-wheel drive vehicles with trailers to back to the water’s edge at the same time. This writer interviewed John Crossman, one of the organizers of the protest, at their camp on Island Bar and published an article [HERE](#) on July 1. Crossman said representatives from the IDWR were on location the day before and had issued some Letter Permits. At that time I could see there were no dredges working at the area used as a boat ramp. Several days later however upon returning I saw more dredges had arrived; I saw dredge activity on the boat launching spot.

Golart in the recent interview said that when people with his agency showed up at the Occupy Rally camp to observe, they saw no violations. Golart and I agreed that on the IDWR web site, on the Letter Permit, and in rules booklets it is pointed out that a federal permit from the Environmental Protection Agency (EPA) is also required. Golart said, however, that “we are not trying to administer federal law.”

And this is what the Occupy Idaho Waters Protest was about, the new EPA permitting system being applied to suction dredge miners in Idaho. In waters that are used by endangered species the EPA is not offering their new “point of discharge” permit, thus banning suction dredge mining on river sections like the

Salmon River around Riggins. Small scale suction dredge miners have mined the 60 mile road access stretch around Riggins for years via the IDWR permitting system. The EPA says they are just finally getting around to enforcing the Clean Water Act in this situation. The dredge miners claim the EPA does not have the science to back them up, nor do they even have the correct, practical, or logical application of the law to justify the EPA actions. I have written extensively on this issue in a variety of articles that can be found in the RIVERS section of this publication.

As pointed out before in my recent article here, most local dredge miners while supporting the Occupy Idaho Waters philosophically chose not to participate with the protesters camped at Island Bar. There were various reasons. Aaron Golart expressed regret about the rock bar being disturbed. He wondered that if more local guidance had been offered to the protesters, then the rock bar problem might have been avoided.

I also interviewed Joe O'Neill, the BLM Outdoor Recreation Planner for this part of the Salmon River. He said even though his agency over sees Island Bar for recreational use, the damage to the boat launching area was below high water line and was not part of their jurisdiction. He said his agency was currently heavily involved in fighting fires and had no plans to look at this issue. Eventually if his agency was able to look at the issue and decided to level the rock bar in question, he said it would require them to seek several permits or clearances from several other government agencies because the work in question would be done under the high water mark.

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Dear Friends,

For more than 140 years, the federal government has allowed hardrock mining companies to extract hundreds of billions of dollars' worth of valuable publicly owned minerals from our public lands without paying American taxpayers a single dime . Adding insult to injury, the current law has allowed these mining companies, many of them foreign owned, to carve up our lands and abandon

the toxic, hazardous mess that pollutes our rivers and surrounding environment – without paying for it.

I recently visited the Formosa Mine, an abandoned mine in Douglas County. Nearly twenty years after Canadian company Formosa Exploration Inc. abandoned the site, leftover toxic waste continues to leach out of the mine, generating between four and thirteen million gallons of acid drainage during an average year. These coppery waters tainted with sulfide minerals, arsenic, cadmium, copper and zinc, have flowed into thirteen miles of pristine river where coho salmon and steelhead trout once flourished. The fish are gone, and a habitat that provides for black bears, deer, and the endangered northern spotted owl remains in jeopardy.

Formosa Exploration was forced to shut down operations in 1996 after state regulators found major environmental violations at the site. Faced with a multi-million dollar tab that far exceeded the minimal bond they were required to post, Formosa Exploration Inc. dissolved and dodged the responsibility of cleaning up the environmental disaster they left behind. The Environmental Protection Agency (EPA) estimates that cleanup will cost over \$14 million—a tab that falls to American taxpayers.

This situation is not unique to Oregon. The United States faces an enormous backlog in abandoned mine cleanup. The EPA estimates that there are as many as 500,000 abandoned mines in the U.S. and each of these could cost billions of dollars to clean up. Their estimates indicate that 40 percent of headwaters of major rivers in the western United States have been polluted by oil mines and that over 100,000 miles of rivers and streams have been contaminated by acid mine drainage. According to Pew Research, hardrock mines have released over 18 billion pounds of toxins into the environment, the most common contaminants being lead, arsenic, zinc, cadmium, copper, radium and radon.

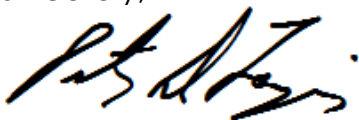
Without a dedicated source of funding, these horrific toxins will continue flowing into our environment. The American taxpayer will be required to pay all of the costs of mine cleanup from pollution from corporate

interests. And if they don't, our public health and pristine natural resources will suffer.

Unfortunately, mining practices in our country are still governed by the General Mining Act of 1872 – an outdated law that has kept us stuck in the 19<sup>th</sup> Century. That's why I have introduced the Hardrock Mining and Reclamation Act, which would bring our antiquated mining practices into the 21<sup>st</sup> Century. My legislation will:

- Force companies to post a realistic bond before they start operations, so taxpayers aren't on the hook to clean up a mine if a company skips town or goes bankrupt;
- Permanently end the unfair patenting system that allows companies to purchase mineral-containing public land for \$2.50 - \$5 per acre;
- Place an eight percent royalty on new mines and a four percent royalty on existing mines (excluding mines with less than \$100,000 in annual income);
- Devote those royalties to cleaning up the tens of thousands of already abandoned mines in the western United States;
- Give our federal agencies the authority to say no to a proposed mine if it would unduly degrade public lands, resources, or watersheds—a power they do not currently have. This would allow our federal land managers to protect special places, such as wilderness study areas, roadless areas, and wild and scenic rivers, from mining;
- Empower state, local, and tribal governments to petition the federal government to make certain areas off limits in order to protect drinking water, wildlife habitat, cultural and historic resources, or other important values and resources that belong to all Americans.
- Twelve western states, tribes, and private landowners already assess mining royalties on their lands to protect their interests. There's absolutely no reason the federal government shouldn't do the exact same thing on federal lands.
- It's not 1872 anymore. We don't need, and can't afford, giveaways to encourage settlement in the West. It's time for us to adopt mining reform that forces the mining industry to pay its fair share and address their legacy of pollution that threatens our water, land, public health, and taxpayers' pocketbooks.
- 

• Sincerely,



Peter DeFazio

**This reeks of United Nations Agenda 21!**

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## Washington State Ecology Official Who Sees Citizens As Prey Keeps His Job

[Melissa Genson](#), WatchdogWire, July 30, 2014

[http://watchdogwire.com/northwest/2014/07/30/wa-ecology-official-keeps-job/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=sunday\\_31](http://watchdogwire.com/northwest/2014/07/30/wa-ecology-official-keeps-job/?utm_source=newsletter&utm_medium=email&utm_campaign=sunday_31)



### Wilcox, DOE fails to respect citizens

[Washington Department of Ecology](#) (DOE) states that Bob Penhale, who wrote a disturbing email comparing citizens to a [hunter's prey](#), can keep his job, benefits, and authority. He will not be disciplined by DOE.

On December 7, 2012, Penhale was asked to clarify regulatory jurisdiction to [San Juan County](#) planner Colin Maycock. Instead, he wrote a bizarre, rambling email where he discussed his political opinions and personal beliefs. He then called a law abiding landowner a "crafty adversary" who would try to break the law and damage his own property. Penhale offered no evidence to suggest the landowner would do anything like that.

Penhale continued about the law abiding landowner:

I will offer that we must find joy in the hunt, and that the crafty old bucks are the most satisfying to harvest.

Colin Maycock quickly responded, "I would like to stress that San Juan County staff are not and have never been interested in 'hunting' the citizens and rather resent the implication that we 'target' individuals for code enforcement actions."

Here is the email chain: [12-7-12 penhale email to San Juan Co. planner](#)

Penhale was also a [fringe Democratic candidate](#) in 1998 and 2000, who never got more than 1.34% of the vote.

## **Rep. Wilcox on DOE's "Failure to Respect the Public"**



Representative J.T. Wilcox

2nd Legislative District Representative and Minority Floor Leader [J.T. Wilcox](#) (R) responded to WA Ecology's decision not to discipline or fire Penhale:

Elected officials are accountable to the voters when they misbehave and in an egregious case like this, could easily lose their job. Failure to respect the public should always have consequences.

Apparently, DOE does not agree that failure to respect the public should have consequences.

DOE's Sandy Howard, Communications Manager for [Water Quality and Environmental Assessment](#), stated that although Penhale will keep his current position and authority, he had been "counseled" about his email. Howard stated:

*We take this matter seriously and we regret this communication occurred. This employee understands that he used poor judgment and he admits the error. We have followed up with him. We reiterated the importance of communicating at all times in a professional and respectful manner. We have counseled this employee that this type of communication does not – and should not — take place at the Department of Ecology.*

Recent email searches, however, back up citizen reports that this type of DOE communication has been going on for years, starting at the top.

## **DOE's Pattern of Abusing of Power**



Ted Sturdevant

Former DOE Director Ted Sturdevant [resigned](#) his position as Governor [Inslee's](#) Policy Director, after a records search by the [Freedom Foundation](#) revealed a profane, paranoid email rant while he was DOE Director. The 2010 email had been sent to Governor Gregoire's office, concerning a well-documented report written by the [Washington Policy Center](#). Sturdevant responded to the report:

***These guys are good at disguising their right wing propoganda (sic) bullsh-t as objective policy analysis. Always careful to not sound like what they are.***

***Good notice of likely talking points from opponents. We're ready.***

**"Lois Lerner's In Every Third Cubicle"**



Rep. Matt Mannweller

[Central Washington University](#) Professor [Matt Mannweller](#) is Washington's 13th District State House Representative (R). He was interviewed by [Glen Morgan](#) on the [Freedom Foundation's Freedom Daily Show](#) on June 27, about this kind of bureaucratic abuse of power. He said:

***What the American people do not understand is that the Lois Lerner's of the world are not a rarity. When I work with the Department of Labor and Industries, the Department of Ecology, the Forest Service, the Department of Fish & Wildlife, there are Lois Lerner's in about every third cubicle. These are bureaucrats who know they are untouchable,***

***they are unaccountable and that the abuse and administrative tyranny that they will engage in that there will be no consequences for it because they know they are untouchable.***

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## **Top 5 Shocking Companies Hurting YOU!**

February 12, 2014 – by Dominic Aiello, President

[http://oregonoutdoorcouncil.org/top-5-shocking-companies-hurting-](http://oregonoutdoorcouncil.org/top-5-shocking-companies-hurting-you/)



Courtesy of Torch Magazine

Picture this: deer and elk season is approaching, the fall Chinook runs are building, the weather is changing, and you're brimming with excitement to purchase new gear! Most dedicated hunters or anglers know the excitement that time of year brings. It can be hard to focus on anything else.

I personally find it important to slow down and give this some thought: are the companies I'm buying from supporting my lifestyle? I consider where I spend my cash similar to voting. If I spend my money with companies that support my lifestyle, I'm voting to help protect my lifestyle. With that said, did you know where you spend your money may be contributing to your inability to draw the elk tag? Yes, the elk tag you've been spending \$8 for a chance at drawing for the past 14 (or so) years! You also may not know the money you spend on gear, beer, or food could be supporting the removal of hatchery fish from local rivers!

It's true and I'll show you! Through cash or in-kind donations to anti-sportsmen organizations here in Oregon, the following companies are hurting YOU and our hunt-able/fish-able wildlife populations in Oregon!

Let's get to it! Here are the "**5 Most Shocking Companies Hurting YOU!**"



Courtesy of REI.com

**#1 REI:** On the surface seems like a great company – rewards program, good return policy, and they give back to the community. There is only one problem – [who they give back to!](#) They do not donate to the [Rocky Mountain Elk Foundation](#), not the [Oregon Hunters Association](#), not the [US Sportsman's Alliance](#) – no, they support (in part) anti-sportsmen groups directly and indirectly! The groups they support include Defenders of Wildlife, Oregon Wild, Klamath-Siskiyou Wildlands, Portland Audubon Society, and Conservation Alliance. They have helped fund the [re-introduction and expansion](#) of the wolf in the lower 48, [delayed sensible state based wolf management](#) through lawsuits, [regularly blocked logging](#) (scientifically proven prime ungulate habitat), and much more!



Courtesy of Patagonia.com

**#2 Patagonia:** By supporting Cascadia Wildlands, Predator Defense, Klamath-Siskiyou Wildlands, and the Native Fish Society, Patagonia earns the number two spot in our anti-sportsmen company directory! I've volunteered with other hunters that wear Patagonia, and posed the question – why are you wearing that? The response is generally “they make good clothes.” While I cannot deny that, once again I have to ask why would you support a company that finances organizations which are intent to eliminate (or drastically reduce) your ability to enjoy your way of life? I like this analogy – if your friend stole from you, would you still be friends with him? I'm guessing most would answer with a resounding, no! Companies supporting the previously mentioned organizations are essentially stealing from you. They're stealing from you, your children, and your grandchildren by eliminating or reducing the ability to successfully hunt and fish.



Courtesy of Ninkasi Brewing

**#3 Ninkasi Brewing** supports the three biggest Oregon based anti-sportsmen environmental groups – Predator Defense, Oregon Wild, and Cascadia Wildlands. Here's a sample of what Ninkasi Brewing has helped fund: [A lawsuit to stop coyote hunting](#), [fought to block sensible cougar management](#), [a lawsuit to stop ODFW from removing problem wolves](#), and much more! Jamie Floyd (Owner) identifies himself as "Social Liberal and Fiscally Conservative." Fiscally conservative individuals appreciate our free market and appreciate consumers' ability to choose. So email him at [jamiefloyd@ninkasibrewing.com](mailto:jamiefloyd@ninkasibrewing.com) and tell him to stop hurting sportsmen or you'll be finding a new favorite brew!



Courtesy of GerberGear.com

**#4 Gerber** is by far the most surprising and troubling company found in our top 5. They sell hunting products, so why would they be supporting anti-sportsmen groups!? For this reason they earn the number three listing in our anti-sportsmen company directory! Don't get defensive, sadly it's the truth...Gerber supports Oregon Wild and the proof is below! Head over to their [facebook page](#) and request they end their support of Oregon Wild! The OOC even attempted to reach out to Gerber upon discovery of their support for Oregon Wild, but they were unwilling to respond.

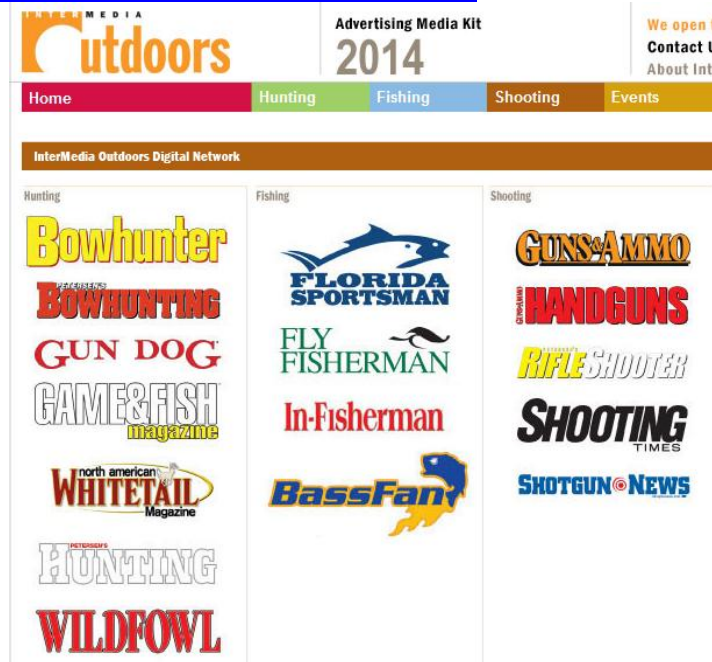


Courtesy of Oregonwild.org

**#5 Final on our list is InterMedia Outdoors:** They earned the number five seed by supporting the Native Fish Society. Seems legit – who doesn't want "native fish?" More fish equal more opportunity for sportsmen right? Not in this case!! The Native Fish Society [successfully sued](#) the federal government over the hatchery

program on the Sandy River in Oregon. The problem is that [80% of the fish](#) in at least one major waterway are hatchery.

What does this mean for Oregon sportsmen? Time will tell, but the future doesn't look like a bright fall chinook. What is most troubling is that similar to Gerber, InterMedia works in the hunting and fishing industry! They're hurting their own customers! Not a great business model if you ask me. Contact the VP of Strategic Sales & Marketing and tell him NOT to support anti-sportsmen groups!! Ted Gramkow: [ted.gramkow@IMOutdoors.com](mailto:ted.gramkow@IMOutdoors.com)



Courtesy of imoutdoorsmedia.com



Courtesy of MuckBootCompany.com

**Honorary #6** (UPDATE 8/6/14): Earning an honorary spot in the Oregon Outdoor Council's "Most Shocking Companies Hurting YOU" is **The Original Muck Boot Company** for recently hosting a fundraiser for the LARGEST anti-hunting organization, The Humane Society of the United States. You can read more here, [The Original Muck Boot Controversy: What Every Company Should Learn From It!](#)



## The Original Muck Boot Company

Fri at 7:59am Edited

**#MuckTeam** raised over \$2,000 for **The Humane Society of the United States** in memory of one of our own.

**#MuckBoots #Boots #Fundraiser #GivingBack**



### **Confused?**

After this you may feel lost – how do you ensure you're spending your money with a company that supports your way of life? The truth is you can't always focus on it or you'll stress yourself out, but here are two tips I like to follow:

The **first recommendation** I have is: If you LOVE a specific product, especially local products, or frequent a local company, check into who they donate to. For example, my wife and I LOVE this local sushi place, real authentic and quality sushi. When we have a Friday date night, we usually end up there. It would have really hurt to find out they supported (for example) the native fish society, but I still checked! Luckily for us, they don't.

My **second recommendation** is: Ensure the companies you purchase outdoor related gear from support sportsmen! This is pretty clear, no company selling sportsmen related equipment should be donating to anti-sportsmen groups,



period. Go to their website, see who they donate to, ask the customer service desk in the store-do whatever you need to do to ensure they support you and what you do! If they don't, let them know why you'll be going elsewhere and ask them to pass the message along to the appropriate person.

To help, here are a few companies we at the Oregon Outdoor Council recommend (we received ZERO compensation, support, or any other form of gain for listing these companies):

[Cabela's](#): Fights hard to protect our sportsmen heritage both politically and by supporting pro-sportsmen nonprofits. Recently, Cabela's donated \$1 MILLION to the [Congressional Sportsman's Caucus](#)!

[Bass Pro Shops](#)

**Bi-Mart, Your local archery, angling, gun, or hunting supply establishment!**

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# **Is The Unpatented Mining Claim Real Estate?**

**Is It Based On a Contract in Law?**

By Guy Michael, August 6, 2014

Of course it is, we have State law that states it is; for Oregon it is ORS 517.080. It states "all mining claims, whether quartz or placer, are real estate. The owner of the possessory right thereto has a legal estate therein within the meaning of ORS 105.005." This last mentioned statute is the right to recover property taken and it gives the definitions and procedures for recovery of property.

Of course it is a contract too; the U.S. Supreme Court decision states: [Discussing 30 U.S.C. § 22] This section in connection with [section 26] of this title is in effect an offer to sell the public mineral lands by the owner, and a locator, by making a location thereon, accepts the offer and thereby closes the contract of purchase, and the purchaser becomes entitled to a conveyance on compliance with all the terms of the contract. *Mantle v. Noyes*, 1884, 5 P. 856, 5

Mont. 274, 291 affirmed 8 S. Ct. 1132, 127 U.S. 348, 32 L. Ed. 168. See, also *Silver Bow Min. & M. Co. v. Clark*, 1885, 5 P. 570, 5 Mont. 378, 414.

I happened to find a book in the library, *Real Estate Principals*, by Charles J. Jacobus (Ninth Edition and it is printed in seven different countries; last copyright 2003) It has 574 pages this side of the content pages. Since the Mining Law is based on contract law, I thought it would be good to do a little research and point out any difference there might be. The more I read, the more I understand that our mining claim obligations and rights thereto and the governments obligations and rights thereto are based on the terms of the contract as stated in the General Mining Law of 1872, as amended. Specifically 30 U.S.C. § 21 -§ 54. And, 30 U.S.C. § 612.

In this Book it states: *In Chapter 7 and 8 we turn to contract law and its application to offers and acceptances. Because so much of what takes place in real estate is in the form of contracts, you will want to have a solid understanding of what makes a contract legally binding and what doesn't.*

The whole reason to go through this exercise is because it appears that the federal land management agencies and the State agencies have a skewed view of rights obtained under the mining laws and their obligations as agents of the United States or under State authority pertaining to the unpatented mining claims; the courts also appear not to recognize the agencies obligations or rights obtained by the miner. It is more viewed by them as a "voidable contract". Therefore, gaining a better understanding of contract law and what makes it legally binding is in order.

A voidable contract is a *contract that is able to be voided by one of the two parties*. However, as long as the locator or claimant complies with the terms stated in the Mining Law then the rights of possession are vested.

"It has been long established that if the individual is in compliance with the mining laws, then their right to the mining claim is vested." (*U.S.A. v. Shumway*, 199F.3d 1093 (9<sup>th</sup> Cir. 1999)) at 29

"If a discovery of a 'valuable mineral deposit' is made, the claim can be held indefinitely so long as the annual assessment work is

performed, the necessary filings are made, fees are paid, and a valuable mineral deposit continues to exist.”

*Best v. Humboldt Placer Mining Co.*, 371 U.S. 334, 336; 83 S. Ct. 379, 382; 91 Ed. 2d 350 (1963)

“The holder of a claim supported by a discovery need not seek patent; his unpatented mining claim remains a fully recognized possessory right. 30 USC 29”; *United States v. Locke* 471 U.S. 84, 86 (1985)

Based on these court cases, one can see that rights obtained are only voidable for non-compliance with the statute. The definition of a contract is a *legally enforceable agreement to do (or not to do) a particular thing* --An **expressed contract** occurs when the parties to the contract declare their intentions either orally or in writing.

