



**MILLENNIUM DIGGERS
ASSOCIATION
Keizer, Oregon**



Secretary: Marlea Sheridan

Editor: Penny Esplin

2013-2014 Officers:

-President: PENNY ESPLIN

-Vice-President: KEN ORNDORFF

-Treasurer: ALICE PHILLIPS

DATE: Oct 24, 2014

Call to Order: Penny called the meeting to order, and welcomed members and guests.

In Attendance: There were 20 members present. We have 2 new members: Karen James and her son Jake. Karen and Joe were not present.

Meeting Minutes: Minutes from last meeting passed.

Treasurer's Report: Alice gave us a short report. A check for \$20.50 was written to Stream Savers from the club raffle fund. Alice also wrote a check to Penny, refunding the money she has spent taking care of our club's legal paperwork. The treasurer's report was approved and accepted.

Claims Report: Claim papers to B.L.M. were sent in. A waiver for the Jeeter Claim, Fossil Flats and DT #1 were also sent and received. Claudia will be looking into finding more claims nearer to Salem area for us-- perhaps Quartzville? Also, Claudia will look into areas around Wolf Creek.

Millennium Diggers Raffle: Ken encouraged members to buy tickets for the 50/50 Raffle, to be drawn at the December 4th meeting. Raffle items still need to be collected from members. Remember monies from these raffles help the Stream Savers organization and support our gold claims program!

Our General Raffle had several lucky members that won some great prizes from the table.

Let's plan to bring more prizes for the raffle table. It makes it a lot more fun and rewarding!

Old Business: Check out the Facebook Site:

<https://www.facebook.com/streamsavers> or contact Karen Darnell at:
Streamsavers.org@gmail.com

GOOD NEWS: The Rinehart case has been **CERTIFIED FOR PUBLICATION** by the Court of Appeal in the State of California. This speaks miles in the favor of any future mining court cases; it allows us to legally refer to this precedent case because it has now been certified for publication and filed.

The case was concerned with "establishing that Federal mining laws impose substantive limits on the power of the State of California to regulate mining activities on Federal land."

A few members rallied and held signs promoting Richardson for Governor at locations in Salem. This was in an attempt to alert voters of what will be lost as a direct result of SB 838, which our present governor is in full support. We are happy to know that Dennis Richardson will not stand in the way of the miners. They also had a "Meet and Greet" with Dennis Richardson and Patti Milne. Thanks Penny and Karen!



~~~~~  
**New Business: -Great news!** Claudia has a new grandson! Congrats Claudia!

-Ken and Tim relayed their outing to Hampton Butte where they found some of the famous green petrified wood.

-We have set a date for our annual **CHRISTMAS POTLUCK 6:30 Thursday, December 4th**. We will NOT have a meeting in November; so this will combine November's and December's meeting, and will be our celebration of Thanksgiving and Christmas in one. It will be held here at the church. Please have family members come, too! Penny will send updates and reminders via email and/or by telephone.

**-NEWSFLASH! THIS JUST IN:** Bill Moore will be giving us a presentation on "Colloidal Silver" during our Christmas Potluck meeting on December 4<sup>th</sup>.

**Tonight's Letter was "A":** Claudia brought a large green Mystery Rock full of copper. Ken and Tim brought examples of some of the special green petrified wood they found from Hampton Butte. Don brought in a lovely Plume Agate. Penny brought in "A" samples: Azurite, Afresite, Adamite, Anglesite, Augite and Apatite! She has such a wonderful collection!

**Next Month's letter is "B":**

-It was mentioned during the meeting that Douglas County Prospector's Association along with Stream Savers was going to be doing a "river clean-up" on Island Creek the first week of Nov. Penny contacted Karen Darnell (not present) regarding this. Karen contacted the president of DCPA, and she relayed back to me (Penny), that she understood this to be a **private event**, involving only DCPA and Stream Savers.

**Our Next Club Meeting: Thursday, December 4, 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.

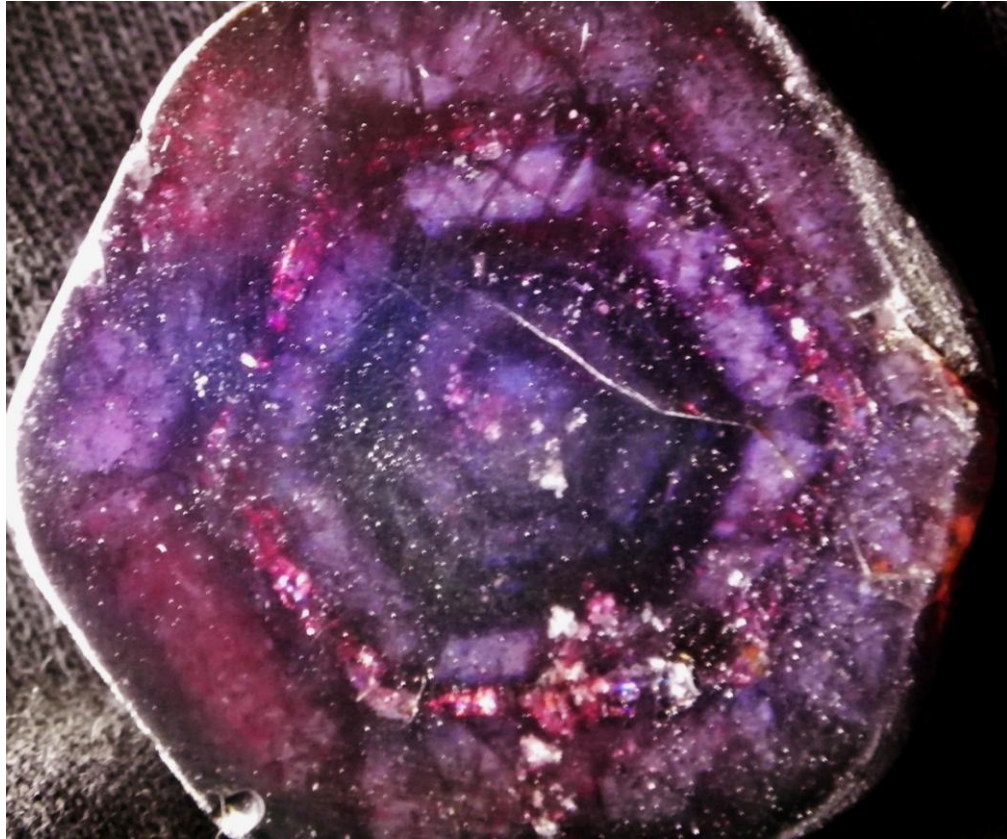
We meet the **4<sup>th</sup>** Thursday of each month, 7:00 p.m, at:

**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.



**Check out this picture I took** of the polished flat side of a garnet. The stone is an inch across, and it had been cut (or broken) right in half, and then the flat part was polished. I was completely taken when it revealed its beautiful interior crystal growth structure. It reminds me of a snowflake crystal, or a kaleidoscope, and is so similar to the many drawings I have done in this same image. I'm happy to say the garnet now belongs to me! *-Penny Esplin*



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**Join us this  
year as an Associate Member at half off the Normal  
Price!**



**A Special Invitation from Dave McCracken...**



## **SPECIAL INVITATION**

Due to the success of our online newsletter and in celebration of the great support we have received from all over, I am inviting you to become an associate member of the New 49'ers at half the normal price. I would really like you to come out to Happy Camp and join us for some true life gold mining adventure.


We have a special program for persons who are interested in being involved with our organization, but only want to spend about a week each year actively participating along the mining properties made available by the New 49'ers in Northern California.

Associate membership normally costs **\$100 per year**. But my invitation to you is at half price: **only \$50.00**

As an Associate Member, you will receive the regular newsletters and will be kept up to date on news, along with other important information affecting our industry.

Associate members may choose one week of your choice to enjoy all of the benefits of active New 49'er membership each summer (between 1 May and 30 September) along the Club's available mining properties. You are also invited to attend any or all of the Club's scheduled weekend group prospecting projects, at no charge.

Associate members are allowed to bring a spouse and children under the age of eighteen, and you also receive the discounted rate on week-long group mining projects (as Full Members do).

We will also send you at no additional cost the  **New 49'er DVD**. This is a brand new 30-minute **DVD** which captures the fun, excitement and winning spirit which our members have been experiencing during the past few years along our mining properties. There is a lot of really good stuff happening on our properties these days! New 49'er members, Haze & Andy Williams and I devoted countless hours filming and editing during this past 2007 season to create a fully-updated Club video. It is finished, and now ready to send out in **DVD** format. This is the **DVD** you want to show your friends and family when they want to know why you are passionate about gold prospecting!

So what are you waiting for?

**Sign Up Today!**



**We have just come into written correspondence from the District Attorney of Siskiyou County which is rejecting to prosecute suction dredgers without a permit as a result of the recent Third Appellate published Decision. This should go a long way towards prompting California to establish a reasonable set of regulations and permitting system in time for our 2015 season.** Watch for more on this in our November newsletter.

I want to thank everyone who has been responding to my requests for more participation in our ongoing fund-raiser which will end this coming Friday with 3 ounces of my gold nuggets to be given away.

The really good news is that **Jeff Kuykendall, owner of Proline dredges**, is so impressed with our efforts, he has offered up one of his brand new Super 4-inch suction dredges as a prize to be used in our New 49'ers Legal fund-raising efforts. That's a \$4,800 dredge! **Garret Electronics** has also offered up a great prize! We are really on a roll!

So how about this for an incentive: If we receive 100 or more legal contributions between now and the close of business this coming Friday, 31 October, we will offer the 4-inch Proline dredge as our grand prize in the next legal drawing which takes place on 27 February, along with twenty 10th-ounce American Gold Eagles.

**Come on, you guys; let's celebrate our wins by making this the most productive legal fund-raiser we have ever done!**

You can find out more about the gold nuggets we are giving away this Friday, and how to contribute, by going here: <http://www.goldgold.com/klamath-river-gold.html>

Thanks very much for all your support, you guys!

Dave McCracken  
The New 49'ers Legal Fund  
27 Davis Road  
Happy Camp, CA 96039



## **Monster gold nugget unearthed in Butte foothills**

**Name of finder, location of find kept secret**

By Roger Aylworth, Chico ER News, 10/21/2014

[http://www.chicoer.com/news/ci\\_26766424/monster-gold-nugget-unearthed-butte-foothills](http://www.chicoer.com/news/ci_26766424/monster-gold-nugget-unearthed-butte-foothills)



**Bob Van Camp holds the five-pound-plus Butte Nugget, which was found in July**

**Visit the site for a nice 7 minute video.**

**PARADISE >>** A dream by its nature is usually ethereal and vaporous, but that is not the case for Bob Van Camp of Paradise.

For Van Camp, at least, this one dream is 5.18 standard pounds of shimmering, nearly pure, California gold.

Van Camp did not find the nugget, but within two hours of its discovery in July he was holding it in his hand.

The name of the finder is being kept secret, and the location of its discovery is being kept vague, just that it was found in the foothills in Butte County on public land in an area that was "worked" during the original Gold Rush.

Van Camp said the finder, who he calls Mr. Smith," would not even tell him precisely where he found the nugget, which is about the size and shape on a adult's hand and about an inch thick.

Van Camp earns his living working for a major rice grower, but he is known by gold prospectors because he runs a metal detector dealership. In the prospecting community he is known as "Digger Bob."

He is quick to point out that neither he nor Mr. Smith has the nugget in their possession. Digger Bob says the specimen, which he and Smith have been calling the "Butte Nugget," has been placed with Kagin's, a numismatic firm and auction house in Tiburon.

"If you have larceny in your heart, you are out of luck," he said.

Kagin's will have a nationwide unveiling of the Butte Nugget at the end of this month.



Van Camp, holding the nugget in his hand, says the "pre-sale estimates put this as going for between \$250,000 and \$400,000.

"You're looking at a quarter of a million dollars in gold that I am holding in my hand right now. Now that is retirement for sure," he says.

Gold is measured in troy ounces, which are slightly heavier than standard ounces. **The official weight of the Butte Nugget is 75 troy ounces.**

Van Camp said Mr. Smith had been using a metal detector to search on the day he discovered the monster, and had found a few small nuggets. Then his detector came back with an extremely strong signal.

Mr. Smith told him his first thought was that there was "a big piece of trash" in the ground, possibly a piece of pipe or a horseshoe. He was fearful that trash would mask the signal of surrounding nuggets, so he decided to dig it out.

About 12 inches down in the soil, he found the nugget.

Van Camp says **the Butte Nugget is the second largest extant placer gold nugget in California.** The biggest nugget is the 100 troy ounce "Mojave Nugget."

Both of these nuggets amount to little more than pebbles compared to gigantic 54-pound Dogtown Nugget that was discovered in 1859 on the slopes of Sawmill Peak.

Van Camp said the Dogtown Nugget isn't on the list of current monsters because it was melted down and no longer exists in its original form.

He said the July discovery proves that life-changing gold is still out there to be found and he urged people to continue to hold onto the dream.

"Follow the three Ps: persistence, patience and perseverance. Keep at it. Keep the dream alive."



## Gold nugget found in California finds secret buyer

**AP**, October 25, 2014

<https://news.yahoo.com/gold-nugget-found-california-finds-secret-buyer-224654446.html>



**In this undated image provided by Kagin's Inc., shows the Butte Nugget. One of the biggest gold nuggets ...**

SAN FRANCISCO (AP) — One of the largest gold nuggets in modern times pulled from Northern California's Gold Country has sold to a secret buyer.

The new owner of the so-called Butte Nugget and its exact price will both remain mysteries at the buyer's request, the San Francisco Chronicle reported Saturday (<http://bit.ly/1snahAB> ).

But Don Kagin, the Tiburon-based coin dealer who brokered the deal, said that a "prominent Bay Area collector" paid about \$400,000 for the nugget weighing 6.07 pounds (2.8 kilograms). That wasn't far off from the asking price, he said.

"Let's just say it's a win-win for everybody, Kagin said, adding that the nugget went up for sale Thursday with the deal finalized on Friday.

Historically, prospectors found giant gold nuggets in California during the 19th century Gold Rush days, including a 54-pound chunk found in Butte County in 1859. It has been decades since a report of anyone discovering a rock of 6 pounds or more in California.

The gold hunter who found the nugget found it in July in the mountains of Butte County. He also asked Kagin to keep his name and the location of the discovery a secret.

Reports of the nugget's pending sale caused a near frenzy among gold and history buffs, with the newspaper reporting one bidder inquiring from Australia.

"We spoke with six different people who seemed to have a legitimate interest," said David McCarthy, Kagin's chief numismatist. "But he was the first person to make an offer and he had the right prices."



## **Gold confiscation mystery revealed**

Joshua Hinsdale, examiner.com, October 16, 2014 3:04 PM MST

<http://www.examiner.com/article/gold-confiscation-mystery-revealed>

Many investors have heard that the U.S. government confiscated the public's gold years ago. Is it true? Is it a rumor? Could it happen again? This is an issue that comes up time and again with gold investors. Rather than speculate, it's best to consider the facts. Below is a timeline that explains exactly what happened and, more importantly, how today's investors should react and what they can do to make sure they're prepared, in case it happens again.

May 1, 1933 – President Roosevelt's Executive Order 6102 required U.S. citizens to deliver on or before May 1, 1933, all but a small amount of gold coin, gold bullion, and gold certificates owned by them to the Federal Reserve, in exchange for \$20.67 per troy ounce.

Jan 30, 1934 -- The Gold Reserve Act of January 30, 1934 required that all gold and gold certificates held by the Federal Reserve be surrendered and vested in the sole title of the United States Department of the Treasury and changed the value of the dollar in gold from \$20.67 to \$35 per ounce.

1954 - In 1954 the Treasury Department amended the Gold Regulations of the original Executive Order to enable the continuance of the exemption of rare coins from the gold confiscation provisions, and they expanded the definition of "coins" with a recognized special value to collectors of rare and unusual coins to include "gold coin made prior to April 5th, 1933 (Federal Register 4309, 4312 1954, as codified in 31 CFR Section 54.20)

Aug 15, 1971 - The [price of gold](#) remained fixed from Jan 30, 1934 until August 15, 1971, when President Nixon announced that the United States would no



longer convert dollars to gold at a fixed value, thus abandoning the gold standard for foreign exchange.

Dec 31, 1974 - On December 31, 1974, with Executive Order 11825, President Gerald Ford repealed the Executive Order that Roosevelt used to call in gold in 1933. This was necessary because on the same day Congress restored Americans' right to own gold. The limitation on gold ownership in the U.S. was repealed after President Ford signed a bill legalizing private ownership of gold coins, bars and certificates by an act of Congress codified in Pub. L 93-373 which went into effect December 31, 1974.

Oct 28, 1977 - 1977 Congress removed the president's authority to regulate gold transactions during a period of national emergency other than war. However, the Act of Oct. 28, 1977, Pub. L. No. 95-147, § 4(c), 91 Stat. 1227, 1229 (originally codified at 31 U.S.C. § 463 note, as amended at 31 U.S.C. § 5118(d)(2)) amended the 1933 Joint Resolution and made it clear that parties could again include so-called gold clauses in contracts formed after 1977.

Dec 17, 1985 – President Reagan signed into law the Gold Bullion Coin act which allowed the US Mint to produce gold coins from “newly mined domestic sources”. Gold American Eagles went on to become one of the most well known gold coins.

So the question remains; could it happen again? Who knows? Of course it is possible; it has been done before and governments in times of stress simply change the laws. As you can see above, gold bullion was forced to be sold to the government in 1933. Then in 1974, that executive order was repealed. Furthermore, in 1977, Congress removed the president's authority to regulate gold except during a national emergency of war.

It is true that numismatic collector type coins were excluded in the 1933 confiscation. Whether or not they will again be excluded in any future confiscation is completely unknown. There is a logical thought process for excluding collector coins, in that the government was trying to obtain monetary control of gold bullion. The government had no interest in rare and unusual coins of special value to collectors. However, what the government has done in the past is not necessarily indicative of what they will do in the future.

Bottom line – Confiscation did happen. It was repealed, but it could happen again in the future. Laws can and do change.



## Gold was down last week

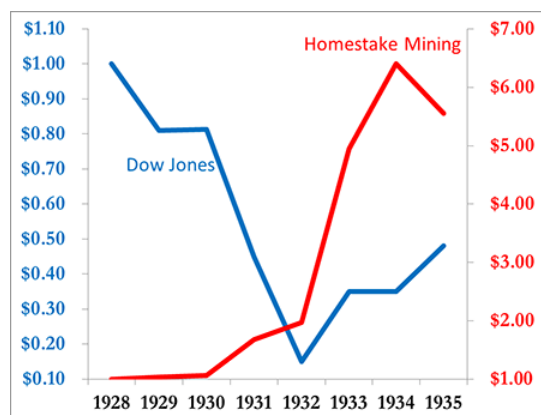
Jeff Opdyke, Sovereign Digest, October 19, 2014

<https://us-mg6.mail.yahoo.com/neo/launch?.rand=24klb46pc8i7j#28464118>

Gold was also up last week. Which move you happened to hear about depends entirely on the mood of the market and the day you happened to tune in. Also floating around in the flotsam of data and commentary was the worry that Europe is heading for deflation. Lower prices, they say, are bad. Ruins economies, they insist. Must. Fight. Deflation. At all costs! Never mind, of course, that America has seen periods of deflation before and it hasn't always been a horror movie. In the late 1800s, we had prices falling 5% a year ... yet the economy was expanding rapidly. And then along came the Great Depression, the greatest deflationary episode in American history and the one that shapes our modern perceptions of deflation. It also shapes the modern misperceptions of gold and deflation ... and this piece is, after all, really about gold.

The modern perception is that deflation is bad for gold. But what is that perception based on? Is it tied to a true reading of history? Or is it based on the assumption that since gold soared during inflationary times in the 1970s to 1980s, it, thus, must sink during a deflationary period since deflation is the opposite of inflation?

We certainly can't look to the price of gold itself for the answer. Gold was on lockdown during the Great Depression, the result of FDR's confiscation mandate that made ownership of bullion illegal by the masses. So, we have to look to a proxy ... and a very good proxy is Homestake Mining, a blue-chip gold miner back in the 1930s. As the chart below shows, every \$1 a Depression-era investor put into Homestake Mining in 1928 was worth close to \$6 in 1935 — with the greatest growth in that period happening as deflation raged in our country. By contrast, every \$1 invested in the Dow Jones Industrial Average, the proxy through which an economy is measured, plunged.



The question to ask here is: Why did gold, by way of Homestake Mining, rally in a period when, if you buy into modern economic thinking, it should have fallen?

I can think of three key reasons:

1. People lose faith in a fiat currency when its purchasing power is collapsing. Consumers did not lose faith, by the way, in the late 1800s because our dollar was backed by an asset: gold. That was not the case after FDR's executive order banning gold.
2. People demand a store of value when their currency is collapsing. Gold has always served that role throughout man's history.
3. People are inherently prognostication machines, and when deflation is rampant, they know full well that monetary leaders are going to do all in their power to drive inflation, which is bullish for gold ... so they jump the asset for that reason as well. And this time around, the push for inflation in the EU (or in America) will be monumental because the impact of deflation on Western governmental debts would otherwise be so destabilizing that you would see countries (and states) break apart.

So, gold goes up ... gold goes down. But the only relevant factor is that, in a world of fiat currencies manipulated by all-too fallible politicians, it is the only insurance policy on the planet that projects your purchasing power and your assets in times of inflation or deflation. And as I keep saying, right now the cost of that policy is cheap.

~~~~~#####~~~~~

As the gold community sleeps a giant awakens

By [Pete Thomas](#), Resource Investor, October 2, 2014

<http://m.resourceinvestor.com/2014/10/02/as-the-gold-community-sleeps-a-giant-awakens>



The [Shanghai Gold Exchange](#) (SGE) is about to change the way the world trades [gold](#).

Let's have a quick look at the Numbers from the [China](#) Gold Market Report:

The following are distribution of physical metal through the Shanghai exchange in 2011:

- 456.66 tones – Jewelry manufacturing
- 53.22 tones – Industrial raw materials
- 21.55 tones – Gold coins
- 213.85 tones – Investment gold bars
- 13.52 tones – Other, unnamed industrial purposes
- 284.88 tones – Net investment...Demand arising from the transfer process of gold as an investment tool

The Chinese community has looked upon gold with an almost reverent eye since the beginnings of recorded time and with its recent dominance in the manufacturing arena it brings about the creation of (SGE) The Shanghai Gold Exchange which has become just a natural progression of the fundamental demand for a Trading Exchange that is fully backed by physical metals. The demand for gold will continue in China as not only the people of China are buying gold at a record pace but the China Securities Commission (CSRC) has quietly look upon gold as fundamental means to stabilize the economy.

Gold is the only currency that you can't "print" more of and with any down turn of global currencies valuations we will see a surge in demand as never before in the history of the true standard of wealth held worldwide. Gold is the only global currency that transcends all governments with a purity of value that is recognized on any corner of the world and China with this bold stroke is about to take the lead.

The metals world is about to have a major shift over the next few years, The Dragon is here to stay.



Reprogram Your Mind, Gold and Silver Don't Change, Paper Money Does

Guy Christopher, Precious Metals Market Update, August 14th, 2014
https://www.moneymetals.com/news/2014/08/14/reprogram-your-mind-gold-and-silver-dont-change-paper-money-does-000588?utm_source=141002-MMX-PD&keycode=141002-MMX-PD&utm_medium=email&AID=3818

How much do you think your gold and silver are worth?

It's natural to value that worth in dollars, since you paid a certain price in dollars for your coins and bars. That keeps it simple.

A more advantageous way to value your metals, however, goes beyond that simple accounting.

Instead of calculating the worth of your gold and silver in dollars, count your precious metals in ounces. This frees you from fretting when the dollar price is down, which should only be a welcome signal to add to your holdings anyway.

"Buy low, sell high" is the age-old advice to all investors, but there are far too many buyers who wait until prices are rising before getting excited. Many successful investors make their money off those who *buy high* and then *sell low* when prices fall.

When you gauge your wealth in ounces instead of dollars, you win hands down because you've taken yourself out of that game.

Measure Your Wealth in Ounces, Not Dollars

I value my precious metal holdings in the same manner I value my home. I have only a general idea what my home is worth in dollars. I'd need a costly appraisal to pin that down. Since it's not for sale, a dollar number means nothing to me. I don't care if the market price is higher or lower than six months ago or a year ago. My home has the more important values to me of security, shelter, and sentiment.

Gold and silver are what I call a steady constant of value. Gold and silver don't change. It's the *paper money* that changes.

Metal can be melted and recast into bars, coins, or jewelry, but the metal itself is the same stuff that sat in the ground for eons before it was mined and refined. An ounce equals an ounce, a gram a gram, the same as always. It offers you the same security, shelter, and sentiment it's provided mankind since antiquity.

That cannot be said about a paper dollar. It hasn't always had the same worth, not since the U.S. went off the gold standard 80 years ago. That dollar bill actually began losing value the moment the Federal Reserve began churning out paper money 100 years ago. It's losing value right now as you read this – and that loss will continue.

When you value your metals in ounces and not dollars, you'll see your paper dollar for what it's worth – a mere fraction of an ounce of gold or silver. You'll discover that fraction is becoming smaller over time.

My favorite illustration is the 25 cent gallon of gas. In 1964, a gallon of regular gas in the U.S. averaged 25 cents. [Dimes, quarters, and halves were still made of 90% silver in 1964](#), the last year the U.S. minted 90% silver coinage for circulation. To buy one gallon of gas, you paid with a silver quarter. Fifty years ago, that silver quarter and that gallon of gas had equal market value.



Today, the silver in that quarter is valued in paper dollars at about \$3.75, which is also the price I've paid recently for gas. That \$3.75 price tag is fifteen times the 1964 cost, meaning my paper dollar today is worth less than 7% of its former self 50 years ago.



But the buying power locked in that silver quarter – its true value – is exactly the same as 50 years ago, and today it will still pay for a gallon of gas. The buying power of the silver did not change. It was the dollar that changed.

Metal and dollar values don't march in lockstep day by day with everyday prices. But over time, the illustration works perfectly.

It's a mathematical and historical certainty the modern, debased dollar is facing extinction, while gold and silver have a track record of preserving wealth for thousands of years. When you value metals in dollars, you miss seeing their true value as savings and insurance against economic disaster.

Decide for yourself which has the truly steady value. Let's say 50 years ago, 1964, your grandfather bequeathed you an inheritance worth \$1,000, which he put in

a pretty box with your name on it. At this moment, you are about to open that box...

Would you be happy to find his personal check dated 1964 made payable to you; would you rather find ten \$100 Federal Reserve Notes; or would you prefer to find that thousand bucks in the form of [4,000 silver quarters, the steady constant value of 715 ounces of silver](#), with a current dollar number north of \$15,000?

Would your choice be the same if you were putting your wealth away today for an heir to receive in ten, twenty, or fifty years? Or for your own retirement, or for a rainy day?

Keep buying your gold and silver and put it safely away. In these times of debased currency, rising inflation, higher taxes, and uncertainty everywhere, holding precious metals is more important than ever. You can be assured your precious metals will maintain the value of the dollar price you paid throughout the dangerous years ahead, while your other paper dollars still in your pocket become smaller and smaller fractions of themselves.

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## **Silver's Investment and Industrial Demand Colliding with Problematic Supply**

[Clint Siegner](#), Precious Metals Market Update, October 16th, 2014

[https://www.moneymetals.com/news/2014/10/16/silvers-investment-and-industrial-demand-colliding-with-problematic-supply-000618?utm\\_source=141019-HDL-PD&keycode=141019-HDL-PD&utm\\_medium=email&utm\\_campaign=weekly\\_headlines&AID=3818](https://www.moneymetals.com/news/2014/10/16/silvers-investment-and-industrial-demand-colliding-with-problematic-supply-000618?utm_source=141019-HDL-PD&keycode=141019-HDL-PD&utm_medium=email&utm_campaign=weekly_headlines&AID=3818)

Investors in future decades will look back on this period's history and marvel at some extraordinary events. They will remark on parabolic debt charts and King Dollar's dethroning. And they will see the great opportunities, unnoticed and passed over by most, as obvious in hindsight. Silver may well be one of these great opportunities.

Gold prices stand to benefit from a worldwide exodus from fiat currency and paper assets. Demand for platinum and palladium mirrors growth in manufacturing around the world – particularly in developing economies. But silver is uniquely positioned to benefit **from both** of these macro trends... in spades.

Profligate governments, central banks, and various crises are fueling safe-haven investment demand for [silver coins](#), [rounds](#), and [bars](#) from people around the globe.



The efficiency of solar technology has been rising rapidly, making this silver-consuming field more economically viable.

While there is lots of coverage of events driving investment demand, readers may not be as familiar with developments relating to the industrial use of silver. Silver enjoyed steady demand growth as worldwide manufacturing boomed leading up to the 2008 financial crisis. Silver prices fell when manufacturing powerhouse economies including the U.S., Japan, and Europe slumped.

Going forward, silver's industrial demand is likely to fare better than manufacturing generally. The metal is widely used in faster growing sectors such as electronics and solar power. Most of the drag created by the transition to digital photography and away from conventional film processing is behind us. And new applications such as LED light bulbs, flexible displays, RFID tags, cellular technology, and even medical equipment and compounds promise to increase the world's appetite for silver in the coming years.

**Why Do Manufacturers Choose Silver?**

Jewelers appreciate silver because they can attain a higher polish than with any other metal.

Engineers specify silver because nothing else offers as much electrical or thermal conductivity or as much reflectivity. They find silver indispensable given the



inexorable drive to make more efficient electronics and photo-voltaic panels for solar power generation. Manufacturers of medical equipment and supplies employ silver as a biocide. And silver catalysts facilitate the reactions needed to produce ethylene oxide and formaldehyde – major industrial compounds with myriad applications.

Silver's unique properties, along with the relatively small quantities of silver needed in many applications will make silver hard to replace – even as [prices rise](#).

## **Key Applications Devour Silver**

### **Solar Panels**

The Silver Institute's Outlook for New Electrical & Electronic Uses of Silver (released July 2014) reports 4% year-over-year growth in overall industrial demand for silver in 2013. Modest, but what isn't apparent in the headline numbers is that most of that growth came in the second half of the year.

And the recovery was driven in large part by a resurgence in solar panel manufacturing. The solar industry wound up with significant overcapacity, and underwent about 18 months of retrenching as demand caught up.

The surge in silver prices to nearly \$50/ounce in 2011 also prompted significant "thrifting." Manufacturers found ways to do more using less silver – a tough dynamic for short-term demand but likely good for demand longer term, because manufacturers now have less incentive to find alternatives.

Imports of silver powder, particularly in China, for use in new panels are once again on the rise.

The market research firm IHS forecasts 22% growth in solar this year versus 2013. Much of this growth is expected in China and Japan where governments recently shifted policy even more in favor of solar power. But significant growth is expected virtually everywhere as manufacturing costs fall and efficiency rises.

The chart below, showing solar installations and average cost in the U.S., provides a good idea of what is happening globally.

Silver demand in photovoltaic panels represented approximately 40 million ounces in 2013. Investors can expect rapid growth in that number in the coming years.

### **Flexible Displays**

New consumer electronics, including smart watches and wearable medical sensors are just now coming to market, and silver has an important role to play. Currently most touch screens use indium tin oxide as a conductive transparent layer. However, the layer is brittle and fragile. More flexible and resilient silver nanowire appears set to gain widespread use as an alternative. Demand for silver in this brand new application is forecast for a modest 500,000 ounces by 2017, but growth beyond that may prove exponential.

### **LED Lighting**

TVs and computer displays already feature LED technology, but light emitting diodes are also transforming the way consumers light their homes and businesses. Anyone visiting their local home improvement center will encounter an aisle of the new LED light bulbs featuring dramatically longer life and much greater efficiency. In 2013, LED bulbs represented 20% of demand and as prices fall, adoption of the new technology will accelerate.

Silver has three applications in LED: a reflective layer, an adhesive layer, and a bonding wire. Cumulatively, demand for these applications is expected to reach 8 million ounces over the next 5 years. And once again, growth in demand beyond that is expected to be enormous.



### **Ethylene Oxides & Formaldehyde**

Ethylene oxide is a key component in the production of detergents, solvents, plastics, and other organic chemicals. Roughly 25% of the ethylene oxide produced is used to make antifreeze coolant for vehicles. The production of polyester and other common plastics also requires these compounds.

Silver enters the equation, not as a component, but as a catalyst to facilitate necessary chemical reactions. Current annual demand in these applications is roughly 150 million ounces according to the Silver Institute. Thomson Reuters GFMS expects this demand to increase by 8 million ounces in 2014.

### **Silver's Positive Outlook**

The Silver Institute in their Outlook for New Electronic and Electrical Uses of Silver estimates demand growth in these applications will be 6% for 2014 with similar growth for the next two years. That represents approximately 14 million ounces of additional demand annually.

Growth in other industrial applications – including ethylene oxides – should add nearly as many additional ounces. Overall growth in industrial demand looks set to significantly outpace GDP growth.

[Silver](#) is clearly good for a lot more than hedging against inflation. And focusing entirely on silver's role as a monetary metal means overlooking half of the complete picture. Precious metals investors should also factor in silver's utility in a growing number of manufacturing applications.

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Trout Unlimited congratulates DeFazio for common-sense mining reform bill



July 11, 2014, Contact: Steve Moyer (703) 284-9403, FOR IMMEDIATE RELEASE:

Bill provides mine cleanup funding and helps voluntary cleanups

WASHINGTON—Trout Unlimited welcomed a bill introduced by Rep. Peter DeFazio of Oregon to create a revenue stream for abandoned mine cleanups and provide much-needed liability relief for voluntary “Good Samaritan” mine restoration.

There are more than 500,000 abandoned hard-rock mines across the West with an estimated cleanup cost ranging from \$36-72 billion. Runoff from abandoned mines affects 40 percent of headwaters in the western United States.

“It is imperative that a dedicated funding stream is created to clean up pollution from abandoned mines in important trout fisheries like Colorado’s Animas River,” said Steve Moyer, TU’s vice president of government affairs. “We thank Rep. DeFazio for establishing a reclamation account in his bill.”

The Hardrock Mining and Reclamation Act also addresses the liability obstacles that groups like Trout Unlimited face when trying to clean up abandoned mines. The bill helps Good Samaritans—those who have no legal obligation to take on an abandoned mine cleanup, but wish to do so in order to restore degraded streams—to comply with the Clean Water Act. The bill would provide legal protection for groups who clean up waste from abandoned mines. To date, the permitting process that allows for would-be Good Samaritans to initiate cleanups has been complex and restrictive.

“Our experience is that the best solutions are found when stakeholders work together,” Moyer said. “We thank Rep. DeFazio for introducing this bill in order to keep alive the discussions about how best to update the General Mining Act of 1872.”

TU has a long history of working to improve water quality and recover fisheries in watersheds degraded by abandoned mines. TU is presently cleaning up fisheries and water quality that has been affected by abandoned mines, including Utah's American Fork Canyon; Idaho's upper Boise River; Montana's Eustache Creek; Colorado's Snake River and Nevada's Maggie Creek, among others.

By using existing policy tools and avoiding project that trigger Clean Water Act liability, and with the support of some great partners such as Tiffany & Co. Foundation, Freeport-McMoRan Copper & Gold, and others, TU has made substantial progress in cleaning up abandoned mine impacts in several watersheds in the West.

The American Fork project in Utah, completed in partnership with Snowbird ski resort and the state, has improved water quality to the point where anglers can now catch cutthroat trout immediately downstream of the area where pollution used to run off mine tailings piles.

In the Colorado's Kerber Creek Watershed, TU and its partners restored over 65 acres of mine tailings, stabilized stream banks, and installed hundreds of instream structures that are now home to brook trout. Volunteers logged over 13,000 hours of work in the watershed over the past three years. It's a striking example of the will that exists in local communities to restore their waters if given the chance.

Similar work in Montana's Clark Fork River Basin has resulted in the removal of thousands of cubic feet of mine tailings and the return of migratory fish to Ninemile Creek for the first time in 80 years.

Perhaps the best illustration of the positive affect of Good Samaritan cleanups comes from Pennsylvania, where Clean Water Act liability has historically not been a concern. Over the last 15 years, Pennsylvania has seen a dramatic increase abandoned mine reclamation projects by watershed groups, including TU. This boom has been fueled by funding from the state's Growing Greener grant program and the federal Abandoned Mine Land reclamation fund. Most of these projects involve treatment of acid mine drainage using a series of wetlands that increase the water's pH and remove metals. These treatment systems have significantly improved water quality and restored fish populations in numerous Pennsylvania streams, proving that where reliable funding is available and liability barriers are removed, good things happen.



In less than a month, America will be going to the polls and it is important that we ensure the mining community gets out and votes on Tuesday, Nov. 4.

Mining provides the energy to power our homes, businesses and communities and the raw materials our manufacturing base uses to create the products we rely upon every day.

Mining drives America's economic prosperity

In other words, for our nation to succeed, the U.S. mining industry must be successful, but the mining industry needs -- and our success will depend upon -- public policies that allow it to perform to its full potential.

On Nov. 4, we will have the opportunity to vote for representatives at the national, state and local level who will have enormous influence on those policies.

Mining makes things that matter and helps power the nation affordably and reliably. Let's get prepared to vote and make a difference protecting this essential industry. If you need help in finding your polling location or candidates'

positions on key mining issues, visit the National Mining Association's **Mine the Vote** website.

I want to thank you again for your support and for all you have already done in mobilizing the mining community so it will be heard in this election.

Best,



Hal Quinn
President & CEO



Kennewick Man, an ambassador from the past

CBS News October 12, 2014

<http://www.cbsnews.com/news/kennewick-man-an-ambassador-from-the-past/2/>

"The Man From Kennewick" sounds like the title of a mystery story. And so it is . . . a mystery whose origins go way, way back. Chip Reid has been doing some digging:

Eighteen years ago two teenagers made news when they found a skull on the bank of the Columbia River near Kennewick, Wash. Suspecting foul play, they called the police who thought the skull looked very old.

They were right. Anthropologists excavated the area and found the full skeleton, and determined it had been carefully buried along the river 9,000 years ago.

"It is certainly America's most important skeleton," said Doug Owsley, the Smithsonian's top physical anthropologist. "It is an exceptionally rare discovery that does not happen but once in a lifetime."

Owsley sued the federal government and local Indian tribes for the right to study Kennewick Man. The tribes believe the bones are ancestral and should be

reburied. But the courts found that the remains had little genetic connection to present-day Indians, and ruled in favor of science.

After years of work, Owsley and a team of scientists are publishing Kennewick Man's biography.

"Most people are not aware of the wealth of information that can come from human remains," said Owsley.



Kennewick Man was 5'7", a muscular 163 pounds, and died when he was about 40 years old. His intelligence was comparable to that of present-day humans.

"I truly consider him an ambassador from an ancient time period, enlightening us to what his life was like," said Owsley.

In a word, his life was brutal, having suffered multiple injuries. "His existence reflects a very strenuous physical existence," said Owsley. "He has half a dozen fractured ribs -- the ribs on this side, the right side, failed to mend properly."

Add to that a severe shoulder injury, two skull fractures, and worse: When he was 15 to 20 years old, someone threw a spear at him, and the spearhead lodged permanently in his hip.



"I think this was something that was intentionally lobbed at this man with the intention of killing him," said Owsley.

Owsley said Kennewick Man is causing scientists to re-think how humans first came to this continent. He said humans came to North America thousands of years earlier than was previously thought.

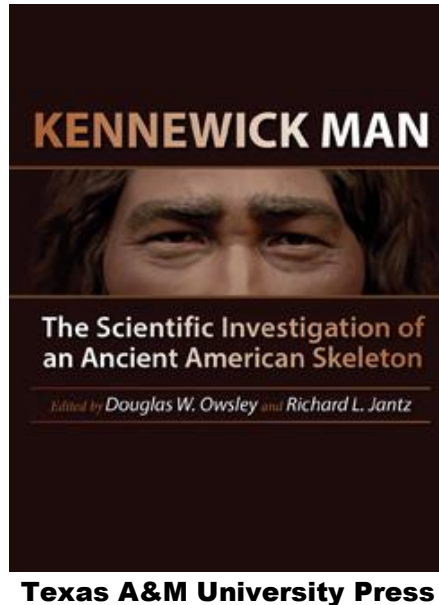
The traditional theory is that people came by foot across the Bering Strait on a land bridge that once existed between Asia and what is now Alaska. But the existence of Kennewick Man, he said, is evidence of boat use: "They had boats coming into the New World much earlier, and that he is from these East Asian coastal populations."

A life on the water is consistent with Kennewick Man's diet, as determined by the chemical signature discovered in his bones.

"This man is a marine mammal hunter . . . You find that this man is heavily dependent on seals," said Owsley. Also, "he's got lots of salmon in his diet."

His teeth were worn down, and show no sign of cavities.

His enormously strong right arm suggests that he hunted with a spear.



One of Owsley's biggest challenges was re-creating what Kennewick Man actually looked like. Sculptors took months to build a likeness based on the shape of his skull and archival photos from Asian coastal people.

Native Americans are still fighting for the right to bury Kennewick Man. But the federal government is holding on to his remains until the dispute between the tribes and the scientists can be resolved.

Doug Owsley believes that further study will help explain how Kennewick Man lived and died, and why this traveling hunter -- who is believed to have spent much of his life on the central Alaskan coast -- was buried hundreds of miles away in the interior of what is now the state of Washington.

"I feel like the skeleton is just beginning to talk to us, and we need to carry on the conversation," he said.

A conversation with a man who hasn't spoken a word in 9,000 years.



1000-year old Viking treasure hoard found in Scotland

Sarah Young,  REUTERS, October 13, 2014

<https://news.yahoo.com/1000-old-viking-treasure-hoard-found-scotland-111420299.html>



LONDON (Reuters) - A hoard of Viking gold and silver artifacts dating back over 1,000 years has been discovered by a treasure hunter with a metal detector in Scotland, in a find hailed by experts as one of the country's most significant.

Derek McLennan, a retired businessman, uncovered the 100 items in a field in Dumfriesshire, southwest Scotland, in September.

Amongst the objects is a solid silver cross thought to date from the 9th or 10th century, a silver pot of west European origin, which is likely to have already been 100 years old when it was buried and several gold objects.

"Experts have begun to examine the finds, but it is already clear that this is one of the most significant Viking hoards ever discovered in Scotland," Scotland's Treasure Trove unit said in a statement.

The Viking hoard is McLennan's second significant contribution to Scotland's understanding of its past. Last year, he and a friend unearthed around 300 medieval coins in the same area of Scotland.

"The Vikings were well known for having raided these shores in the past, but today we can appreciate what they have left behind," said Scotland's secretary for cultural and external affairs, Fiona Hyslop.

The Vikings, of Scandinavian origin, made successive raids on Britain from the 8th to the 11th centuries, burying their valuables for safe-keeping, which have gradually been discovered by generations of treasure seekers.

A 10th-century Viking hoard was found in 2007 in northern England, while in 1840 over 8,600 items were found in northwest England.

The latest find, also containing a rare silver cup engraved with animals which dates from the Holy Roman Empire, and a gold bird pin, is the largest to be found in Scotland since 1891 and could be worth a six-figure sum, the BBC said.



Man Slept in Car for Days to Guard Discovered Treasure

UK man with metal detector found 22K Roman coins

By [Evan Gastaldo](#), Newser Staff, Oct 1, 2014

http://www.newser.com/story/196648/man-slept-in-car-for-days-to-guard-discovered-treasure.html?utm_source=part&utm_medium=foxnews&utm_campaign=rss_science_syn



(Newser) – Laurence Egerton's metal-detecting excursions often resulted in such "treasures" as old shotgun cartridges and other "rubbish," he says. But last November, the UK builder found something much better—22,000 fourth-century Roman coins, the biggest such cache ever found in Britain. The coins, which date from AD260 to AD348 and are known as the Seaton Down Hoard because of where they were found, went on temporary display at the British Museum last week, the [Telegraph](#) reports. But before that, they had to be excavated—and while archaeologists worked on that, Egerton, 51, couldn't bring himself to leave the site. "I slept in my car alongside it for three nights to guard it," he says. "Every night the archaeologists packed up and left, and I couldn't go home and sleep thinking there was something of such significance sitting there in a hole in the ground." Experts are impressed with the find, which includes coins struck in honor

of the foundation of Constantinople in AD332 that feature Emperor Constantine the Great's image; one archaeologist says they were probably someone's savings. "

There were no High Street banks, so a good, deep hole in the ground was as secure a place as any to hide your savings in times of trouble, or if you were going away on a long journey," he explains. They were found in a field near a previously excavated Roman villa site, and Egerton first spotted two thumbnail-sized coins on the ground. His metal detector then uncovered iron underground—something many metal detectors won't do, because it's typically worthless—and he soon found himself bringing up a "shovel ... full of coins—they just spilled out over the field," he says. Authorities declared the coins to be official treasure, meaning they're eligible to be acquired by a museum; the Royal Albert Memorial Museum is trying to raise the money to buy them. Egerton has a license to operate on the land where they were found, so he and the landowner will split the proceeds—and the copper coins could be worth tens of thousands of dollars, though in their day, an expert tells the [Guardian](#), they were probably only worth the equivalent of four gold coins. Egerton hopes to keep one of the coins as a memento. "I have found lots of interesting items but never anything of this magnitude," he says. "It really doesn't get any better than this."



Underwater Surprises Exposed in Dried Out California Lakes

New hope for modern-day gold miners

<http://mashable.com/2014/10/16/7-underwater-secrets-found-in-dried-out-california-lakes/>



As Winston Churchill said, "*IF YOU HAVE TEN THOUSAND REGULATIONS, YOU LOSE ALL RESPECT FOR THE LAW.*"

DEMOCRACY MUST BE SOMETHING MORE THAN TWO WOLVES AND A SHEEP VOTING ON WHAT TO HAVE FOR DINNER.

— James Bovard

According to [National Geographic](#), low water levels throughout the state have made rich mineral deposits more accessible and prompted a whole new generation of aspiring prospectors to start panning for gold in previously untapped parts of California rivers. One Cal State University, Sacramento student reportedly made \$900 looking for gold in a stream that had been inaccessible before the drought.

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## **Appellate court rules in favor of miner**

### **Rinehart conviction for dredging without a permit reversed**

Author: [NICOLE MCCLEAF](#), September 24, 2014,  
[News Release](#) By Brad Jones, GPAA Managing Editor



**Walt Wegner, Public Lands for the People, Vice President**

The Third Appellate Court of California issued a unanimous decision Sept. 27 in the People v. Rinehart to reverse Brandon Rinehart's conviction for suction dredging without a permit

Dave McCracken of the New '49ers has issued a statement suggesting the appellate court's choice to kick the case back down to the lower court is a positive development in the ongoing fight for mining rights on public lands in the western United States.

"This is a huge win for our side, which I believe, will go a long way towards getting us a reasonable set of dredging regulations in California for the 2015 season and beyond. I also predict this will, in a roundabout way, help eliminate Oregon's moratorium which is set to begin in 2016," McCracken stated in the release.

While McCracken called the court ruling "the biggest legal win for our side since the beginning of all the legal battles about 10 years ago," the jury is still out on whether the decision will have an impact on the fate of suction dredge mining in California and other western states.