Congress began the “expressed contract” when it offered to sell the public mineral lands, as the U.S. Supreme Court affirmed above. This can be compared to an executory grant, because Congress passed a law, stating terms it would be bound by (see 30 U.S.C. § 53) and stating the terms to acquire property by a citizen (or intention to become a citizen §22 & §26). The locator accepts the offer by filing a location notice in the county recorder's office.

“It is well settled that although the United States holds legal title to unpatented mining claims in fee simple, ‘the claimant enjoys a valid, equitable title in the claim, possessing all of the incidents of real property”. *Kunkes v. United States*, 32 Fed. Cl. 249, 252 (1994), *aff'd* 78 F.3d 1549 (Fed. Cir. 1996)

I also must add that Congress added or amended § 28f (1993) and required the notice of location and all other document filings to afterwards be filed with the BLM state office too. (FLPMA 43 U.S.C § 1744 (a) & (c)) After filing the location notice, it became an executed grant; the date of location is the beginning date of the contract.

A contract executed is one in which the object of contract is performed, and this, says Blackstone, differs in nothing from a grant.

The contract between [the state of] Georgia and the purchasers was executed by the grant. A contract executed, as well as one which is executory, contains obligations binding on the parties. A grant, in its own nature, amounts to an extinguishment of the right of the grantor, and implies a contract not to reassert that right. A party is therefore always estopped by his own grant." (Page 10 U.S. 137) *Fletcher v. Peck*, 10 U.S. 87, 137 (1810)

The term "executory" is a contract in the process of being carried out, it is said to be "executory". Once performed or completed it is said to be "executed". *This may refer to the signing of the contract or to its completed performance depending on what the contract requires.*

The Mining Law does have stipulations ("terms" and or "provisions"), which are followed in order to maintain the rights that are granted to the locator, which can be transferred to another, such as an heir or someone else, or by assignment. Rather than numerate what those rights were before Congress amended those rights in the Surface Resources Act of 1955, and since most mining claims are founded after that date, I plan only to discuss some of those rights since this Act became law.

The proper way to view the 1955 provisions, all activity must be "reasonably incident" to mining, is to view what Congress stated they intended for the unpatented mining claim holder in this Act. The "purpose" of the (30 U.S.C. 612 (a)) "statute was not to significantly alter mining but to limit misuse of surface resources by mining claimants prior to issuance of patent"; *Converse v. Udall*, 262 F. Supp. 583 (D. Ore. 1966), *aff'd*, 399 F.2d 616 (9<sup>th</sup> Cir. 1968), *cert. denied* 393 U.S. 1025 (1969); only invalid claims are declared null and void, (*Cameron v. United States*, 252 U.S. 450, 459-60 (1920))

What was changed is that before a mining claim is patented, its use must be reasonably incident to mining activity, which includes occupancy (30 U.S.C § 22, 26 & 53). The 612 (a) statute was not intended to apply to sporadic or minimal mining activity. This is confirmed in *Doherty*, 125 IBLA 296, 300 (1993) "sporadic or minimal mining was not intended to be curbed" by Congress. It was intended to

apply to “nonmining activity”<sup>1</sup> or uses not reasonably incident to mining. This court case was about Doherty’s occupancy use, while he was mining. The Bureau of Land Management (BLM) considered his mining too minimal to allow occupancy, claiming it was not reasonably incident. Doherty won.

This language, carefully developed, emphasizes the committee’s insistence that this legislation not have the effect of modifying long-standing essential rights springing from location of a mining claim. *Dominant and primary use of the locations hereafter made, as in the past, would be vested first in the locator*; the United States would be authorized to manage and dispose of surface resources, or to use the surface for access to adjacent lands, so long as and to the extent that these activities do not endanger or materially interfere with mining, or related operations or activities on the mining claim.

Id. at 10, *U.S. Code Cong. & Admin. News*, (1955) P. 24 quoted in *U.S. v. Curtis*, 611 F.2d 1277 (9<sup>th</sup> Cir. 1980) Id. at 17-19 (30 U.S.C. § 612(b) (Emphasis added)

The provision showing the “obligations” of the agencies in the (30 U.S.C. § 612(b)) statute are clearly stated:

“That any use of the surface of any such mining claim by the United States, its permittees or licensees, shall be such as not to endanger or materially interfere with prospecting, mining or processing operations or uses reasonably incident thereto”

Some of the controversy is about whether the use is reasonably incident. The agencies have promulgated rules to better define what is reasonably incident, but also, there are environmental acts passed that are being used to delay and more often delay the right to mine indefinitely and or act as a prohibition to mining and its reasonably incident uses altogether. However, if there is a legally binding contract and if the obligations of the claimant are met, than a “breach of contract” should be looked into.

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<sup>1</sup> Congress stated in H.R. Res, No 730 (Legislative History quoted in *Curtis*, 611 F.2d 1277 (9<sup>th</sup> Cir. 1980)) and listed something different than sporadic mining. It discusses “nonmining activity” from “pseudominers” who were “hindering access to adjacent tracts for ‘timber, water, forage, fish and wildlife and recreational values”.

A bilateral contract is basically an “I will do this and you will do that” arrangement. A valid contract is one that meets all the requirements of law and a voidable contract binds one party but not the other. By changing of the rules or using different definitions than originally understood, in some cases, agencies are using the rules to make voidable the contract or limit the rights granted, even though the claimant has not failed on his obligations as stated in mining law contract.

### **A Valid Contract**

In the book, “*Real Estate Principles*”, it discusses five essentials for a valid contract, hence it is binding and enforceable:

- 1: legally competent parties
- 2: Mutual agreement
- 3: Lawful objective
- 4: Consideration or cause
- 5: Contract in writing when required by law

If these five items are met, any party to the contract may, if the need arises, call upon a court of law to either enforce the contract as written or award money damages for nonperformance.

Before a contract can be legally enforceable, all parties entering into it must be legally competent. For example, he must have reached the *age of majority*, which is generally 18 in most States. He must also be of a sound mind, or if convicted of a felony, in some States, he needs the approval of the parole board. *An individual can give another person the power to act on his behalf: for example, to buy or sell land or sign a lease. The document that accomplishes this is called a power of attorney.*

Under the second item, it means *there must be agreement to the provisions of the contract by the parties involved. In other words there must be a mutual willingness to enter into the contract.* This should be an easy one to show. Congress is willing if it has the law in the statute and continually making the offer to citizens (§ 22 & 26) and the claimant is willing, especially with a history of completing the affidavit of labor each year; also, merely filing the location

notice, which takes several steps to execute, and paying of the fees, shows a willingness.

Part of the problem is that mutual agreement requires there be no fraud, misrepresentation, or mistake. *Fraud is an act intended to deceive for the purpose of inducing another to part with something of value.* I am not saying the law was intended to deceive, but the agencies, in their rules and definitions have been creating reasons to show they either have more authority as an agent of the United States than they really have or they implement other laws based on a policy, which causes delay, sometimes indefinitely and thereby causing individuals to lose something of value in the property that other laws never intended.

The book "*Real Estate Principles*" states that *it can be as blatant as knowingly telling a lie or making a promise with no intention of performance.* As agents of the United States, they basically have the power of attorney, in statute, to perform the obligations of the United States. The courts have generally favored the agencies in many cases, which makes it more difficult. If there is innocent misrepresentation, it *differs from fraud (intentional misrepresentation) in that the party providing the wrong information is not doing so to deceive another for the purpose of reaching an agreement.*

The third essential of a valid contract is a lawful objective; a court of law cannot be called upon to enforce a contract, which would break the law. For example, if a borrower stopped paying because the interest rate was in excess of State law, the lender could not look to the courts to enforce collection of the balance.

Prospecting and mining the valuable deposit is a lawful activity, it is the purpose being granted to citizens. It is even encouraged by Congress as a policy (§ 21a) and in a manner that sets out procedures that must be followed by the agencies to insure fairness and procedures to be followed by the citizen to maintain his possession. The statutes even set out the procedures for patenting the property and the transferring of the legal title deed.

The fourth essential is the consideration or cause. The purpose of requiring consideration is to demonstrate that a bargain has been struck between the

parties of the contract. *The legal philosophy is that a person cannot promise to do something of value for someone else without receiving in turn some form of consideration...As a group, money, plus promises, property, legal rights, services, and forbearance, if they are worth money, are classified as valuable consideration.*

A “good consideration” is about outright gifts, such as the gift of real property from a parent to a child based solely on love. Although this is not a valuable consideration, it fulfills the good consideration. The law will not generally inquire as to the adequacy of the consideration unless there is fraud, mistake, duress, threat, or undue influence.

The mining laws are full of considerations. From the effort spent, if a locator finds the valuable mineral deposit he can stake a claim on it; in return he is given a right to patent the property and until he is ready to patent, the locator receives a “possessory title” or interest in the property. See (§ 22 & 26) BLM can verify the mineral deposit or other requirements at any time. Until it is patented, the \$100 labor or paying the maintenance fee (§ 28 thru 28f) is required to maintain the property in the locators or claimant's possession. There are other considerations in the Law too.

The fifth essential is the requirement of contracts in writing. *In each State there is a law commonly known as a Statute of Frauds. Its purpose is to prevent frauds by requiring that all contracts for the sale of land, or interest in land, be in writing and signed to be enforceable in a court of law.* There are other reasons for this. The requirement of a written contract relates only to the enforceability of the contract.

People tend to forget oral promises, the judge may have a difficult time determining what the oral promises were. Also, a written contract will supersede an oral contract. It allows others to examine it to find all of the details necessary should a buyer want to understand all of his obligations and benefits concerning the property. It is important to understand though, the U.S. Supreme Court has stated that the interest in the mining claim property is defendable even against the United States:



Such an interest may be asserted against the United States as well as against third parties (*Best v. Humboldt Placer Mining Co.* 371 U.S. 334, 336 (1963); *Gwillian v. Donnellan*, 115 U.S. 45, 50 (1885) and may not be taken from the claimant by the United States without due compensation, see *United States v. North American Transportation & Trading Co.*, 253, U.S. 330 (1920); cf. *Best v. Humboldt Placer Mining Co.*, *Supra*.

### **Breach of Contract**

When one party fails to perform as required by a contract and the law does not recognize the reason for the failure to be a valid excuse, there is a breach of contract. The wronged party has six alternatives: 1: accept partial performance 2: rescind the contract unilaterally 3: sue for money damages 4: sue for specific performance 5: accept liquidated damages 6: mutually rescind the contract.

It seems that most of the miners accept partial performance from the management agency; either because there is not a great deal at stake or because he feels that the time and effort to sue would not be worth any rewards gained. For example, if you are a small miner and you mostly mine the property for recreation, getting a little gold here and there, you are not so inclined to sue when the agency places heavy restrictions for camping and working the property.

On the other hand, if you found the valuable deposit and want to mine it, because it is worth millions of dollars and the agency puts heavy burdens on you for lots of reasons, some may not be valid reasons; based in rules that do not necessarily follow law and cannot be considered a reasonable restriction, you may be more prone to consider suing for performance.

In a "unilateral rescission" and in certain circumstances, a party can take the position that if the other party is not going to perform his obligations, then the innocent party will not either. One example is a rent strike in retaliation to a landlord who fails to keep the premises habitable. However, an attorney should be consulted before attempting this alternative. Under the mining laws contract, the government is the other party and they have used law enforcement as a tool.

If the damages to an innocent party can reasonably be expressed in terms of money, than he can sue for money damages. If there is considerable delay from nonperformance and you and your workers livelihoods are being harmed, investors in the mining project are running away harming financing of the project, equipment sitting idle and breaking down or having to be sold to pay bills, putting the project into serious jeopardy, these are reasons to consider suing for damages.

A lawsuit for specific performance is an action in court, by the innocent party to force the breaching party to carry out the remainder of the contract according to the precise terms and conditions agreed upon. Liquidated damages mostly concerns "earnest money"; "mutual recession" deals with a contract that relieves the parties to the contract from their obligations. There is little here for the miner's situation, therefore I will skip these two items.

The statute of limitations limits by law the amount of time a wronged party has to seek aid of a court in obtaining justice. The aggrieved party must start legal proceedings within a certain period of time or the courts will not help him. The amount of time varies from State to State; for Oregon it is seven years. (ORS 105.005). But most limitations in federal court are two years.

### **Implied Obligations**

In the world of home builders and real estate agents, it used to be, if a new homeowner discovered poor design or workmanship, it was his problem. "Let the buyer beware before he buys" was the old adage. Today, courts of law find that in building a home and offering it for sale, the builder simultaneously implies that it is fit for living. If a builder installs a toilet, the implication is that it will work.

What could possibly be an implied contract from working with the agencies of the federal government, or from agencies of the State? It is this, just as national and local realtors associations are constantly working to elevate the status of brokers and salespersons to that of a competent professional in the public's mind. So too, one should expect that officials in government are trained and professional. Thus, an individual agent is not only responsible for acting in accordance with written laws, but will also be held responsible for being competent and knowledgeable.

Once recognized as a professional the agent cannot plead ignorance. We must hold agents accountable for their actions. For example, Congress did not intend for the “writing of NEPA documents...to repeal by implication any other law”. *Baker v. USDA*, 928 F. Supp. 1513 (9<sup>th</sup> Cir. Idaho 1996) Generally, it will not, however if the agent is using the law or other laws in a manner that does delay miners from accessing their property with mining equipment, then something is wrong. I am not sure how to use the implied contract exactly in the performance of government obligations, but this type of contract should not be overlooked either.

### **Equitable title**

Between the moment or time period, where the buyer closes the contract of purchase and the seller signs and hands legal title deed to the buyer, the buyer gains the equitable title. In the Mining Law statute (§ 26) it states a “possessory title” under an **installment contract**. (“*Real Estate Principles*”, page143)

The Mining Law is also an installment contract, because “*the buyer is entitled to receive the deed...once the buyer has completed the terms of the purchase contract*”, which does take some time to perfect the claim. The final goal for the miner is to patent the property, although it is not necessary. As the U.S. Supreme Court has stated:

“The holder of a claim supported by a discovery need not seek patent; his unpatented mining claim remains a fully recognized possessory right. 30 USC 29”; *United States v. Locke*, 471 U.S. 84, 86 (1985)

If the locator correctly filed the location notice, paid the fees and accomplished the required work each year (§ 28 –28f) as established in the Mining Law, then there is an “implied contract” for the agency to determine if the claim is “supported by a discovery” (§ 22) before any taking of property or rights that go with it as stated in the Mining Law contract.

Obviously, the agencies, including in their rules, have avoided this observation. That is why it is necessary to have a section on the equitable title or possessory title as is stated in the Mining Law contract. See 30 U.S.C. § 26 & 35. It needs to be mentioned again and again, whenever one finds themselves contemplating

a court of law. *Black's Law Dictionary* (6<sup>th</sup> edition) has the legal definitions for the various titles discussed above:

Equitable title, "a right in the party to whom it belongs to have the *legal title* transferred to him; or the *beneficial interest* of one person whom equity regards as the *real owner*, although the legal title is vested in another. [Emphasis added]

Possessory interest "is a right to exert control over specific land to exclusion of others. Right to possess property by virtue of an interest created in the property though it need not be accompanied by title."

Legal ownership (owner), "the term has come to be used in the technical contrast to the equitable owner, and not as opposed to an illegal owner. The legal owner has title to the property, *although the title may actually carry no rights to the property other than a lien*. [Emphasis added; See 30 USC 53 and 26]

I must discuss these in further detail to show how it relates to the Mining Law contract. We already established that this is a "contract of purchase". The United States signed it when they placed it in public law and statute. The buyer agreed to the terms and signed it when he filed the location notice, thereby closing the deal.

The locator/claimant pays the fees and accomplishes the terms of the contract in the time period before applying for the final deed, having the equitable title to the property. However, since 1955, although he is the "real owner" of the property, his exclusive control of the property is for "mining purposes".

Congress specified "rules prescribed by laws", (30 U.S.C. § 22), in that, if complied with, including finding the "valuable mineral deposit", "followed by the minimal procedures required to formally 'locate' the deposit, gives an individual the right of exclusive possession of land **for mining purposes** 30 U.S.C. § 26". (*U.S. v. Locke*, 471 U.S. 84 (1985)) [Emphasis added]

In 1955, was to also give the federal agencies the right to manage surface vegetation "and other surface resources"; this must be included with the right of a lien to the property. However, Congress also specified that there shall be no

material interference or endangerment to “prospecting, mining or processing operations and uses reasonably incident thereto”, for the unpatented mining claim holder. (30 U.S.C. § 612(b))

A breach of contract lawsuit could be pursued, if it could be proved that the right to control the land for mining purposes was being denied, or excessively delayed for an indefinite time period by the agency. The federal agencies have the equivalent of the power of attorney to act on behalf of the United States to fulfill the obligations as stated in the Mining Law contract and other laws too.

Both, a lawsuit to require performance of the contract and also for money damages received, could be in the same lawsuit. One could also sue for an injunction to prevent the agency from continuing to cause the excessive or indefinite delay and the corresponding interference or endangerment to “mining” and “uses reasonably incident thereto”.

### **Option Contracts**

The option contract is a unilateral, executed contract, when once the contract is executed, the buyer then has a right to purchase the property but with no obligation to do so. *The remedy of specific performance against the buyer does not exist. The buyer has the right (not the obligation) to buy, but the seller does have the obligation to sell.* In return for granting the option to purchase, the buyer must pay consideration to the seller in order for the contract to be enforceable.

One way this relates to the Mining Law contract is the law allows a claimant to hold the property, for various reasons given in the statutes. For example, serviceman being stationed out of country can file a notice to hold and pay a fee, instead of doing the actual work. However, later, the work will be required again when the reason for the delay is no longer a cause.

In fact, by paying the “maintenance fee” and filing the appropriate document as described in § 28f, it is considered just as a notice to hold. This is so similar to an option contract in its function that I had to mention it here. But, it must be understood that the notice to hold is more of a delay to perform the obligations by the buyer, rather than no obligation altogether on the buyer under the Mining law contract.

All in all, because the unpatented mining claim is real estate property and contract law applies to such, it is the reason for going through this exercise. Perhaps it will better help to fight for the rights associated with the unpatented mining property in the courts.

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## **Gold & Outdoor Festival Set for Sonora Aug. 23-24**

**Gold Prospectors Association of America (GPAA): The Delta Gold Diggers, a local chapter of the Gold Prospectors Association of America, will hold its Gold & Outdoor Festival Aug. 23-24 in Sonora, Calif. Learn how and where to find gold at this special event which is open to the public.**

<http://www.prweb.com/releases/2014/07/prweb12046656.htm>

Sonora, CA (PRWEB) July 29, 2014

The Delta Gold Diggers, a local chapter of the [Gold Prospectors Association of America](#), will hold its Gold & Outdoor Festival Saturday, Aug. 23 to Sunday, Aug. 24 in Sonora, Calif., located in the heart of California's famed Mother Lode country, at the Mother Lode Fairgrounds, 220 Southgate Dr., Sonora, CA 95370.

The [GPAA](#) invites the public to attend the show for a chance to learn how to prospect and mine for their own gold and win major prizes. Participants will get a chance to pan for real gold at the shows, attend lectures on gold prospecting and check out the latest and greatest selection of small-scale mining equipment from vendors. Admission is \$5 and children 12 and under are admitted free. The first 100 paid attendees will receive a free vial with gold. Show hours are Saturday 10 a.m. to 6 p.m. and Sunday 10 a.m. to 4 p.m. Proceeds from the major prize raffle will go to [Public Lands for the People](#), a non-profit land rights group that promotes keeping public lands open to the public for mining and other outdoor activities, such as fishing, hunting, hiking, biking and camping.

The Sonora, event will kick off the GPAA's late summer and fall Gold & Treasure Show circuit, which will include two other shows in [Abilene, Texas](#) in September and [Oklahoma City](#) in October.

All three events will include the ever-popular two-week Alaska Gold Expedition trip prize giveaways to Cripple River Mining Camp near Nome, Alaska. Trip prizes will be awarded each day of each show.

The Sonora Gold & Outdoor Festival will feature two special metal detecting hunts — Treasure Questing and Claim Jumper — sponsored by [Minelab](#) will offer participants the chance to try out Minelab metal detectors and find more than \$3,000 worth of buried treasure.

GPAA Executive Director of Operations Dominic Ricci explained how the two events differ. The Treasure Questing hunts are non-competitive and are designed to teach newcomers how to metal detect, whereas the Claim Jumper event is a competition.

“We’re ecstatic to have Minelab sponsor the Claim Jumper hunt as well as the Treasure Questing event,” Ricci said. “The Claim Jumper hunts are a series of competitive hunts open to everyone. You can bring your own metal detector, or purchase one from Infinite Detector Solutions, an authorized Minelab dealer on site.”

But, for novice metal detectorists who want a hands-on lesson, the Treasure Questing hunt is an ideal place to learn.

“If you want get started at metal detecting and see what it’s all about, then you’ll want to participate in the Treasure Questing hunts,” he said. “Don’t worry if you don’t have a detector. Minelab will supply some demo units for you to use. You’ll receive some basic hands-on training on how the detector works, including settings, sounds and technology. Then, you’ll set foot to find coins and clad. There will be plenty of prizes and yes, you can participate more than once.”

Ricci said the GPAA Gold and Treasure Shows were started decades ago by GPAA founder George “Buzzard” Massie to introduce people to prospecting and show them how and where to find their own gold.

“We encourage everyone to bring their family and friends because there is no better place to learn how to find your own gold. There is plenty of fun and activities for all ages ... from gold panning to small-scale mining equipment demonstrations to gold prospecting seminars,” Ricci said.

Gold prospecting remains a popular American pastime, especially with the price of gold hovering steady around \$1,300 an ounce.

The GPAA is committed to preserving the heritage of the North American prospector, teaching people how and where they can find gold and showing them the tools and equipment needed to find it. Gold prospecting is really another great excuse to get off the couch and head out into nature to enjoy time spent with family and friends, he said.

"It's the draw of the fresh air, camping and getting outdoors. It's good physical exercise and keeps you fit. If you find gold in your pan, it's a bonus!" Ricci said. "You can buy gold, for a staggering \$1,300 an ounce, or you can scoop it up from the streams and ground near your home at the cost of a sore back, wet feet and maybe a few bug bites. That's the promise of what we call gold fever, a pastime that has caught the imagination of young families and retirees from all across the United States and the world. Today, gold prospecting remains a challenge and is as much about recreation as riches."