[Public Lands for the People](#), the mining rights group that backed Rinehart and retained Attorney James Buchal to help fight the case, is not ready to break out the champagne — at least not yet

PLP President Jerry Hobbs said he is cautiously optimistic, but disagrees with McCracken's claims that "the Third Appellate Court of California issued a unanimous decision [Sept. 27] confirming our arguments that a state agency does not have the authority to materially interfere with commercial mining programs on the public lands."

The actual court decision does not go that far, but instead simply reverses the conviction in which Rinehart was fined \$600 and sentenced to three years probation, Hobbs said.

However, in the court decision, the appellate court did state that one of the reasons the case was kicked back is that evidence relevant to the federal preemption of state law was disallowed during Rinehart's trial. The appellate court suggested that the evidence and arguments pertaining to federal preemption should have been heard in the lower court.

More importantly, the appellate court appears to have alluded that it would rule in favor of federal preemption if the case ended up back in appeals, which seems to send a strong message to the lower courts, Hobbs said.

"There appears to be light at the end of the tunnel," he said.

Rinehart was charged for dredging without a permit June 16, 2012 in Plumas County National Forest on his own placer mining claim, called "Nugget Alley." The claim was valid and registered with the U.S. Bureau of Land Management as CAMC0297113.

Essentially, Rinehart argued that he could not obtain a permit because the state of California quit issuing suction dredge mining permits in 2009 under Senate Bill 670, which imposed a "two-year" statewide dredging moratorium across the state.

"The state cannot require the impossible under maxim of law," Hobbs said. "In California, you have the right to mine, but you can't get the permit. The state can't do that, legally."

Meanwhile, California's statewide suction dredge mining moratorium has been extended under various anti-mining legislation ever since. Mining groups, such as the New '49ers and PLP and the Western Mining Alliance, are still in court fighting the moratorium, which they contend has become an outright ban and a violation of their rights under the Mining Law of 1872.

Since an open court hearing May 1, PLP and other mining groups have been bogged down in court-ordered Mandatory Settlement Conference hearings with the state and environmental activist groups for more than six days throughout the summer.

At press time, two more Mandatory Settlement Conference hearings were set for Oct. 1 and Nov. 14 before California Superior Court Judge Gilbert Ochoa.

The dredging ban case hinges on the issue of federal preemption, which means that federal law preempts state law. The Supremacy Clause, a provision in Article Six of the U.S. Constitution, Clause 2, established the U.S. Constitution, federal statutes and U.S. treaties as "the supreme law of the land." The text provides that these are the highest form of law in the U.S. legal system, and mandates that all state judges must follow federal law when a conflict arises between federal law and either the state constitution or state law of any state.

PLP Vice President Walt Wegner said the appellate court's decision in the Rinehart case is a step in the right direction. "It's not a slam dunk, but it's a huge win. It really is," Wegner said. "It's likely going to affect what happens in the Mandatory Settlement Conference."

However, since the appellate court ordered the case not to be published, it cannot be used in other cases before the courts. Miners, including PLP, Western

Mining Alliance, New '49ers and some Gold Prospectors Association of America members have since been rallying to petition the courts requesting that the decision be published so the Rinehart case can be cited in other court hearings.

Steve Kleszyk, a plaintiff in the California dredging case, and a spokesman for the New '49ers said on Sept. 30 that miners want the case published and that the Third Court of Appeals has received four letters from miners requesting publication in the Rinehart case. "The small-scale mining community has banded together to request that the Brandon Rinehart case be published," Kleszyk said. Wegner said that in both the Rinehart and California dredging ban case, everything seems to hinge on the issue of federal preemption.

**JUST BECAUSE YOU DO NOT TAKE AN INTEREST IN POLITICS  
DOESN' T MEAN POLITICS WON' T TAKE AN INTEREST IN YOU! --  
Pericles (430 B.C.)**

"Without a ruling on federal preemption, the state legislators can ban us from dredging anytime they want," Wegner said. Also on Sept. 30, Judge Ochoa held an ex parte hearing to request that the California State Water Resources Control Board be enjoined in the Mandatory Settlement Conference. That hearing is set for Nov. 14, Wegner said.

**Court Decision:**

<http://www.goldgold.com/wp-content/uploads/2014/09/opinion-9-23-14.pdf>  
*Brad Jones is the Managing Editor/Communications Director for the Gold Prospectors Association of America and the Lost Dutchman's Mining Association. He can be reached at [bjones@goldprospectors.org](mailto:bjones@goldprospectors.org).*

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Suction gold dredging in California update, Court of Appeals orders People v. Rinehart opinion to be published!

by Scott Harn, Editor/Publisher, ICMJ's Prospecting and Mining Journal, 10/08/2014
http://www.icmj.com/news-detail.php?id=264&keywords=Suction_gold_dredging_in_California_update:_Court_of_Appeals_orders_People_v._Rinehart_opinion_to_be_published

As we mentioned in our [10/01/2014 update](#), Brandon Rinehart was successful in the appeal of his conviction for suction dredging without a permit.

The judge who presided over Rinehart's original case would not allow him to argue that federal mining laws preempt state mining laws. The Third Court of Appeals in California ruled the trial court erred; the federal preemption argument is relevant in this case and must be allowed. The case was remanded back to the lower court for trial.

In simple terms, if the case goes to trial, Rinehart will argue that California cannot preempt federal mining laws by prohibiting the only economical method of mining for gold on his federal mining claim -- suction dredging.

Rinehart is being represented by attorney James Buchal.

The opinion from the Third Court of Appeals was certainly a "win" for Rinehart, but that opinion needed to be published before it could be cited in state courts. State and federal law are different. While unpublished opinions can be used in federal courts, California law still forbids lawyers from citing unpublished opinions in state courts.

In our previous update, we put out a request for miners to send letters to the Third Court of Appeals to encourage them to publish their opinion in *People v. Rinehart*. While dozens of the letters were denied for missing signatures or other errors, over 250 letters were accepted and entered into the court record. As a result of your efforts, the Third Court of Appeals has agreed to publish the Rinehart opinion.

The court record shows the following entry on 10/08/2014:

"Order granting publication filed. BY THE COURT: HULL, Acting P.J., ROBIE, J., HOCH, J."

Why this is important:

The State of California could have dismissed the previous charges against Rinehart to avoid losing the preemption argument and setting case precedent in favor of suction gold dredgers. Now that the Third Court of Appeals opinion

will be published, we no longer have to worry about the State of California dismissing the Rinehart case.

The People v. Rinehart opinion can now be used by attorneys representing suction dredge miners in the consolidated court cases in San Bernardino County, and Judge Gilbert Ochoa will have to follow the published opinion from the Third Court of Appeals.

What this means for suction dredgers:

We are getting closer to getting back in the water. Mandatory Settlement Hearings are continuing in the consolidated suction dredging court cases in San Bernardino. Judge Ochoa is the mediator for negotiations between the suction gold dredging plaintiffs, mining attorneys, the Department of Fish & Wildlife, and attorneys representing environmental organizations and the State of California.

Getting the Rinehart opinion published is a huge step in the right direction, but there is still work to be done. The Mandatory Settlement Hearings will continue in San Bernardino on November 14 in front of Judge Ochoa, and you can be certain that attorneys representing the miners will give the judge a copy of the Rinehart opinion.

What can I do:

Public Lands for the People has been spearheading this effort. We here at the *Prospecting and Mining Journal* have donated tens of thousands of dollars to PLP. You can lend a hand by [getting a PLP membership](#) or by buying some of the [donated items for sale on their eBay page](#).

Thank you for your continued support!

Link to the [Third Appellate Court case file for Brandon Rinehart](#)

ICMJ's Prospecting & Mining Journal

PO Box 2260, Aptos, CA 95001

PH (831) 479-1500 • FAX (831) 479-4385

scott@icmj.com

www.icmj.com

A Discussion of Implications for Brandon Rinehart Winning Big in the Third Appellate Court!

THE NEW 49'ers Newsletter

OCTOBER 2014



Commentary By Dave McCracken General Manager

<http://www.goldgold.com/brandon-rinehart-wins-big-october-2014.html>

I am overjoyed to inform you that the Third Appellate Court of California has issued a unanimous Decision confirming our arguments that a State agency does not have the authority to materially interfere with commercial mining programs on the public lands. The Decision reversed [Brandon Rinehart's conviction](#) for suction dredging without a permit. In case you are interested, [the Decision](#) provides quite a lengthy and important discussion:

A GOVERNMENT BIG ENOUGH TO GIVE YOU EVERYTHING YOU WANT, IS STRONG ENOUGH TO TAKE EVERYTHING YOU HAVE. --

Thomas Jefferson

Here is a [brief explanation](#) from our attorney:

As good as the win is, the initial problem was that the Decision was not published. This is not unusual with Appellate Court Decisions in California. We cannot rely upon an unpublished Decision in further litigation; for example, in the [multiple ongoing cases](#) we are actively pursuing in San Bernardino Superior Court.

We were only allowed 16 days for the Appellate Court to receive written requests to publish the Decision. So we immediately put the word out to [our Internet Action List](#). Fortunately, our loyal supporters (you guys) generated an avalanche of letters to the Appellate Court from across the country, and even from as far away as Australia!

Truthfully, we were advised by multiple legal experts, even from an active judge, that the chances of getting the Decision published were about zero. So even generating hundreds or thousands of requests seemed like a long shot.

At the same time, the State petitioned the Third Appellate Court to reconsider its Decision, [submitting a lengthy brief](#), that in my own opinion, was way out there in fantasy land.

Then, to all of our surprise, the Third Appellate Court of California formally published its Decision in the Brandon Rinehart case a full six days ahead of their deadline, and also denied the State's Petition for a rehearing 16 days before their deadline!

Talking about sending a strong message to the State!

The Decision clearly confirms that the State does not have the authority to impose restrictions which materially interfere with the commercial viability of mining on the public lands. Now that we can rely upon the Appellate Court's extensive reasoning in existing and future State litigation, I personally see this as the most important legal development in support of California mining during the modern age. I suggest that the legal ramifications will find their way to other States, as well.

I want to voice my sincerest thank you to all of you who responded to my appeal over the Internet to write letters to the Third Appellate Court. Our webmaster says it was the largest response we ever generated. Our attorney said he has a stack of service notices that is 2-inches thick! **How's that for people power?**

On the subject of our attorney, James Buchal deserves the lion's share of credit for bringing about this landmark win for our side. [Here is his Memo](#) shortly after the Appellate Court decided for us again:

I also want to express gratitude for the substantial support provided to us by Siskiyou County for the duration of our legal battles. [Check this out](#) from just last week:

Let's all pause for a moment and allow ourselves to enjoy a huge win for our side; the biggest ever!

Our industry has been held down by unreasonable over-regulation for so long, it is going to take some time to absorb how far-reaching the implications are by this published Decision. For one thing, it should go a long way towards getting us a reasonable set of dredging regulations in California for the 2015 season and beyond.

Let me tell you the reasons why I believe this: First, I need to disclose that I am not a licensed attorney. Therefore, I cannot provide legal advice. But I have been around the mining industry for a lifetime, have been on the front line of active litigation for about 10 years, and have a well-grounded understanding of how the federal mining law is supposed to work. While there are others who might disagree with me, and there are others (particularly State officials) who I am sure don't want to hear this, let me at least voice my personal opinion:

1) There are two fundamental parts of the federal mining law. The first allows all Americans free access to the public lands in search of valuable mineral deposits. The second part allows a person to claim any such discovery for him or herself as real property. The discovery only needs to be potentially commercially viable enough to justify further development. **People don't know this:** You have free access to the public lands to search for gold deposits; and if you find one, you can claim the discovery for yourself as real property!

2) Brandon Rinehart's case involved the second part of the mining law. He and his family already discovered a gold deposit on the bottom of a waterway. Trying different methods, they ultimately concluded that the only method of extracting the gold in a commercially viable way was with the use of a [suction dredge](#). California is refusing to issue suction dredge permits. So Brandon continued working his deposit with a suction dredge without a permit until the State issued him a criminal citation. He was found guilty in Superior Court for breaking the law. So [we appealed to the Third Appellate Court](#) and won a landmark Decision that now largely reverses the order of things in the State of California.

3) You should read [the Decision](#) yourself, because it provides a substantial discussion concerning the limits of State authority concerning mining. My own read is that the State has overstepped its authority by first passing a law that requires a permit to operate a suction dredge, and then they refused to issue Brandon a suction dredge permit, even though suction dredging is the only commercially viable method of extracting the gold from his deposit.

4) It is also my opinion that there is no reasonable way to separate the Appellate's reasoning from the first part of the mining law. By this, I mean that if a suction dredge is the only effective tool I can use to search for a gold deposit on the bottom of a river, the State must issue me a dredging permit, or they will be materially interfering with my exploration program; an activity which Congress has directed the government **to encourage** on the public lands.

5) This reasoning implies that the State must issue a suction dredge permit to any prospector who either has already located, or intends to actively search for, valuable gold deposits at the bottom of California's waterways where suction dredges are the only effective way to reach down to where the gold deposits are located.

6) Refusal to issue the permit would duplicate a similar set of circumstances as Brandon was facing when he decided to move ahead without the permit for his suction dredge program.

7) So here is the 500-pound bomb: The State of California is not issuing any suction dredge permits at the present moment. Based upon the extensive reasoning voiced in the Third Appellate's published Decision, I would be surprised if any prosecutor in the state would attempt to pursue a criminal case against any suction dredger who is operating within the recently-adopted 2012 suction dredge regulations. Said another way, the 2012 regulations have been adopted as California law. It's not much of a reach to infer from the Appellate's Decision that the legislature's Moratorium on the issuance of suction dredge permits will not stand up in a legal challenge.

8) We all have to make our own decisions. And on something as important as this, I encourage you to seek independent legal advice. But I am hearing from a lot of people that they are planning to dredge in 2015 with or without permits.

9) This does not mean that the DFW wardens might not come out and harass dredgers, and perhaps even write citations (that are unlikely to be prosecuted). But they and their bosses should beware that there are very powerful criminal and civil, federal civil rights laws on the books that forbid public officials from denying us our rights under color of law (like coming out with a badge and demanding we stop doing something that we are allowed to do).

The Third Appellate has sent DFW a strong message. The message is that if a suction dredge is the only way for us to gain access to submerged gold

THE INHERENT VICE OF CAPITALISM IS THE UNEQUAL SHARING OF THE BLESSINGS. THE INHERENT BLESSING OF SOCIALISM IS THE EQUAL SHARING OF MISERY. -- Winston Churchill

deposits; we have a right to use one, even if the State refuses to issue us a permit.

10) One more thing: The 2012 regulations are unreasonably restrictive to the nth degree. I'm not going to go into it here, because the problems with the regulations have been [covered extensively](#) in other places, and are a big part of the active litigation in San Bernardino. But I will provide an example: The 2012 regulations are only going to allow us to use 4-inch dredges on the Klamath River. While some economically-viable gold deposits can be discovered within reach of a 4-inch dredge, the most valuable deposits are down under 8 or 10 feet of compacted streambed. It is virtually impossible to reach those deposits with a 4-inch dredge. I personally infer from the Third Appellate Decision that this "material interference" in the existing regulations would be just another overreach of authority by the State.

11) These comments above are the reason I have faith that the ongoing Mandatory Settlement Discussions (MSD) in San Bernardino are likely to evolve us into a set of statewide suction dredge regulations that we can live with in California in time for the 2015 season. If not, I am betting a lot of dredgers will be considering my 8th comment above. As to progress in the MSD, I'll leave that explanation to Steve below:

Progress in the Settlement Discussions

By Steve Kleszyk

Rich Krimm and I attended the fourth session of the Mandatory Settlement Discussions (MSD) in San Bernardino Superior Court on October 1st, 2014. There have now been a total of eight full days of grueling and very challenging discussions over dredging regulations with all the parties involved in the [San Bernardino litigation](#).

Judge Gilbert Ochoa, who presides over the discussions, has a very good understanding of the numerous issues, and appears driven to reach a settlement that everyone can live with. It is our opinion, based upon his comments, that he is pleased at the progress we have made so far.

MSD rules bind us to confidentiality. So we cannot provide specific details about the Discussions at this time. However, we can say that we do feel that real progress is being made. All or most of the contentious issues have been addressed at least once. Some of the issues have been addressed several times, each time with a little more progress being made. Some of the issues have not been worked out. I am predicting the judge will most likely have to make the final recommendations in those areas. However, the subjects have been discussed in enough detail that we feel the judge has some very good options to resolve the issues. Some important progress was achieved during the last half of the last day.

I should mention that the solidarity of the members of the small mining community has never been stronger. Regardless of who we represent, we have all come together for the common good of all miners with the intent of getting us all back into the water with acceptable regulations. This **'Spirit of Cooperation'** is something that we all can be proud of.

The next court date scheduled is for November 14th, 2014, and is limited to just the attorneys. The attorneys will be arguing, some very convoluted and complex legal points regarding our Motion to bring another Party into the Discussions for settlement purposes.

All of the parties have brought something to the table, but we would like to extend a special thanks to Mark and Liz Cutler, especially Liz, for their part in the Discussions. They are Parties in the ongoing litigation, and they are also very valuable [members of The New 49'ers](#). They have brought a unique set of technical skills based on their professions, and have contributed greatly to rebut some of the misguided statements and requests by our opponents.

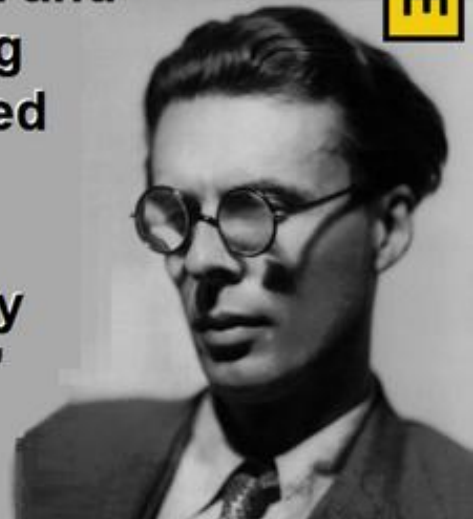
As most of you already know, James Buchal and David Young have represented the mining community now for many years, and have significant wins under their belts. They have always done an outstanding job, but they have been stellar in their performance getting us through these Discussions.

Those of us in the Discussions are very thankful and proud to be in a position to represent the mining community. Having said that, we would not be there if it wasn't for all of you who have provided information and continued financial support so that we can all benefit and get back in the water.

"By means of ever more effective methods of mind-manipulation, the democracies will change their nature; the quaint old forms -- elections, parliaments, Supreme Courts and all the rest -- will remain.

The underlying substance will be a new kind of totalitarianism. All the traditional names, all the hallowed slogans will remain exactly what they were in the good old days. Democracy and freedom will be the theme of every broadcast and editorial. Meanwhile the ruling oligarchy and its highly trained elite of soldiers, policemen, thought-manufacturers and mind-manipulators will quietly run the show as they see fit."

Aldous Huxley



Murphy & Buchal LLP

3425 SE Yamhill Street, Suite 100
Portland, Oregon 97214

telephone: (503) 227-1011
fax: (503) 573-1939
e-mail: jbuchal@mbllp.com

MEMORANDUM

To: Dave McCracken, The New 49'ers Legal Fund
From: James L. Buchal
Date: September 23, 2014
Re: Court of Appeals decision in *People v. Rinehart*

Today the California Court of Appeal, Third Appellate District, issued a unanimous opinion generally affirming our theory of federal preemption in the mining context. This is a big win for mining community, which has been attempting for roughly five years, through multiple cases in multiple forums, to secure a judicial ruling on the 2009 moratorium and its successors.

What is especially helpful is that the Court gave great weight to our position that particular regulations might become “so severe that a particular land use [in this case mining] . . . become[s] commercially impracticable” (*Granite Rock, supra*, at p. 587) (Opinion at 19.) The Court did not adopt the State’s position that only an outright ban of any and all mining might possibly run afoul of federal supremacy, much less its position that there was, in substance, no such thing as federal supremacy in the mining context.

The Superior Court of Plumas County had refused to let Mr. Rinehart present his evidence that the inability to obtain a permit for suction dredging in fact made it “commercially impracticable to exercise [his] . . . mining rights granted to him by the federal government”. (Opinion at 19.) Thus Court of Appeal remanded the case back to Plumas County for a trial on this issue. Mr. Rinehart will now be permitted to testify that mining by hand is not practicable, and we expect he will have an opportunity to present expert testimony as well. A full-blown trial will be more expensive than the initial proceedings.

It is also possible, however, that the State will determine to dismiss the case in what it might call “the interest of justice”. The State might do this because the Court declared that the opinion should not be published, while a second opinion following the trial would be much more likely to be published.

The nonpublished nature of the opinion means, in theory, that other litigants in California are forbidden to cite it in court filings. However, we are entirely confident that the Judge overseeing the coordinated cases in San Bernardino County Superior Court will become aware of the decision, and that it will have a positive effect on the ongoing settlement negotiations. Moreover, under Rule 8.1120 of the California Rules of Court, “any person” may request that an unpublished opinion be published. I would recommend that the Fund and as many other miners and mining entities as possible file requests for publication.

We have appreciated the important and generous support we have received from The New 49'ers Legal Fund, and hope that the Fund will continue support Mr. Rinehart as it becomes necessary to develop a full factual record in the Superior Court of Plumas County. The Fund should be proud of its material contributions toward making a real difference for the mining community in California.

Sincerely,



James L. Buchal

***NO MAN' S LIFE, LIBERTY, OR PROPERTY IS SAFE WHILE THE
LEGISLATURE IS IN SESSION. -- Mark Twain(1866)***

Gold-mining ruling evokes California history

By Dan Walters, U-T San Diego, Oct. 3, 2014

<http://www.utsandiego.com/news/2014/oct/03/gold-mining-ruling-california/#comments-module>

California explosively emerged as a place of importance — and quickly became a state — for one reason only: the 1848 discovery of gold in the American River.

Gold seekers poured into the state from around the world, creating what is still a unique society in what had been a remote coastal frontier, and the rest is, as they say, history.

Gold fever eventually abated, but 166 years after James Marshall spotted those flecks of gold in John Sutter's sawmill at Coloma, some folks still seek what gold panners and the later hydraulic miners left behind in streams.

However, California has made it tough on modern-day miners who use vacuum dredges to suck up gold-bearing gravel. Environmental groups contend that the dredgers destroy the spawning beds of salmon and other fish, and have pressed the Legislature to crack down.

In 1999, language was clandestinely inserted into the state budget to place a moratorium on dredging — largely, it appeared, because a high-ranking state

Senate staffer wanted to stop a neighbor from dredging a creek that both shared.

A decade later, in 2009, then-Gov. Arnold Schwarzenegger signed a “temporary moratorium” on state dredging permits that appears to have evolved into a permanent ban because the law’s conditions for lifting it are impossible to meet.

Brandon Rinehart collided with that law two years ago when he was charged with mining without a permit on a Plumas National Forest stream that he and his family had dubbed “Nugget Alley” and had dredged for many years with federal permits.

Rinehart was found guilty in Plumas County when a judge rejected his assertion that federal law allowing mining on federal lands supersedes the 2009 moratorium because the latter is a de facto ban on mining, not merely a permitting law.

Last week, Rinehart and other miners won a significant victory when the 3rd District Court of Appeal, based in Sacramento, unanimously overturned the trial court’s ruling on the federal law question and ordered it to rehear Rinehart’s contentions about a de facto ban and federal pre-emption.

The appellate court ruling extensively cites federal court rulings in other states that local and state restrictions on mining cannot absolutely prohibit it on federal lands because the federal Mining Act of 1872 specifically includes “the encouragement of exploration for and mining of valuable minerals located on federal lands, providing regulation of mining to protect the physical environment while allowing the efficient and economical extraction and use of minerals and allowing state and local regulation of mining so long as such regulation is consistent with federal mining law.”

It’s a big win for the Western Mining Alliance, based in Reno, and Sacramento’s Pacific Legal Foundation, which litigates property rights cases.

COMMENTS

Brad Jones · Managing Editor/Communications Director at Gold Prospectors Association of America

The whole issue before the courts hinges on the issue of federal preemption under the Supremacy Clause of the U.S. Constitution, which says federal law is the “supreme law of the land” and that the states must not interfere with federal laws, such as the congressionally granted Mining Law of 1872. Suction-dredge

mining is not harmful to fish, but in fact benefits fish and fish habitat by creating refugia. Dredging also cleans and loosens gravels and salmon and other fish need clean, loose gravels in order to spawn. Dredging is not permitted during spawning season.





COUNTY OF SISKIYOU

Board of Supervisors

P.O. Box 750 • 201 Fourth Street
Yreka, California 96097
www.co.siskiyou.ca.us

(530) 842-8005
FAX (530) 842-8013
Toll Free: 1-888-854-2000, ext. 8005

October 7, 2014

The Honorable Ronald B. Robie
Third Appellate District
914 Capitol Mall, 4th Floor
Sacramento, CA 95814

Re: The People v. Rinehart, Case No. C074662
Request for Publication

Dear Justice Robie:

In accordance with Rule 8.1120(a) of the California Rules of Court, the County of Siskiyou requests that the Third District Court of Appeal consider publication of its opinion in *The People v. Rinehart*, case number C074662, filed on September 23, 2014.

This case relates to a criminal prosecution for suction dredge mining, which is an activity that was historically practiced in Siskiyou County prior to the moratorium on permits established by the Department of Fish and Wildlife. Under threat of criminal prosecution, our constituents with registered mining claims on federal lands have suspended their mining activities. As a result of this suspension, individuals are left holding thousands of dollars worth of useless equipment and their incomes and livelihoods are negatively impacted. The cumulative effect of these losses and the multiplier effect of lost economic activity are yet another burden on the Siskiyou County economy, which already suffers from above-average unemployment and poverty rates and below-average incomes.

We believe the *Rinehart* opinion meets the following standards for certification:

Establishes a new rule of law.

As reflected in the reversal of the trial court decision, the *Rinehart* opinion provides important direction that a determination as to whether the Mining Law of 1872 preempts Fish and Game Code Sections 5653 and 5653.1 requires a factual inquiry into the feasibility of other mining methods and that the Fish and Game Code provisions do not stand as a matter of law.

Brandon Criss
District 1

Ed Valenzuela
District 2

Michael Kobseff
District 3

Grace Bennett
District 4

Marcia H. Armstrong
District 5

The Honorable Ronald B. Robie
October 7, 2014
Page Two

Applies an existing rule of law to a set of facts significantly different from those stated in published opinions.

The opinion applies the general rules of federal preemption to the moratorium on suction dredge mining.

Advances a new interpretation, clarification, criticism, or construction of a provision of a constitution, statute, ordinance, or court rule.

The opinion clarifies that federal law may preempt Fish and Game Code Sections 5653 and 5653.1 with respect to the application of those statutes on federal lands with registered mining claims.

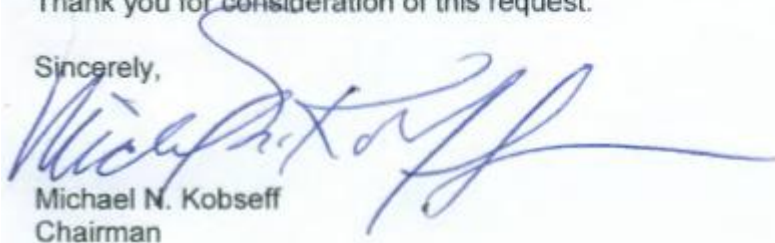
Involves a legal issue of continuing public interest.

The moratorium on suction dredge mining is an issue of continuing public interest. A Google search for "California bans suction dredge mining" returns nearly 37,000 results.

There are numerous lawsuits in California concerning the scope of the State's regulatory powers over mining on federal land, and the absence of California precedent has caused increased costs and delay for litigants and the State. For all of the reasons outlined above, we respectfully request that the *Rinehart* opinion be published.

Thank you for consideration of this request.

Sincerely,



Michael N. Kobseff
Chairman

**NEVER CONDONE THE VICTIMIZATION OF OTHERS. IF YOU DO,
YOU GIVE YOUR TACIT APPROVAL FOR THE CONCEPT OF
VICTIMIZATION. IN DOING SO, YOU PROVIDE PRE-APPROVAL
FOR YOUR OWN VICTIMIZATION. - Doug Casey's
International Man**



The Karuks and their allies have just filed a motion with the Third Appellate Court, suggesting that Brandon Rinehart never had a mining claim in the first place, because the State owns the bottom of waterways! Here it is:

News alert from Dave McCracken, October 23, 2014

The New 49ers, Happy Camp, CA

<https://us-mg6.mail.yahoo.com/neo/launch?.rand=27bhooma64uht#3729423150>



October 17, 2014

Honorable Presiding Justice Harry E. Hull, Jr.
Honorable Justice Ronald B. Robie
Honorable Justice Andrea Lynn Hoch
Third District Court of Appeal
914 Capitol Mall
Sacramento, CA 95814

Re: *People v. Rinehart*, Case No. C074662 Request For Modification of the Opinion

Dear Justices Hull, Robie, and Hoch:

This letter is written on behalf of amicus curie the Karuk Tribe, Center for Biological Diversity, Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, Friends of the River, California Sportfishing Protection Alliance, Foothill Angler's Coalition, North Fork American River Alliance, Upper American River Foundation and Central Sierra Environmental Resource Center.

Amici seek a modification of the Court's opinion in *People v. Rinehart* (Sept. 23, 2014, No. C074662) — Cal.App.4th — [2014 WL 5020277] on grounds that the 1872 Mining Act has no effect on instream mining activity of the type practiced by Rinehart in navigable waterways. The 1872 Mining Act does not apply to lands beneath navigable waters because these lands are owned by the sovereign state of California and not the federal government. The 1872 Mining Act applies only to "lands belonging to the United States..." (30 U.S.C. 22.) Thus, the state should be free to enact land uses for environmental and public trust benefits on lands in their ownership without creating a conflict with federal law when the federal law doesn't apply to state lands. This issue was not yet been briefed or argued before the Appellate or trial courts in *Rinehart* and is a threshold question in determining whether federal preemption applies.

Under California Rules of Court, Rule 8.264(c), Rule 8.366(a), and Rule 8.888(b)(1), an appellate court may modify its decision until the decision is final. If the appellate court certifies a written opinion for publication after its decision is filed and before its decision becomes final, the finality period runs from the filing date of the order for publication. (Rules 8.264(b)(3); Rule 8.366(b)(3), 8.888(a)(2).) A finality period runs for 30 days. (Rules 8.264(b)(1); Rule 8.366(b)(3), 8.888(a)(1).) On September 23, 2014, the Appellate Court issued its unpublished opinion. The Court issued an order to publish the opinion on October 8, 2014. This request for modification is timely.

ka • Arizona • California • Florida • Minnesota • Nevada • New Mexico • New York • Oregon • Washington • Washington,

Jonathan Evans, Toxics and Endangered Species Campaign Director & Staff Attorney
351 California St., Ste. 600 • San Francisco, CA 94104
tel: (415) 436-9682 x 318 fax: (415) 436.9683 email: jevans@biologicaldiversity.org
www.BiologicalDiversity.org

Background

Fish and Game Code section 5653.1, enacted in 2009, requires that the Department of Fish and Wildlife (the "Department") ensure that any permits for suction dredge mining meet conditions related to environmental impacts, revenue recovery, and consultation with affected agencies. Section 5653.1 imposed a statewide moratorium on instream suction dredge mining that is to last until the Department completes administrative proceedings reviewing and enacting regulations on this type of mining.

Brandon Lance Rinehart was charged with violating the moratorium by operating suction dredge equipment in the Nugget Alley placer mining claim that Rinehart owned. This mining claim is registered with the U.S. Bureau of Land Management and is located in Plumas National Forest in Plumas County.

At trial, Rinehart asserted the defense that the 1872 Mining Act preempted the moratorium because the moratorium was an obstacle to the accomplishment and execution of an objective of Congress, namely, the grant of mining claims under the federal Mining Act. The trial court rejected the defense and found Rinehart guilty. He appealed. The Court of Appeal reversed, remanding to the trial court for further consideration of the preemption defense consistent with the opinion.

The specific questions that the Court of Appeal directed the trial court to resolve were as follows:

1. Does section 5653.1, as currently applied, operate as a practical matter to prohibit the issuance of permits required by section 5653?
2. If so, has this de facto ban on suction dredge mining permits rendered commercially impracticable the exercise of Rinehart's mining rights granted to him by the federal government?

(*Rinehart, supra*, slip. op. at p. 19 [2014 WL 5020277 at *10].)

1872 Mining Law

The Mining Act, 30 U.S.C. § 22 *et seq.*, provides in pertinent part:

Except as otherwise provided, all valuable mineral deposits in lands *belonging to the United States*, both surveyed and unsurveyed, shall be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, . . . , under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

(Emphasis added.)

Under the act, “[i]f a person locates a valuable mineral deposit on federal land, and perfects the claim . . . , the claimant shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, although the United States retains title to the land.” (*Cal. Coastal Commn. v. Granite Rock* (1987) 480 U.S. 572, 575.) As noted by the Court of Appeal, the intent of the Mining Act was “to reward and encourage the discovery of minerals that are valuable in an economic sense.” (*Rinehart, supra*, slip op. at p. 13 [2014 WL 5020277 at *7] [quoting *United States v. Coleman* (1968) 390 U.S. 599, 602].)

Public Trust Doctrine

It is a basic and well-settled rule of the common law, stretching back hundreds of years, that ownership of the beds of navigable waters resides in the sovereign in trust for the people, a principle known as the Public Trust Doctrine. (See *Shively v. Bowlby* (1894) 152 U.S. 1, 11.) The interest of the people, as reposed in the sovereign, is for the most part inalienable. (*Illinois Central R.R. Co. v. Illinois* (1892) 146 U.S. 387, 453-54.)

In the United States, the “sovereign” in question is the *state*. (*Martin v. Waddell* (1842) 41 U.S. 367, 367.) According to the U.S. Supreme Court, upon statehood the people “held the absolute right to all their navigable waters, and the soils under them, for their own common use, subject only to the rights since surrendered by the constitution to the general government.” (*Ibid.*) Moreover, and importantly for states such as California, states admitted to the Union after the original thirteen are entitled, under the so-called equal footing doctrine, to the lands beneath *their* navigable waters (subject to the same public trust) in the same manner as the original states. (*Pollard v. Hagan* (1845) 44 U.S. 212, 228-29.)

For this reason, the U.S. Supreme Court held that once a state is admitted into the Union, the sovereignty and dominion over the navigable rivers within the state’s boundaries resides “in the State, and not in the United States.” (*Goodtitle v. Kibbe* (1850) 50 U.S. 471, 477-78.) As such, after statehood Congress has no power to grant any title in the beds underlying such waters. (*Ibid.*) Congressional grants of land bordering on or bounded by navigable water convey interest only to the high-water mark; the remainder is left to “the sovereign control of each state, subject only to the rights vested by the constitution of the United States.” (*Shively, supra*, 152 U.S. at p. 58.)¹

This principle is true whether the interest purportedly granted by Congress is in the form of a fee or mining interests. The Alaska Supreme Court in 1905, for example, approved of language promulgated by then-U.S. Secretary of the Interior Ethan Hitchcock who, in reviewing an application for a mining claim in Alaska, stated that, insofar as the applicant claimed lands

¹ There has only been one exception to this rule, and it concerns the Arkansas River. (*Choctaw Nation v. Oklahoma* (1970) 397 U.S. 620, 622-28; see *Cherokee Nation of Okla. v. Muskogee City-County Port Authority* (E.D. Okla. 1983) 555 F.Supp. 1015, 1017.) But the U.S. Supreme Court subsequently recognized that the exception was created because of “very peculiar circumstances” arising from an “unusual history” of treaties between the United States and Indian tribes. (*Montana v. United States* (1981) 450 U.S. 544, 555, fn. 5.) Such circumstances are not present here.

under navigable water, the claims “are without authority of law and therefore void,” and that “the Land Department is without authority to grant any concessions whatever with reference to the desired occupancy or working of said tide lands for mining purposes or otherwise.” (*Heine v. Roth* (1905) 2 Alaska 416, 425.) The “general rule” recognized by the court was that “whether gravel deposits lying on the beds of water courses may be appropriated under the placer laws will depend on circumstances. If the stream is navigable, certainly no right to appropriate its bed can be sanctioned. The beds of such rivers and their banks as far as high-water mark belong to the state, and not to the federal government.” (*Ibid.*)

Although Congress is free to grant mining interests on federal lands within the state of California, the land underlying navigable riverbeds is *by definition* not federal land. The Mining Act does not apply as a threshold matter. Moreover, any attempt by the federal government to convey an interest in these state lands is *void*.

Thus, the moratorium established in Fish and Game Code §5653.1 does not present an obstacle to or otherwise conflict with the Mining Act for suction dredge mining under navigable waterways. If the California Legislature had passed a ban on mining methods that occur on dry land, then preemption could plausibly occur. But the moratorium is concerned with suction dredge mining, and where this activity takes place in or over navigable water, section 5653.1 cannot conflict with any interest conveyed by the federal government.²

Navigable Waters

In light of the above, the court must therefore answer the following question: who is the owner of the title of the riverbed where Rinehart conducted his purportedly illegal activity? If the state of California possesses the title, then preemption would not apply.

To determine whether a riverbed’s title is held by a state or the United States, the courts use a federal test. (*United States v. Oregon*, 295 U.S. 1, 14.) The test is derived from *The Daniel Ball* (1870) 77 U.S. 557, 563, in which the U.S. Supreme Court stated: “Those rivers must be regarded as public navigable rivers in law which are navigable in fact. And they are navigable in fact when they are used, or are susceptible of being used, in their ordinary condition, as highways for commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water.”

In questions of title, the court considers rivers on a segment-by-segment basis. (*PPL Montana, Inc. v. Montana* (2012) 132 S.Ct. 1215, 1229.) Also, the title test is concerned wholly with concepts of commercial navigability at the time of statehood. (*PPL Montana, supra*, 132 S.Ct. at p. 1228.) As set forth by the Supreme Court, the rule today is that a party seeking to establish state title to a riverbed using present-day evidence must show both that: (1) the modern watercraft “are meaningfully similar to those in customary use for trade and travel at the time of

² It is for this reason that the case cited by the Court of Appeal, *South Dakota Mining Association, Inc. v. Lawrence County* (8th Cir. 1998) 155 F.3d 1005, 1010-11, is distinguishable. *South Dakota Mining* held that a county ordinance banning *surface* mining was preempted by the Mining Act. Here the issue is mining over navigable water, which falls outside the purview of the Mining Act entirely.

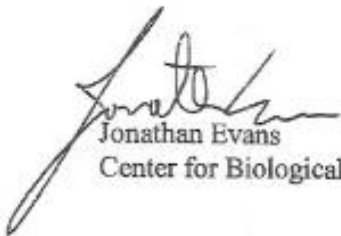
statehood”; and (2) the river’s post-statehood condition “is not materially different from its physical condition at statehood.” (*PPL Montana, supra*, 132 S.Ct. at p. 1233.) Thus, the question for the trial court is a fact-specific inquiry.

Conclusion

Amici respectfully ask the Court of Appeal to add a threshold question to the two found in its opinion. This initial question could entirely dispose of the other two: Did Rinehart’s suction dredging activity take place in or over a riverbed whose title is owned by the state of California?

Thank you for your time and consideration of this issue.

Sincerely,



Jonathan Evans
Center for Biological Diversity

/s/
Lynne R. Saxton
Saxton & Associates

cc: See attached service list

Murphy & Buchal LLP

3425 SE Yamhill Street, Suite 100
Portland, Oregon 97214

James L. Buchal

telephone: 503-227-1011
fax: 503-573-1939
e-mail: jbuchal@mblp.com

October 21, 2014

BY FEDERAL EXPRESS

Hon. Justice Harry E. Hull, Jr.
Hon. Ronald B. Robie
Hon. Andrea Lynn Hoch
California Court of Appeals
Third Appellate District
914 Capital Mall
Sacramento, CA 95814

Re: *The People v. Rinehart*
CA No. C074662
Plumas County No. M1200659

Dear Honorable Justices:

Appellant Brandon Rinehart writes briefly in opposition to the request of amicus curiae Karuk Tribe *et al.* to modify the Court's opinion. The *amici* raise issues concerning the title to the land on which Respondent's federally-issued mining claim is located. *Amici's* suggestion that "this issue has not yet been briefed or argued before . . ." is utterly false and their position is frivolous.

As the photographs of the mining claim (Clerk's Transcript ("CT") at 80-83) make clear, this case involves a tiny stream clogged with enormous boulders and could not remotely be termed navigable. The People nonetheless repeatedly raised the issue before the trial court before finally, and wisely, declining to press it further. Initially, the People responded to the demurrer by raising the issue (CT48), and Appellant filed argument in reply (CT60-61).

Thereafter, the issue arose again when Appellant moved to limit the evidence at trial to exclude the issue and other collateral distractions raised by the People in opposition to the demurrer. As Appellant explained to the trial court:

"There can be no reasonable dispute that defendant holds a federally-issued mining claim which the United States issued based on its title to the land. It is odd indeed to see the State insisting that in this misdemeanor prosecution, to which the United States is not a party, they are entitled to litigate the question of title to the land upon which defendant's mining claim is situated. This runs afoul of the most

elementary rules of civil procedure and due process of law. *See, e.g.*, Code of Civil Procedure § 389 (describing indispensable parties). The United States cannot be brought into these Superior Court criminal proceedings, and there is no reason for this Court to question the United States' title of the National Forest.

"This rule was confirmed in the case of *Livermore v. Beal* (1937) 18 Cal.App.2d 535, which reviewed numerous cases in which parties sought title adverse to the interests of the United States, which had not consented to be sued. These cases, said the court, "establish beyond controversy that under the circumstances surrounding these cases, and the facts of which the court, as we have said, must take judicial knowledge, show that the United States is a necessary party, and therefore that the action must fail, in view of the fact that the United States cannot be sued." *Id.* at 545. So too must the State's attempt to establish title to defendant's mining claim here fail. *See also Monolith Portland Cement Co. v. J.R. Gillbergh* (1954) 129 Cal.App.2d 413, 419-20.

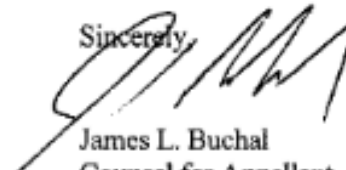
"Were the State to pursue its quiet title claims, it would be required to proceed under 28 U.S.C. § 2409a in federal court. 28 U.S.C. § 1346(f). And that would be a waste of time, because the State would only take the land subject to defendant's mining claim, which would invoke the same issues of federal mining policy. *See* 28 U.S.C. § 2409a(j). The Court might reasonably consider the State's invocation of this issue to be sufficiently frivolous to cast doubt upon the State's positions generally."

(Defendant's Memorandum in Support of Motion to Limit the Issues and Evidence at Trial, Etc., Feb. 1, 2013.) *Livermore* and other cases also stand for the proposition that the Court may take judicial notice of the official records of the U.S. Bureau of Land Management which provided proof, conclusive for these proceedings, that Appellant owned a federal mining claim on federal land. (*See* CT54 (judicial notice argument before trial court, citing cases).)

The trial court entered no formal ruling on Appellant's motion to limit the issues, but by the time of trial, the People had determined, as required by the above law, to pursue this argument no further.

There is a great deal of other seriously misleading argument in the letter of the *amici*, but the jurisdictional question alone should resolve this issue. To the extent the Court would seek a more detailed response—and it need not—Appellant stands ready to provide it.

Appellant respectfully requests that the Court reject the request for modification filed by the *amici*.

Sincerely,

James L. Buchal
Counsel for Appellant



Courts agree additional federal regulation of forest roads not required

Posted by [Supertalk News](#) on September 6, 2014

A federal judge's ruling on Friday aligned with an earlier U.S. Supreme Court ruling that federal permits are not necessary in addition to the system Oregon uses to protect streams from storm runoff from roads in forests.

"We are pleased that the U.S. Supreme Court and now the U.S. District Court have ruled that additional federal regulation is not required on top of Oregon's existing forest protection regulations," State Forester Doug Decker said. "We intend to continue to apply the Forest Practices Act's science-based approaches, and we hope to re-dedicate the energy and resources spent on litigation to protecting and improving streams and other forest resources."

Although the Supreme Court had already ruled more than a year ago against the Northwest Environmental Defense Center, the plaintiffs were given an opportunity to seek to add new claims to their complaint in U.S. District Court. District Judge Anna J. Brown dismissed the case on Friday. Previously, she had ruled that she lacked jurisdiction to consider the new claims, and that it would be "fundamentally unfair to require Defendants to defend against a new theory eight years after the case was initiated."

In the case, the plaintiffs argued that federal permits should be required for storm runoff into streams from forest roads, in addition to the state's own road drainage regulations. In March 2013, the Supreme Court rejected that argument, agreeing with the state and the U.S. Environmental Protection Agency (EPA) that EPA rules did not require such permits.

The Supreme Court looked favorably on Oregon's system, noting that the state had developed considerable expertise in regulating forest roads, and had

created a comprehensive set of best practices for managing stormwater runoff from these roads.

THE GOVERNMENT IS LIKE A BABY'S ALIMENTARY CANAL, WITH A HAPPY APPETITE AT ONE END AND NO RESPONSIBILITY AT THE OTHER.-- Ronald Reagan

The Court noted Oregon's "considerable expertise" in regulating forest roads, and ruled that EPA could reasonably conclude that "further federal regulation in this area would be duplicative or counterproductive." The Court also noted that Congress directed the EPA to work with states "to alleviate stormwater pollution by developing the precise kind of best management practices Oregon has established here." The Oregon Forest Practices Act protects natural resources during timber harvest and other forest operations. It was the first law of its kind in the U.S. when passed in 1971, and has been amended many times as scientific understanding of resource protection has evolved.



JURISDICTION IS THE KEY TO ENDING THE FEDERAL TAKEOVER

Kirk MacKenzie, Kirk@SilentNoMorePublications.com

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- ❖ Defending and restoring our land, water, and other resources.
- ❖ Stopping the destruction of our forests, watersheds, and animals.
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- ❖ Stopping Agenda 21.
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It is well worth your time to watch these 4 videos. Individually they address different aspects of jurisdiction. Collectively they connect a lot of dots, and deepen your understanding of why Jurisdiction is imperative to getting our country back.

For best comprehension, watch the videos in this order.

- 1) [Jurisdiction Can Save Rural America](#) (starting from approx. timemark 52:00) explains the basics of jurisdiction, and how it relates to the defense of our lands and water.
- 2) [The Unconstitutional United States](#) exposes how the Supreme Court illegally exempted the federal government from the restraints so carefully enumerated in the Constitution, and created a second United States that operates outside the Constitution that operates as a foreign country that is destroying the constitutional United States
- 3) [Defeating an IRS Notice of Deficiency](#) reveals the federal income tax is a voluntary not mandatory income tax, how it has fraudulently been made to appear as a mandatory tax, and how all of this ties into jurisdiction.
- 4) [Reid "Taxation is Voluntary"](#) records Harry Reid, himself, admitting the federal income tax is voluntary, but without explaining why. The missing explanation is found in the third video.