"Prospecting for gold is Mother Nature's Playstation," said Delta Gold Diggers GPAA Chapter President Robert Guardiola. "We've got metal detecting contests, highbankers, sluices, pans and pretty much any small-scale mining equipment you can think of is going to be there. You just won't believe the setting for this right in downtown Sonora in the heart of the Mother Lode! It will be a fantastic weekend. Everybody is excited. Why not come out and enjoy the weekend and the family atmosphere?"

Another special feature planned for the festival is a Builder's Contest, Guardiola said.

"How many times have you been out gold prospecting and seen the guy next to you with some type of ingenious homemade gold-catching contraption — something you've never seen at a gold show or a store, but something a prospector has put together for himself to catch more gold? So, we want you to bring that contraption that you've made and put it on display for everybody. We want to see it! It can be simple as a crevice-cracking device, to a homemade sluice or highbanker or kneepads. It's really open to the imagination — whatever you come up with to make your gold prospecting trips more productive, more profitable or more exciting," Guardiola said.

The Builder's Contest is easy to enter by going to [DeltaGoldDiggers.com](http://DeltaGoldDiggers.com) and filling out a simple application, Guardiola said. The inventions contraptions will be judged by the public at the show and the winners will win some gold. There will be three different gold prizes!

For more information about the Gold & Outdoor Festival, RV parking, hookups and tent camping, call (209) 606-0085.



Bigger, better shows planned for 2015

The GPAA has also announced a tentative lineup of nine official GPAA Gold & Treasure Shows for 2015:

- Pomona, Calif. (tentative)
- Mesa, Ariz., Feb. 28-March 1
- Stockton, Calif., March 7-8
- Portland, Ore., March 28-29
- Boise, Idaho, April 11-12
- Las Vegas, Nev., April 25-26
- Denver, Colo., May 16-17
- Charlotte, N.C., May 30-31
- Knoxville, Tenn., June 6-7

GPAA Trade Show Manager Gene Glenn said next year's shows will be held in larger venues in major urban centers to make them more accessible to more people.

"We're going to draw more people. It's going to be a better experience for attendees and for vendors as well. My hope for the 2015 shows is to appeal to — not only to encourage more families to spend time in nature together, but to tie in gold prospecting with other outdoors activities, such as fishing, camping, hiking and off-roading. Why not bring a gold pan with you on your travels? Prospecting is fun and can be very lucrative if you know what you're doing," Glenn said.

The [Gold & Treasure Shows](#) are a one-stop shop for everything you need to go find your own gold.

"They are family events so the kids are going to want to come and get involved," Glenn said. "Bring the kids and let them pan for real gold and try metal detecting. There's really something for everybody no matter what your skill level — including newbies who don't know the first thing about gold or small-scale mining."

The focus on larger urban centers is designed to introduce more newcomers to the world of prospecting.

"Prospecting, to this point, has been something that's almost exclusively generational. It's a pastime that's handed down — an experience that kids have had with their parents, like Tom Massie had with his dad George Massie, and then handed down to his kids. George really built the GPAA from something

that was a hobby — a couple of kids their dad and a gold pan and techniques that you can learn at these shows.”

With the modern technology such as metal detectors, GPS and new, light-weight equipment, mining gold has never been easier.

“Most people have no idea or don’t think it’s something that’s even possible,” Glenn said. “They don’t know how to find gold or where gold comes from, and that’s what the GPAA has to offer them.”

Pre-registration is key

Everyone who plans to attend these shows is asked to please log in to your GPAA profile at <http://www.goldprospectors.org> and pre-register for the shows. If you have not yet created a profile, it’s easy. Click the “Help” button for guidance.

For more information, email [DeltaGoldDiggers\(at\)gmail\(dot\)com](mailto:DeltaGoldDiggers@gmail.com), call (209) 606-0085 or go to [Delta Gold Diggers](#)

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## **PLP OCTOBERFEST FUNDRAISER EVENT**

**Saturday & Sunday October 18th & 19th 2014**

Saturday night campfire live music provided by: [Waylon Lives Here](#)

**THE PLP NEEDS OUR HELP!**

<http://www.aptsgold.com/Drywashing-Gold.html>

This fundraiser event is brought to you by Sleepy Bear Mining & American prospector Treasure Seeker and intended to support the PLP. Our goal is to bring together different groups of outdoor enthusiasts (prospectors, campers, dirt bikers, hikers, off-roaders, etc.) in effort to raise necessary funds for the PLP to continue the legal fight for YOUR right to use public lands and keep them open Any and all age levels are welcome to join. This is a family friendly event. Please join us, we can all make a difference with your support. The PLP is a 501 (c)(3) Non-Profit Corporation

**RSVP: Please RSVP for this event by September 22, 2014 to give enough preparation for ordering food & other necessities.**

**Event Location: Sleepy Bear Mining @ 21 Goler Road, Randsburg, CA 93554**

Just a stones throw away from the old mining town of Randsburg, Paved roads all the way.

**Who:** We welcome outdoor enthusiasts of all types to join in for this event, gold prospectors, metal detecting, off-roading, dirt biking- camping and other outdoor activities. All ages welcome, you DO NOT have to be a member of any club or organization to join.

**When:** Saturday & Sunday October 18th & 19th 2014

***\*\* NO SHOOTING WILL BE ALLOWED \*\****

**BBQ/Raffle/Campfire/Live Entertainment:** Saturday night

**Donation:**

**Ages 18 & Over:** \$30.00 per person

**Ages 17 & Under:** \$6.00 donation if participating in Saturday night BBQ

**\*\*PLEASE NOTE\*\* All participants MUST comply with BLM regulations.**

**Your donation will include**

- \* 2 days of prospecting (Saturday & Sunday)
- \* Saturday night BBQ (**each family/group please bring one side dish and desert to share**)
- \* Group campfire Saturday night (bring your s'mores!)

**Please bring your own chairs for the BBQ & campfire**

- \* Live entertainment @ Saturday nights events
- \* 12 raffle tickets to the 2015 PLP raffle
- \* Educational Seminars (Saturday around noon)  
(Land Reclamation/California Mining History/Southern California Mining & Mineral History)
- \* 5 raffle tickets for an approx. 7.88 gram gold nugget raffle in December 2014
- \* 5 Raffle tickets for event raffle on Saturday night

\*\*You must be present to win for the event raffle.

You do not have to be present to win for the PLP raffle or the gold nugget raffle.

The gold nugget raffle and PLP raffle WILL NOT be taking place at this event.

The gold nugget raffle will be in December 2014 and the PLP raffle will take place in July 2015.

### **Additional Raffle Tickets are Available**

PLP Raffle: \$1.00 each or 12 for \$10.00

Gold Nugget Raffle Tickets: \$1.00 each or 12 for \$10.00

Event Raffle Tickets: \$1.00 each or 12 for \$10.00

\*\* These raffles are all in effort of raising money for the PLP \*\*\*"Public Lands for the People" [www.plp1.org](http://www.plp1.org)

### **PLEASE R.S.V.P For This Event by September 22, 2014**

We need the opportunity to best prepare for this event. Payment in advance is not required, however it is an option (options are listed below). We do however need an accurate head-count to properly prepare for our Saturday night BBQ. Please fill out the form below if you plan to attend.

### **How To R.S.V.P for this event**

#### **Option 1: Donate at the American Prospector Treasure Seeker Store**

Cash donations will be accepted in person at the American Prospector Treasure Seeker Store. 28900 Old Town Front St #101, Temecula, CA 92590 951-676-2555. All raffle tickets will be handed out on the event date at check-in.

\*\*Please read the no-refund-policy below\*\*

#### **Option 2: Donate Through PayPal**

Click on the buy now button below to reserve your spot for this fundraiser event. All raffle tickets will be handed out on the event date at check-in. An additional \$1.00 per person will be added if paying through PayPal to cover processing fees.

**\*\*Please read the no-refund-policy below\*\***

Purchasing below with the "Pay Now" option through PayPal, you agree that your donation will be given for this event even if any of the participants paid for are unable to attend for ANY reason.

### **No-Refund-Policy**

This event is a **no-refund-policy function**. If your donation is paid in advance in cash at the American Prospector Treasure Seeker store or via PayPal and you are unable to attend for any reason, your donation is non-refundable - your PLP raffle tickets and gold nugget raffle tickets will be turned in with the name and phone number that was provided at the time of RSVP automatically on Monday, October 20th.

### **Option 3: Donate At Check-In of the Event**

Please be sure to submit the below "R.S.V.P. Form" ahead of time if you plan to make donation payment at check-in. We need a head-count to properly prepare for the Saturday night BBQ

For complete information goto: <http://www.aptsgold.com/Drywashing-Gold.html>

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## Family finds 300-year-old sunken treasure off Florida's east coast

Barbara Liston,  REUTERS, July 29, 2014

<https://news.yahoo.com/family-finds-300-old-sunken-treasure-off-floridas-210146897.html>



ORLANDO Fla. (Reuters) - A Florida family scavenging for sunken treasure on a shipwreck has found the missing piece of a 300-year-old gold filigree necklace sacred to Spanish priests, officials said on Tuesday.

Eric Schmitt, a professional salvager, was scavenging with his parents when he found the crumpled, square-shaped ornament on a leisure trip to hunt for artifacts in the wreckage of a convoy of 11 ships that sank in 1715 during a hurricane off central Florida's east coast.

After the discovery last month, a team of Spanish historians realized the piece fit together with another artifact recovered 25 years ago. It formed an accessory called a pyx, worn on a chain around a high priest's neck to carry the communion host. The dollar value is uncertain.

"It's priceless, unique, one of a kind," said Brent Brisben, operations manager for Queens Jewels, which owns rights to the wreckage, located in 15-foot (4.5-meter) deep Atlantic Ocean waters.

Schmitt, who lives near Orlando, last year discovered about \$300,000 worth of gold coins and chains from the same wreckage, Brisben said. Schmitt's parents have hunted for sunken treasure as a hobby for a decade.

By law, the treasure will be placed into the custody of the U.S. District Court in South Florida, Brisben said. The state of Florida may take possession of up to 20

percent of the find. The rest will be split evenly between Brisben's company and the Schmitt family.



## NOAA says 28,504 Low Max Records Set in U.S. in Last 365 Days

Marc Morano, Climate Depot, July 24, 2014

<https://sunshinehours.wordpress.com/2014/07/24/noaa-28504-low-max-records-set-in-last-365-days/>

28,504 Low Max Records were set in last 365 days according to the NOAA.

A "Low Max" means that the maximum temperatures for the day was the lowest it has **ever** been.

**This indicates daytime cooling.**

Only 13205 High Max records were set. That is over a 2:1 ratio. Brrr.

U.S. Daily Records Summary

PERIOD	HIGH MAX	HIGH MIN	LOW MAX	LOW MIN	PRECIPITATION	SNOWFALL	SNOW DEPTH
Yesterday	0	0	0	0	0	0	0
Last 7 Days	2	5	250	148	78	0	0
Last 30 Days	399	1244	1776	1170	1470	7	0
Last 365 Days	13205	22948	28504	19226	27744	10898	0
Month to Date	367	1031	1649	1141	1026	6	0
Year to Date	6338	9450	15584	12034	12950	6201	0



# Supreme Court To Obama Administration–Congress Writes Laws; You Don’t!

EPA ABUSE .com

by [Marita Noon](#), The Truth About the EPA July 17, 2014

[http://epaabuse.com/16619/editorials/supreme-court-obama-administration-congress-writes-laws-dont/?utm\\_source=rss&utm\\_medium=rss&utm\\_campaign=supreme-court-obama-administration-congress-writes-laws-dont&utm\\_source=EPA+Abuse&utm\\_campaign=b995b64556-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_bdf7c53c9e-b995b64556-305309409](http://epaabuse.com/16619/editorials/supreme-court-obama-administration-congress-writes-laws-dont/?utm_source=rss&utm_medium=rss&utm_campaign=supreme-court-obama-administration-congress-writes-laws-dont&utm_source=EPA+Abuse&utm_campaign=b995b64556-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_bdf7c53c9e-b995b64556-305309409)



Now that the dust has settled on the Supreme Court's 2014 session, we can look at the decisions and conclude that the Administration received a serious smack down. Two big cases got most of the news coverage: Hobby Lobby and the National Labor Relations Board's (NLRB) recess appointments. In both cases, the Administration lost. At the core of both is the issue of the Administration's overreach.

Within the cases the Supreme Court heard, one had to do with energy: *Utility Air Regulatory Group (UARG) v. Environmental Protection Agency (EPA)*—and it, too, offered a rebuke.

The *UARG v. EPA* [decision](#) came down on June 23. The decision was mixed— with both sides claiming [victory](#). Looking closely, there is cause for optimism from all who question the president's authority to rewrite laws.

A portion of the *UARG v. EPA* case was about the **EPA's "Tailoring Rule,"** in which it "tailored" a statutory provision in the Clean Air Act—**designed to regulate traditional pollutants** such as particulate matter—to make it work for CO<sup>2</sup>. **In effect, the EPA wanted to rewrite the law to achieve its goals.** The decision, written by Justice Scalia for the majority, stated:

***Were we to recognize the authority claimed by EPA in the Tailoring Rule, we would deal a severe blow to the Constitution's separation of***



***powers... The power of executing laws...does not include a power to revise clear statutory terms that turn out not to work in practice.***

The Supreme Court did allow the EPA to regulate CO<sup>2</sup> emissions from sources that already require permits due to other pollutants—and therefore allowed the EPA and environmentalists to claim victory because the decision reaffirmed that the EPA does have the authority to regulate CO<sup>2</sup> emissions. However, at the same time, the decision restricted the EPA's expansion of authority. Reflecting the mixed decision, the Washington Post [said](#) the decision was “simultaneously very significant and somewhat inconsequential.”

It is the “very significant” portion of the decision that is noteworthy in light of the [new rules](#) the EPA announced on June 2.

Currently, the Clean Air Act is the only vehicle available to the Administration to regulate CO<sup>2</sup> from power plant and factory emissions. However, the proposed rules that severely restrict allowable CO<sup>2</sup> emissions from existing power plants bear some similarities to what the Supreme Court just invalidated: both involve an expansive interpretation of the Clean Air Act.

In his review of the *UARG v. EPA* decision, Nathan Richardson, a Resident Scholar at Resources For the Future, [says](#): “In strict legal terms, this decision has no effect on EPA's plans to regulate new or existing power plants with performance standards. ... However, if EPA is looking for something to worry about, it can find it in this line from Scalia”:

***“When an agency claims to discover in a long-extant statute an unheralded power to regulate “a significant portion of the American economy” . . . we typically greet its announcement with a measure of skepticism. We expect Congress to speak clearly if it wishes to assign an agency decisions of vast “economic and political significance.”***

The *UARG v. EPA* decision is especially important when added to the more widely known Hobby Lobby and NLRB cases. Justice Scalia's opinion invites Congress to “speak clearly” on agency authority. It is now up to our elected representatives to rise to the occasion and pass legislation that leaves “decisions of vast ‘economic and political significance’” in its hands alone.

The decision—while “somewhat inconsequential”—is, in fact, “very significant.” The Supreme Court has, perhaps, outlined the first legislation of the new, reformatted, post-2014-election Congress.

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# ***The Chain of Environmental Command*** ***How a Club of Billionaires and Their Foundations Control*** ***the Environmental Movement and Obama's EPA***



## **United States Senate** **Committee on Environment and Public Works** **Minority Staff Report** July 30, 2014

The full 92-page report can be downloaded at [www.epw.senate.gov/ public/ index.cfm?FuseAction=Files.View &FileStore\\_id=8af3d005-1337-4bc3-bcd6-be947c523439](http://www.epw.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=8af3d005-1337-4bc3-bcd6-be947c523439)

## **EXECUTIVE SUMMARY**

In his 2010 State of the Union Address, President Obama famously chided the Supreme Court for its recent campaign finance decision by proclaiming, "With all due deference to the separation of powers, the Supreme Court reversed a century of law to open the floodgates for special interests – including foreign corporations – to spend without limit in our elections."<sup>1</sup> In another speech he further lamented, "There aren't a lot of functioning democracies around the world that work this way where you can basically have millionaires and billionaires bankrolling whoever they want, however they want, in some cases undisclosed. What it means is ordinary Americans are shut out of the process."<sup>2</sup>

<sup>1</sup> Bill Mears, *Chief justice chides State of the Union as 'political pep rally'*, CNN, March 11, 2010, 7:33 A.M., <http://www.cnn.com/2010/POLITICS/03/10/obama.supremecourt> (last visited July 27, 2014).

<sup>2</sup> Ben Wolfgang, *Obama weighs in for campaign finance limits*, THE WASHINGTON TIMES, Oct. 8, 2013, <http://www.washingtontimes.com/blog/inside-politics/2013/oct/8/obama-weighs-campaign-finance-limits> (last visited July 27, 2014).

These statements are remarkable for their blatant hypocrisy and obfuscation of the fact that the President and his cadre of wealthy liberal allies and donors embrace the very tactics he publically scorned. In reality, an elite group of left wing millionaires and billionaires, which this report refers to as the “Billionaire’s Club,” who directs and controls the far-left environmental movement, which in turn controls major policy decisions and lobbies on behalf of the U.S. Environmental Protection Agency (EPA). Even more unsettling, a dominant organization in this movement is Sea Change Foundation, a private California foundation, which relies on funding from a foreign company with undisclosed donors. In turn, Sea Change funnels tens of millions of dollars to other large but discreet foundations and prominent environmental activists who strive to control both policy and politics.

This report examines in detail the mechanisms and methods of a far-left environmental machine that has been erected around a small group of powerful and active millionaires and billionaires who exert tremendous sway over a colossal effort. Although startling in its findings, the report covers only a small fraction of the amount of money that is being secreted and moved around. It would be virtually impossible to examine this system completely given the enormity of this carefully coordinated effort and the lack of transparency surrounding it.

The failure to openly acknowledge this force and the silence of the media with whom they coordinate further emphasize the fact that until today, the Billionaire’s Club operated in relative obscurity hidden under the guise of “philanthropy.” The scheme to keep their efforts hidden and far removed from the political stage is deliberate, meticulous, and intended to mislead the public. While it is uncertain why they operate in the shadows and what they are hiding, what is clear is that these individuals and foundations go to tremendous lengths to avoid public association with the far-left environmental movement they so generously fund.

The report attempts to decipher the patterns of “charitable giving.” Often the wealthiest foundations donate large sums to intermediaries – sometimes a pass through and sometimes a fiscal sponsor. The intermediary then funnels the money to other 501(c)(3) and 501(c)(4) organizations that the original foundation might also directly support. The report offers theories that could

explain this bizarre behavior, but at its core, the Billionaire's Club is not, and seemingly does not, want to be transparent about the groups they fund and how much they are supporting them.

In advancing their cause, these wealthy liberals fully exploit the benefits of a generous tax code meant to promote genuine philanthropy and charitable acts, amazingly with little apparent Internal Revenue Service scrutiny. Instead of furthering a noble purpose, their tax deductible contributions secretly flow to a select group of left wing activists who are complicit and eager to participate in the fee-for-service arrangement to promote shared political goals. Moreover, the financial arrangement provides significant insulation to these wealthy elite from the incidental damage they do to the U.S. economy and average Americans.

Through these arrangements, the Billionaire's Club gains access to a close knit network of likeminded funders, environmental activists, and government bureaucrats who specialize in manufacturing phony "grassroots" movements and in promoting bogus propaganda disguised as science and news to spread an anti-fossil energy message to the unknowing public. Not only is the system incredibly sophisticated, but the Club's attorneys and accountants have mastered the loopholes and gray areas in the tax code, which enable them to obtain a full tax benefit, even when the recipient of the grant is not recognized as a public charity, and even if the money indirectly and impermissibly funds political activities.

In order to understand how the Billionaire's Club colludes with the far-left environmental activists and government officials, the report articulates the fundamental framework that governs these relationships. Essentially, the far-left environmental machine is comprised of hundreds of nonprofit organizations. Each entity is set up according to its designated purpose and is either a private foundation or a public charity, depending on where the cog fits in this well-designed wheel.

The facilitators – both organizations and individuals who bring together the private foundations and the activists – are a key component of the movement's success. The report identifies three organizations that serve prominent roles as facilitators: the Environmental Grantmakers Association, the Democracy Alliance, and the Divest/Invest movement. There is also a narrow set of individuals whose careers are part of the fabric of the far-left environmental movement and who serve as coordinators and intermediaries between the Billionaire's Club and the activist groups.

The ultimate recipients of donations from the Billionaire's Club work in tandem with wealthy donors to maximize the value of their tax deductible donations and leverage their combined resources to influence elections and policy outcomes. Often, they lobby on behalf of the EPA and advance policy positions important to the agency, which is statutorily prohibited from lobbying on its own behalf. But most importantly, they serve as the face of the environmental movement and present themselves as non-partisan benevolent charities to a public not aware of the secretive backroom deals and transfers.

The Billionaire's Club achieves many of its successes through the "capture" of key employees at EPA. These "successes" are often at the expense of farmers, miners, roughnecks, small businesses, and families. This report proves that the Obama EPA has been deliberately staffed at the highest levels with far-left environmental activists who have worked hand-in-glove with their former colleagues. The green-revolving door at EPA has become a valuable asset for the far-left and their wealthy donors. In addition to providing insider access to important policy decisions, it appears activists now at EPA also funnel government money through grants to their former employers and colleagues. The report tracks the amount of government aid doled out to activist groups and details a troubling disregard for ethics by certain high powered officials.

The report further describes what the Billionaire's Club is purchasing with their fortunes. It reveals that activists are skilled at creating and pushing out propaganda disguised as science and news. For example, both the Park Foundation and the Schmidt Family Foundation have financed questionable scientists to produce anti-fracking research, which the *Huffington Post*, *Mother Jones*, and *Climate Desk* – all grant recipients themselves – eagerly report on.

The Billionaire's Club has also perfected the craft of assembling and funding fake grassroots movements to assist in ballot measures and other state initiatives. The efforts in New York and Colorado to ban fracking are prime examples. The report explains how these faux grassroots efforts are actually funded by foundations outside the states they seek to influence. All these groups are similarly utilizing their platform to attack jobs, economic development, and infrastructure projects across the country.

The Energy Foundation is a quintessential example of a pass through frequently employed by the Billionaire's Club. Energy Foundation receives money from several key foundations and redirects it to activists. In doing so, they are providing two services: distance between the donor and the activist, and enhancing the clout of the donors as their individual influence is maximized by pooling resources. One of the major funders of the Energy Foundation is Sea Change, which has gone to great lengths to hide the source of its money. This is

especially concerning in light of recent revelations that environmental activists do not appear to be morally conflicted over where their money comes from – so long as it supports their goals.

The Billionaire's Club is also adept at converting charitable donations into political outcomes by taking advantage of loopholes in the tax code. Numerous examples raise questions as to whether the charitable donations are indirectly supporting political activity. For example, in many cases they fund a 501(c)(3), like the Energy Foundation or the League of Conservation Voters, which then transfers large sums to an affiliated 501(c)(4), which can engage in political activity. The affiliated groups often share office space, staff, and even board members. In the case of the 501(c)(4) Green Tech Action Fund, which received donations from the Energy Foundation, and in turn, donated funds to 501(c)(4) far-left environmental activist organizations.

The evidence provided in this report highlights the lengths the far-left environmental movement goes to hide sources of funding and to disguise their actions – bought and paid for by millionaires and billionaires – as charitable acts in service of their fellow man. This report outlines a sampling of the individuals, foundations, and practices that are active in our political system today, shedding light on just a fraction of the activities of the far-left environmental machine that undermines American free enterprise and resource security.

## **FINDINGS**

- The “Billionaire’s Club,” an exclusive group of wealthy individuals, directs the far-left environmental movement. The members of this elite liberal club funnel their fortunes through private foundations to execute their personal political agenda, which is centered around restricting the use of fossil fuels in the United States. (Pg. 6)
- The Billionaire’s Club has established a dozen prominent private foundations with huge sums of money at their disposal to spend on environmental causes. (Pg. 9)
- Members of the Billionaire’s Club also donate directly to 501(c)(3) public charities. Generally, the public charity is considered the preferred status under the tax code, based on the greater tax benefits and protections on donor disclosures. (Pg. 10)
- Public charities attempt to provide the maximum amount of control to their donors through fiscal sponsorships, which are a legally suspect innovation

unique to the left, whereby the charity actually sells its nonprofit status to a group for a fee. (Pg. 12)

- Nearly all of the public charities discussed in this report have an affiliated 501(c)(4) that engages in activities designed to influence elections and have no restrictions on their lobbying efforts. The funding of a 501(c)(4) by a 501(c)(3) affiliate is provocative in light of the legal restrictions on public charities from participating in political campaigning, either directly or indirectly, while permitting a 501(c)(4) to significantly engage in campaign activities. (Pg. 14)

- Members of the Billionaire's Club put a premium on access to the complex environmental infrastructure that has evolved to leverage substantial assets towards achieving defined policy outcomes. (Pg. 16)

- Environmental Grantmakers Association (EGA) is a place where wealthy donors meet and coordinate the distribution of grants to advance the environmental movement. EGA encourages the use of prescriptive grant making. It is a secretive organization, refusing to disclose their membership list to Congress. (Pg. 16)

- Democracy Alliance (DA), a facilitator for wealthy donors seeking to advance a broader far-left agenda, does not disclose the details of any transaction it facilitates, and its members and donor-recipients cannot speak publically about the organization. (Pg. 18)

- Environmental activist groups are well aligned with the greater far-left agenda. One of DA's acclaimed successes in the last year includes President Obama's executive actions on climate change. (Pg. 20)

- Many far-left environmental foundations and groups have pledged to divest in fossil fuels and invest in renewable projects as well as "philanthropy." (Pg. 22)

- There is a narrow set of individuals whose careers are part of the fabric of the far-left environmental movement. These individuals exercise outsized influence regarding the distribution of funds. (Pg. 23)

- Public charity activist groups propagate the false notion that they are independent, citizen-funded groups working altruistically. In reality, they work in tandem with wealthy donors to maximize the value of the donors' tax deductible donations and leverage their combined resources to influence elections and policy outcomes, with a focus on the U.S. Environmental Protection Agency (EPA). (Pg. 25)

- Far-left environmental activists, while benefiting from nonprofit status, essentially sell a product to wealthy foundations who are seeking to drive policy and political outcomes. (Pg. 38)
- The Obama Administration has installed an audacious green-revolving door among senior officials at EPA, which has become a valuable asset for the environmental movement and its wealthy donors. (Pg. 28)
- In one example, senior EPA officials planned to use Michelle DePass's position on the Board of Directors of EGA, her eminent employment at EPA, and her relationship with former EPA Administrator Lisa Jackson, to enhance her influence with EGA. (Pg. 29)
- Former far-left environmentalists working at EPA funnel government money through grants to their former employers and colleagues, often contributing to the bottom line of environmental activist groups. (Pg. 34)
- Under President Obama, EPA has given more than \$27 million in taxpayer-funded grants to major environmental groups. Notably, the Natural Resources Defense Council and Environmental Defense Fund – two key activists groups with significant ties to senior EPA officials – have collected more than \$1 million in funding each. (Pg. 34)
- EPA Region 2 Administrator Judith Enck appears to be inappropriately and personally involved in the allocation of EPA grants to favored groups. Enck is also the subject of an inquiry led by the EPA Office of Inspector General. (Pg. 35)
- EPA also gives grants to lesser-known extreme groups. For example, the Louisiana Bucket Brigade received hundreds of thousands of grants under former Administrator Lisa Jackson despite challenges by state regulators over the use of such grants. (Pg. 33)
- Some of the most valued services activists provide the Billionaire's Club includes promulgation of propaganda, which creates an artificial echo chamber; appearance of a faux grassroots movement; access to nimble and transient groups under fiscal sponsorship arrangements; distance/anonymity between donations made by well-known donors and activities of risky activist groups; and above all – the ability to leverage tens of millions of dollars in questionable foreign funding. (Pg. 38)
- Foundations finance research to justify desired predetermined policy outcome. The research is then reported on by a news outlet, oftentimes one that is also supported by the same foundation, in an effort to increase visibility. In



one example, a story reporting on a Park Foundation-supported anti-fracking study was reproduced by a Park-funded news organization through a Park-funded media collaboration where it was then further disseminated on Twitter by the maker of Park-backed anti-fracking movies. (Pg. 41)

- Another service provided to the Billionaire's Club is the manufacturing of an artificial grassroots movement where it is not the citizen's interest that drives the movement; rather, it is part of a well-funded national strategy. (Pg. 43)

- In New York and Colorado, a pseudo grassroots effort to attack hydraulic fracturing has germinated from massive amounts of funding by the NY-based Park Foundation, as well as CA-based Schmidt Family Foundation and Tides Foundation. (Pg. 44)

- The same California and New York-based foundations behind the New York anti-fracking efforts have shifted to Colorado through two coalitions – Local Control Colorado and Frack Free Colorado. (Pg. 45)

- Bold Nebraska is another example of faux grassroots where a purportedly local organization is, in fact, an arm of the Billionaire's Club. It is nothing more than a shield for wealthy and distant non-Nebraskan interests who seek to advance a political agenda without drawing attention to the fact that they, too, are outsiders with little connection to the state. (Pg. 50)

- The Energy Foundation is a pass through public charity utilized by the most powerful EGA members to create the appearance of a more diversified base of support, to shield them from accountability, and to leverage limited resources by hiring dedicated energy/environment staff to handle strategic giving. (Pg. 51)

- The Energy Foundation is the largest recipient of grants from the foreign-funded Sea Change Foundation; yet, it appears the Energy Foundation attempts to hide donations from Sea Change, as it is not listed as one of Energy Foundation's partners. (Pg. 53)

- The circumstances surrounding the flow of money from 501(c)(3) and 501(c)(4) groups, and the likelihood of lax oversight, raises questions as to whether 501(c)(3) nonprofit foundations and charities are indirectly funding political activities. (Pg. 56)

- 501(c)(4) Green Tech Action Fund receives millions of dollars from green 501(c)(3) organizations, then distributes the funds to other 501(c)(4) groups that donate to political campaigns. (Pg. 57)

- Many of the large environmental organizations form both 501(c)(3) and 501(c)(4) nonprofits that are publically advertised as separate and independent entities. In reality, they are closely associated groups that transfer money from the Billionaire's Club to nonprofits, and eventually into political campaigns. (Pg. 58)
- Between 2010 and 2012, Tides Foundation gave over \$10 million to Tides Center, and Tides Center gave over \$39 million to Tides Foundation. It is unclear what purpose the transfer of funds between these two organizations serves, other than obscuring the money trail. (Pg. 60)
- Tides Center is a fiscal sponsor to over 200 groups, which are subject to Tides Center's oversight and direction in important aspects that include forming a governing board, managing payroll, and monitoring risk. (Pg. 60).
- The New York-based Sustainable Markets Foundation is also a significant fiscal sponsor and receives vast sums from the Billionaire's Club. It only exists on paper and has zero public presence – no website, no Facebook page, no Twitter account, nothing. (Pg. 64)
- The Billionaire's Club knowingly collaborates with questionable offshore funders to maximize support for the far-left environmental movement. (Pg. 65)
- The little information available on Sea Change is limited to a review of its IRS Form-990 for 2010 and 2011 as its 2012 form is not public, and a sparsely worded website – listing solely the logo and a three-sentence mission statement. (Pg. 65)
- Klein Ltd., an overseas company contributing tens of millions to organizations dedicated to abolishing the use of affordable fossil fuels through a U.S. private foundation is highly problematic. This is only compounded by the fact that it is deliberately and completely lacking in transparency – having no website and withholding its funders. (Pg. 68)

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## Exploiting Indians

Written by [Alex Newman](#), The New American, 29 July 2014

[http://www.thenewamerican.com/usnews/constitution/item/18791-exploiting-indians?utm\\_source=Newsletter&utm\\_campaign=ef187164fa-](http://www.thenewamerican.com/usnews/constitution/item/18791-exploiting-indians?utm_source=Newsletter&utm_campaign=ef187164fa-)

[The\\_Editors\\_Top\\_Picks\\_3\\_12\\_143\\_12\\_2014&utm\\_medium=email&utm\\_term=0\\_8ca494f2d2-ef187164fa-282943749](http://www.thenewamerican.com/usnews/constitution/item/18791-exploiting-indians?utm_source=Newsletter&utm_campaign=ef187164fa-The_Editors_Top_Picks_3_12_143_12_2014&utm_medium=email&utm_term=0_8ca494f2d2-ef187164fa-282943749)



Many of Doug Thompson's constituents are nervous. Some are angry. More still are confused. The soft-spoken Wyoming cattle rancher has been ranching in vast Fremont County since 1970, and has been on the County Commission for 14 years, serving as the chair for a decade now. Despite the brutal winters, it is a quiet and beautiful area, where hard-working descendants of pioneers, alongside Native Americans, have eked out a meager living from the land for over a century, mostly in agriculture, tourism, and energy. Slightly more than 40,000 people live there, spread out across a county that is about the size of Vermont.

Thompson's ranch, located some 45 miles from the local Indian reservation, is not in jeopardy right now. But the same cannot be said, at least not with any degree of certainty, for the rights of thousands of other citizens in the area, whose businesses, lands, self-government, access to water, and potentially even livelihoods may be under threat — at least if the Obama administration and its increasingly lawless Environmental Protection Agency get their way.

In December, defying established federal law and multiple U.S. court rulings, unelected bureaucrats at the EPA made Fremont County perhaps the most high-profile battleground in a quiet but disturbing assault taking place across much of the nation. Working with other departments, the EPA unilaterally purported to place the city of Riverton, Wyoming, inside the nearby Indian reservation's boundaries — and more importantly, under the jurisdiction of tribal authorities for the Wind River Indian tribes. At least two smaller towns, Kinnear and Pavillion, were also decreed by the EPA to be within tribal borders.

Riverton is the largest town in Fremont County, home to more than one-fourth of the population and serving as the economic hub for the region. In 1905, Native Americans were paid and Congress passed a law opening up parts of the area to settlers, decreasing the size of the vast Indian reservation. By most accounts, relations between Native Americans and other county residents had generally been peaceful and friendly. As the federal government and the tribal governments it funds team up against non-tribal members, though, tensions are reportedly rising.

The boundary dispute that recently made headlines across America with the EPA ruling has been simmering quietly under the surface for years. Wyoming officials and experts say Congress settled the question more than a century ago — along with the courts in subsequent rulings. But the Obama administration, apparently not agreeing with the law or the courts, handed over more than a million additional acres and three non-Indian towns to the tribes with a simple decree.

“My contention is that this is a congressional call,” says Thompson, the rancher and County Commission chair. “It seems like under this current administration, they are trying to do all these things administratively, which is totally inappropriate. It’s not up to a political regime to do this. It’s a basic philosophical problem. The EPA should not be re-defining boundaries or subjecting citizens to a government that they have no formal say in — voting, access, and so on.”

In an interview with *The New American*, Thompson explained that there has been a longtime effort by the tribal governments to reestablish the old boundaries of the reservation. Using litigation, for example, the federally funded tribal authorities — flush with federally granted casino-monopoly cash and U.S. taxpayer funds — have tried to establish jurisdiction over the land and its non-Indian inhabitants, too. Those efforts failed. However, following the lead of other Native American governments across the country, tribal leaders in Fremont County tried a new tactic.

According to an analysis of government documents, the EPA decision stemmed from a 2008 request by the Wind River Indian tribes to obtain “treatment as a state” (TAS) or “treatment similar to a state” (TSTS) under federal environmental regulatory schemes. In this case, it was done via an amendment to the Clean Air Act, which purports to impose EPA mandates on state governments. Once approved, the EPA ruling TAS allows tribal authorities to be “treated as a state” for regulatory purposes. That means tribal authorities can receive even more federal taxpayer dollars under the guise of implementing and enforcing various EPA regulations, which normally would be handled by the state government.

If the federal government and the tribal governments it funds succeed in Fremont County, everything from water rights and air quality to land use — in some cases even 50 miles beyond whatever the reservation boundary is determined to be — could be regulated by tribal authorities, over whom non-tribal members have no vote. For now, state and local officials have been instructed by the governor to continue operating as usual while the state government prepares to battle the Obama administration in court.

Among other major problems, the EPA ruling, made in consultation with the Obama administration's Department of Interior and the Justice Department, might even make the city of Riverton ineligible for many state and local services, including law enforcement and emergency response. It also raises numerous concerns over taxation, regulation, permitting, and a wide range of other issues involving jurisdiction, officials and experts say. Even tribe members convicted of crimes in state courts may be able to challenge the state's jurisdiction because they can claim the crimes they committed were perpetrated on the Indian reservation under tribal jurisdiction; in fact, it's already happening.

Under the arrangement prior to the EPA's ruling, the Indian reservation was under tribal jurisdiction, along with any lands held in federal trust for the tribes outside the formal reservation boundaries. The federal Bureau of Indian Affairs and other agencies handle much of the governance, despite claims of tribal "sovereignty" parroted by the feds and the tribes. Non-members of the tribes, meanwhile, were subject to state and local authorities such as the sheriff and state regulators.

"What this would do is put Riverton, the irrigation districts, and the main non-tribal areas — those are state, county, and municipal jurisdictions — under the tribes' governments. They could assert significant jurisdiction, up to and including taxation and regulation," Thompson said. "That doesn't mean if the EPA decision stands, that would happen, but in other states that has happened. The tribes say, 'We're not gonna do that right now.' Well, maybe they aren't going to now, but all they have to do is go to court and say this is their jurisdiction."

When the EPA decision was first announced, Thompson explained, many county residents were confused and frightened. "The first question that came out was, 'What is the security of the deeds to our property?'" he said. "The answer is that, if you own the property, you still own it. The difference will be in how you can use your property." And that difference, of course, is crucial, since property could be useless if it cannot be freely used.

"If you bring another governmental jurisdiction into the mix — say there were permitting regulations exerted — then you'd have to get a tribal permit as well,"

the commission chair explained. “Now that hits on the foundational problem in this whole deal: You are subjecting non-tribal members to a governmental entity that they have absolutely no say in, because they are not tribal members. You’re totally subject to a tribal government authority that you have no say in. You can’t vote for the leaders. If they don’t want to meet you, they just shut down the meeting. That’s the crux of this whole thing.”

“The non-tribe members are greatly concerned,” Thompson said of county residents. “Citizens are nervous about what this means — they’re hearing a lot of mixed messages. They hear from tribal members ‘we’re gonna take your land back, we’re gonna regulate you out of business,’ so they’re justifiably concerned.” Even the mayor of Riverton says he has received similar threats.

### **State-level Resistance**

In Wyoming, the deeply controversial executive-branch machinations that purported to place Riverton, Kinnear, and Pavillion inside tribal boundaries have sparked a massive outcry among residents and state officials, with Wyoming Governor Matt Mead and his administration vowing to fight back.

“My deep concern is about an administrative agency of the federal government altering a state’s boundary and going against over 100 years of history and law,” the governor added in a statement. “This should be a concern to all citizens because, if the EPA can unilaterally take land away from a state, where will it stop?” The governor also thanked the Wyoming attorney general and his staff for urgently preparing a thorough review of the historical record on the issue. “This analysis shows how flawed the EPA was in its legal justification for its decision,” Mead said, adding that all avenues would be pursued. “The federal government clearly had a predetermined outcome it sought to uphold.”

In a petition to EPA bosses asking the agency to reconsider and stay its decision, Wyoming Attorney General Peter Michael said the Obama administration’s scheme depends on “a host of faulty factual and legal conclusions.” The document cites a broad range of statutes, treaties, and court decisions, arguing that the EPA essentially cherry-picked arguments in a manner “more akin to advocacy” to reach a determination that is simply “wrong.” The attorney general said that the decision would strip the state of its sovereign right to exercise jurisdiction over lands “rightly within its control” and that it must be overturned — or at least delayed until the courts can review it. “A failure to do so will likely lead to civil and criminal jurisdictional turmoil, irreparably harming the public interest,” he warned, echoing widespread concerns.

Wyoming's entire delegation to the U.S. Congress has also expressed deep concerns, with Senator John Barrasso blasting the Obama administration for again thinking it "can ignore the law of the land when it suits their agenda."

### **EPA and the Tribes**

The federal government has been suspiciously quiet since dropping the bombshell on Wyoming in December. The agency did eventually stay its decision as the legal battle in the U.S. 10th Circuit Court of Appeals proceeds. Some analysts expect that litigation to eventually end up before the Supreme Court.

Tribal leaders, on the other hand, have responded to the growing uproar across the state — and even the nation — in a variety of ways, particularly by trying to downplay fears and attack critics. As has become typical, tribal officials were quick to suggest that opposition to the EPA decision and the tribal governments' actions may be based on "racism." Ironically, even the mere suggestion that everyone should be treated equally under the law regardless of race is often met with howls of "racism" from powerful tribal leaders rolling in federal taxpayer dollars and revenue generated from casino monopolies (granted to tribal governments by the 1988 Indian Gaming Regulatory Act).

In Fremont County, tribal leaders have also claimed that they mostly just want "clean air," though they have also become increasingly bold in discussing the "potential" for further jurisdictional issues that should be "negotiated" rather than litigated. Tribal government leaders at the reservation were not available for comment and did not return phone calls to *The New American* by press time.

When the Citizens Equal Rights Alliance (CERA), which supports constitutional government, held a convention in Riverton about the ongoing issues, tribal leaders furiously lashed out, even comparing the non-profit group to the Ku Klux Klan. The establishment media in Wyoming disgracefully allowed its pages to promote the smear. However, group leaders and local citizens told *The New American* that the attacks were so far detached from reality that it was hard to believe the claims were even made — much less printed. CERA's previous chair, for example, was a Cherokee Indian, and the group has represented Native American tribes whose water rights or other protections were under government assault. More than 50 elected officials attended CERA's gathering despite the libelous accusations.

### **The Tip of a Dangerous Iceberg**

The Riverton case blew the lid off a phenomenon that has been proceeding quietly across the United States for decades. It turns out that, despite the lack of

press coverage, the EPA's efforts to hand jurisdiction over multiple towns to Indian tribes were merely the proverbial tip of a gargantuan iceberg. Indeed, from coast to coast, multiple federal agencies have been working with tribal governments in a concerted attack on the U.S. Constitution, property rights, self-government, water rights, and more. Perhaps the biggest difference in the Wyoming case is that state officials — who across America are having their campaign coffers stuffed with Indian casino cash — actually spoke out, and the press reported on it.

However, it is not the first time that the phenomenon attracted at least some degree of public scrutiny. In fact, the scandalous federal exploitation of supposed Native American “interests” to justify power grabs surfaced very briefly over a decade ago, when EPA bureaucrats were convicted of fraud in mid-2000 in a case purporting to grant “Treatment as a State” status to three tribal governments in Wisconsin. In that instance, two EPA officials were busted for falsifying documents in a bizarre attempt to justify allowing the tribes to regulate water in and around their reservations, which would have had nightmarish implications for the overwhelming non-Indian majority in the area.

“Aside from the poor judgment displayed by some of the key participants in this case, another factor influencing developments in Region V is EPA’s relationship with the tribes,” explained Dr. Bonner Cohen, now a senior fellow with the National Center for Public Policy Research, after the EPA fraud and power grabs were exposed and prosecuted. “That relationship is characterized by an odd mixture of intimacy and mutual exploitation that has come back to haunt both parties.”

That case, though, was hardly unique. Elaine Willman, who is of Cherokee Indian ancestry, is among a handful of respected experts who can speak credibly on a subject that is deliberately shrouded in obscurity and deception — federal Indian policy. Her husband is also of Native American ancestry and is even related to Sacajawea, the celebrated Indian who served on the Lewis and Clark expedition.