The History and Danger of Administrative Law

Philip Hamburger, Columbia Law School, *Imprimis*, Hillsdale College, October 2014

PHILIP HAMBURGER is the Maurice and Hilda Friedman Professor of Law at Columbia Law School. He received his B.A. from Princeton University and his J.D. from Yale Law School. He has also taught at the University of Chicago Law School, the George Washington University Law School, the University of Virginia Law School, and Northwestern Law School. A contributor to National Review Online, he has written for several law reviews and journals, including the *American Journal of Legal History*, the *Supreme Court Review*, the *Notre Dame Law Review*, and the *Journal of Law and Politics*. He is the author of *Separation of Church and State*, *Law and Judicial Duty*, and, most recently, *Is Administrative Law Unlawful?*

The following is adapted from a speech delivered on May 6, 2014, at Hillsdale College's Allan P. Kirby, Jr. Center for Constitutional Studies and Citizenship in Washington, D.C., as part of the AWC Family Foundation Lecture Series.

There are many complaints about administrative law—including that it is arbitrary, that it is a burden on the economy, and that it is an intrusion on freedom. The question I will address here is whether administrative law is unlawful, and I will focus on constitutional history. Those who forget history, it is often said, are doomed to repeat it. And this is what has happened in the

United States with the rise of administrative law—or, more accurately, administrative power.

Administrative law is commonly defended as a new sort of power, a product of the 19th and the 20th centuries that developed to deal with the problems of modern society in all its complexity. From this perspective, the Framers of the Constitution could not have anticipated it and the Constitution could not have barred it. What I will suggest, in contrast, is that administrative power is actually very old. It revives what used to be called prerogative or absolute power, and it is thus something that the Constitution centrally prohibited.

But first, what exactly do I mean by administrative law or administrative power? Put simply, administrative acts are binding or constraining edicts that come, not through law, but through other mechanisms or pathways. For example, when an executive agency issues a rule constraining Americans—barring an activity that results in pollution, for instance, or restricting how citizens can use their land—it is an attempt to exercise binding legislative power not through an act of Congress, but through an administrative edict. Similarly, when an executive agency adjudicates a violation of one of these edicts—in order to impose a fine or some other penalty—it is an attempt to exercise binding judicial power not through a judicial act, but again through an administrative act.

In a way we can think of administrative law as a form of off-road driving. The Constitution offers two avenues of binding power—acts of Congress and acts of the courts. Administrative acts by executive agencies are a way of driving off-road, exercising power through other pathways. For those in the driver's seat, this can be quite exhilarating. For the rest of us, it's a little unnerving.

The Constitution authorizes three types of power, as we all learned in school—the legislative power is located in Congress, executive power is located in the president and his subordinates, and the judicial power is located in the courts. How does administrative power fit into that arrangement?

The conventional answer to this question is based on the claim of the modernity of administrative law. Administrative law, this argument usually goes, began in 1887 when Congress created the Interstate Commerce Commission, and it expanded decade by decade as Congress created more such agencies. A variant of this account suggests that administrative law is actually a little bit older—that it began to develop in the early practices of the federal government of the United States. But whether it began in the 1790s or in the 1880s, administrative law according to this account is a post-1789 development and—this is the key point—it arose as a pragmatic and necessary response to new and complex practical problems in American life. The pragmatic and

necessitous character of this development is almost a mantra—and of course if looked at that way, opposition to administrative law is anti-modern and quixotic.

But there are problems with this conventional history of administrative law. Rather than being a modern, post-constitutional American development, I argue that the rise of administrative law is essentially a re-emergence of the absolute power practiced by pre-modern kings. Rather than a modern necessity, it is a latter-day version of a recurring threat—a threat inherent in human nature and in the temptations of power.

The Prerogative Power of Kings

The constitutional history of the past thousand years in common law countries records the repeated ebb and flow of absolutism on the one side and law on the other. English kings were widely expected to rule through law. They had Parliament for making law and courts of law for adjudicating cases, and they were expected to govern through the acts of these bodies. But kings were discontent with governing through the law and often acted on their own. The personal power that kings exercised when evading the law was called prerogative power.

Whereas ordinarily kings bound their subjects through statutes passed by Parliament, when exercising prerogative power they bound subjects through proclamations or decrees—or what we today call rules or regulations. Whereas ordinarily kings would repeal old statutes by obtaining new statutes, when exercising prerogative power they issued dispensations and suspensions—or what we today call waivers. Whereas ordinarily kings enforced the law through the courts of law, when exercising prerogative power they enforced their commands through their prerogative courts—courts such as the King's Council, the Star Chamber, and the High Commission—or what we today call administrative courts. Ordinarily, English judges resolved legal disputes in accordance with their independent judgment regarding the law. But when kings exercised prerogative power, they expected deference from judges, both to their own decrees and to the holdings and interpretations of their extra-legal prerogative courts.

Although England did not have a full separation of powers of the sort written into the American Constitution, it did have a basic division of powers. Parliament had the power to make laws, the law courts had the power to adjudicate, and the king had the power to exercise force. But when kings acted through prerogative power, they or their prerogative courts exercised all government powers, overriding these divisions. For example, the Star Chamber could make regulations, as well as prosecute and adjudicate infractions. And defenders of

this sort of prerogative power were not squeamish about describing it as absolute power. Absolutism was their justification.

Conceptually, there were three central elements of this absolutism: extra-legal power, supra-legal power, and the consolidation of power. It was extra-legal or outside the law in the sense that it bound the public not through laws or statutes, but through other means. It was supra-legal or above the law in the sense that kings expected judges to defer to it—withstanding their duty to exercise their own independent judgment. And it was consolidated in the sense that it united all government powers—legislative, executive, and judicial—in the king or in his prerogative courts. And underlying these three central elements was the usual conceptual justification for absolute power: necessity. Necessity, it was said, was not bound by law.

These claims on behalf of absolutism, of course, did not go unchallenged. When King John called Englishmen to account extralegally in his Council, England's barons demanded in Magna Carta in 1215 that no freeman shall be taken or imprisoned or even summoned except through the mechanisms of law. When 14th century English kings questioned men in the king's Council, Parliament in 1354 and 1368 enacted due process statutes. When King James I attempted to make law through proclamations, judges responded in 1610 with an opinion that royal proclamations were unlawful and void. When James subsequently demanded judicial deference to prerogative interpretations of statutes, the judges refused. Indeed, in 1641 Parliament abolished the Star Chamber and the High Commission, the bodies then engaging in extra-legal lawmaking and adjudication. And most profoundly, English constitutional law began to develop—and it made clear that there could be no extra-legal, supra-legal, or consolidated power.

The Rise of Absolutism in America

The United States Constitution echoes this. Early Americans were very familiar with absolute power. They feared this extra-legal, supra-legal, and consolidated power because they knew from English history that such power could evade the law and override all legal rights. It is no surprise, then, that the United States Constitution was framed to bar this sort of power. To be precise, Americans established the Constitution to be the source of all government power and to bar any absolute power. Nonetheless, absolute power has come back to life in common law nations, including America.

After absolute power was defeated in England and America, it circled back from the continent through Germany, and especially through Prussia. There, what once had been the personal prerogative power of kings became the bureaucratic administrative power of the states. The Prussians were the leaders

of this development in the 17th and 18th centuries. In the 19th century they became the primary theorists of administrative power, and many of them celebrated its evasion of constitutional law and constitutional rights.

This German theory would become the intellectual source of American administrative law. Thousands upon thousands of Americans studied administrative power in Germany, and what they learned there about administrative power became standard fare in American universities. At the same time, in the political sphere, American Progressives were becoming increasingly discontent with elected legislatures, and they increasingly embraced German theories of administration and defended the imposition of administrative law in America in terms of pragmatism and necessity.

The Progressives, moreover, understood what they were doing. For example, in 1927, a leading Progressive theorist openly said that the question of whether an American administrative officer could issue regulations was similar to the question of whether pre-modern English kings could issue binding proclamations. By the 1920s, however, Progressives increasingly were silent about the continuity between absolute power and modern administrative power, as this undermined their claims about its modernity and lawfulness.

In this way, over the past 120 years, Americans have reestablished the very sort of power that the Constitution most centrally forbade. Administrative law is extra-legal in that it binds Americans not through law but through other mechanisms—not through statutes but through regulations—and not through the decisions of courts but through other adjudications. It is supra-legal in that it requires judges to put aside their independent judgment and defer to administrative power as if it were above the law—which our judges do far more systematically than even the worst of 17th century English judges. And it is consolidated in that it combines the three powers of government—legislative, executive, and judicial—in administrative agencies.

Let me close by addressing just two of many constitutional problems illuminated by the re-emergence of absolutism in the form of administrative power: delegation and procedural rights.

One standard defense of administrative power is that Congress uses statutes to delegate its lawmaking power to administrative agencies. But this is a poor defense. The delegation of lawmaking has long been a familiar feature of absolute power. When kings exercised extra-legal power, they usually had at least some delegated authority from Parliament. Henry VIII, for example, issued binding proclamations under an authorizing statute called the Act of Proclamations. His binding proclamations were nonetheless understood to be

exercises of absolute power. And in the 18th century the Act of Proclamations was condemned as unconstitutional.

Against this background, the United States Constitution expressly bars the delegation of legislative power. This may sound odd, given that the opposite is so commonly asserted by scholars and so routinely accepted by the courts. But read the Constitution. The Constitution's very first substantive words are, "All legislative Powers herein granted shall be vested in a Congress of the United States." The word "all" was not placed there by accident. The Framers understood that delegation had been a problem in English constitutional history, and the word "all" was placed there precisely to bar it.

As for procedural rights, the history is even more illuminating. Administrative adjudication evades almost all of the procedural rights guaranteed under the Constitution. It subjects Americans to adjudication without real judges, without juries, without grand juries, without full protection against self-incrimination, and so forth. Like the old prerogative courts, administrative courts substitute inquisitorial process for the due process of law—and that's not just an abstract accusation; much early administrative procedure appears to have been modelled on civilian-derived inquisitorial process. Administrative adjudication thus becomes an open avenue for evasion of the Bill of Rights.

The standard justification for the administrative evasion of procedural rights is that they apply centrally to the regular courts, but not entirely to administrative adjudication. But the history shows that procedural rights developed primarily to bar prerogative or administrative proceedings, not to regulate what the government does in regular courts of law. As I already mentioned, the principle of due process developed as early as the 14th century, when Parliament used it to prevent the exercise of extra-legal power by the King's Council. It then became a constitutional principle in the 17th century in opposition to the prerogative courts. Similarly, jury rights developed partly in opposition to administrative proceedings, and thus some of the earliest constitutional cases in America held administrative proceedings unconstitutional for depriving defendants of a jury trial.

* * *

In sum, the conventional understanding of administrative law is utterly mistaken. It is wrong on the history and oblivious to the danger. That danger is absolutism: extra-legal, supra-legal, and consolidated power. And the danger matters because administrative power revives this absolutism. The Constitution carefully barred this threat, but constitutional doctrine has since legitimized this dangerous sort of power. It therefore is necessary to go back to basics. Among other things, we should no longer settle for some vague notion of "rule of law,"

understood as something that allows the delegation of legislative and judicial powers to administrative agencies. We should demand rule through law and rule under law. Even more fundamentally, we need to reclaim the vocabulary of law: Rather than speak of administrative law, we should speak of administrative power—indeed, of absolute power or more concretely of extra-legal, supra-legal, and consolidated power. Then we at least can begin to recognize the danger.



The OREGON FIRE ARMS FEDERATION (OFF)

...has sent out an alert listing proposed legislation to restrict the gun rights of law abiding citizens!! We saw in the 2013 Legislative session the antigun bills that would have passed except for the pressure put on by folks who did not want to lose their rights to protect themselves, their families and their homes.

The violent incidents in shopping malls; schools; work places and private homes these past two years not just nationwide but right here in Oregon clearly show the need for ordinary honest law abiding citizens to have their 2nd Amendment rights not be infringed. Make no mistake we do have representatives and Senators and a Governor who are bent on restricting our rights for self protection. Every responsible citizen owes it to themselves and their loved ones to keep themselves informed on the bills introduced by Legislators and put pressure by letters, phone calls or email to those committee members hearing bills that restrict our 2nd Amendment rights or that could put our ability for self protection at risk!

Here is an excerpt from OFF'S email alert: Bloomberg and his big bucks friends are sending boatloads of money and out of state foot soldiers to take away your freedoms. Fight back. A Bloomberg anti-gun dream team. That's what we will have if we lose a single Republican seat in the Oregon Senate. Here is what else we will have:

- ❖ Mandatory gun registration.
- ❖ A ban on modern firearms.
- ❖ Warrantless searches of our home for guns.
- ❖ An end to transfers between friends and family members.
- ❖ A ban on self defense in schools.
- ❖ A new patchwork of local restrictions on firearms owners.
- ❖ More restrictions or an outright ban on licensed concealed carry.
- ❖ Prohibitions on open carry.
- ❖ Prohibitions on self defense and a mandate that you run away from a violent attack on yourself or your family.

Think all this is wild speculation? Every single one of these dangerous attacks on you and your rights has already been introduced by Democrats in the Oregon Legislature. The only thing that has stopped them has been you.

But now, Bloomberg and other billionaires have pulled out all the stops to guarantee you lose your gun rights and they are doing all they can to buy or steal the Oregon Senate.

Chuck Choate



The UN Threat to America and OUR Freedom!

There is very little to be said until you, a free American, has seen the information contained in these 5 videos, which are only 10 minutes each.

However, what you will learn in this 50 minutes, will make the difference of whether our country, our freedoms and our lives will survive! We have been lied to and secrets kept from us by politicians and the wealthy that is a sin against man and our God.

If we do not wake up we will loose everything we hold dear. Please take the 50 minutes to view these videos!

<http://teapartyorg.ning.com/forum/topics/the-un-threat-to-america-and-our-freedom?id=4301673%3ATopic%3A3138313&page=1#comments>



Do Detroit's water shutoffs violate international law?

UN to investigate

Two UN human rights officials will visit Detroit this weekend to investigate whether widespread water shutoffs in the city are a violation of international law.

By Henry Gass,  October 17, 2014

Two human rights experts from the [United Nations](#) plan to visit [Detroit](#) this weekend to investigate whether the city is violating international laws by

disconnecting water service to thousands of homes belonging to people who haven't paid their utility bills, according to news reports.

The visit is coming in the wake of [a letter](#) sent to the UN Human Rights Council detailing potential human rights violations apparent in the water shutoffs. The letter – authored by the [NAACP](#) Legal Defense and Educational Fund and the [American Civil Liberties Union](#) of Michigan – argues that the shutoffs are unjustified because many of those affected can't afford to pay their bills. The letter also says that the shutoffs disproportionately affect Detroit's African-American residents.

"In a city where nearly 40 percent of residents live below the federal poverty line," the letter reads, "thousands of residents are at risk of losing water service because they simply cannot afford to pay the bills."

The water shutoffs have turned into a flashpoint of Detroit's ongoing bankruptcy proceedings, which represents the largest municipal bankruptcy in US history. The [Detroit Water and Sewerage Department](#) shut off water services to more than 27,000 customers in the first nine months of 2014, and the shutoffs triggered mass protests in the city over the summer when the DWSD accelerated the process.

"Without question, the disparate impact on African-Americans of DWSD's massive shut-off campaign is in conflict with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), to which the [United States](#) is a party. Specifically, CERD article one (1), prohibits practices that have a racially discriminatory effect, regardless of intent," the letter adds.

Activist groups submitted a report to the UN Human Rights Office in June, and the office [responded a week later](#), saying that the "disconnection of water services because of failure to pay due to lack of means constitutes a violation of the human right to water and other international human rights."

The UN wrote in June that "because of a high poverty rate and a high unemployment rate, relatively expensive water bills in Detroit are unaffordable for a significant portion of the population ... According to international human rights law, it is the State's obligation to provide urgent measures, including financial assistance, to ensure access to essential water and sanitation."

The NAACP and ACLU letter added that Detroit residents have seen rate increases of nearly 120 percent over the past decade, due in part to the decline in the City's population from nearly 2 million in the 1950s to fewer than 690,000 today.

"As rates increased, so did the number of people who could not afford water and sewer services," reads the letter.

In September, the judge presiding over Detroit's bankruptcy case ruled that he [didn't have the authority](#) to block the City of Detroit from cutting of the water services. While agreeing in part with the plaintiffs, the judge, Steven Rhodes, added that banning water shutoffs would be a blow to Detroit's finances that the city could not afford.

In the letter, the NAACP and the ACLU ask that the UN make a number of recommendations to the US and local government, including the immediate end to the water shutoffs and the restoration of water service to Detroit residents who had it terminated, opening an investigation into the disparate impact of DWSD practices, investigating the public health implications of the water shutoffs, and advise Detroit and other similarly situated cities on how they can use available funds to assist residents with water bills and make infrastructure improvements to the water system.

UN Special Rapporteurs Catarina de Albuquerque and Leilani Farha are scheduled to arrive in Detroit this weekend and visit neighborhoods in Detroit where water service has been disconnected. They will hold a press conference on Monday, according to a [UN statement](#).

"Issues of affordability, non-discrimination and access to justice for affected groups are vital," the experts said in the statement. "A response by local and federal authorities to the water shut-offs which is aligned with international human rights standards is crucial and would serve as inspiration to other cities around the world that are faced with similar challenges."

Ms. de Albuquerque tweeted earlier this month about this visit, saying that "water and housing are essential," and also inviting actor Mark Ruffalo – who had [joined protests](#) against the shut-offs over the summer – to join.

#Water and #Housing are essential. #UN officials going to #Detroit October 18-20 to check out water shutoffs. Join us @MarkRuffalo.— CatarinadeAlbuquerque (@CatarinadeAlbuq) October 3, 2014

Kary Moss, executive director of the ACLU of Michigan, said in [a statement](#), "We certainly welcome the special rapporteurs and United Nations' probe in to this municipal mess, and we appreciate their willingness to look deeper in to what should have been a wholly avoidable situation for Detroit."



Modern Environmentalism, **Inspired by Nazis**

Ileana Johnson, Freedom Outpost, October 11, 2014
<http://freedomoutpost.com/2014/10/modern-environmentalism-inspired-nazis/>

Mark Musser describes how "God granted Adam and Eve a substantial amount of autonomy over the natural world." Some environmentalists believe that this Biblical command is one of the reasons why the planet is in ecological distress, coupled with the population explosion, the industrial revolution, the unrestrained

pollution, our obscene wealth, and western living standards. (Musser, R. Mark, [Nazi Oaks](#), pp. 10-11)

In his book, Musser explores the philosophical and practical roots of environmentalism and its potential connection to the modern version of the Green movement.

Environmental [bureaucratic regulations](#) and taxation will force humanity to make such personal sacrifices that there will be no personal behavior left that will not be regulated in some way, including taking videos and pictures in our federal parks. The permit is \$1,500, and the fine for non-compliance is \$1,000. Would we eventually have to obtain permits from animals to photograph them? Would PETA represent them in a court of law?

According to Musser, the Protestant Reformation and the Enlightenment are responsible for the "utilitarian view of nature," which facilitated the Industrial Revolution and [free market](#) capitalism, the main culprits of ecological destruction as viewed by environmentalists. (Ibid, p. 13)

The predecessor of the infamous Rachel Carson, [Aldo Leopold](#) (1887-1948), is considered the father of "deep ecology." Western man cannot rise above the circle of life; he must be "humble" with nature. Leopold promoted this view strongly after returning from Nazi Germany in 1935, the most nature-obsessed regime at the time, not unlike the current fixation with environmental pristine conditions devoid of humans. His influence left a mark on environmental existentialism. Man should "think like a mountain"—just exist. The Judeo-Christian God could not rule over nature and the universe. (Ibid, p. 14)

Musser wonders if the "greens" could eventually turn into a "much darker shade of green," like the ancient nature worshippers who sacrificed thousands of human beings to appease the nature gods in exchange for good weather. (Ibid, p. 16)

Nazi leaders were concerned about the capitalist mechanization of farms because they saw it as a way to destroy the soil and the landscape of the *Vaterland*. The SS, the "greenest faction of National Socialism," was the "green praetorian guard." (Ibid, pp. 18-19)

The disturbingly anti-Semitic Nazis like Martin Heidegger (1889-1976) and Rudolf Hoess, who committed unspeakable atrocities, found solace in nature. Hoess rode his horse or walked through stables to chase away the demons and the pictures of horror. "This is precisely how the authentic natural men of Nazi

Germany walked down the barbaric road to Auschwitz," said Musser. (Ibid, p. 22)

Hitler was personally obsessed with wolves for their predatory lifestyle. A lot of elements in his life revolved around the wolf.

[National Socialism](#)'s fixation with nature and the environment bears a striking resemblance to modern environmentalism. The similarities between Nazi yesteryear and today's environmental movement are "troubling," said Musser. (p. 26)

The Nazis created corporate welfare between the state and big business, state--sponsored corporatism--squeezing out the middle class as bourgeois, and forcing consumers into rationing in order to build the war machine. Hitler himself believed that Germans would run out of food and thus would need more *Lebensraum*, space to live. The Greens have adopted the Malthusian overpopulation theory (which was proven incorrect) when evaluating scarce natural resources such as land, forests, and water. Malthus "believed in [long term population control measures](#), including birth control and economic protectionism." (Ibid, p. 33)

The communist side of Hitler found it unjust that one group of people could have so much land compared to another, an affront to the "eternal justice of Nature." (Ibid, p. 35)

The Nazi version of sustainable development (SD) was a mixture of environmentalism and racism. Musser said, "The 'dialectical' relationship between racism, Malthusian math, environmentalism, existentialism, naturalistic science, and biology would help give birth to the modern ecological cult of sustainable development." (Ibid, p. 37)

In 1935, an environmental planning office was formed called "The Work of the Reich Office for Spatial Planning," the first official social engineering of private property, the trademark of the modern conservationists today. Even Hitler's four-year economic plan was to be achieved by environmental, friendly, sustainable development measures. "The Nazi war machine was developed under the green hue of sustainable development," said Musser. (Ibid, pp. 38-39)

Wilhelm Heinrich Riehl (1823-1897) co-mingled socialism, nationalism, protecting nature, and anti-Semitism in his view of life, which influenced early German environmentalism.

Arthur Schopenhauer (1788-1860), a favorite philosopher of Hitler, discussed animal rights, blaming Judaism for the barbaric treatment of animals in Europe and in the West. "It might truly be said that men are the devils of this earth and animals the tortured souls." (Ibid, p. 93)

It is no surprise that leading Nazis were vegetarians. (Ibid, p. 101)

Schopenhauer even accused Christians of treating animals with cruelty. "The morality of Christians has not consideration for animals." (Schopenhauer, [On the Basis of Morality](#), p. 178)

Then there were the "Volk" (villagers and farmers), adherents who believed in a simple life on the land, a return to nature. What stood in their way? It was their perennial foe, the Jewish people, because they owned businesses, banks, and ran the cities, all things threatening the "volkisch" return to nature. (Musser, R. Mark, [Nazi Oaks](#), p. 103)

German zoologist Ernst Haeckel wrote about the adulation of nature and introduced the "ecological cult worship." Haeckel and his followers pushed racial eugenics in Germany. The German Monist League proposed several eugenic programs before World War I. It is no surprise that eugenic-environmentalism became the stepping stone to a natural world dictatorship. Haeckel even advocated the replacement of Christian humanities in school with a nature-based curriculum. (Ibid, pp. 108-109)

"In the school of the future, nature will be the chief object of study; man shall learn a correct view of the world he lives in, he will not be made to stand outside of and opposed to nature." ([Haeckel und Allmers](#), p. 363, quoted by Musser, [Nazi Oaks](#), pp. 109-110)

Maryland passed a law, No Child Left Inside, advocating that every high school graduate must be a diligent and knowledgeable steward of the environment as a condition of graduation, even though math, science, and reading scores were lacking.

Modern German Greens have dropped racism from their environmental creed, but Ernst Haeckel is still their mentor. Monists believed that all organisms, from the simplest to the most complex, including human beings, are similar and equal to each other because they are "blood brothers." This explains the fixation of some of the modern environmentalists with legal representation of animals in a court of law.