Willman served as the chair of the Citizens Equal Rights Alliance from 2001 to 2007 until accepting the position of director of community development and tribal affairs with the small Village of Hobart in Wisconsin. She still serves on CERA’s board and is working on a doctoral degree in federal Indian policy, one of her passions and an issue she says requires much more attention and some major reforms.

After traveling across the country to visit Indian reservations and conduct interviews, Willman’s worst suspicions were confirmed. The proliferation and



empowerment of federally funded tribal governments, working with the federal government itself, threatens the constitutionally protected rights of all Americans, including, ironically, the descendants of the original Native Americans. It threatens self-government, too, she says.

In 2005, Willman published a book on the subject entitled *Going to Pieces: The Dismantling of the United States of America*. It is packed with examples of abuses stemming from tribal governments in cahoots with state and federal policymakers. America is increasingly being governed by tribalism, she says, a system whereby federally funded tribal governments work with their federal paymasters to attack state sovereignty, private property, the unalienable rights of non-tribe members and Indians, and much more.

Early on in the book, which recounts her 6,000-mile voyage from her native Washington State to New York, she describes massive land grabs in rural Northern Idaho being facilitated by the EPA, the Department of the Interior, and other state and federal agencies. Among other concerns, she explains that tribal governments, with the connivance of state and federal officials getting big campaign contributions from tribal governments, are unilaterally expanding the borders of Indian reservations far beyond what U.S. law permitted. Tribal governments are working to exercise jurisdiction over property owners whose families have owned the land for a century, sometimes even longer. The Coeur d'Alene tribe, for example, with help from federal officials, is among the tribal governments trying to push out the boundaries of the areas they control, with everyday citizens and their lawfully owned properties in the crosshairs.

Among those who have been forced to deal with the problems are Roger Hardy and his wife, Toni, whose grandparents lawfully homesteaded their more than 500 acres of lakeshore land more than a century ago. With help from the EPA, and despite huge legal costs for the Hardys trying to fight it, the Coeur d'Alene tribal government was able to acquire control over a public "walking trail" through the property after a contaminated railroad track fell out of use. Tribe members reportedly regularly enter their private property, sometimes damaging it, sometimes shooting guns at anything that moves under the guise of "ancient hunting rights," and more. The tribe's actual reservation has been about 70,000 acres since the late 1800s. Tribal authorities, though, with connivance of federal and state officials, have been working hard to expand its boundaries to the former 350,000 acres. That puts Roger and Toni's property — along with many others' — at serious risk.

Aggressive actions by another tribal government in Idaho, the Nez Perce tribe, with several thousand enrolled members, prompted local authorities from across the region to band together in an effort to contain the tribal government's

claims of purported jurisdiction. There, tribal officials were trying to extort gargantuan amounts of money for “permits” from non-Native residents for simple actions such as building a school — on non-reservation land — all while trying to usurp water rights and more.

County and local governments there were providing virtually all taxpayer-funded services to everyone in the central Idaho area, including tribe members. Still, the tribal government was receiving more in federal grants alone than the local and district governments were collecting in total revenues, combined. The tribal government was also bringing in big bucks from an Indian casino and tax-exempt businesses, which have a major advantage over non-Indian businesses due to the taxation arrangements. The tribal government, like others across America, was pouring that money into buying up more land, hiring lobbyists, funding politicians, and employing swarms of attorneys to push its goals through litigation in the courts.

Some of the most alarming tales of joint tribal-federal abuse came from Thurston County, Nebraska, home to the Omaha and Winnebago reservations and numerous non-Indian farmers whose ancestors acquired the land lawfully, often by purchasing it from Indians. Over a decade ago, large swaths of the area, part of EPA “Region 7,” were placed under the regulatory jurisdiction of tribal governments on everything from pesticides to environmental regulations. Non-Indian farmers were suddenly faced with a nightmarish situation of being governed by federal and Indian authorities with whom they held no sway.

Incredibly, tribal law enforcement — mostly from the U.S. Bureau of Indian Affairs — even began harassing and brutalizing some local farmers. In her book, Willman tells the story of the Knecht family, which has farmed the land for four generations. In 2004, Kim Knecht, the son, was on a tractor in his family's fields when he spotted three Bureau of Indian Affairs (BIA) tribal police cars speeding toward him. Apparently the Omaha tribal government had decided that part of the Knechts' lawfully owned farm was actually its property. One of the cars rammed Kim's tractor before a gaggle of tribal cops jumped out and dragged him off his vehicle, scraping his back in the process. The officers maced him, slammed him on the ground, and put him in handcuffs. Kim's frantic wife called 911 before running toward her husband in a panic. She was arrested, too. Kim's father, Vernon, also ran out and demanded that the tribal officers get off his private property. After claiming that the land was on the “reservation,” they eventually did leave, taking Kim with them to a tribal jail and charging him with assaulting tribal law enforcement, ramming their vehicles, and “resisting arrest.” Finally, after thousands of dollars squandered on legal fees, Kim was cleared of all the bogus charges, and a federal judge severely reprimanded the tribal

cops. However, no charges were ever brought against the tribal officers for trespassing, assault, harassment, destruction of property, or any other crimes.

Incredibly, just weeks passed before Vernon suffered a similarly traumatic incident at the hands of the tribal cops. After reluctantly (considering what happened to his son) helping his Indian friend feed the tribe's buffalo, Vernon left his tractor on the reservation at the request of his friend, a member of the tribe. Tribal BIA police then went to tow it away. When Vernon found out, the 73-year-old went to investigate, and sure enough, the officers were hauling his machine away. He got out and explained the situation to the officers. They responded by immediately beating him on the head with clubs, throwing him to the ground, rubbing his face in the gravel, and handcuffing him. Pleading with the officers for his heart medication and covered in bruises, Vernon was eventually taken from the scene to the hospital by paramedics. It took months for his face to heal. Kim, who stayed in the truck at his dad's request, took pictures of the beating, but considering his own legal problems with the tribal government, he could not do much. Vernon was eventually charged with "stealing hay" and "trespassing" on Indian land, though those trumped up charges were eventually dropped as well. "American citizens ... don't have any rights here anymore," then-County Sheriff Charles Obermeyer is quoted as saying in Willman's book.

Even more worrying at the time, Willman explains, were plans to cross-deputize tribal enforcers, giving them power to enforce state law in addition to tribal law, even against non-Indians.

In Washington State, meanwhile, Willman also found similarly troubling trends. To illustrate the lunacy of the EPA "Treatment as States" policies for Indian tribes under the Clean Air Act, for example, she used two maps. The first shows the state government's air-quality regions under EPA mandates. The second features the areas where "Indian air" would be controlled by tribal governments — essentially the entire state, once the "weighted comment" scheme giving them powers over 50 miles outside reservations is taken into account.

"Regulatory control of America's air and water directly impacts America's industries, private sector market places, farming, energy and natural resources," Willman explains. "TSTS [Treatment Similar to a State] is the stealth bomb that has been launched and is heading for the target. Highly urbanized areas such as Portland, Seattle, and the entire West Coast could soon become beholden to multiple approvals required by Indian tribes in order to open a business or conduct any activity within their jurisdictions." Across America, wherever there are self-styled "sovereign" tribal governments, the threat is there, too.

The Department of Interior has also been plotting to hand over massive swaths of public lands to tribal government managers. Public spaces deemed to have “special geographic, historical, or cultural significance to self-governance tribes,” for example, could eventually be run by tribal authorities. Even “close proximity” could be enough to let tribal governments take over governance of dozens of national parks and “wildlife refuges” across America. Willman suggests access to the areas is being “systematically” restricted — potentially even to the point of denying access — to everyone except the Native American Indian population. In recent years, as just one example, tribal governments in South Dakota, with full federal connivance, have been seeking control over huge swaths of the Badlands National Park. Analysts also said that plot could set a “precedent” for other tribes across America to seize control over national parks. However, at least in this case, tribal and non-Indian residents in the area are resisting the giant land grab being cooked up by the tribal governments and the federal one.

In Montana, among the stops on the journey, Willman and her colleague, Kamie Christensen Biehl, found a wide range of problems brought about by joint federal-Indian government abuses. Since the book was written, the situation has only grown worse. As just one example, as this article is being written, non-tribal members across 11 western Montana counties are being threatened with potential ruin through the loss of water rights to the Confederated Salish and Kootenai Tribes (CSKT). Especially under threat are the more than 20,000 non-Native Americans who lawfully own land and property in the Flathead Indian reservation, home to about 4,000 Indians who are openly seeking to reclaim all of the land that was sold off beginning in the early 1900s.

On July 8, a busload of non-Native locals from the region, along with a caravan of cars full of ranchers, descended on Helena to testify against the plot to hand over control over water to the tribal government and its federal “partners” as part of a new, perpetual “compact.” If approved, the tribal government would be effectively in full control over the property and destinies of tens of thousands of non-Native citizens by controlling their access to water — perhaps the single most essential resource.

Clarice Ryan, an activist with Concerned Citizens of Montana working to fend off the attack on water rights, told *The New American* that the land grabs are “happening nationwide, with the federal government using the reservations to gain control of land, water, air, and energy. I truly believe that what is happening right here on our Salish Kootenai Reservation could become the pilot program and poster child laying the groundwork for the policies and political strategies nationwide.”

The above examples represent but a tiny fraction of the abuses perpetrated against citizens of all races by the federal government and its dependent so-called sovereign tribal governments. While a few court rulings have sought to rein in some of the wildest abuses — EPA just got unanimously smacked down in the liberal D.C. Court of Appeals for trying to override the government of Oklahoma in Indian country and essentially regulate dust — the lawlessness is still growing.

### **How Did This Happen?**

The hundreds of tribal governments and the federal government have developed a sort of symbiotic relationship benefiting both — at the expense of the rights of Americans and Indians alike. Of course, it is important to draw a distinction between tribal governments and Native Americans. Estimates suggest just one in five Indians is actually registered as part of a tribal government or lives on a reservation. While all Indians are and have been U.S. citizens for generations, only a handful actually willingly subject themselves to the rule of federally funded tribal governments.

There are more than 550 officially recognized tribal “nations” spread across about 30 states. Most of them have a Department of Interior-approved “constitution” under the Indian Reorganization Act of 1934, which establishes the tribe’s governing system. Once recognized and approved, the tribal governments then become quasi-dependent “sovereigns,” with huge amounts of federal tax dollars and supposed “sovereignty” delegated to them by the federal government. “It’s all a horrible hoax,” Willman told *The New American* in one of a series of extended interviews exploring federal Indian policy.

Of course, the reservation system has, by any objective measure, been a miserable failure. As *The New American* has documented in the past, statistics for life in Indian country paint a grim tale of alcoholism, violence, drug abuse, broken families, dependence, poverty, abuse, suicide, lack of education, and a general feeling of hopelessness. Many tribal leaders benefit from the system, of course, but for members, generally speaking at least, misery reigns across most of Indian country.

“This establishment thrives because of the perverted interpretation of sovereignty. The Indian establishment — I’m talking about tribal government and the Bureau of Indian Affairs — wield a lot of power in Washington,” Faron Iron, a member of the Crow tribe who has served on the tribe’s executive committee but disagreed with the tribal government’s policies, is quoted as saying in Willman’s book. “They purport to be Indian experts and they speak for the common Indian, but it isn’t so. They protect the system itself, which benefits

them. As far as people, they merely serve as statistics to qualify for funds or whatever else they need. The people are basically to be used, is what it is.”

But how did the accelerating joint tribal-federal assaults on liberty, property, and self-government come about? Willman says one of the key tools is the exploitation of guilt. As documented in innumerable history books, the descendants of Europeans who arrived in America over hundreds of years were often brutal toward Native Americans, as was the federal government. While few living Americans today participated in historical atrocities against Indians, a feeling of collective guilt still pervades the culture. This is a crucial weapon in allowing the federal government and its Indian government “partners” to run roughshod over the rights of Americans with little protest or media coverage. “They have abused white guilt,” Willman explains.

Another key tool is the deluge of cash facilitated by the feds. “You can time the explosion and the abuse of Indian policy to the emergence of federal casino monopolies in 1988,” Willman explained. “As soon as that act passed, that money truly did start buying up the political process, and that is when the abuse really blew up, you can trace it. Before that, there had been a live-and-let-live atmosphere between communities. That was the tipping point — these gaming tribes started getting mega-wealthy. The money was intended to improve the lives of people on the reservations, but it has not done so. It’s just money for the tribal leaders and political contributions. That financial leverage really ties in with the expanded symbiotic relationship.”

After visiting nine reservations, Willman summarized the process that occurs: “A tribe gets a casino(s); a tribe buys political and legal power; surrounding counties, towns and citizens are bullied; a tribe buys or economically forces out landowners/businesses; elected officials get quiet, or get purchased; non-tribal lands and economies dwindle quickly; thousands of American citizens lose — sometimes everything; tribalism as a governing system” then eventually replaces self-government.

It is also important to understand how these reservations function economically — much more akin to central planning and socialism than to American notions of free markets. The tribal government largely controls jobs, the economy, the distribution of federal tax dollars, and more. “Centralizing and expanding the power of the federal government in various states over citizens, and spreading socialism — tribal governments — as a governing system is a marvelous way to domestically undermine the principles of our U.S. Constitution,” Willman says.

Of course, much of the trend is fueled, as with most ongoing assaults on freedom, by Americans’ own tax dollars and the shroud of secrecy that

surrounds it all. Willman says, for example, the “total power” of federal Indian policy is based “entirely upon the secrecy and intentional absence of studies done, or audits completed.” Consider President Clinton’s “executive order” in 2000 establishing an “Indian Office” in every single federal agency. Each of those agencies then created financial programs, many of which distribute taxpayer funds to tribal governments. Before that, most of the federal funding went through the Bureau of Indian Affairs.

Now, nobody even seems to know how much federal largess is flowing to tribal governments. When CERA held a conference a few years ago in Washington, D.C., a keynote speaker was George Skibine, a high-ranking BIA official. When asked by a CERA board member whether BIA had ever audited how much annual funding goes to the more than 550 tribal governments, he reportedly responded: “We’ve been unable to do that.” Apparently there was one attempt to calculate how many federal dollars from all agencies are distributed to the tribes, but it turned out to be impossible.

As far as the constitutional authority underpinning the developments, experts say it is shrouded in mystery as well. “For at least 29 states that host Indian tribes, this is death by a thousand slashes over a long period of time, to intentionally erode state jurisdiction, administrative or regulatory authority within its own boundaries. The Congressional environmental acts of the mid ’70s became a marvelous tool,” Willman said.

### **Obama Steps Up the War**

As if the problems were not already dangerous enough, the current administration is stepping up the federal exploitation of Native Americans in its effort to “fundamentally transform” the United States. In June, for example, Obama and his wife visited the Standing Rock Sioux Tribal Nation in North Dakota to tout his accomplishments and his administration’s “partnerships” with American Indian tribes. “My administration is determined to partner with tribes,” Obama boasted at the summit. “It takes place every day on just about every issue that touches your lives.”

Before the gathering, Obama published a June 5 op-ed in *Indian Country Today* boasting of his efforts and promising more to come. “As president, I’ve worked closely with tribal leaders, and I’ve benefited greatly from their knowledge and guidance,” he said. “That’s why I created the White House Council on Native American Affairs — to make sure that kind of partnership is happening across the federal government.”

The powerful council was created by an “executive order” last year. The purpose of the order, according to the document itself, was to “promote and

sustain prosperous and resilient Native American tribal governments." While UN agreements on indigenous populations were not mentioned, the controversial decree incorporated more than a few elements of global schemes currently being used worldwide that will be addressed further down.

Tribal government leaders were happy about Obama and his efforts, too. "The best thing that's happened to Indian Country has been President Obama being elected," claimed Dave Archambault II, chairman of Standing Rock. Ironically, though, the reservation Obama visited is itself a testament to the utter devastation wrought by federal Indian policy. Despite a federally granted casino monopoly, almost half of the Indians there live in poverty. About 50 percent drop out of high school. An estimated 86 percent of the tribe's members are unemployed. Alcoholism, obesity, sexual violence, crime, and suicide rates are off the charts. On other reservations, the numbers are even grimmer.

The Obama administration even hosts annual summits for tribal government leaders in Washington, D.C., to meet with top White House officials. Obama has also taken steps to increase "tribal sovereignty" at the expense of state officials by, for example, allowing tribal governments to bypass governors and apply directly for federal emergency and economic development "grants."

All across the Obama administration, departments are working with Indian governments on deeply controversial programs that have flown largely under the radar. The Justice Department, for example, recently established a permanent "office of tribal justice." Under an agreement reached amid a lawsuit, **the Department of the Interior is now spending billions of dollars buying up land to put in "trust" for various Indian tribes.** Obama is also in the process of relaxing the requirements to become a "tribe" and begin **receiving federal handouts and vast new regulatory powers to assault property rights, state sovereignty, and the U.S. Constitution.**

In recent years, the trends have accelerated at breathtaking speed. If U.S. policymakers do not take action to rein in the administration's ongoing exploitation of its dependent tribal governments in the war on freedom, many more Americans will soon find themselves in federal-tribal crosshairs — with disastrous consequences.

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## **Gov. Pence urges Congress to block EPA regs**

By: [Human Events](#), 7/11/2014

<http://humanevents.com/2014/07/11/gov-pence-urges-congress-to-block-epa-regs/>

As Congress begins to consider the fiscal year 2015 appropriations bills that provide funding for the Environmental Protection Agency ("EPA") and federal energy programs, I write to urge your support for legislative efforts underway that would block or prevent implementation of the EPA's proposed regulations on carbon dioxide emissions from existing and new power plants.

In Indiana, we recognize that we need all forms of energy to power our economy, and, at the same time, we know that coal is a crucial Hoosier energy resource that should continue to be promoted. Our state has a 300 year supply of coal, and coal has historically provided Hoosiers with reliable, affordable electricity. More than 80 percent of our electricity comes from coal, and the coal industry employs 28,000 Hoosiers. Hoosiers know that coal means jobs and coal means low-cost energy.

I recently met with coal miners in southern Indiana. In that meeting I committed that Indiana would stand with them against existing and proposed EPA regulations that would harm their industry and threaten their jobs. And I am committed to stand with millions of other Hoosier workers and families who will feel the impact in markedly higher electricity rates, lost jobs, and lost business growth.

The Obama Administration has already put in place regulations on power plants that will increase the cost of electricity in Indiana by 30 percent over the next seven years, according to the State Utility Forecasting Group. The newly proposed EPA rules for carbon dioxide emissions from existing and new power plants will only cause electricity rates to rise further while at the same time threatening the reliability of our electricity supply. At a time when we are all focused on creating jobs and economic opportunity for Hoosiers, these EPA regulations threaten to reverse our progress.

**Using the power of the purse, Congress has the ability to block or prevent implementation of the EPA's proposed regulations** on new and existing power plants. I respectfully urge you to support legislative efforts to do so. Thank you for your consideration and your service to our state and nation.

Sincerely,

Michael R. Pence  
Governor of Indiana



## **Border patrol agents handcuffed by wildlife rules**

By [Timothy Cama](#), The Hill, 07/28/14

<http://thehill.com/policy/energy-environment/213405-gop-border-patrol-agents-handcuffed-by-wildlife-rules>

Federal land protections are hampering efforts to stop the flow of illegal immigrants across the border, Republicans say.

**The Interior Department controls about 800 miles along the dividing line with Mexico, or about 40 percent of the total, with other land in the region owned by the Forest Service.**

**GOP lawmakers argue federal regulations intended to protect land and wildlife have become an obstacle for Customs and Borders Protection officers because they restrict their ability to drive near the border, build infrastructure or install surveillance technology.**

“There is no doubt that the restrictions on accessing land along the border have made it more difficult for the Border Patrol to do their job,” said Sen. Ted Cruz (R-Texas), who traveled to McAllen County, Texas, earlier this month to meet with officials about the surge of child migrants into the United States.

Smugglers know where agents cannot patrol or monitor, Cruz said, so they target those areas when moving people across the border.

“It seems a commonsense reform to say that the border patrol should be able to fully access and patrol the border,” he said.

A House Republican working group led by Rep. Kay Granger (R-Texas) this week recommended prohibiting the Interior and Forest Service from in any way hampering border patrol.

Sen. Lisa Murkowski (R-Alaska), who accompanied Cruz, wants border security to play a larger role in how federal officials manage land. At a hearing this week in the Energy and Natural Resources Committee, she said officers sometimes cannot build roads or even trails on federal land.

“We’re not asking for a major highway around there, but ... we need to think about national security issues and how we enforce our own laws, when you juxtapose that with other priorities within the federal agencies,” she said.

Murkowski is the top Republican on the energy panel, which oversees Interior.

**Democrats aren't buying the GOP's argument.**

Rep. Raúl Grijalva (D-Ariz.) said conservation issues are just one of the policies that are falling victim to the current crisis.

"These kids have become both the excuse and the reason that they can revisit some of these policies," Grijalva said.

"You see everything from getting rid of [deferred action] because of the kids, we have to have troops on the border because of the kids, now we don't need environmental regulations on public lands because of the kids."

Grijalva said the Homeland Security Department has repeatedly told Congress that land protections don't hamper border operations.

**"If they're talking about the most recent influx, it's happening in areas that have nothing to do with protected federal lands," said Rep. Peter DeFazio (D-Ore.), the top Democrat on the House Natural Resources Committee. "So I think it's a specious argument to continue their anti-conservation agenda."**

This is not the first time that land restrictions have been drawn into the debate over border patrol.

Many Republicans criticized President Obama in May [for creating](#) the Organ Mountains-Desert Peaks National Monument, abutting the border in New Mexico.

The designation, said Speaker John Boehner (R-Ohio), will "place additional burdens on Border Patrol personnel and limit access to high crime areas along the border, making it easier for drug smugglers and human traffickers to move in and out of the country."

**Rep. Rob Bishop (R-Utah), the chairman of the House Natural Resources Committee's subpanel with responsibility over national parks, has made border security a top issue, and introduced the National Security and Federal Lands Protection Act in an attempt to ensure that the issue is prioritized over environmental conservation.**

## **The Obama administration and congressional Democrats don't see the problem.**

Interior spokeswoman Jessica Kershaw said Interior, the Forest Service and Customs and Border Protection entered an agreement in 2006 to cooperate on the border.

"This [plan] has served to strengthen border security measures while at the same time protecting important natural and cultural resources located in national parks and national wildlife refuges and other public lands," Kershaw said.

Kirk Emerson, an environmental law professor at the University of Arizona, said conservation and security issues often clashed in the last decade, when large expanses of border fence were being built rapidly.

"What I'm generally finding is that there are very few of those kinds of challenges on the ground now," she said. "There's more radio interoperability, some of the protocols that weren't in place before are now in place for cooperation, and the cooperation works both ways."

Emerson said federal land managers know how to accommodate border patrol officers, and noted that patrol officers are often the first ones to see environmental problems such as fires and report them.

Dinah Bear, an environmental attorney and consultant who works with border advocacy group Humane Borders, said officers don't complain about land protections.

"We have a very close working relationship with the border patrol, and I have never heard the border patrol ever complain," she said. "They are clearly puzzled as to why Congress keeps trying to give them more waivers of things that they don't need."

She said conservation has nothing to do with the current crisis, because the children and families aren't trying to evade officers.

"In fact, the kids and the families are usually running toward the border patrol," she said. "It's not a question of border security."

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## Arctic Oil Spill Kills Santa Claus

Marin Katusa, Chief Energy Investment Strategist, Casey Daily Dispatch

<https://us-mg5.mail.yahoo.com/neo/launch?.rand=86ensl8eivlbl#5954711179>

Bad news, kids. A massive oil spill just devastated the North Pole. And it's all Royal Dutch Shell's fault.

So says Greenpeace in an apocalyptic ad that accuses the oil conglomerate of "polluting our kids' imaginations" because of their partnership with Lego to make Shell-branded toys.

If you haven't seen it, [the video opens in an Arctic wonderland](#) constructed entirely in Legos (à la *The Lego Movie*).

The sun is shining, Inuit are fishing, and polar bears are playing in the snow... until tragedy strikes.

One of Shell's offshore rigs begins spilling oil—drowning everything and everyone in its path, even poor ol' Santa.



It's a gruesome scene, followed by a plea for the viewer to sign a petition asking Lego to cut its ties with Shell.

It makes you wonder: how did those evil oil barons at Shell manage to corrupt something as innocent and pure as Legos?

Well, there's a problem here. As much as Greenpeace would like us to believe it, Legos aren't made from recyclable fairy dust...

### **Legos are made out of oil.**

Not to get too technical, but one of the key ingredients in the manufacture of ABS plastics is propylene, a petrochemical refined from crude oil. ABS plastics

are used to make thousands of products, including the device you're using to read this now... and Legos.

And who is a major supplier of propylene? You guessed it: Shell!

You have to marvel at the hypocrisy here.

Yet this is just another in a long line of campaigns out to make us feel guilty for consuming petroleum products. Extreme environmentalists must be among the angriest people on the planet. *They just drowned Santa Claus in a sea of crude, for Pete's sake!*

They fixate on the negative with suffocating myopia. They never offer market solutions or policies for improving the environment—they only propose more regulations and controls for reducing our carbon footprint.

It almost sounds as though groups like Greenpeace want us to dramatically reduce our standard of living and trade in all the benefits of the Industrial Revolution for living in communal Paleolithic huts.

Like most special interest groups in America right now, these environmentalists have a voice in Washington. (The Anti-Shell Lego video has nearly 5 million views already.) Any liberal candidate seeking election must pander to the green movement. Case in point—here's another Greenpeace directive:

**"Tell President Obama to reject the Keystone XL pipeline."**

The Keystone XL project is front-page news because environmentalists have turned it into the defining issue of the movement... almost a referendum on climate change. The reason is, the proposed pipeline crosses an international border and requires approval from the State Department and President Obama. That makes it a national issue... a newsworthy cause that suddenly makes bloggers in Brooklyn care about a pipeline being built in Montana.

The flurry of petitions and protests are a boon to environmental groups. In fact, the Sierra Club raised over \$1 million in just six weeks for an anti-pipeline rally.

Yet, even though he's the "environmental president," Obama's in a sticky spot here. He knows the importance of the pipeline. But if he approves it, he risks alienating an important part of his base at a time when his party is barely winning elections.

So, like any seasoned waffler, he doesn't veto the pipeline outright—he merely *delays* approval. Meanwhile, we have a North American oil boom underway, and suppliers need to get their oil to refiners.

Enter the rise of transporting oil via rail. Volumes of oil being shipped by rail are at a record high—and so are **accidents**.



The most catastrophic to date was in Lac Mégantic, Quebec, where parts of the town were leveled and 47 people lost their lives. Despite this disaster, oil trains must roll on in the absence of pipelines if producers are to meet demand.

Accidents are becoming more frequent. There were four derailments in six months in North Dakota alone. And just this past April, an oil train burst into flames in Lynchburg, VA.

So, by environmentalists holding up the build-out of the Keystone XL that would stretch through rural, unpopulated areas, they're essentially making it mandatory for more 75-car-long oil trains to rumble through cities and towns, *just inches from Main Street*.

Again, it's absurd... even more so when you compare the safety record of pipelines to trains.

Of the 474.6 billion gallons of crude and petroleum products shipped by pipe in 2012, just 0.0005% were spilled. Number of casualties: 0. Among the safest is none other than the existing Keystone pipeline.

If you weren't aware, Keystone XL represents Phase 4 of the project, an “express line” extension. Phase 1 of the Keystone pipeline has been operating since 2010 and has safely moved over 600 million barrels of oil through the Western states without incident.

Pipelines are the fastest, safest way to get oil to market. And President Obama knows this. Before the Keystone XL debacle, he made it a campaign promise to build *more* pipelines. And say what you will about the man, aside from the XL project, he's quietly kept that promise. In fact, he greenlighted an 800-mile-long pipeline that's 17% larger in diameter than Keystone XL and runs right through some of the most sensitive ecosystems on the planet.

On this, he's not blowing smoke. Obama's personal attorney and former White House counsel is on the case, representing the company building it. Yet there hasn't been a peep from Greenpeace and company on the issue. Except for being buried deep in the business section, it's barely been mentioned in the press.

That's why we call it:

### **Obama's Secret Pipeline.**

The reason this pipeline was rubberstamped—and why protests have been undetectable—is that it's all part of the president's green-energy agenda. You see, this pipeline will be shipping natural gas, not oil.

Though still a fossil fuel, in the eyes of both environmentalists and the White House gas is "green" because it's efficient, burns cleaner than oil, and isn't prone to damaging spills.

A federal blessing on this pipeline backed by the president's former lawyer is good news, but what makes it exciting for investors right now is the deal that was just brokered to build it. As you may have guessed, this massive pipeline is being built in Alaska; it links the North Slope—a reserve of **35 trillion cubic feet of conventional natural gas**—to an off-load point near Anchorage.

The man at the center of the project, Alaska Governor Sean Parnell, virtually guarantees a successful completion of the pipeline. Governor Parnell is a former employee and lobbyist for ConocoPhillips, a major producer of gas in the North Slope. (His ties to the industry run so deep that the *Alaska Dispatch News* called him the "Manchurian Governor.")

Parnell brought ConocoPhillips to the table along with BP and ExxonMobil to create a key partnership with the State of Alaska to transport 500 million cubic feet of gas a day through this pipeline. Then, as a savvy former industry insider, the governor cut an amazing deal for the state. He signed into law a bill that requires Alaska to be paid "in kind"—meaning the state will be taking its share of the royalty and tax revenue in the form of natural gas, not cash.



This gives Alaska a 25% stake in the project, sufficient capacity for the state to ship part of its own share of the gas. (The goal is for Alaskans to fulfill their needs first, then export the surplus.) It's the first time a US state has participated in a deal of this kind.

But what does the state know about gas infrastructure and transportation? They're bureaucrats, not engineers. That's why the bill further provides for the state to separately negotiate a deal with the pipeline builder to invest in the state's 25% share of the proposed pipeline project. This company provides up to \$8 billion in funding to finance Alaska's part of the construction of the project; and once it's built, it becomes the sole transporter of the state's share of the North Slope gas reserves, collecting fees in the process for decades to come.

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## **Carbon Tax Repealed, Australian Government Puts People First**

**Tony Abbott shows that climate absolutists have a problem: democracy**

The Wall Street Journal, July 14, 2014

[http://online.wsj.com/articles/australias-carbon-tax-message-1405616207?mod=rss\\_opinion\\_main](http://online.wsj.com/articles/australias-carbon-tax-message-1405616207?mod=rss_opinion_main)

Congratulations to Australian Prime Minister Tony Abbott on his leadership to repeal the Carbon Tax, which cost an estimated \$15 billion in economic impact to Australia's economy and would save families an estimated A\$550 per year.

**The Government's decision to repeal the Carbon Tax** is a lesson in leadership for the modern world: Australia has rejected policies that made energy scarce and expensive and has chosen to put its people first.

Australian citizens are paying among the highest energy prices in the developed world. The repeal of this tax is now expected to save the typical Australian family more than \$550 a year.

Australian Prime Minister Tony Abbott said: "*Today, the tax that you voted to get rid of is finally gone. A useless, destructive tax which damaged jobs, which hurt families' cost of living and which didn't actually help the environment is finally gone.*"

Affordable energy – largely fueled by **advanced coal** – is a fundamental building block for a healthy economy as we work to make the air cleaner every

day. Coal is Australia's second-largest export and essential for jobs and economic strength, contributing nearly \$43 billion each year to the economy. Coal also is the world's fastest-growing major fuel, and a power source that is increasingly clean with today's advanced technologies.

We must focus on the very real human crisis felt by countless families globally who wrestle with the problem of putting food on the table or keeping their lights on.

We encourage you to visit [www.AdvancedEnergyforLife.com](http://www.AdvancedEnergyforLife.com) to learn more and be part of the solution. Please offer questions and feedback to: [Info@AdvancedEnergyforLife.com](mailto:Info@AdvancedEnergyforLife.com)

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## **EPA chief, Teach climate change in schools**

Laura Barron-Lopez, The Hill, 08/08/14

<http://thehill.com/policy/energy-environment/214743-epa-chief-says-climate-change-should-be-taught-in-school>

Environmental Protection Agency (EPA) chief Gina McCarthy said students should be taught the science behind climate change in schools.

"I think part of the challenge of explaining climate change is that it requires a level of science and a level of forward thinking **and you've got to teach that to kids**," McCarthy said in an [interview](#) with the magazine *Irish American* published Friday.

The comments from McCarthy, who is the face of President Obama's signature climate rule on existing power plants, will likely set off a firestorm among Republican lawmakers skeptical of the science behind climate change.

McCarthy added that the growing use of renewables in communities, even on school buildings, would help kids see the transition to cleaner energy first hand.

"People didn't have a sense of how dramatic climate change really is, and what it means for all of us. So that's been a challenge," she said. "But what's great about renewables is that when you put a solar panel on the roof of a school, you change the entire dynamic of education for the students. It's hands-on."

Despite severe pushback from Republicans in Congress, and industry, on the administration's carbon pollution rules for power plants, McCarthy said people across the U.S. are getting "more active and engaged" on climate control.

**The EPA is working overtime to fend off attacks from opponents of the president's climate agenda**, and has stressed the flexibility the carbon rules give states.

"We are under very close scrutiny but we'll live up to that scrutiny and we'll still make progress," McCarthy said.

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## **Here's How to Make Sure Students Learn About Climate Science**

By [Takepart.com](http://Takepart.com), 11 Jul 2014

<https://news.yahoo.com/heres-sure-students-learn-climate-science-205538723.html>

A consortium of parents, educators, and scientists has launched the [Climate Science Students Bill of Rights](#) to ensure that [students learn the basics of climate](#), energy, and global warming.

"We can make sure that all students across the country have access to good climate information," said Mark McCaffrey, programs and policy director at the National Center for Science Education. "There are 56 million students in K-12 in the U.S., and many of them graduate without ever learning the basics."

The consortium's backers—which include the National Center for Science Education, the Union of Concerned Scientists, the Alliance for Climate Education, and Climate Parents—hope the document will stir support for new science education standards.

By collecting signatures from parents, scientists, educators, groups, and companies that support the Climate Science Bill of Rights, the consortium aims to show politicians broad support for climate science education. "It's a tool we can use when we go into these debates," said Lisa Hoyos, director of the nonprofit Climate Parents.

The organizations banded together because they were alarmed that some states are debating—or rejecting—a new set of national standards for science teaching that introduce climate science into the middle-school curriculum.

California, Delaware, Illinois, Kansas, Kentucky, Maryland, Nevada, **Oregon**, Rhode Island, Vermont, Washington, and the District of Columbia have adopted the [Next Generation Science Standards](#), which were developed by [national science and education organizations](#).

Wyoming [officially rejected the standards](#) in March. The state's 2014–2015 budget precludes the use of funds for the “review or adoption” of the NGSS. Lawmakers were concerned that students would learn that human activities, such as burning fossil fuels and deforestation, contribute to climate change, according to a report by the *Casper Star-Tribune*. Wyoming science educators had [earlier voted unanimously](#) to accept the standards.

South Carolina adopted a budget measure in 2012 that prohibits the state from using funds to “participate in, implement, adopt, or promote” the new science standards. Arizona, Georgia, Iowa, Michigan, New Mexico, and South Dakota are contemplating adopting the NGSS.

“The content of the curricula should be decided by experts, not politicians,” said Melanie Fitzpatrick, a glaciologist at the Union of Concerned Scientists in **Berkeley, Calif.**

The bill of rights states that students have the right to the highest-quality science education, free of political interference, and should be able to explore the causes and consequences of climate change and learn that meaningful solutions exist.

Some teachers feel unprepared to teach climate science, according to the bill's supporters. “They feel that no one is there to back them up,” McCaffrey said. “But there are parents, organizations, and scientists who are behind them, and there are good resources out there.”

The bill of rights doesn't endorse a particular set of science standards, but the consortium backs the NGSS approach. “Some states may never adopt the NGSS, but we hope they'll be inspired by the content,” said McCaffrey. “Students still have a right to have access to current climate science.”

**Editors comment: Beware! If you have children or grandchildren in these schools you should pay particular attention to what is being taught. A college degree does not bestow honesty in an individual nor does it protect them from manipulation through their need for grant funding required to keep them in business.**

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# IMF urges higher energy taxes to fight climate change

by Anna Yukhananov ,  REUTERS , July 31, 2014

[https://news.yahoo.com/imf-urges-higher-energy-taxes-fight-climate-change-152243700--business.html;\\_ylt=AwrTWf1bb9pTIFkAmZjQtDMD](https://news.yahoo.com/imf-urges-higher-energy-taxes-fight-climate-change-152243700--business.html;_ylt=AwrTWf1bb9pTIFkAmZjQtDMD)

WASHINGTON (Reuters) - **Energy taxes** in much of the world are far below what they should be to reflect the harmful environmental and health impact of fossil fuels use, the International Monetary Fund said in a new book on Thursday.

For the first time, the IMF laid out exactly what it views as appropriate taxes on **coal, natural gas, gasoline and diesel** in 156 countries to factor in the fuels' overall costs, which include carbon dioxide emissions, air pollution, congestion and traffic accidents.

Under its chief, Christine Lagarde, the IMF has delved into the impact of climate change, arguing that tackling the fund's core mission of economic instability is impossible without also addressing environmental damage.

At the book's launch in Washington, Lagarde said countries should not have to wait for global agreement on climate policies, and instead should move ahead in adjusting energy prices on their own.

Nations are now working on a United Nations deal for late 2015 to rein in greenhouse gas emissions that have hit repeated highs this century, but progress has been slow as nations fret about the impact any measures could have on economic growth.

The IMF's book argues higher energy taxes should not hurt growth if done right.

"On this point, let me be crystal clear: we are generally talking about smarter taxes rather than higher taxes," Lagarde said, according to prepared remarks for the launch of the book.

She said higher energy taxes are the most efficient and simple way of dealing with environmental harm and would allow governments to stop relying on a "patchwork" of other uncoordinated policies to deal with climate change, such as subsidies for renewable energy.

**Higher energy prices would prompt people to shift to cleaner fuels or more fuel-efficient vehicles on their own**, Lagarde said, adding that they

could also allow governments to lower other taxes on consumption or income to reduce the burden on people, or pay down more public debt.

The IMF estimates implementing efficient energy taxes would reduce deaths from fossil fuels by 63 percent, cut carbon emissions by 23 percent, and **raise revenues by 2.6 percent of GDP for the world as a whole.**

The IMF has made a big push in recent years for countries to rein in energy subsidies, which it says hurt the environment while rarely helping the most vulnerable and eating up valuable government funds that could be put to better use elsewhere.

"But we need to go well beyond the elimination of direct cash subsidies, and make sure that energy tax systems around the world properly reflect environmental side effects," Lagarde said in prepared remarks for the event on Thursday.

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## **Watch Kerry Give Advice To Starving African Nations, Don't Build Farms Because Of Global Warming**

The logo for EPA ABUSE.com features the text "EPA ABUSE.com" in a bold, sans-serif font. "EPA" is in black, "ABUSE" is in red with a white outline, and ".com" is in black. The text is set against a background of a globe with a red and white striped banner across it.

The Truth About the EPA August 9, 2014

[http://epaabuse.com/16698/videos/watch-kerry-give-advice-starving-african-nations-dont-build-farms-global-warming/?utm\\_source=rss&utm\\_medium=rss&utm\\_campaign=watch-kerry-give-advice-starving-african-nations-dont-build-farms-global-warming&utm\\_source=EPA+Abuse&utm\\_campaign=a2ef108eac-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_bdf7c53c9e-a2ef108eac-305309409](http://epaabuse.com/16698/videos/watch-kerry-give-advice-starving-african-nations-dont-build-farms-global-warming/?utm_source=rss&utm_medium=rss&utm_campaign=watch-kerry-give-advice-starving-african-nations-dont-build-farms-global-warming&utm_source=EPA+Abuse&utm_campaign=a2ef108eac-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_bdf7c53c9e-a2ef108eac-305309409)

Secretary of State John Kerry had some sage advice for African leaders at the U.S. Africa Summit this week: Don't build farms because of, you know, Global Warming.

Some context: In 2013, the number of malnourished individuals in Africa numbered [239 million](#), or nearly a quarter of the population.

For those who are unaware (as Kerry seems to be), hunger is caused by a scientific condition known as "lack of food." Since the agricultural revolution first ignited in the Middle East several millenia ago, one of the best ways to produce food is building and maintaining a farm.

According to Kerry, the reason why these life-saving farms shouldn't be encouraged is because of the [threat of Global Warming](#):

"Certain agricultural processes can actually release carbon pollution and actually contribute to the problem in the first place. It's a twisted circle. Always complicated. But we also know that there are certain ways to change that.

For example, rather than convert natural areas to new farmland, a process that typically releases significant amounts of carbon pollution, we can, instead, concentrate our efforts on making existing farmlands more productive."

As Mike Miller pointed out at [IJReview](#):

Without getting into the whole global warming debate, the fact remains: it is a debate. While some data is inconclusive, other data suggests that the planet hasn't warmed for [nearly 18 years](#) – or more. What isn't a debate is that without food, people starve to death.

Here's my best advice for African leaders who want their people to have enough food: Ignore John Kerry. Most of the world does anyway.

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## **Need Proof Communists Are Behind Global Warming Hype? Here It Is...**

**"Fighting the climate change involves changing the system."**

[B. Christopher Agee](#), Western Journalism, [August 1, 2014](#)

<http://www.westernjournalism.com/need-proof-communists-behind-global-warming-hype/>



Details emerging from a meeting held last month in Venezuela provide some rare insight into the actual mission of numerous groups that purportedly exist to stop the ostensible dangers of global warming.

According to reports, the United Nations sponsored the four-day event, which was attended by representatives from 130 environmentalist groups. While the end result was a lengthy report providing an overview of the alliance's proposals, the basic message can be summed up in two words: end capitalism.

[Fellowship of the Minds](#) provided its analysis of the Spanish language [document](#) published after the meeting ended July 18. According to the site, there are several disturbing passages that reveal just how radical many within the 'green' movement have become.

***“This global crisis is exacerbated by unsustainable practices of exploitation and consumption by the developed countries and the elites of the developing countries,” the report suggests.***

Overall, the consensus reads as an anti-capitalist manifesto in line with the communist leadership of the nation in which the summit took place.

The Margarita Declaration on Climate Change — so named because the meeting took place on Venezuela's Margarita Island — called for drastic and unsustainable cuts to the energy-producing resources used by industrialized nations.

“According to scientific evidence,” the document alleges, “in order not to exceed 1.5 degrees increase of temperature, it becomes necessary not to produce 80% of the fossil fuel reserves known.”

Certain passages leave no ambiguity regarding the declaration's socialist undertones.

***“The structural causes for climate change are linked to the current capitalist hegemonic system,” the groups determined.***  
***“Fighting the climate change involves changing the system.”***

Adults were not the only attendees ridiculing free market economies. Genesis Carmona, an 11-year-old representative from the Venezuelan Children Environment Movements, expressed her disdain for capitalism, proving that indoctrination by environmental alarmists can be an effective strategy among children.



***“Men and women have become consumerist monsters that consume all the resources given by the Earth,” she claimed.***

Even many steps backed by leftist leaders in America and beyond are lambasted as insufficient by these activists.

***“We reject the implementation of false solutions to climate change,” the document states, “such as: carbon markets and other forms of privatization and commodification of life; geo-engineering, agrofuels productions, and measure favoring agribusiness and harming the production of food in an agro ecological manner, such as the use of transgenic seeds and agrotoxics, synthetic fertilizers and any other measure lessening the priority of the right to Good Living, health and the eradication of poverty enshrined in the Convention.”***

Eliminating poverty is a tall order for a coalition of environmental extremists; however, the Margarita Declaration asserts that the anti-capitalist ideals enumerated within will advance that cause.