In 1933 Hitler signed the *Tierschutzrecht*, the right (law) of animal protection. Schopenhauer had criticized animal cruelty and experimentation. He said, "The animal is absolutely identical with us and that the difference lies merely in the accident, the intellect, not in the substance which is the will." (p. 184)

The law was updated to include animal transportation, how much space they could have, and how much food and water they should have. Considering how inhumane the transportation of the Jews to the concentration camps was in overcrowded cattle trains, the regulation for the transportation of animals seems obscene.

Hitler hated hunting, the killing of innocent animals, but had no compunction in torturing and killing six million Jews. Even though there were no wolves left in Germany, Hitler placed them under protection. There were wolves in Poland and the neighboring countries. (p. 196)

But the love and appreciation of animals did not extend to humans. "Nature was king over man." Himmler went a bit further and proclaimed in a 1942 speech that "Man is nothing special." This dehumanization of man made possible the atrocities committed against the Jewish people. (p. 141)

Hitler believed that capitalism and communism were disobedient to nature, and Jews were guilty of financing it and Christianity of spreading it. The "blood and soil" propaganda was used to promote moving back to the countryside, to preserve nature, and for environmental sustainability.

Musser said, because the original Bolsheviks, including Karl Marx, were Jewish, Hitler concluded, "The world of Judeo-Bolshevism must collapse." ([Hitler's Table Talk](#), February 27, 1942, p. 260, quoted by Musser, R. Mark, [Nazi Oaks](#), p. 122)

Musser describes the giant oak trees at the entrance to Auschwitz, the doors of the crematorium made of massive oak, Adolf Eichmann's (Man of the Oak) placement in charge of the Holocaust, and the possible symbolism of pagan rites of sacrifice under the oak tree. (p. 144)

The oak became such a symbol of nationalism that Hitler directed that oak trees be planted all around the Reich. (p. 150)

Goering, an avid hunter, declared in front of his hunting buddies in 1936, "For us, the forest is God's cathedral." (p. 202)

Such was the respect for plants and animals that Himmler "established experimental organic farms," including one located at the Dachau concentration camp where [herbs](#) were grown for SS medicines.

Dr. Todt, who built the German interstate system (*Autobahnen*), was careful to protect forests, rivers, and wetlands. The *Autobahn* was declared a "magnificent example of landscape design." (p. 164 and p. 239)

Hitler was in love with his alpine retreat in Obersalzberg but was somewhat embarrassed by the lavish and expensive Eagle's Nest above the mountain landscape.

The Reich Conservation Agency legalized environmental and totalitarian social engineering. This is a model that socialist bureaucrats have used to set aside federal lands for preservation and conservation, lands that were not inhabited. However, [regulating private property and turning it into state parks](#) is another matter. (p. 209)

Nazis developed spatial planning, a precursor to today's sustainable development and green building. (p. 216)

In [common core education style](#), "knowledge" was replaced by "will," with a focus on life, vitality, and nature. (p. 233)

Hitler had grandiose plans to depopulate 30 million Slavs in order to make room for the Germans. The East was going to become Germany's sustainable development mass project – transforming the Russian steppe into a German garden park through environmental planning. Human settlements would be surrounded by pristine areas. This sounds eerily familiar to Dr. Coffman's Biodiversity Map. (pp. 259-260)

As Musser explains, "Environmental imperialism was one of the primary reasons why Nazi Germany decided to conquer the eastern territories," an extension of the German "blood and soil" beyond Germany's borders. (p. 263)

The planners were given carte blanche to "re-sculpt the eastern territories in their totality, even if it meant the suppression, exploitation, and extermination of the people who lived there." (Wolschke-Buhlman, [How Green Were the Nazis?](#), p. 247, quoted by Musser, R. Mark, [Nazi Oaks](#), p. 268)

Hitler wanted to build windmills all over Ukraine to supply its needs of electricity and to export only the wheat demanded. Colonizing the East would solve their overpopulation problem and his fear of running out of natural resources. He was

sure that the "future belongs, surely, to water - to the wind and the tides." What gave him the right to destroy so many millions of people—Jews, Russians, and Poles? They were not properly in synch with nature.

Walter Christaller, a former SS spatial planner, developed his Central Place Theory on regional and urban planning. His plan is considered by some the model for sustainable development and the Green movement today. Some environmentalists deny any connection between Nazism and going green. (p. 289 and p. 293)

How green were the Nazis? Probably as green and as controversial as our renewables are today.



Climate change has become a political hot potato — and most politicians are getting it wrong.

Chris Orr, Sovereign Digest, October 19, 2014

<https://us-mg6.mail.yahoo.com/neo/launch?.rand=24klb46pc8i7j#9739388312>

Politicians know that no matter which side they land on the issue, they are never going to be "right." A candidate who says we have to act now to avoid the perils of climate change is anti-business. A candidate who wants to wait to take action until more is known about climate change is killing Mother Earth and its inhabitants.

But they insist on carrying on the conversation, because being polarizing gets people passionate. And passionate people make votes. Politicians know that their base gets worked up on the issue, so if they must do everything to please them, even if they don't understand why they believe what they believe, then so be it.

An example took place as recently as October 12 during a debate between two candidates for Congress. The question was whether or not climate change is caused by humans — our carbon emissions to be exact.

According to the Associated Press, incumbent Representative Paul Ryan (R-WI) answered by saying he simply didn't know. He continued, saying that science doesn't know either and that efforts to combat it are costing taxpayers a lot of money — which is exactly what the Republican base wants to hear. However, his opponent, Rob Zerban (D-WI) wholeheartedly believes humans caused it, and that this is a great opportunity for financing renewable resources that produce fewer greenhouse gas emissions. That's exactly what the Democratic base wants to hear. In fact, a recent pew Research Center poll revealed that 68% of Democrats believe that global climate change is a greater threat than ISIS. In [Sovereign Investor Daily](#), I've discussed how this fear is spurred by "misinformation, misinterpretation, ideology and, most importantly, money."

Clearly, politicians know exactly what to parrot back to their bases. Whether or not they truly believe it is up for debate. Either way, both sides are guilty of spouting off about stuff they have no real comprehension of. This regurgitated dialogue is ignoring the facts.

There is growing proof that many climate change assumptions are wrong. On October 10, *The Wall Street Journal* published an article written by a Georgia Institute of Technology researcher whose group found that contemporary climate computer models are predicting temperatures that are too hot. The author, Dr. Judith Curry, says their conclusion is not an outlier and other researchers at other institutions are seeing the similar data.

In fact, there has been little change in global temperatures since 1997. And politics are muddling this detail. In the end, the facts are this: Man has influenced climate with carbon emissions a bit — but not in the ways we wring our hands over. It's not enough to change the weather drastically. And it doesn't warrant fear and reactions of the magnitude we have experienced in this country.

The wisest politician will be the one who says: “Yes, climate has been changed by humans, but it's nothing to be terrified of. America just needs a comprehensive energy policy.” But I don't see the political discourse shifting enough for that little piece of enlightenment.



The Corruption of Science

Posted by William O'Keefe in General, October 5, 2014

<http://fuelfix.com/blog/2014/10/05/the-corruption-of-science/>

The late Dr. Michael Crichton in a speech at the California Institute of Technology made the following observation:

“I want to ...talk about ... the rise of what has been called consensus science. I regard consensus science as an extremely pernicious development that ought to be stopped cold in its tracks. Historically, the claim of consensus has been the first refuge of scoundrels; it is a way to avoid debate by claiming that the matter is already settled. ...

“Let's be clear: the work of science has nothing whatever to do with consensus. Consensus is the business of politics. Science, on the contrary, requires only one investigator who happens to be right, which means that he or she has results that

are verifiable by reference to the real world. In science consensus is irrelevant. What is relevant is reproducible results

“There is no such thing as consensus science. If it’s consensus, it isn’t science. If it’s science, it isn’t consensus.” ... Consensus is invoked only in situations where the science is not solid enough. Nobody says the consensus of scientists agrees that $E = mc^2$. Nobody says the consensus is that the sun is 93 million miles away. It would never occur to anyone to speak that way.”

In recent decades, the term consensus science has come to be associated with climate change/global warming. The appeal to a consensus has been used to avoid honest and open debate about the extent of human influence on the climate system. Climate change has become the poster child for the widely documented corruption in many fields of science resulting from competition for funding, tying funding to specific policy outcomes, and the increasing pressure to publish or perish.

Norman Rogers in the May 14 issue of the American Thinker began his article citing President Eisenhower’s farewell address warning that a “scientific-technological elite” dependent on government money would exert undue influence on government policy”. **Scientific advice to policy makers has become heavily influenced by political agendas and rewards to organizations and scientists that provide the necessary scientific support for political objectives.** In the case of climate change, the influence can be traced back to the White House and Al Gore.

Climate change is the primary example of how science can be perverted by money and politics. Today there is an international climate establishment that is supported annually by billions of dollars to advance a war on fossil energy, promote an agenda of fear, and undermine capitalism’s market driven system. Anyone who does not subscribe to the climate orthodoxy is subjected intimidation and not to subtle threats to their careers. Some climate advocates have called so called skeptics war criminals who should be jailed, the equivalent of holocaust deniers, flat earthers, and industry pawns.

The crime of these skeptics is to challenge the asserted consensus that human activities involving fossil energy and economic development are threatening the planet. Advocates point to computer model results that project dramatic increases in global temperatures that will lead to extreme climate events—more intense hurricanes, extended droughts, and sea level rises that threaten coastal cities for example.

To increase their power and influence, the climate establishment has adopted the mantra that the “science is settled” and 97% of scientists agree that human activities are the primary cause of climate change over the past 50 plus years.

The Intergovernmental Panel on Climate Change (IPCC) does not claim that the science is settled. Its latest report has a chart that shows level of understanding about major climate forcing processes. Many are shown as low or medium levels of understanding. Throughout its report, the IPCC refers to topics reflecting great uncertainty—natural variability, cloud formation, climate sensitivity, for example. The now 18-year pause in warming has so befuddled the establishment that it has come up with 52 different explanations.

In making projections of future global temperatures, the IPCC relies on over 50 models, each of which reflects different assumptions about how the climate system functions. None of the models has been able to project actual temperatures or the pause. And, the only way these models can “back cast” past temperatures is by a process of adjustments. If climate science was settled, 50 plus models would be unnecessary and they would be highly accurate.

Finally, there is the claim that 97% of climate scientists agree that climate change is real and man-made. It is a bogus claim based on a paper by John Cook of the University of Queensland’s Climate Change Institute. Reviews of Cook’s work demonstrate that is a case of cooking the books. One of those critiques was by Richard Tol, a professor at the University of Sussex and an IPCC lead author, while the most detailed and quantitative was by Steve McIntyre—Climate Audit website. Other critiques have included articles in the *American Thinker*, *Debunking the 97% Consensus on Global Warming*, February 4, 2014, *The New American*, *Global Warming “Consensus: Cooking the Books*, May 21, 2013, and a blog *The Collapsing Consensus* by Christopher Monckton of Brenchley.

The Cook paper is a classic example of what Darrell Huff wrote about in his book, *How to Lie With Statistics*. The fact that the climate change establishment creates such misleading information to manipulate opinion is clear evidence that its scientific foundation doesn’t exist. It is also evidence of desperation because the climate is not conforming to its orthodoxy of dread.

Science has provided the foundation for tremendous advances in technology, innovation that have contributed to advances in human health and wealth. Its corruption threatens to undermine the potential future advances that will benefit the generations of tomorrow.



**Professor Emeritus Hal Lewis Resigns
from American Physical Society**

There is no Global Warming

<http://thereisnoglobalwarming.com/blog/joel-munn/2010/10/09/top-scientist-resigns-from-post-%E2%80%93-admits-global-warming-is-a-scam/>

The following is a letter to the American Physical Society released to the public by Professor Emeritus of physics Hal Lewis of the University of California at Santa Barbara.

Sent: 08 October 2010

From: Hal Lewis, University of California, Santa Barbara

To: Curtis G. Callan, Jr., Princeton University, President of the American Physical Society



Hal Lewis, Professor Emeritus UCSB

Dear Curt:

When I first joined the American Physical Society sixty-seven years ago it was much smaller, much gentler, and as yet uncorrupted by the money flood (a threat against which Dwight Eisenhower warned a half-century ago).

Indeed, the choice of physics as a profession was then a guarantor of a life of poverty and abstinence—it was World War II that changed all that. The prospect of worldly gain drove few physicists. As recently as thirty-five years ago, when I chaired the first APS study of a contentious social/scientific issue, The Reactor Safety Study, though there were zealots aplenty on the outside there

was no hint of inordinate pressure on us as physicists. We were therefore able to produce what I believe was and is an honest appraisal of the situation at that time. We were further enabled by the presence of an oversight committee consisting of Pief Panofsky, Vicki Weisskopf, and Hans Bethe, all towering physicists beyond reproach. I was proud of what we did in a charged atmosphere. In the end the oversight committee, in its report to the APS President, noted the complete independence in which we did the job, and predicted that the report would be attacked from both sides. What greater tribute could there be?

How different it is now. The giants no longer walk the earth, and the money flood has become the *raison d'être* of much physics research, the vital sustenance of much more, and it provides the support for untold numbers of professional jobs. For reasons that will soon become clear my former pride at being an APS Fellow all these years has been turned into shame, and I am forced, with no pleasure at all, to offer you my resignation from the Society.

It is of course, **the global warming scam, with the (literally) trillions of dollars driving it, that has corrupted so many scientists, and has carried APS before it like a rogue wave. It is the greatest and most successful pseudoscientific fraud I have seen in my long life as a physicist.** Anyone who has the faintest doubt that this is so should force himself to read the ClimateGate documents, which lay it bare. (Montford's book organizes the facts very well.) *I don't believe that any real physicist, nay scientist, can read that stuff without revulsion. I would almost make that revulsion a definition of the word scientist.*

So what has the APS, as an organization, done in the face of this challenge? It has accepted the corruption as the norm, and gone along with it. For example:

1. About a year ago a few of us sent an e-mail on the subject to a fraction of the membership. APS ignored the issues, but the then President immediately launched a hostile investigation of where we got the e-mail addresses. In its better days, APS used to encourage discussion of important issues, and indeed the Constitution cites that as its principal purpose. No more. **Everything that has been done in the last year has been designed to silence debate**

2. The appallingly tendentious APS statement on Climate Change was apparently written in a hurry by a few people over lunch, and is certainly not representative of the talents of APS members as I have long known them. So a few of us petitioned the Council to reconsider it. *One of the outstanding marks of (in)distinction in the Statement was the poison word **incontrovertible**, which describes few items in physics, certainly not this one.* In response APS appointed

a secret committee that never met, never troubled to speak to any skeptics, yet endorsed the Statement in its entirety. (They did admit that the tone was a bit strong, but amazingly kept the poison word incontrovertible to describe the evidence, a position supported by no one.) In the end, the Council kept the original statement, word for word, but approved a far longer “explanatory” screed, admitting that there were uncertainties, but brushing them aside to give blanket approval to the original. The original Statement, which still stands as the APS position, also contains what I consider pompous and asinine advice to all world governments, as if the APS were master of the universe. It is not, and I am embarrassed that our leaders seem to think it is. This is not fun and games, these are serious matters involving vast fractions of our national substance, and the reputation of the Society as a scientific society is at stake.

3. In the interim the ClimateGate scandal broke into the news, and the machinations of the principal alarmists were revealed to the world. **It was a fraud on a scale I have never seen, and I lack the words to describe its enormity.** Effect on the APS position: none. None at all. **This is not science; other forces are at work.**

4. So a few of us tried to bring science into the act (that is, after all, the alleged and historic purpose of APS), and collected the necessary 200+ signatures to bring to the Council a proposal for a Topical Group on Climate Science, thinking that open discussion of the scientific issues, in the best tradition of physics, would be beneficial to all, and also a contribution to the nation. I might note that it was not easy to collect the signatures, since you denied us the use of the APS membership list. We conformed in every way with the requirements of the APS Constitution, and described in great detail what we had in mind—simply to bring the subject into the open.

5. To our amazement, Constitution be damned, you declined to accept our petition, but instead used your own control of the mailing list to run a poll on the members’ interest in a TG on Climate and the Environment. You did ask the members if they would sign a petition to form a TG on your yet-to-be-defined subject, but provided no petition, and got lots of affirmative responses. (If you had asked about sex you would have gotten more expressions of interest.) There was of course no such petition or proposal, and you have now dropped the Environment part, so the whole matter is moot. (Any lawyer will tell you that you cannot collect signatures on a vague petition, and then fill in whatever you like.) The entire purpose of this exercise was to avoid your constitutional responsibility to take our petition to the Council.

6. As of now you have formed still another secret and stacked committee to organize your own TG, simply ignoring our lawful petition.

APS management has gamed the problem from the beginning, to suppress serious conversation about the merits of the climate change claims. Do you wonder that I have lost confidence in the organization?

I do feel the need to add one note, and this is conjecture, since it is always risky to discuss other people's motives. This scheming at APS HQ is so bizarre that there cannot be a simple explanation for it. Some have held that the physicists of today are not as smart as they used to be, but I don't think that is an issue. I think it is the money, exactly what Eisenhower warned about a half-century ago. **There are indeed trillions of dollars involved, to say nothing of the fame and glory (and frequent trips to exotic islands) that go with being a member of the club.** Your own Physics Department (of which you are chairman) would lose millions a year if the global warming bubble burst. When Penn State absolved Mike Mann of wrongdoing, and the University of East Anglia did the same for Phil Jones, they cannot have been unaware of the financial penalty for doing otherwise. As the old saying goes, you don't have to be a weatherman to know which way the wind is blowing. Since I am no philosopher, **I'm not going to explore at just which point enlightened self-interest crosses the line into corruption, but a careful reading of the ClimateGate releases makes it clear that this is not an academic question.**

I want no part of it, so please accept my resignation. APS no longer represents me, but I hope we are still friends.

Hal

Harold Lewis is Emeritus Professor of Physics, University of California, Santa Barbara, former Chairman; Former member Defense Science Board, Chairman of Technology panel; Chairman DSB study on Nuclear Winter; Former member Advisory Committee on Reactor Safeguards; Former member, President's Nuclear Safety Oversight Committee; Chairman APS study on Nuclear Reactor Safety Chairman Risk Assessment Review Group; Co-founder and former Chairman of JASON; Former member USAF Scientific Advisory Board; Served in US Navy in WW II; books: Technological Risk (about, surprise, technological risk) and Why Flip a Coin (about decision making)



Climate Change, Another Excuse to Tax Us

By Chris Orr, Editor of Weather Trader, October 8, 2014

<https://us-mg5.mail.yahoo.com/neo/launch?.rand=adjfdtasocavv#4084338134>

The last weekend of September, hundreds of thousands of people marched in New York City, proclaiming a call to action that we must address the crisis surrounding climate change. The demonstration coincided with a meeting at the United Nations to discuss how countries can come together to combat temperature fluctuations, hurricanes, tornadoes, drought, blizzards and other forces of nature.

The theory behind climate change is that man's production of carbon dioxide and methane is responsible for changes in the weather and climate. But the theory — while a sincere effort by some to protect the global environment — is muddled by misinformation, misinterpretation, ideology and, most importantly, money.

Of course, it's not just the folks who believe that the apocalypse of global warming is near who are guilty of distorting science to further their cause. The people on the other side of the fence, whether for personal or political reasons, also spout off about stuff they have no comprehension of.

However, there's one thing the protesters managed to accomplish — and it will affect both you and me.

Climate change — formerly known as global warming until that title became inconvenient — is one of the prime items on the Obama Administration's agenda. After all, climate change has a strong activist base which is solidly behind the idea that taxes will solve the problem.

Sure, that's good politics — but politics are, after all, just a game. And this particular game reminds me of two kids on the playground wrestling in the dirt and yelling at the top of their lungs. Amidst the commotion, they can't hear what the other is saying and they both misuse terminology in a desperate effort to come out on top.

And one of the biggest areas of misinterpretation — and one which aggravates me dearly as a meteorologist — is over *what climate actually is*.

In all the noise over a heating planet and carbon emissions and man-made global deterioration, we've forgotten as a society that climate is not weather, and therefore fundamentally different from the concept of a heating planet.

"Climate" refers to the long-term atmospheric conditions prevailing over a specific region. When a weather condition predominates for an extended period of time — usually a few decades or more — it sets the climate for that region.

Another way of looking at it is this: Short-term "weather" does not determine climate. The California drought has been a short-term weather event. The polar vortex? Short-term weather event. This year's lack of hurricanes in the Atlantic Ocean? Again, short-term weather event.

If these events last another 20 years and thereby establish themselves as the normal weather conditions of their respective regions, then we may be able to consider them leading causes in climate shift. The polar vortex and the lack of Atlantic Ocean hurricanes indicate nothing about the climate because they are caused by weather patterns specific to this year.

So let's be clear — while it's very compelling to attribute these very spectacular weather patterns to climate change, they are doing nothing of the sort.

Besides, weather patterns are driven by natural phenomena, not some interference by mankind. Cycles like El Niño control weather patterns across the Northern Hemisphere by circulating temperatures in the ocean and atmosphere. And volcanic eruptions have a history of changing the weather around the world by spewing sulphate aerosols into the stratosphere, blocking energy from the sun.

Now, there is no doubt that man has influenced climate, just not in the ways we get worked up about and summon armies of protesters for.

The Great Plains was once a great sea of long and short grass that held moisture in the soil — that is, until agriculture tore up the grassland, releasing great quantities of soil moisture into the air. And the industrialization of cities has

spread concrete and asphalt across great swaths of land that were once forest and grass.

Changing the way we use land is a way we have influenced climate ... but I did not hear demonstrators demand New York City return to its original pre-Peter Stuyvesant condition

Still, at the heart of the matter is a noble pursuit. The People's Climate March in New York City brought to the forefront, once again, the fact that plenty of people are concerned about protecting the planet ... even if a certain lack of conviction was evident from the fact that the march caused cars to be stuck in traffic for two hours or more, pumping exhaust into the air. Not to mention all the plastic cups and empty water bottles the city had to clean up afterward and probably dump into a landfill.

But there were some suspicious details regarding the U.N. Climate Summit that coincided with the protest.

Notably absent from the U.N. talks were China and India, two growing economies. They both know that a drastic cut in carbon emissions will slow economic growth in their respective nations.

But they also understand the real point behind all these world leaders coming together to address the issue of climate.

New York Times bestselling author Naomi Klein's most recent book, *This Changes Everything*, lays it out on the table: rein in the principles of a free market that drive corporate power — even though this is what drives economies — in order to combat climate change. And the ultimate destination for implementing this — taxes. Taxes to curtail corporations that are “destroying the planet” in order to save the planet from mankind.

And that's the real agenda behind climate change — find something else to tax so governments can either continue their spending habits or begin combating their debt.

And what better stage to build this tax upon than a movement that summons nearly 400,000 people to New York City, all of whom demand we do something about climate change. Governments will likely use the queue to begin working on a new system of taxes to “remediate” the “problem.”

And what will that look like?

Carbon taxes will be imposed upon corporations charged with releasing too many emissions into the atmosphere. And instead of absorbing the blow, the consumer will likely feel the brunt of those taxes.

But wealth taxes are also likely to be implemented ... under the justification that, the more you own and the more you do, you’re probably releasing more carbon emissions into the air than the average person.

Exactly how a redistribution of your wealth will stop the climate from varying is beyond me. But hopefully the planet will cool, or we get over all this hullabaloo over climate change, faster than world governments can tax us into oblivion.