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## **World's top PR companies rule out working with climate deniers**

**Ten firms say they will not represent clients that deny man-made climate change or seek to block emission-reducing regulations**

[Suzanne Goldenberg](http://www.theguardian.com/environment/2014/aug/04/worlds-top-pr-companies-rule-out-working-with-climate-deniers) and [Nishad Karim](http://www.theguardian.com/environment/2014/aug/04/worlds-top-pr-companies-rule-out-working-with-climate-deniers), [theguardian.com](http://www.theguardian.com), 4 August 2014  
<http://www.theguardian.com/environment/2014/aug/04/worlds-top-pr-companies-rule-out-working-with-climate-deniers>

Some of the world's top PR companies have for the first time publicly ruled out working with climate change deniers, marking a fundamental shift in the multi-billion dollar industry that has grown up around the issue of global warming.

Public relations firms have played a critical role over the years in framing the debate on climate change and its solutions – as well as the extensive disinformation campaigns launched to block those initiatives.

Now a number of the top 25 global PR firms have told the Guardian they will not represent clients who deny man-made climate change, or take campaigns

seeking to block regulations limiting carbon pollution. Companies include WPP, Waggener Edstrom (WE) Worldwide, Weber Shandwick, Text100, and Finn Partners.

“We would not knowingly partner with a client who denies the existence of climate change,” said Rhian Rotz, spokesman for WE.

Weber Shandwick would also not take any campaign to block regulations cutting carbon emissions or promoting renewable energy. “We would not support a campaign that denies the existence and the threat posed by climate change, or efforts to obstruct regulations cutting greenhouse gas emissions and/or renewable energy standards,” spokeswoman Michelle Selesky said.

“There may be scenarios in which we could represent a client that has different views on climate change, just not on this issue.”

The UK-based WPP, the world’s largest advertising firm by revenue and parent company of Burson Marsteller and Ogilvy Public Relations, said taking on a client or campaign disputing climate change would violate company guidelines.

“We ensure that our own work complies with local laws, marketing codes and our own code of business conduct. These prevent advertising that is intended to mislead and the denial of climate change would fall into this category,” the company said.

However, Fiona McEwan, a spokeswoman for the company, said the 150 companies within WPP made their own decisions on clients and would not rule out campaigns opposing regulations to cut greenhouse gas emissions.

The US-based Edelman, which is the world’s largest independently owned PR firm, did not explicitly rule out taking on climate deniers as clients.

“Expanding the dialogue in a constructive manner, and driving productive outcomes to solve energy challenges are the key criteria for evaluating client engagements,” said spokesman Michael Bush.

He said Edelman takes on clients on a case-by-case basis.

The PR firms were responding to surveys conducted independently by the Guardian and the [Climate Investigations Centre](#), a Washington-based group that conducts research on climate disinformation campaigns. **[This could have a knock-on effect on the advertising and lobbying campaigns targeting Barack Obama’s regulations limiting carbon emissions from power](#)**

**plants, and the international negotiations for a climate change treaty, now entering a critical phase.**

“The PR industry is a major component of the influence peddling industry that stretches across Washington and the world, and they are making large sums of money from energy companies and other important players that have businesses connected to fossil fuels and energy policy,” said Kert Davies, the founder of Climate Investigations.

Davies said his group took on the research to try to get a better grasp of the mechanics behind the framing of messages on climate change – and the disinformation campaign.

Over the past few years, environmental groups and scientists have been looking more closely at the messaging around climate change, in part to examine their own failings to build broader public support for action.

In the process, **PR firms have grown even more influential in shaping the debate around climate policy**, said James Hoggan, who ran his own public relations firm in Vancouver and founded [DeSmogBlog](#), a blog that describes itself as “clearing the PR pollution that clouds climate science”.

“I think that public relations people are right at the elbow of powerful people in industry and government,” he said. “You are an insider – a very trusted insider – and you can have a huge influence. It really does matter. These are influential organisations.”

Some of the firms, such as Finn Partners, have a strong reputation for taking on environmental causes. “Finn Partners would not work on any campaigns that deny the reality of climate change nor would we take on a campaign that would obstruct regulations to reduce greenhouse gas emissions or renewable energy standards,” said managing partner Peter Finn.

WE said it had worked on campaigns to expand production tax credits for wind energy. Oglivy Public Relations told CIC that it recognised the risks of climate change, and that it had worked on campaigns for WWF and Greenpeace. But it declined to comment on whether it would represent clients that deny climate change. Qorvis, a Washington DC-based PR company, and its parent company MSL Group, also declined to answer that question.

Other companies however appear concerned with trying to represent environmental campaign groups as well as industry, according to Davies.

Only 10 of the 25 firms responded to multiple emails, phone calls and certified letters from the CIC, either directly or through a parent company.

Firms that refused to comment include those that have worked for groups calling for action on climate change – as well as those seeking to block those efforts.

Hill & Knowlton, for example, was hired as the official media sponsor for the [United Nations climate conference in Copenhagen in 2009](#). The company declined to respond to the CIC survey.

Several of the companies, such as WPP, WE, Oglivy, and Edelman have ambitious in-house programmes for reducing their carbon footprint. Qorvis Communications, a subsidiary of Publicis Groupe, said it had been calculating its carbon footprint since 2009.

But even those firms with robust internal carbon accounting systems, such as Edelman, were reluctant to go on record.

Edelman's client list includes the American Petroleum Institute, the main energy lobby, [which opposes Barack Obama's climate change agenda](#). Edelman also carried out campaigns supporting the Keystone XL pipeline, a proposed pipeline to carry tar sands oil from Canada to refineries on the Gulf coast of Texas.

An initial response to CIC from Edelman inadvertently included an internal email which said: "I don't believe we are obligated in any way to respond. There are only wrong answers for this guy."

Edelman did in the end respond to the CIC and the Guardian.

Other firms said they had signed on to the [United Nations global compact on sustainable business](#). However, the compact does not explicitly commit companies to policies on climate change.

Seven of the firms told the researchers their companies saw climate change as a threat. But a smaller number would rule out taking on clients that deny climate change is occurring, or work on campaigns that seek to block policies to deal with climate change.

"For the majority of them, they would rather remain neutral on any issue," Davies said. "They don't want to have positions on anything because they like to keep options open to take on any client who walks in the door. They pretend they are above the fray and they are not involved, and yet they are the ones designing

ad campaigns, designing lobbying campaigns, and designing the messages their clients want to convey around climate change.”

The Climate Investigations Centre sent out surveys in April to the world's top 25 firms asking them to go on the record about their views on climate change.

The short survey asked:

- Does your company acknowledge the threat and challenge of climate change as companies like Walmart, CocaCola, Apple, Google, AIG, Swiss Re, NRG, Unilever and others have done?
- Does your company have any internal carbon accounting policies or energy use reduction targets? Have you taken actions to reduce your “carbon footprint”?
- Does your company have an internal Corporate Social Responsibility (CSR) policy regarding climate change or the environment generally?
- Has your agency advised any client corporations on communications around CSR programmes with a specific climate change focus, or on other climate change related public relations efforts?

The Guardian followed up by asking firms if they would take on clients that deny the existence of man-made climate change or campaigns seeking to block regulations dealing with climate change.

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## **Convicted felon designed EPA's playbook for faking science**

By [Ron Arnold](#), Washington Examiner, July 8, 2014 | 5:15 pm  
[HTTP://WASHINGTONEXAMINER.COM/CONVICTED-FELON-DESIGNED-EPAS-PLAYBOOK-FOR-FAKING-SCIENCE/ARTICLE/2550625](http://WASHINGTONEXAMINER.COM/CONVICTED-FELON-DESIGNED-EPAS-PLAYBOOK-FOR-FAKING-SCIENCE/ARTICLE/2550625)

Everything the public believes about [President Obama's Environmental Protection Agency](#) is wrong - the only thing that powerful agency protects is its royal kingdom, ruling over the American economy with the highest-cost rules in the nation's entire bureaucracy.

And the promised huge benefits of EPA's rule-making were wildly overstated in rule after rule using a tactic invented by John Beale, a corrupt high EPA official - now a convicted and imprisoned felon for pretending to be a CIA agent while doing no work and living lavishly on the EPA executive payroll - with the

complicity, urging and praise of agency elites including EPA boss [Gina McCarthy](#).

America, we've been swindled.

The day after my July 1 column rebuking the EPA's empire-building, I received a number of EPA and congressional documents and letters that indicated I hadn't dug deep enough.

They came from Washington attorney Christopher Horner, iconic watchdog famous for using the [Freedom of Information Act](#) to expose EPA's skullduggery - including former administrator [Lisa Jackson](#)'s false email identity, "Richard Windsor."

Horner is now the go-to guy "for EPA employee informal [whistleblowers](#) who provide public records the agency prefers not see the light of day," as he told me.

The key letter, date-stamped March 4, 2013, shows Sen. [David Vitter](#), R-La., and Rep. [Lamar Smith](#), R-Texas, warning then-assistant EPA administrator Gina McCarthy that they had investigated and knew about the horrifying quandary that now faces all of America: EPA's glittering promise that its clean air rules will generate \$2 trillion in benefits through 2020 and its pledge that benefits will exceed costs by a ratio of 30-to-1 are flat lies.

We're not going to get those benefits and we're paying dearly to be cheated – time after time. EPA has used its overstatement trick more than 30 times to betray the public trust with expensive and onerous new regulations.

How do I know that? One of the Horner documents was "[EPA's Playbook Unveiled: A Story of Fraud, Deceit, and Secret Science](#)." It's a 67-page staff report of the Senate Environment and Public Works committee's Republican members that traced the exponential growth of the agency's power over the American economy - EPA using bald-faced lies.

EPA convict John Beale became the master of deception because his best friend Robert Brenner, the Clinton administration's head of EPA's Office of Policy, Analysis, and Review, hired him - during the tenure of Carol Browner, [Al Gore](#)'s former Senate staffer, as EPA administrator - with a high salary and no qualifications beyond unscrupulous scheming.

Beale proved his dishonesty when a nasty fight developed in 1997 over EPA's "policy call" to regulate tiny particulate matter (PM2.5). Beale wrote a memo

that recommended overstating the benefits, backing the benefits claim with any science that suggested a link between PM2.5 and death, and shielding the science from scrutiny in case it was questioned.

Combine that with Brenner's - and Browner's - ability to stiff-arm Congress and ignore the [Office of Management and Budget](#), White House technology experts and EPA's own science advisers, and you have the EPA's playbook.

The PM2.5 science that EPA found consists of only two data sets, the American Cancer Society (1972) and "Harvard Six Cities" (1974) studies, which were two decades out of date, much challenged and never released — even the EPA never saw the raw data — and were never independently verified. This pathetic excuse for sound science could easily be manipulated to turn promises of vast benefits from regulating PM2.5 into credible lies — which the EPA did.

That was bad enough, but, as the Senate report documented, every time EPA dreamed up any new air regulation, "co-benefits" of PM2.5 control were added to the new rule's zero benefits to make it look like big benefits. Co-benefit theory was one of Beale's most pernicious and power-drenched inventions.

What's wrong with this picture? If the 1997 PM2.5 rule did what it promised, there should be no more PM2.5 – but EPA kept adding it to every new rule as a "co-benefit."

That sounded so preposterous that I contacted a reliable congressional source to make sure I got that straight. I laid out a comparison: "EPA begins with a bucket of dust (particulate matter), and promulgates a rule that's supposed to empty the bucket. No more dust. Then another rule comes along with a bigger bucket of dust that the new rule won't empty, but adding on the old rule's 'co-benefit' will. Over time, this happens with 33 buckets of dust that magically vanish and reappear as bigger buckets of dust."

**The source verified my comparison and added that bigger benefit claims came with each new co-benefit bucket, all justified by the same two antique, invisible Cancer Society and Harvard studies that may be more science fiction than science.**

That's appalling. It's like some warped, nightmarish Disney Irish Fantasia: the leprechaun pot of gold at rainbow's end meets the sorcerer's apprentice.

We've been fed illusions of benefits that don't exist by EPA's ruthless regime for many years now. Beale is idolized as a hero at the agency. To this day EPA

defends the trickery and scientific deception pushed by federal inmate number 33005-016 at Cumberland Federal Correctional Institution. That's true heart rot in our government.

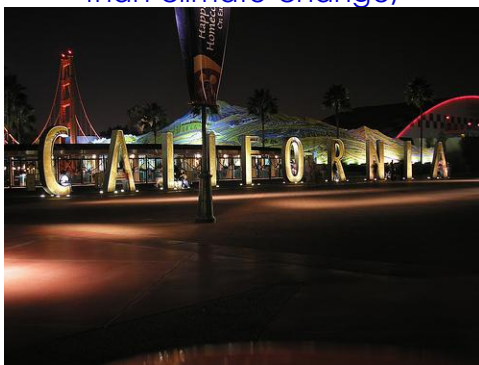
The quandary: What do we do about it? Storming the EPA Bastille at Washington's Federal Triangle with torches and pitchforks is not an option. **But it is only right and proper that honest, hard-working Americans never again trust or respect the EPA or its minions or its supporters.**

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## **California Farmers Worry More about Climate Policy than Climate Change**

[Marlo Lewis](#), GlobalWarming.org, September 14, 2013

<http://epaabuse.com/14133/news/california-farmers-worry-more-about-climate-policy-than-climate-change/>



For years the carbon-suppression lobby has been trying to focus public controversy on the issue of whether anthropogenic global warming (AGW) is “real” or whether there is a scientific “consensus” that most warming of the past 50 years is man-made.

In their preferred framing of the debate, accepting the reality of AGW or the supposed “consensus” logically and morally demands acceptance of their policy agenda of cap-and-trade, carbon taxes, EPA emission standards for power plants, Soviet-style production quota for renewable energy, Stimulus loans for Solyndra, blocking the Keystone XL pipeline, and the like.

Hogwash. As my organization, the Competitive Enterprise Institute, has argued for [the past 16 years](#) or longer, *the core issue for policy makers and the public is whether the risks of climate change outweigh those of climate change policy.* **Which should we fear more: climate change or the taxes, regulations,**



## **mandates, treaties, and other schemes supposedly needed to “solve” the “crisis”?**

An interest group that seems to grasp the real issue is farmers. “Farmers believe they can dodge climate risks, but they’re wary of government rules,” states the headline of an article in today’s [Climate Wire](#). Reporter Tiffany Stecker begins the article as follows:

*Farmers and farm groups have usually been opposed to government climate policies. A new study finds they are not so much skeptics of climate change as they are about the rules that may come with [it] and how they might harm their business.*

The new study, funded by the California Energy Commission, conducted by researchers at UC Davis and the Agricultural Sustainability Institute, and published in *Science Direct*, surveyed 162 farmers in Yolo, California.

*Climate policies may affect the adaptive capacity of agricultural systems to respond to climate change if they require resources and costs that exacerbate vulnerabilities. In the words of one farmer in Yolo County, California, “We can adapt to the environmental aspects of climate change. I’m not sure we can adapt to the legislature.”*

Read more at: <http://www.globalwarming.org/2013/09/12/risk-vs-risk-california-farmers-worry-more-about-climate-policy-than-climate-change/>

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## **Liberals & Locusts**

**August 4, 2014**

You don't hear that much about locusts today. Not unless you read the Bible or know how the Mormons came to settle in Salt Lake City. But at one time, people lived pretty much in dread of what a swarm of them could do to farmland; namely, devour everything in sight, leaving devastation and famine in their wake.

These days, liberals do the same. The primary differences between the two groups is that, to their credit, locusts only showed up every seven years, and they concentrated on agriculture and didn't feel compelled to also leave an

entire economy, a perfectly fine health care system and the U.S. Constitution, in tatters.

Read the entire article at: <http://www.burtprelutsky.com/search?updated-max=2014-08-06T00:30:00-07:00&max-results=2>

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## **Major nation has zero illegals coming in, Here's how**

**In 7 months, new leader ended aliens' boat trips**

[Nick Adams](#), World News Daily, August 4, 2014

[http://www.wnd.com/2014/08/australia-has-zero-illegals-coming-in-heres-how/Australia-had-a-problem-with-illegal-immigration.](http://www.wnd.com/2014/08/australia-has-zero-illegals-coming-in-heres-how/Australia-had-a-problem-with-illegal-immigration)

It doesn't anymore.

In the past seven months, not one single illegal immigrant arrived on Australian shores. Not one single boat has docked on the Australian coastline.

Compare this to the preceding four year period: Over 50,000 illegal immigrants arrived on Australian shores. More than 800 boats. Upwards of 1,000 people drowned at sea. A budget blowout of more than \$10.3 billion.

Those that arrived [were given welcome hampers, mobile phones, plasma TVs, housing, medical and other household items — all at a cost to the taxpayer.](#)

And the overwhelming majority of those that came were not genuine refugees; many of them turned up in designer clothes and with mobile phones. They weren't fleeing persecution; they just wanted a piece of Australia's generous welfare state.

Frighteningly, [some of them appeared to be Western haters, with one incident captured on video:](#) One illegal immigrant, upset to have been intercepted by the Australian military, told the military to "'F— Australia. ... If later on you said why they do that to America on September 11, you should know the cause of it is your very deeds. Remember 9/11 for United States. All the world should know why."

It was a mess.

It happened because a center-left government (the equivalent of the Democrats), elected in late 2007, decided to dismantle the existing tough and

effective border security policy. They made the usual self-righteous left-wing claims that the existing policies were inhumane, immoral and sent the wrong message. While never brave enough to say it, their actions said it all: They believed in open borders.

And so they presided over more than 1,000 deaths at sea and were a boon to the evil people-smugglers all over Southeast Asia. Not only did their policy fail; it killed people.

The Australian people silently revolted. They saw them, rightly, as “queue-jumpers” and believed it was unfair to genuine refugees (Australia already has a generous refugee intake) and those seeking to come the right way. They were devastated at the deaths of men, women and children on the high seas, who had been encouraged to take the perilous journey. And they were concerned about how much money this fiasco was costing. Not to mention the fact we didn’t know who these people were. Were they compatible with our way of life?

So, they threw out the government at the national election in September 2013. One of the incoming government’s core election promises was to “stop the boats.” Immediately, Prime Minister Tony Abbott got to work.

As he couldn’t stop the boats overnight, in those first few months, his government gave the illegal immigrants arriving to Australia two options: “You’ve arrived in Australia illegally. As a result, you will never get to stay here. You will never get to be an Australian. So, you have two options – we will take you to a processing center, and you will wait in detention for your asylum application to be processed. Or we will fly you home for free.”

In addition to this, the Abbott government got the Australian military to enforce its border protection, intercepting boats, turning them around, and even towing them back. And it applied pressure on Indonesia, by demanding it secure its own border.

Soon, the message got out, and the boats have stopped. It’s an ongoing issue that requires vigilance, but it has been achieved. Australia’s policy has been exceptionally effective in saving lives. It’s been done amid incessant howling from the left and the mainstream media.

The successful Australian model is one America must learn from. It shows what can happen when you develop a policy and adhere to it strictly, with no exceptions.

Instead of praising Australia on gun laws, President Obama should be praising Australia's border security.

Obama needs to toughen up. He needs to begin dispensing leadership, here and abroad. He needs to say: "We will determine who comes into this country, and the circumstances under which they come." He needs to say: "If you come to America illegally, you will never ever get to stay. You will never be an American. We will send you home. Period." Illegals should be aware that they will have risked plenty and spent a lot for zero result. He needs to get the National Guard down there to do its job. He needs to demand that Mexico police its own border, and if not, threaten them with trade sanctions.

That's real leadership.

What can be more humanitarian than saving the thousands of people's lives who die crossing the border? What can be more humanitarian than ensuring the safety of 300 million Americans?

Populations are on the move. Western countries' borders are under attack everywhere. Time for honesty from the left: how many millions do we really want, and how will they change this country?

The illegals are being clever now sending their children. This is happening all around the world. It does not matter what their age; send them back. It's time to administer tough love.

It's the only way. Australia has proved it. Now, it's time for America, the world's leader and indispensable nation, to do the same.

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## **Theodore Roosevelt's ideas on Immigrants and being an AMERICAN in 1907**

*'In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin.*

*But this is predicated upon the person's becoming in every facet an American, and nothing but an American...*

*There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all.*

*We have room for but one flag, the American flag... We have room for but one language here, and that is the English language.. And we have room for but one sole loyalty and that is a loyalty to the American people.'*

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## **The Reasons We Fight The New World Order**

Brandon Smith, PersonalLibertyDigest.com, July 15, 2014  
<http://personalliberty.com/reasons-fight-new-world-order/>

***“Countless people ... will hate the new world order ... and will die protesting against it.”***—H.G. Wells, *The New World Order* (1940)

Throughout our lives and throughout our culture, we are conditioned to rally around concepts of false division. We are led to believe that Democrats and Republicans are separate and opposing parties, yet they are actually two branches of the same political-control mechanism. We are led to believe that two nations such as the United States and Russia are geopolitical enemies, when, in fact, they are two puppet governments under the dominance of the same international financiers. Finally, we are told that the international bankers themselves are somehow separated by borders and philosophies, when the reality is all central banks answer to a singular authority: the Bank Of International Settlements (BIS).

We are regaled with stories of constant conflict and division. Yet the truth is there is only one battle that matters, only one battle that has ever mattered: the battle between those people who seek to control others and those people who simply wish to be left alone.

The “New World Order” is a concept created not in the minds of “conspiracy theorists” but in the minds of those who seek to control others. These are the self-appointed elite who fancy themselves grandly qualified to determine the destiny of every man, woman and child at the expense of individual freedom

and self-determination. In this article, I would like to examine the nature of our war with the elite and why their theories on social engineering are illogical, inadequate and, in many cases, malicious and destructive.

### **The 'Greater Good'**

I have always found it fascinating that while elitists and NWO champions constantly proclaim that morality is relative and that conscience is not inherent, somehow they are the ones who possess the proper definition of the "greater good." If "good" is in all cases relative, then wouldn't the "greater good" also be entirely relative? This inconsistency in their reasoning does not seem to stop them from forcing the masses through propaganda or violence to accept their version of better judgment.

As many psychologists and anthropologists (including Carl Jung and Steven Pinker) have proven over decades of study, moral compass and conscience are not mere products of environment; they are inborn ideals outside of the realm of environmental influences. The greater good is inherently and intuitively felt by most people. Whether one listens to this voice of conscience is up to the individual.

It is no accident that NWO elites end up contradicting themselves by claiming morality to be meaningless while pronouncing *their* personal morality to be pure. In order to obtain power over others, they must first convince member of the public that they are empty vessels without meaning or direction. They must convince the masses to ignore their inner voice of conscience. Only then will the public sacrifice freedoms to purchase answers they don't really need from elites who don't really have them.

### **Collectivism**

I don't claim to know what ideology would make a perfect society, and I certainly don't know the exact solutions needed to get there. What I do know, though, is that no one else knows either. Whenever anyone takes a stage to announce that only he has the answers to the world's problems, I cannot help but be suspicious of his motives. Rarely, if ever, do I hear these people suggest that more liberty and more individualism will make a better future. Instead, their solution always entails less freedom, more control and more force in order to mold society towards their vision.

The utopia offered by the power elite invariably demands a collectivist mindset that the individual must give up his self-determination and independence so the group can survive and thrive. The problem is no society, culture or collective can exist without the efforts and contributions of individuals. Therefore, the liberty

and prosperity of the individual is far more important than the safety or even existence of the group.

The elites understand this fact, which is why they do reserve some individuality (for their own tiny circle).

No matter the guise presented — whether it be socialism, communism, fascism or some amalgamation of each — the goal is always the same: collectivism and slavery for the masses and unrestrained gluttony for the oligarchs.

### **The Philosophy Of Force**

If your idea of a better society is a good and rational one, you should not need to use force in order to get people to accept it. Only intrinsically destructive ideas require the use of force to frighten the public into compliance. The NWO is an idea that relies entirely on force.

Globalization has been consistently sold to us as part of the natural progression of mankind, yet this “natural progression” is always advanced through the use of lies, manipulation, fear and violence. The NWO concept is one of complete centralization, a centralization that cannot be achieved without the use of terror, for who would support the creation of a malicious global power authority unless he was terrorized into doing so?

The only morally acceptable use of force is the use of force to defend against attack. As the NWO relentlessly presses forward its attack on our freedoms, we, the defenders, are labeled “violent extremists” if we refuse to go along quietly. The NWO’s dependency on force to promote its values makes it an inherently flawed methodology derived from ignorance and psychopathy, rather than wisdom and truth.

### **Dishonesty As Policy**

As with the use of violence, the use of lies to achieve success automatically poisons whatever good may have been had through one’s efforts. The elites commonly shrug off this logic by convincing each other that there is such a thing as a “noble lie” (both Saul Alinsky and Leo Strauss, the gatekeepers of the false left/right paradigm, promoted the use of “noble lies”) and that the masses need to be misled so that they can be fooled into doing what is best for themselves and the world. This is, of course, a sociopathic game of self-aggrandizement.

Lies are rarely, if ever, exploited by people who want to make the lives of other men better; lies are used by people who want to make their own lives better at

the expense of others. Add to this the egomaniacal assertion that the elites are lying for “our own good” when they are actually only out to elevate their power, and what you get is a stereotypical abusive relationship on a global scale.

Methodologies that have legitimate benefits to mankind deliberately seek truth and do not need to hide behind a veil of misinformation and misdirection. If a methodology requires secrecy, occultism and deceit in order to establish itself in a culture, then it is most likely a negative influence on that culture, not a positive one.

### **The Hands Of The Few**

Why does humanity need a select elite at all? What purpose does this oligarchy really serve? Is centralized power really as efficient and practical as it is painted to be? Or is it actually a hindrance to mankind and an obstacle in our quest to better ourselves? Champions of the NOW argue that global governance is inevitable and that sovereignty in any form is the cause of all our ills. However, I find when I look back at the finer points of history (the points they don't teach you in college textbooks), the true cause of most of the world's ills is obviously the existence of elitist groups.

The “efficiency” of centralization is useful only to those at the top of the pyramid, because it generally stands on a vast maze of impassable bureaucracy. It has to. No hyper-condensed authority structure can survive if the citizenry is not made dependent on it. Centralization makes life harder for everyone by removing our ability to provide our own essentials and make our own choices. That is to say, centralization removes all alternative options from the system, until the only easy path left is to bow down to the establishment.

I have never seen a solid example of centralization of power resulting in a better society or happier people. I have also never come across a select group of leaders intelligent enough and compassionate enough to oversee and micromanage the intricate workings of the whole of the Earth. There is no use for the elite, so one must ask why we keep them around.

### **The Opposite View**

Arguing over what should be done about the state of the world is a fruitless endeavor until one considers what should be done about the state of his own life. As long as men are stricken by bias, selfish desire and lack of awareness, they will never be able to determine what is best for other people. The opposing philosophy to the NWO, the philosophy of the Liberty Movement, holds that no one has the right to impose his particular version of a perfect society on anyone else. As soon as someone does, he has committed a grievous attack against



individual liberty — an attack that must be answered.

Our answer is simply that the people who want to control others be removed from positions of control and that the people who want to be left alone just be left alone. Association and participation should always be voluntary; otherwise, society loses value. This is not anarchy in the sense that consequence is removed. Rather, the rights of the individual become paramount; and the liberties of the one take precedence over the ever vaporous demands of some abstract group.

The *only* reason for any government to exist is to safeguard individual freedom. Period. The original intent of America's Founding Fathers was to establish a Nation that fostered this ideal. When government or oligarchy steps outside the bounds of this mandate, it is no longer providing the service it was originally designed for; and it must be dismantled. Unfortunately, it is a universal rule that uncompromising tyranny must often be met with uncompromising revolution.

When a new system arises that cannibalizes the old, enslaves our future, uses aggression against us and mutilates our founding principles in the name of arbitrary progress, that new system must be defied and ultimately destroyed. The NWO ideology represents one of the most egregious crimes against humanity of all time, posing in drag as our greatest hope. It is based, fundamentally, on everything that makes life terrible for the common man and everything our inherent conscience fights against.

We would be far better served as a species if we were to turn our back on the NWO altogether and move swiftly in the opposite direction. Imagine what tomorrow would be like if there were no controllers, no statists, no despots and no philosopher kings. Imagine a tomorrow where people respect the natural-born rights of others. Imagine a tomorrow where people's irrational fears are not allowed to inhibit other people's freedoms. Imagine a tomorrow where interactions between citizens and government are rare or nonexistent. Imagine if we could live our days in peace, independently building our own destinies, in which our successes and failures are our own, rather than the property of the collective. It may not be a perfect world, or a utopia, but I suspect it would be a much better place than we live in today.

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## Armed BLM ‘Gestapo’ Threatening Rural Citizens



By [Sara Noble](#), July 25, 2014

<http://www.independentsentinel.com/armed-blm-gestapo-threatening-rural-citizens/>

The Bureau of Land Management is a ‘gestapo’ according to officials who testified at a House hearing yesterday.

We have the beginnings of gestapos in every government agency and they are growing in power under the perceived authority of the President of the United States who rules this country via executive orders and “guidance” memos without any congressional oversight. He is militarizing his executive branch agencies and letting them run roughshod over citizens largely without restraint and supervision. They can’t be fired as we know.

One of the agencies that has become militarized and which has gone rogue is the Bureau of Land Management.

A hearing in the House on July 24th exposed a dangerous and persistent threat to our nation coming from the Bureau of Land Management (BLM) which is allegedly intimidating citizens, threatening their rights, and creating a hostile environment.

At the hearing this week, the following was uncovered:

- BLM has threatened witnesses to give up their property rights.
- Overreaching and malicious employee behavior goes without retribution.
- BLM does not care about any authority by law enforcement and will not coordinate with them. “BLM law enforcement in Garfield County is totally uncooperative and unresponsive,” Garfield County Commissioner Leland Pollock said in [written testimony](#). “Dispatchers have been rebuffed so many times by BLM agents that the county only contacts them as a last resort and with little hope for assistance.” Law enforcement have been told BLM doesn't care about any authority they think they have.
- BLM’s Chief of Law Enforcement overrides State Directors and costs counties a fortune.

- BLM is stealing land and buying up land under the endangered species act which is being abused and misinterpreted deliberately.

## **The House Natural Resources Committee** **chaired by Doc Hastings released the following:**

WASHINGTON, D.C., July 24, 2014: Today, the Subcommittee on Public Lands and Environmental Regulations held an oversight hearing on "Threats, Intimidation and Bullying by Federal Land Managing Agencies." This hearing continued Committee oversight into bullying by federal land management agencies and federal law enforcement agencies on private, state, and federal lands.

State and local governments, ranchers, business owners, and private citizens have been subject to threats, lack of cooperation, and numerous unfair or heavy-handed tactics which threaten public safety, the environment, endangered species, and the livelihoods of communities. Congressional oversight is necessary to provide an effective check on federal officials who abuse their regulatory powers.

"Today we took a second look at threats, intimidation and bullying by Federal Land Managing Agencies. During a hearing the Committee held last year and again today, we heard first-hand accounts of mistreatment at the hands of federal officials seeking to extort the witnesses into relinquishing their property rights," said Representative Doug LaMalfa (CA-01). "These firsthand accounts give the victims of abusive conduct by a federal land managing official a chance to tell their story to Congress. Status quo agency oversight, policies and procedures are inadequate for addressing or deterring employee abuses and may instead embolden overreaching or malicious employee behavior with little risk of retribution for their actions."

Witnesses highlighted examples of flagrant intimidation met by citizens who refuse to surrender their constitutional rights, land and water rights, grazing permits and other multiple-use benefits.

Sheriff James Perkins, Garfield County, UT, highlighted his perspective from 27 years of law enforcement and experience working with various federal law enforcement agencies.

"BLM's attitude towards coordinating with local law enforcement is summed up best by a conversation I had with a BLM law enforcement officer while we were attending a drug task force meeting in Cedar City, Utah. He told me point blank

that he didn't care about any authority that I thought I had as the Garfield County Sheriff, and that he did not feel like he had to coordinate anything through my office... This refusal to coordinate, coupled with a lack of any meaningful oversight, has created a perfect environment where the abuse of federal law enforcement powers can occur.”

Leland Pollock, Garfield County Commissioner, Garfield County Utah, testified on how BLM law enforcement has moved away from a public service philosophy due to polarization of personnel and bullying and cancellation of cooperative agreements.

“Our concerns/ complaints are not just a matter of hurt feelings, bullying, intimidation, lack of integrity, and a host of social issues. BLM's Chief of Law Enforcement has cost Garfield County real dollars... We are befuddled how one individual can override a State Director and negatively impact an entire county with impunity.”

A. Grant Gerber, Elko County Commissioner, Elko Nevada, discussed specific examples of wrongdoings, threats, intimidation, and bullying by both BLM law enforcement and a district manager.

“When I was a boy and as I grew up the few Federal Agents were mainly local or from rural areas and fit in well with the local area. They knew the people and worked cooperatively. Now the Federal agents are predominantly from outside the area and do not develop connections with the locals as was done previously. Many start off with a belligerent attitude, even a commanding presence. They are especially offended if anyone opposes any Federal Government actions. The worst are the Federal Law Enforcement Agents that arrogantly announce that they are not governed by Nevada law, but can enforce it if they choose. Now we have been informed, that without notice of hearings, the BLM has determined that two more BLM Law Enforcement Agents are necessary to control the people in the Elko area. All of this is resulting in less use of Federal Lands by citizens as the citizens become afraid of being accosted and berated.”

Jose Valera Lopez, President of the New Mexico Cattle Growers' Association, Rancher, Santa Fe New Mexico, testified on current justifications Federal Land Managers use to intimidate and bully including Endangered Species protection and resource protection.

“Endangered species ‘protection’ is the biggest culprit. At the moment the Fish and Wildlife Service is considering critical habitat for the lesser prairie chicken, the New Mexico meadow jumping mouse, and two varieties of garter snakes.

*Expansion of the Mexican wolf habitat is expected as early as tomorrow. We have had 764,000 acres in New Mexico and Arizona recently designated critical habitat for the jaguar although only a few male jaguar have been sighted in the U.S. over the last 60 years... In my own case, the BLM has been buying up private lands near my family ranch within the boundaries of an Area of Critical Environmental Concern that they designated part of their Resource Management Plan. They not refer to our ranch as an in-holding. What this designation has done is de-valued our land and effectively prohibits any type of future development on the ranch."*

The armed BLM even intimidates visitors to the county according to Pollack.

Rep. Chris Stewart, a Utah Republican whose district includes Garfield County, pushed for [his legislation](#) that would [defund what he says are paramilitary units](#) within federal agencies that don't need such heavily-armed forces, including the BLM.

Every government agency is [armed](#) with paramilitary teams serving as law enforcement who believe their authority supersedes that of all law enforcement. They are rogue law enforcement since they operate only under one man – the president – without any oversight from Congress.

Listen to what one rancher is going through and understand this is going on throughout the country and particularly the West.

We recently witnessed the BLM raid the Bundy ranch wearing full armor, carrying assault rifles and positioning themselves behind berms as the rancher, his family and workers sat helpless. Bundy had not paid his grazing fees but that was irrelevant to the obvious problem here. What is relevant is that the BLM was empowered to shoot and kill anyone on the ranch over grazing fees.

Government agents aren't like our trusted law enforcement who will not fire on innocents. They are arrogant bureaucrats with guns. They are a protected class of people, protected by an overreaching government and their crony unions. Sentinel supports private unions but government unions are problematic and present serious conflicts of interest.

Armed militias flooded onto Bundy's ranch and the BLM stood down, but that was after the bureaucrats cordoned off free speech areas far from the ranch and shut down Bundy's access to the outside world while conducting air surveillance drills.

The BLM is in the process of confiscating 90,000 acres along the Red River based on an uncontested ruling thirty years ago. The owners of the land have deeds to their land, some dating back to 1804. The land in question is rich in minerals.

Private property is being taken and public lands are being kept from use by the public to allegedly protect obscure and unimportant animals.

Nature weeds out creatures and plants. It happens every day. It's the way of things. They weren't all meant to survive indefinitely.

It isn't the issue really, the animals are an excuse to steal and control land and the money it can bring in.

Unfortunately, if the government can't win through misuse of laws and rules, they will use physical force and they feel empowered to do so.

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## The NDAA Explained in 3 Minutes



SCG , 04.Jul.2014

<http://stormcloudsgathering.com/the-ndaa-explained-in-3-minutes>

**Regardless of where on this planet you live, and no matter what your nationality, the fact that the indefinite detention provisions of the NDAA are still on the books, should disturb you on a fundamental level. If not, give it three minutes.**

The [National Defense Authorization Act](#) which was passed in 2012 and extended in 2013 and 2014, authorizes the U.S. military to arrest anyone, anywhere on the planet, to deny them access to a lawyer, and to detain them indefinitely without at trial. Furthermore the U.S. government claims the right to do all of this in secret.

The right to a fair trial, is gone, and without the right to a fair trial, you have no rights at all.

Of course some would argue that the NDAA only targets enemies of the United States, as if this somehow would make it ok, but that defense doesn't hold water. (And by the way [the NDAA does apply to U.S. citizens.](#))

It doesn't matter who the law claims to target, and it doesn't matter under what conditions the politicians claim it can be used. If you don't have the right to a lawyer, and you don't get your day in court, and if the government isn't even

obligated to disclose the fact that they dragged you from your house in the middle of the night, then who is going to make sure this isn't abused? The soldiers? The politicians? Come on.

The power to make someone disappear without a trial is the power to make up any excuse that's convenient. Evidence is only needed if you have to prove your case in court. **That's why we have courts.**

The protections codified in the constitution were put there for a reason, but at this point it looks very much as if America is going to learn that lesson the hard way.

Land of the free right?

You can put your hand over your heart and celebrate something that no longer exists, or you can be honest with yourself.

That might be a bit painful. No one wants to believe that their kids are going to live under a military dictatorship. No one wants to see this coming. So most people put their head in the sand.

Those who don't, always start with one question: **What can we do?**

The first thing you need to understand here is that [our problem is psychological not material](#). You have the means to take your power. And you don't need a set of specific instructions. You don't need someone to hold your hand and explain your role. You don't need someone to give you permission. What you need, is to turn off your tv, turn off your radio, put down the ipad, and ask yourself if you're going to be able to look your grandchildren in the eyes and tell them honestly that you did everything in your power to turn this around.

Are you going to push this out of your mind because it's uncomfortable, or are you going convert that discomfort into a driving force?

I'll tell you this much: If that thought itches in the minds of enough people [we'll figure out a way to scratch it](#), and if that driven feeling is fully established in your heart, you'll find a way to make it spread.

P.S. If you want a practical starting point to take action on the NDAA get in contact with the guys at [People Against the NDAA](#). Dan Johnson (the founder) is one of those driven people who are making a difference.

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## **The Obamanation Explained**

### **Joseph Farah on how Cloward-Piven strategy came to Oval Office**

Joseph Farah, World News Daily, July 22, 2014  
<http://www.wnd.com/2014/07/the-obamanation-explained/>

The question has been asked many times over the last five years: What is Barack Obama doing?

Why is he inviting massive numbers of illegal aliens, including children, to risk their lives to swarm our southern border?

Why has he created a national health-care system that is unsustainable economically in the long term and is creating crisis in the short term?

Why is he turning down the opportunity to buy oil from our neighbor to the north and forcing Canada to sell it to China instead?

In short, why is he doing so much of what he is doing that seems not to make a lot of sense to the American people?

The shocking answer is that they *do* make sense in a perverted, un-American paradigm – one I have tried to bring to the attention of the American people for many years. The purpose is to increase misery and manufacture crises.

I first explained this at the nationally televised Tea Party National Convention in February 2010. Here's the explanation in a nutshell.

It's an old trick really. It was actually codified by a Marxist Columbia University professor and his research assistant in an article in *The Nation* May 2, 1966 – when Barack Obama was only 4 years old. The professor of social work was Richard A. **Cloward**, and his research assistant was Frances Fox **Piven**. What they authored became known as “the Cloward-Piven Strategy of Orchestrated Crisis.”

**Cloward and Piven specifically calculated their strategy as a way to end poverty by bringing the capitalist system to collapse through a series of escalating demands that could never be met.**

One of their principal demands was the establishment of a “guaranteed annual income.” Just six years later, this demand became a part of the platform of the

1972 Democratic National Convention and the presidential nominee that year, George McGovern.

But Cloward and Piven didn't just argue that such ideas should become political demands. They argued that action needed to be taken by like-minded fellow travelers to wreak havoc on the system. One way that was to be accomplished, they explained in their treatise, was **for social workers to sign up the poor in existing social programs at such levels as to tax the system to the breaking point.**

When these entitlements were no longer able to be covered by government agencies, the new dependent class would riot and rebel and create chaos that would create a real crisis for the system.

An example of the way this Cloward-Piven strategy worked quickly followed when it was actually implemented by George Wiley, the founder of the National Welfare Reform Organization. In the early 1970s, Wiley's NWRO hired "social workers" with the express purpose of expanding the welfare rolls as fast as possible. The strategy was so effective that welfare recipients went from 4.3 million nationally to 10.8 million by the middle of the decade. In New York City, there was soon one welfare recipient for every two residents working in the city's private sector.

James Simpson, a former White House staff economist and budget analyst, says "the vast expansion of welfare in New York City that came from NWRO's Cloward-Piven strategy sent the city into bankruptcy in 1975."

Remember the famous New York Daily News headline? "Ford to City: Drop Dead." President Gerald Ford was between a rock and a hard place because of the Cloward-Piven strategy and the organizational activities of George Wiley.

But that was hardly the greatest claim for Cloward and Piven.

While George Wiley was a disciple of Cloward and Piven, Wade Rathke was a disciple of Wiley. In 1970, after working for NWRO, he formed a new organization – the Arkansas Community Organizations for Reform Now. It became known as ACORN. The name was later changed to Association of Community Organizations for Reform Now, but the acronym remained.

This was the organization Barack Obama would serve as an attorney and as a trainer of its leadership.

ACORN wasn't just about registering Democratic voters. It was about registering so many that it created a crisis in the system – the same way Wiley created a crisis in the welfare rolls. **Fraudulent voters were just as good as legitimate voters.**

Where did the money come from for such abuses? **ACORN was heavily funded by George Soros' Open Society Institute.**

Did it work?

You bet. The idea behind ACORN's voter registration campaign, which continues to this day, even benefiting now from direct federal taxpayer support, was to **register as many Democratic voters as possible, legal or not, and assist them in voting – the more times the merrier.** The system had to be overwhelmed with registrations, multiple entries, dead voters, random names, contrived names. **When it all became impossible to police, the lobbying for minimal identification standards for voters would begin.**

And that's where we are today with the push for universal voting. Everybody votes. Nobody can be denied. Identification should not be required. It would be discrimination to ask people for ID to vote.

Just 22 years ago, Obama headed the Chicago operations of Project Vote!, an ACORN affiliate. Obama boasts in his autobiography about how successful he was at registering voters on Chicago's South Side.

He was so successful, he was elected president in 2008.

**Today, Obama is still employing the Cloward-Piven strategy,** but not as a community organizer. Today he is the Community Organizer in Chief.

**He's still creating crises as a means of empowerment. He does it in domestic policy. He does it in foreign policy. He even uses the military to create crises.**

**Think about it: With Obama, everything is a crisis – carbon dioxide levels, the banking industry, the automobile industry, the health-care system and especially the economy. The idea is not to alleviate crises, it's too exacerbate them. If they are not real crises, they can be used**

**to impose new draconian top-down actions that will put more stress on the economy and empower government to the max.**

The goal remains the same as when it was first outlined in 1966. It is, as the Marxists of the 1960s and early 1970s explained, to **“heighten the contradictions of capitalism,” bring the system to its knees and, ultimately, collapse.**

Do I exaggerate?

I don't think so.

It's the only paradigm that makes sense given the policies of the Obama administration and the Democratic Senate. They are following a deliberate course to destroy the American free-enterprise system, your freedom and the American way of life.

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### **BAD NEWS ABOUT GRANDPA**

**An elderly man had a massive stroke and the family drove him to the emergency room.**

**After a while, the ER doctor appeared wearing a long face.**

**“I’m afraid Grandpa is brain dead, but his heart is still beating.”**

**“Oh, Dear God,” cried his wife, “we’ve never had a liberal in the family before!”**

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