There’s a silver lining in every cloud,



Talking climate science with physicist Glenn Marsch (Part One)

[Glenn Marsch](#), Human Events, September 17, 2014

http://www.visionandvalues.org/2014/09/vv-qa-talking-climate-science-with-physicist-glenn-marsch-part-one/?utm_source=hs_email&utm_medium=email&utm_content=14400019&_hsenc=p2ANqtz-LVQoHsyDFUpGw6fxyJY96POZvMp58ZUdiP86FYwq5WrHWYweaB48kd0wyGWYW92mKfofPPUfeqEvziP1KTrFShXLO-EzYOh_PfDCIHm4PlyVmFjs&_hsmi=14400019

Editor’s note: After two leading newspapers ran climate-related pieces seemingly at odds with one another, *The Center for Vision & Values* discussed the contrast with Grove City College physicist Dr. Glenn Marsch. A New York Times article reported that President Obama is pursuing an international global warming treaty at the United Nations while a Wall Street Journal piece noted that there has been no evidence of global warming for the past 15-26 years. This is the first in a series of climate discussions with Dr. Marsch.

V&V: On August 26, the New York Times reported, “The Obama administration is working to forge a sweeping international climate change agreement to

compel nations to cut their planet-warming fossil fuel emissions, but without ratification from Congress.” On September 4, Matthew Ridley wrote in the Wall Street Journal that the “U.N. no longer claims that there will be dangerous or rapid climate change in the next two decades” and that the “climate-research establishment has finally admitted that ... global warming has stopped since shortly before this century began.” We couldn’t help noticing the contrast. We’re curious, what are your thoughts about Ridley’s argument about a global warming hiatus?

Marsch: I think his arguments are very good. It doesn't mean that there aren't arguments against what he says. The problem is climate science is a highly multivariate topic to study. The climate is an intrinsically open system. Everything is more or less interacting with everything else. There are no test tubes, no bottles, no sample compartments, etc. It's an incredibly complex system and I think people want simplistic answers that just can't be given at our stage of knowledge. That troubles me.

V&V: What then is your message to both global warming skeptics and proponents?

Marsch: Most people don't have a problem accepting that the temperature has increased a certain amount in the last century—that's about a degree Fahrenheit or .6 degrees Celsius. There has been a mild warming of the globe that I think most people, including folks called skeptics, or even worse called “deniers,” believe in. The issue is that if you want societal action, if you want to scupper somebody's economy, you'd better have something more than “the earth has warmed a little bit.” You'd better instead say, “We (humans) have caused it.” The issue is not whether the earth has warmed a little bit but, “Have we caused it?” And if so, how much of it have we caused and is it dangerous?

V&V: So, there's a difference between recognizing that the earth has warmed, and understanding how it has warmed?

Marsch: Yes, it's the anthropogenic—that is to say, the “human-caused”—aspect of it.

V&V: Got it.

Marsch: You have to determine how much of the warming is due to human activity. I'm not willing to say that none of it would be due to human activity. I'm certainly not willing to say that all of it was due to human activity. I would suspect that little of it, maybe less than half of it, is due to human activity. The point is I'm not sure. There are a lot of uncertainties in this. In my opinion, I think

that the best thing to do is to “cool it”—that’s the title of Bjorn Lomborg’s book—and let the science speak over many decades and then see what happens. Moreover, I’m also skeptical that this 0.6 °C temp increase is necessarily a bad thing. That’s why people often differentiate between AGW (anthropogenic global warning) and CAGW (catastrophic anthropogenic global warming). Even if people did cause the majority of global warming, I doubt that it’s harmful overall.

V&V: Wouldn’t it be difficult for folks who are fearful of global warming to adopt the “cool it” approach?

Marsch: Yes, they advocate the “precautionary principle.” The precautionary principle—apparently displayed by the U.N. and President Obama in the New York Times article—advocates mitigating carbon emissions now, even if we’re not entirely sure what’s going to happen, just to be safe.

V&V: On the surface, that sounds reasonable. Is there anything wrong with that approach?

Marsch: Well, yes, the precautionary principle is not science. It has nothing to do with science. It’s political, or philosophical. And here’s the issue: What if they’re wrong and we’re actually about to embark on a period of global cooling? What if, in fact, the carbon dioxide we’re emitting is truly as potent a greenhouse gas as people say it is; and what if it’s keeping our temperatures relatively safer now and preventing them from plummeting? In that case, trying to eviscerate our economy so that we can’t combat the much greater threat of cooling is one of the worst things we can do. The problem with the precautionary principle is that on the basis of ignorance, it says that we must do something that could be deleterious. Rather than helping, we could be hurting when we can least afford it. By some metrics, such as the ones Ridley highlighted, global warming has paused for at least a decade and a half and some believe we’ll stay in this condition for at least two decades more. We should base our actions—to the best of our ability—on the science. Let the science speak for a while. Let’s see what happens.

V&V: Thank you, Dr. Marsch. We’ll address computer modeling in our next discussion.



Talking climate science with physicist Glenn Marsch (Part Two)

Human Events, October 7, 2014

<http://humanevents.com/2014/10/07/talking-climate-science-with-physicist-glenn-marsch-part-two/>

***Editor's note:** This is the second of a series of discussions with Grove City College physicist Dr. Glenn Marsch regarding global warming. [In the first Q&A](#) we compared the articles that ran in the New York Times and the Wall Street Journal about how the Obama administration will pursue a U.N. international global warming treaty even while the science demonstrates, and the U.N. acknowledges, that there has been no global warming since just before the turn of the century.*

V&V: Dr. Marsch, [in our last climate discussion](#), you suggested that Americans “cool it” or wait and see what the science really has to say about global warming and humanity's part in it. But what about computer models and their predictions? Some claim that we can speed up the political process of remediating CO₂ by using computer models. They ask: Do we really need to wait for years or decades to see what science tells us? Wouldn't it be faster and more efficient to make climate policy based on computer models?

Marsch: The computer models, which in many ways are the basis of the alarm about global warming, became famous in 1988. That summer, Sen. Tim Wirth encouraged climate modeler James Hansen to testify before Congress that global warming was real and was a national threat. I think he succeeded in creating alarm and he was a catalyst for doing something about it economically.

V&V: What about the global warming pause or hiatus (no global warming for the past 15-26 years) that we talked about in our last discussion? Did the models predict that phenomenon?

Marsch: Ninety-five percent of them failed to predict the pause, or the hiatus, that we're experiencing right now. So there's a lot about the effect of carbon dioxide that we're unsure about. Now Richard Muller of Berkeley – who believes that humans are causing global warming but who is also cautious about climate computer modelling – thinks the past data suggest that the global temperature will increase in a stair-step pattern.

V&V: What does that mean?

Marsch: This hypothesis suggests that we're going to have maybe a couple of decades of relatively stable temperatures; and then we're going to get a fairly abrupt "stair-step" when temperatures increase. And then it will be stable for a couple of decades and then another stair-step increase. Some folks think that this pause, this hiatus of at least 15 years that we're experiencing now, may just simply be that we're on the stair and that we're going to have a stair-step again and it's going to ratchet up maybe another half degree or so.

V&V: Is that plausible?

Marsch: Yes, it's a reasonable thing to say. It's a perfectly reasonable interpretation of the past data and so what we have to do is look at future global climate temperatures and see if another temperature increase happens. It might happen.

V&V: So there's risk in relying on models to make sweeping climate treaties? You say we have to "look at it and see if it happens."

Marsch: Yes, there are too many climate variables to create computer models with enough certainty upon which to make international policies that could radically alter the global economy. I consider myself not a denier but a skeptic. I think the science is too complicated to make simplistic policy decisions right now. Climate science is a relatively new field and is far too complicated for us to use it to make overarching policy prescriptions.

V&V: It sounds as though the one certainty that we have from the models so far is that there's much more work to do in modeling. We know this for certain: Modeling, at this time, cannot accurately predict climate change.

Marsch: Yes, I believe that's correct.

V&V: Okay, so what's the value of the Matthew Ridley article in the *Wall Street Journal* [that we recently discussed](#)?

Marsch: Well, he quotes a paper by Ross McKittrick, who is not appreciated by many in the climate science community, but who is an excellent statistician. It's basically a lot of his work (along with the work of Steve McIntyre) that has cast doubt into some of the statistical analyses of climate data done by some in the global warming community. At any rate, McKittrick has looked at the hiatus – and depending upon what kind of data set he's looking at, the hiatus is anywhere from 16 to 29 years. And the microwave satellite data show approximately a 17 or 18-year hiatus. Most computer models didn't predict this outcome.

V&V: A “hiatus” means we’ve leveled off?

Marsch: We’ve leveled off. So, our freshman college students have essentially never seen global warming.

V&V: How many of them do you think are scared by it?

Marsch: Probably a lot. The computer models and the press they attract may have contributed to their fear and the fear experienced by a large segment of our population. The reality is that our freshmen have never experienced global warming in their lives. And, as I suggested in our last discussion, it’s not clear that if they were to experience global warming that it would be a bad thing. Climate science is important work and computer modeling is an important component of that work. Climate researchers have a lot more work to do.

V&V: Thank you, Dr. Marsch. We’re looking forward to discussing carbon dioxide levels next week.

Dr. Glenn A. Marsch is a professor of physics at Grove City College where he teaches physics and an innovative course, Studies in Science, Faith and Technology. A contributing scholar with The Center for Vision & Values, he is also an associate of the Center of Molecular Toxicology at Vanderbilt University.



Republican Scientist And Congressman Refutes Man-Made Climate Change Theories



, October 10, 2014

http://epaabuse.com/16933/videos/republican-scientist-congressman-refutes-man-made-climate-change-theories/?utm_source=rss&utm_medium=rss&utm_campaign=republican-scientist-congressman-refutes-man-made-climate-change-theories&utm_source=EPA+Abuse&utm_campaign=175c960b9f-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_bdf7c53c9e-175c960b9f-305309409

According to Republican Congressman Dan Benishek (R-Crystal Falls, Mich.), neither global warming nor climate change is man-made.

At a Skandia dairy farm, ABC news director Greg Peterson spoke with Benishek.

Benishek: “The climate may be changing, but I don’t think man is contributing to it.”

Peterson: “What do you think does it?”

Benishek: "Well, I think it's just the natural course of things. There is no scientific evidence that shows any of that."

Peterson: "What do you think about the stuff we put in the air? Do you think it just isn't quite significant enough to affect it?"

Benishek: "What stuff are you talking about?"

Peterson: "Pollution, in many of our big cities. China."

Benishek: "China is a major problem. We have to address the Chinese... But I'm not sure there's any evidence to prove that there's manmade, catastrophic global warming."

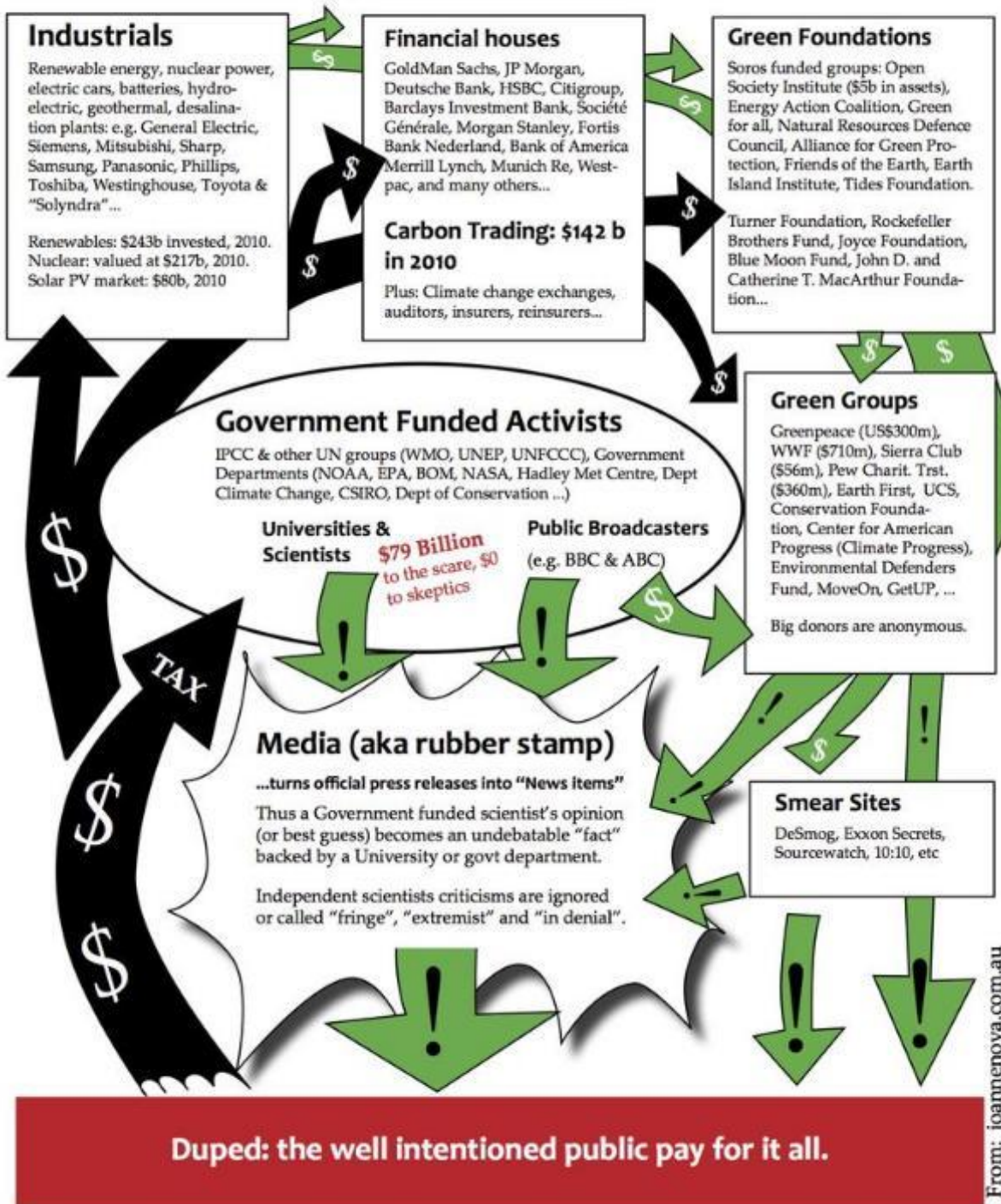
Peterson: "And you really, really in your heart believe it?"

Benishek: "Well, there's no significant scientific evidence."

Peterson: "I could throw some science at you."

Benishek: "Well, I am a scientist. You know, I believe in peer-reviewed science. But, I don't see any peer-reviewed science that proves that there is man-made, catastrophic climate change."

The Climate Change Scare Machine



The War on Methane and Freedom

Don Dears, Power for USA, September 30, 2014

<http://dddusmma.wordpress.com/2014/09/30/the-war-on-methane-and-freedom/>In 2012, the Sierra Club declared war on natural gas, which is methane.

Here is how the Sierra Club portrayed the issue:

“Fossil fuels have no part in America’s energy future — coal, oil and natural gas are literally poisoning us. The emergence of natural gas as a significant part of our energy mix is particularly frightening because it dangerously postpones investment in clean energy at a time when we should be doubling down on wind, solar and energy efficiency.” —**Robin Mann, Sierra Club President**

This is a call to use high-cost methods to generate electricity, rather than using low-cost natural gas. It’s also a call to increase home heating bills for all Americans who use natural gas for heating.

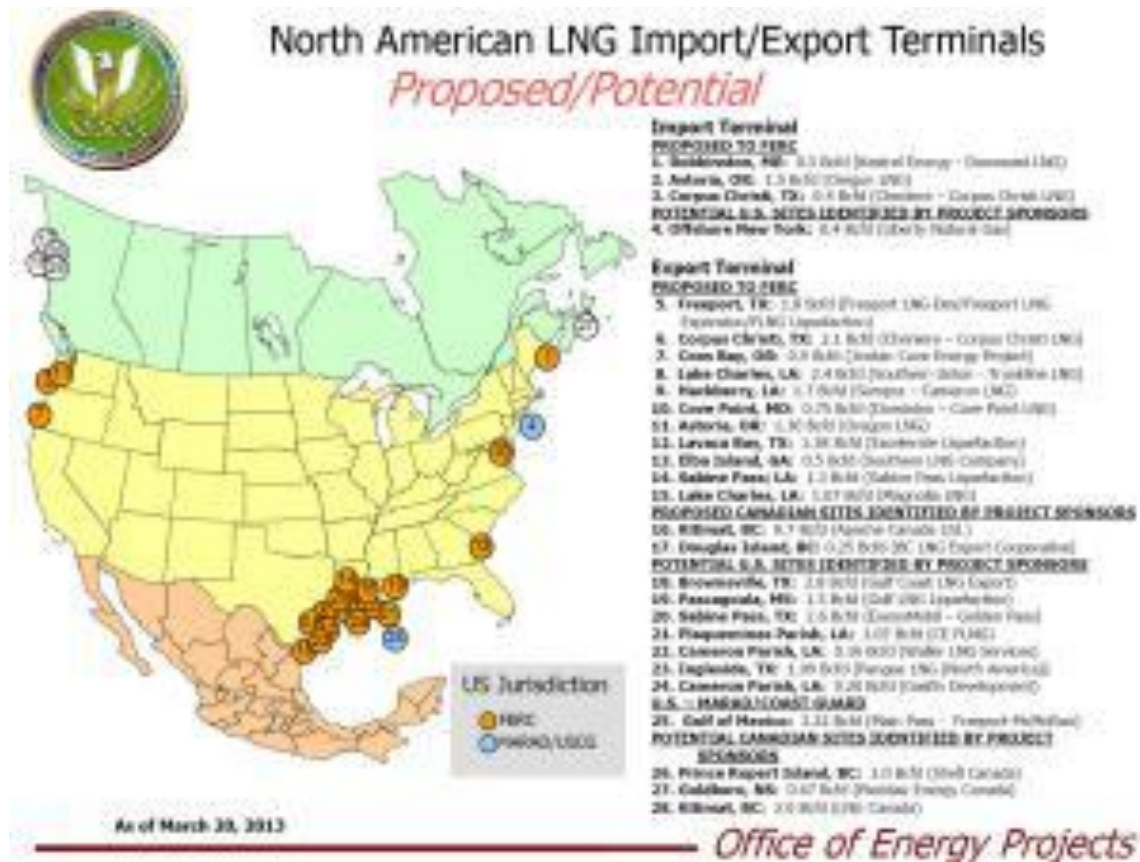
The United States has abundant supplies of low-cost natural gas, more than enough for its domestic needs, including power generation, home heating and fleets of local trucks and busses, and which also has the potential to vastly increase the number of vehicles powered by natural gas.

With huge supplies of natural gas, the United States is on the verge of exporting liquefied natural gas (LNG). But this requires building export terminals, and the big environmental guns are now aimed at stopping their construction.

Without actually saying so, Obama’s climate action plan provides support for the war on natural gas.

He has called on federal agencies to prevent green house gas emissions, including methane, which, in over 100 years is 25 times more potent than CO₂, is an easy target for federal agencies, such as the Federal Energy Regulatory Commission (FERC).

FERC must approve LNG export terminals, and is presently sitting on several applications for permits to build LNG export terminals.



The most direct way to stop the export of natural gas is to stop fracking, as this will end the surplus of natural gas available for export.

Fracking has resulted in abundant supplies of natural gas which have led to an industrial revival, created millions of jobs, and which will allow the United States to end oil imports, other than from Canada and Mexico.

But preventing green house gas emissions is more important to radical environmental groups than guaranteeing an abundant supply of low-cost natural gas and having North America becoming oil independent.

Killing the goose that laid the golden egg is what these environmental groups will achieve if fracking is stopped.

It's not necessary to outlaw fracking: Enacting enough regulations to make it uneconomic achieves the same result.

An important member of the war on fracking is the Natural Resource Defense Council, which makes a seemingly innocuous statement, but one that will stop fracking.

“NRDC opposes expanded fracking until effective safeguards are in place.”

This is essentially their position on nuclear as expressed on their web site: They don't oppose it outright, but demand stringent regulations on the entire fuel cycle, from mining to disposal of waste.

They don't oppose it, they just want to regulate it to death.

One method of delay is to require extensive and politically vulnerable environmental studies.

The Sierra Club and 15 other environmental organizations wrote to president Obama claiming that LNG exports would contribute to global warming, and asked him to have FERC conduct an in-depth environmental impact study on the proposed Cove Point LNG export terminal.

The organizations signing the letter to Obama included:

- Center for Health, Environment and Justice
- Center for Biological Diversity
- Chesapeake Climate Action Network
- Earthjustice
- Earthworks
- Energy Action Coalition
- Environmental Action
- Friends of the Earth
- Food and Water Watch
- Sierra Club
- 350.org
- Waterkeeper Alliance
- Green America
- Earth Day Network

Clearly, the strategy is the same as used in stopping the Keystone pipeline: delay, delay, delay; and FERC is in a position to delay approving these terminals.

Meanwhile, environmental groups are attacking fracking in an attempt to shut fracking down, the ultimate method for stopping LNG exports.

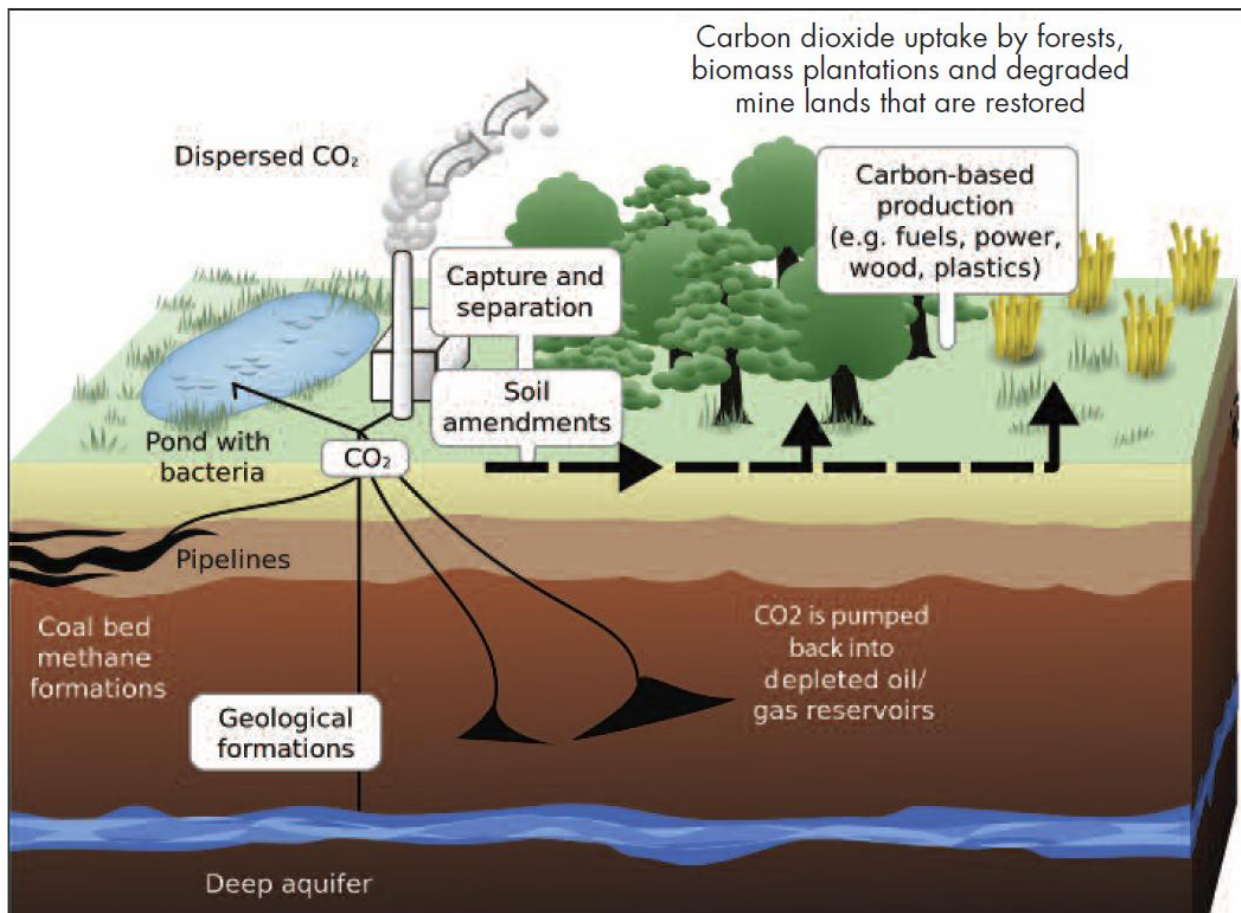
The motivation behind the opposition to natural gas, the Keystone pipeline and LNG export terminals is global warming and climate change.

"If somebody wants to build a coal-powered plant, they can," President Obama said in January 2009, shortly after taking office. "It's just that it will bankrupt them because they're going to be charged a huge sum for all that greenhouse gas that's being emitted."?

At some point, Americans will have to decide whether global warming and climate change are sufficiently important to curtail their freedom and reduce their standard of living.

The EPA's efforts to cut CO₂, because of global warming and climate change will also hurt Americans. See [Higher Costs Built Into EPA Proposal](#).

Freedom and living standards are what are at stake.



Schematic shows both terrestrial and geological sequestration of carbon dioxide emissions from a coal-fired plant. SOURCE: Wikipedia

There is No Global Warming

MoneyNews, 18 Oct 2014

<http://www.moneynews.com/MKTNews/global-warming-hoax-facts/2014/10/17/id/601458/>

You've heard how the Earth is rapidly heating up . . . causing drought, famine, and mayhem.

For sure, Al Gore and the media encourage you to jump on the global warming bandwagon every time there is a heat wave or when a photo of a lone polar bear floating on an iceberg emerges.

But how much has the world really warmed?

It's an important question, considering the U.S. [government](#) spends \$22 billion a year to fight the global warming crisis (twice as much as it spends protecting our border).

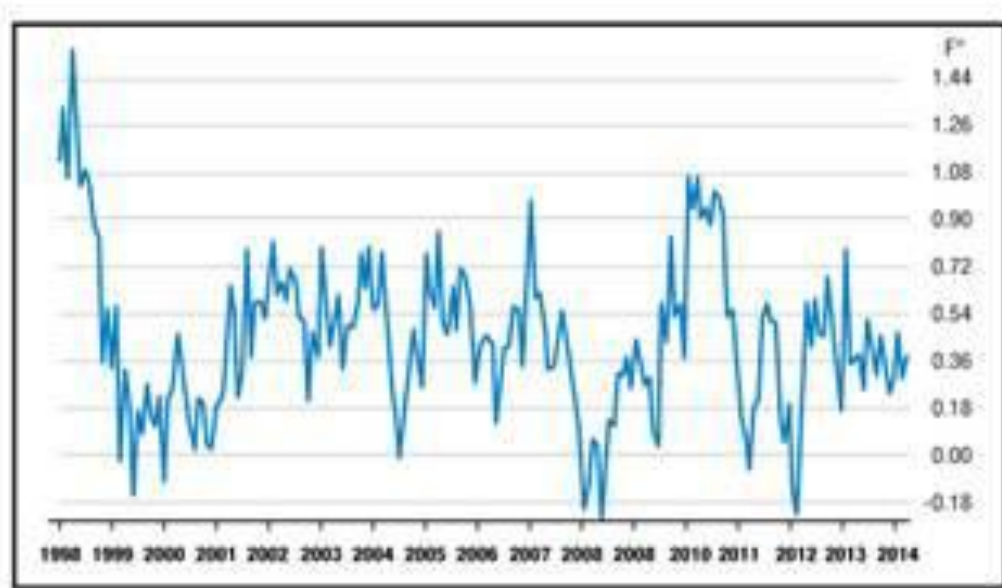
To put that in perspective, that is \$41,856 every minute going to global warming initiatives. But, according to Forbes columnist [Larry Bell](#), the ripple effect of global warming initiatives actually costs Americans \$1.75 trillion . . . every year.

So, has anyone stopped to ask . . . how much has the globe actually warmed?

Well, we asked, and what we found was striking.

According to NASA's own data via [Remote Sensing Systems](#) (RSS), the world has warmed a mere .36 degrees Fahrenheit over the last 35 years (they started measuring the data in 1979).

Hardly anything to panic about; however, that does mean the world is warmer, right?



Source: NASA, NOAA and Remote Sensing Systems

Temperatures in Fahrenheit

The problem with that argument is that we experienced the bulk of that warming between 1979 and 1998 . . . since then, we've actually had temperatures DROPPING!

As can be seen in this chart, we haven't seen any global warming for 17 years.

Weakening the global warming argument is data showing that the North Polar ice cap is increasing in size. Recent satellite images from [NASA](#) actually reflect an increase of 43% to 63%.

This is quite the opposite of what the global warming faction warned us.

In 2007, while accepting his Nobel Prize for his global warming initiative, [Al Gore](#) made this striking prediction, "The North Polar ice cap is falling off a cliff. It could be completely gone in summer in as little as seven years. Seven years from now."

Al Gore could not have been more wrong.

However, despite this clear evidence that the temperatures are not increasing, the global warming hysteria only seems to be increasing.

For example: [President Obama](#) himself tweeted on May 16, 2014: “97% of scientists agree: climate change is real, man-made and dangerous.” John Kerry, Al Gore, and a host of others have championed this statistic.

Since then, it has become clear that this statistic was inaccurate.

The [Wall Street Journal](#) went as far as to say, “The assertion that 97% of scientists believe that climate change is a man-made, urgent problem is a fiction.” Forbes headlined “Global Warming Alarmists Caught Doctoring ‘97% Consensus’ Claims.”

Come to find out, the study President Obama was citing was botched from the start.

A host of other problems for the global warming crowd are emerging, such as . . .

- Leaked emails from global warming scientists state that the Earth is not warming, such as this one from Kevin Trenberth that states, “The fact is that we can't account for the lack of warming at the moment and it is a travesty we can't.”
- [Claude Allegre](#), the founding father of the man-made global warming ethos, recently renounced his position that man has caused warming.
- Proof is emerging that Al Gore and even President Obama have financially benefited from fueling the global warming hysteria ([click here for an internal report on this](#)).

It is becoming harder and harder for the global warming community to ignore some of the scientific data that show the Earth is not getting warmer . . . instead, the world is getting cooler.

Which makes one wonder — why are we still spending \$22 billion a year on global warming initiatives, and where is the money going? ([Click Here to Read a Controversial Report on This Topic.](#))

Suggested Reading for You: A former White House adviser and NASA consultant reveals startling proof that the global warming faction is hiding the truth . . . and gets attacked. [Click Here.](#)



People's Climate March Wants to Change the System, Not the Weather

by [Marita Noon](#), Breitbart.com, 29 Sep 2014

<http://www.breitbart.com/Big-Government/2014/09/29/NYC-Climate-March>



“Extremist voices and groups have hijacked Islam and misappropriated the right to speak on its behalf,” Iyad Ameen Madani, secretary general of the Organization of Islamic Cooperation, [told](#) the 25th Session of the Arab Summit earlier this year.

Surely sincere lovers of nature can similarly see that extremists have hijacked the environmental movement, as evidenced by the People's Climate March last week in New York City and the subsequent UN Climate Summit.

The People's Climate March had little to do with the climate. The eco-extremists want to “change the system.”

While reported numbers vary, hundreds of thousands of people clogged (and [littered](#)) the streets of New York City, with solidarity events held elsewhere around the globe. The parade had grand marshals such as actors Leonardo DiCaprio and Mark Ruffalo, and politicians such as Al Gore and Robert Kennedy, Jr.

It also had an assortment of anti-Americans and anti-capitalists. *Human Events* [described](#) the menagerie this way: “If you're in favor of totalitarian power, sympathetic to America's enemies, dubious about representative democracy, hostile to free markets, or you just get turned on by fantasizing about violent revolution, there was a place for you at this march.”

Marchers carried a banner stating: “*Capitalism is the disease, socialism is the cure.*” Other signs read: “*Capitalism is killing the planet. Fight for a socialist future.*”

Hydraulic fracturing—uniquely responsible for U.S. carbon dioxide emissions dropping to the lowest in 20 years—came under special attack: “Make fracking a crime.” Marchers held signs saying: “Fracking = Climate Change. Ban fracking now.”

Speaking of crimes, Robert Kennedy, Jr., in an [interview](#) at the Climate March, told *Climate Depot*’s Marc Morano that he wishes there were a law to punish global warming skeptics. [Interviews](#) with marchers revealed sentiments ranging from “corporations have to be reined in” to the notion that the marchers are “building a revolution for a whole new society—a new socialist society.”

A man in a cow costume carried a sign reading: “I fart. Therefore, I am the problem.” Bob Linden, host of the nationally-syndicated program “Go Vegan,” [stated](#): “[I]f 50 to 85 percent of us switch to veganism by 2020, scientists tell us we can save the planet from climate change.”

Unfortunately, you won’t see any of this in the mainstream media. The *New York Times* [slide show](#) of the event features a pictorial display of flower wreaths, children, and happy dancers.

In a piece titled: “Rockets Red Glare Distract Nation from UN Climate Summit and Import of Global Climate Protests,” the *Huffington Post* [laments](#) that “the critically important UN Climate Summit in New York has had to compete on mainstream media with the far more dramatic war coverage.” It continues that “the climate’s fate is far more important to the world even than the desperately needed military campaign by the U.S. and its allies to eradicate barbaric ISIL terrorists from Syria and Iraq.”

The new war in Iraq and Syria, waged by Islamic extremists, centers on hate for all things Western and a desire to change systems of government to an Islamic caliphate. The People’s Climate March also centers on hate and a desire to change the government.

One description of the March [said](#): “***These people are defined by what they hate, and a big part of what they hate is capitalism.***”

During a panel discussion held in conjunction with the March, a questioner [wondered](#) aloud to Naomi Klein, author of *This Changes Everything: Capitalism vs. The Climate*: “Even if the climate change issue did not exist, you would be calling for the same structural changes.” Her answer: “Yeah.”

Every Muslim isn't a terrorist and every person who cares about the planet isn't an eco-extremist. But just as ISIS changed America's view, **the Climate March made clear that extremist voices have hijacked the environmental movement.**

National Geographic summed up the March this [way](#): “Despite all the enthusiasm displayed in New York and elsewhere on a muggy September Sunday, [public opinion polls](#) consistently show that climate change does not rank as a high priority for most Americans.”

Americans are smarter than the collection of anti-capitalist satellite groups think. They've seen through the rhetoric and realize, as the Climate March made clear, that it is not about climate change, it is about system change.

The author of [Energy Freedom](#), Marita Noon serves as the executive director for [Energy Makes America Great Inc.](#) and the companion educational organization, the [Citizens' Alliance for Responsible Energy](#) (CARE).

**LIGHT TRAVELS FASTER THAN SOUND.
THIS IS WHY SOME PEOPLE APPEAR BRIGHT
UNTIL YOU HEAR THEM SPEAK.**

RFK, Jr. Wants Me Jailed...As A War Criminal!



by [Paul Driessen](#), The Truth About the EPA October 14, 2014

http://epaabuse.com/16945/editorials/rfk-jr-wants-jailed-war-criminal/?utm_source=rss&utm_medium=rss&utm_campaign=rfk-jr-wants-jailed-war-criminal&utm_source=EPA+Abuse&utm_campaign=e23418cd4c-RSS_EMAIL_CAMPAGN&utm_medium=email&utm_term=0_bdf7c53c9e-e23418cd4c-305309409

The “people’s climate march” was notable for the amazing energy, economic, and climate illiteracy displayed by the mostly young people parading along New York City’s streets on September 21.

Their chants, rants, and placards demanded that we stop climate change (that’s been ongoing throughout Earth and human history), eliminate fossil fuels (that supply 80% of the energy that makes their modern living standards possible), ban fracking (which is largely responsible for reducing the carbon dioxide emissions they blame for global warming that ended at least 18 years ago), and abolish capitalism!

Some of the absurdities can be enjoyed [here](#), [here](#), [here](#), and [here](#). Among my personal favorites:

* Al Gore grinning for a photo op with NYC Mayor Bill DiBlasio and UN Secretary General Ban-Ki Moon. This is same Al Gore who got [a C and D](#) in his two college science courses, told “Tonight Show” audiences that the [Earth’s interior](#) is “several million degrees” (the core is actually nine *thousand* deg F), and refuses to debate anyone on climate change or even take audience questions he has not preapproved.

* Actor Leonardo DiCaprio basking in the NYC limelight, releasing a series of [movies claiming](#) that climate change is immediate and dangerous, [and marching](#) with other people’s anti-tar sands and “100% for the planet” signs – after arriving in the Big Apple *not* via commercial jetliner and subway.

* Actor Mark Ruffalo denouncing [Climate Depot](#) director Marc Morano for daring to ask whether celebrities like Messrs. Gore and DiCaprio are appropriate spokesmen for “stop global warming” campaigns – considering how much they enjoy multiple mansions, global vacations, private jets, yachts, SUVs, helicopters, and limos. Questions like that are “off-limits,” Ruffalo declared. “That is a

question you shouldn't be asking here today, because that defies the spirit of what this is about," he said. **"Anyone who attacks Leonardo DiCaprio is either a coward or an ideologue."**

Wow! I wasn't aware that asking inconvenient questions or pointing out inconvenient truths was improper – especially when posed to people who put themselves forward as paragons of virtue for leading campaigns that inevitably restrict access to energy, lower developed country living standards, and keep the Third World impoverished – while the leaders enjoy lifestyles that are many times more profligate, carbon-intensive, and carbon dioxide-spewing than the average American or African citizen's.

But surely the most surreal episode of the march was Robert F. Kennedy, Jr. saying Morano and I and thousands like us **should be jailed** for expressing doubts about "dangerous manmade climate change."

"I think they should be in jail ... with all the other war criminals." Republican politicians too – "those guys are doing the Koch brothers bidding and are against all the evidence, saying global warming does not exist. They are contemptible human beings," [he fumed](#), for our "war on science," I presume.

So RFK the younger wants to punish us for the "crimes" of exercising our First Amendment rights, demanding actual evidence to support alarmist assertions, saying people's needs for reliable, affordable energy must be part of the conversation – and insisting that those needs take precedence over absurd claims that climate change is "the world's most fearsome weapon of mass destruction," posing "greater long-term consequences" than ISIL, terrorism, or Ebola, as Secretary of State John Kerry insists.

Mr. Kennedy needs to read the Constitution, reflect on the once proud history of free speech and civil rights in the United States, and acknowledge the harm his policies are causing. He also needs to get his facts straight.

None of us says global warming or climate change "does not exist." Global warming, global cooling, "climate disruption," and "wild weather" have been "real" since Earth began. What we challenge is alarmist assertions that human carbon dioxide emissions have replaced the powerful, complex natural forces that caused repeated ice ages, little ice ages, warm periods, droughts, storms, and other

fluctuations throughout history. We dispute claims that any climate changes will be dangerous, and are our fault.

We vigorously refute claims that CO2 is “pollution.” This is what we exhale. It’s the trace gas (0.04% of our atmosphere) that enables plants to grow, and makes all life on Earth possible.

We debunk talk of countless “disasters” that Climate Armageddonites – from President Obama on down – blame on fossil fuels and insist “are happening right now.” The planet hasn’t warmed for 18 years. The nearly nine years since Wilma in October 2005 is the longest period since 1900 (and maybe the US Civil War) without a category 3-5 hurricane hitting the United States. Floods, droughts, and other events are all within historic patterns, as readers can see in my new report, *CLIMATE HYPE EXPOSED – HOW PSEUDO-SCIENCE IS USED TO JUSTIFY POLICIES THAT HURT JOBS, LIBERTIES, AND PEOPLE.*****

Just as crazy, RFK Jr. made it clear that he and his wife will not give up their \$5,000,000 Malibu home or “reduce the, uh, our quality of life in order to have a, uh, rational free market, in order to, um, stop the use of carbon and to divorce ourselves from a fuel that is destroying our planet.” **But they, many of the NYC marchers and climate alarm leaders, are surely doing all they can to reduce *your* quality of life.**

The policies RFK & Comrades demand would raise the price of fossil fuel energy that powers our modern world, creates and preserves jobs, and improves, enhances, and safeguards lives. In Europe, they’ve made energy so expensive that millions of pensioners and other poor families cannot afford to heat their homes properly – and thousands die needlessly from hypothermia every winter. We’re heading there, too.

They cause millions of deaths every year in developing countries – by preventing construction of state-of-the-art coal and gas-fired power plants, and depriving people of reliable, affordable energy. More than 2.5 billion people worldwide must still use wood, charcoal, coal, and dung in open fires to heat and cook; well over a billion still do not have electricity and still do not enjoy its wondrous blessings.

As a result, millions die every year from lung diseases due to constantly breathing polluted smoke from cooking and heating fires, from intestinal diseases caused by spoiled food and tainted water, and from countless other diseases of energy deprivation and poverty. The vast majority are women and children.

My colleagues and I would gladly go on trial and even serve time for “treasonous” speech against the climate alarm establishment ... and for “polluting” the atmosphere with plant-fertilizing, life-giving CO2.

But then ***WE WOULD INSIST THAT MR. KENNEDY AND HIS COMRADES ALSO BE TRIED AND SENTENCED: FOR ECO-MANSLAUGHTER AND CRIMES AGAINST HUMANITY, FOR THE DISEASE AND DEATH THEIR POLICIES CAUSE AND PERPETUATE.***

The International Criminal Court might be the proper venue, just as RFK suggested for us. But perhaps the climate demagogues and anti-fossil fuel zealots should be tried – and serve their sentences – in countries that have suffered the most at their hands, for their war on women, children, and the poor. Conditions in those Third World prisons are notoriously worse than in the zealots’ mansions, and in the comparatively posh modern jails and prisons found in most of the USA and Europe.

Alternatively, ***THESE TRUE CLIMATE CRIMINALS COULD BE SENTENCED TO DO COMMUNITY SERVICE, WHILE LIVING LIKE THE NATIVES: IN MUD HUTS, BREATHING THEIR AIR, DRINKING THEIR WATER, BEING BITTEN BY DISEASE-INFESTED INSECTS, AND HAVING TO WALK MILES TO BASIC MEDICAL SERVICES WHEN THEY INEVITABLY CONTRACT MALARIA, PNEUMONIA, OR DYSENTERY. THAT COULD MAKE ALTERNATIVE COMMUNITY SERVICE A DEATH SENTENCE – AKIN TO WHAT MR. KENNEDY AND HIS SELF-RIGHTEOUS FRIENDS ARE IMPOSING ON SO MANY UNFORTUNATE PEOPLE.***

It’s time to refocus. **The world needs abundant, reliable, affordable energy, to create opportunity and prosperity, improve and save lives, and enable us to adapt to whatever climate changes might come.** Misguided noise about climate change “deniers” and humans replacing natural forces in controlling Earth’s climate serve only to distract us from the critical job at hand.

Paul Driessen is senior policy analyst for the Committee For A Constructive Tomorrow (CFACT) and Congress of Racial Equality (CORE), and author of Eco-Imperialism: Green power – Black death.

The Hype Around Global Warming Could End Quickly With This Gut-Busting Rant On Climate Change

EPA ABUSE.com

by L. Todd Wood, The Truth About the EPA, October 10, 2014

http://epaabuse.com/16930/editorials/hype-around-global-warming-end-quickly-gut-busting-rant-climate-change/?utm_source=rss&utm_medium=rss&utm_campaign=hype-around-global-warming-end-quickly-gut-busting-rant-climate-change&utm_source=EPA+Abuse&utm_campaign=175c960b9f-RSS_EMAIL_CAMPAIN&utm_medium=email&utm_term=0_bdf7c53c9e-175c960b9f-305309409



All you have to do is click on the Huffington Post to see the liberal glee now that the drought in California is causing real pain to residents of the People's Republic of CA.

Finally we have evidence of climate change! the articles read.

This reaction, of course, is entirely predictable. Since the recent hurricane seasons have been so calm, the Left desperately needed a disaster to keep up the propaganda for their latest vehicle to control others.

But don't believe the hype! All one has to do is Google the history of drought in California to see that this type of phenomenon is nothing new. In fact, during the

IF I AGREED WITH YOU, WE' D BOTH BE WRONG.

last thousand years, there have been multiple severe droughts in California. This fact is gleaned from real science, tree rings, and other historical data.

Right now, the Libs are calling this drought the longest and most severe in the history of rainfall data collection. This is true! What they don't tell you is that rainfall data has only been collected for about 160 years. Of course, there is a much longer history of the Earth before that.

Scientists have stated for some time now that there have been multiple droughts in California that lasted ten to twenty years in a row. In fact, one during the Dark Ages lasted about 240 years! Another during the next millenium lasted 180! The Left of course won't tell you that.

"We continue to run California as if the longest drought we are ever going to encounter is about seven years," said Scott Stine, a professor of geography and environmental studies at Cal State East Bay. "We're living in a dream world."

Mercury News reports, "Stine, who has spent decades studying tree stumps in Mono Lake, Tenaya Lake, the Walker River and other parts of the Sierra Nevada, said that the past century has been among the wettest of the last 7,000 years."

So basically, California is just reverting to the mean. We've had some good

I DIDN' T SAY IT WAS YOUR FAULT, I SAID I WAS BLAMING YOU.

times and now we are in for some bad. It's the cycle of nature, not some man made disaster.

The real problem California needs to face is what if we are in for a twenty year drought? The ramifications would be disastrous for farming and the economy of the state. But be assured, the Left will tie these consequences to climate change and not real science.

Scientists to ‘fast-track’ evidence linking global warming to wild weather

Tom Bawden, environment editor, 03 October 2014

<http://www.independent.co.uk/environment/climate-change/scientists-to-fasttrack-evidence-linking-global-warming-to-wild-weather-9773767.html>



Aim is to thwart sceptics from dismissing extreme event as 'natural weather variation'

Scientists are to challenge the climate-change sceptics by vastly improving the speed with which they can prove links between a heatwave or other extreme weather event and man-made changes to the atmosphere.

It typically takes about a year to determine whether human-induced global warming played a role in a drought, storm, torrential downpour or heatwave – and how big a role it played.

This allows climate sceptics to dismiss any given extreme event as part of the “natural weather variation” in the immediate aftermath, while campaigners automatically blame it on global warming.

By the time the truth comes out most people have lost interest in the event, the Oxford University scientists involved in the project say.

They are developing a new scientific model that will shrink to as little as three days the time it takes to establish or rule out a link to climate change, in large part by using highly accurate estimates of sea surface temperatures rather than waiting for the actual readings to be published – a process that can often take months.

“We want to clear up the huge amounts of confusion around how climate change is influencing the weather, in both directions. For example, the typhoon in the Philippines that dominated the UN climate change talks in Warsaw last November and that many people put down to climate change – it turned out it

had no detectable evidence. And the same goes for Hurricane Sandy," Dr Friederike Otto, of Oxford University's Environmental Change Institute, told The Independent.

But there are plenty of other cases where climate change is likely to have been involved, she said. Examples include last year's record heatwave in Australia – the severity of which an eminent scientist concluded this week "was virtually impossible without climate change" – and the flooding in the UK at the start of the year, which Dr Otto's department has just established was made 25 per cent

YOU' RE NEVER TOO OLD TO LEARN SOMETHING STUPID.

more likely by global warming.

"It's very much like the kinds of risks we see in the health sector, with different levels of confidence in the role played by climate change depending on the situation.

"It's like a weather autopsy. We know from rigorous scientific testing that smoking increases the likelihood of cancer and work out the conditional probability accordingly," said Dr Heidi Cullen, chief scientist with Climate Central, an organisation in Princeton, New Jersey, that is also working on the project.

Read more:

The group aims to have the new model up and running by the end of next year. In some weather events it may establish that there is no link, in others the connection may be weak or uncertain and in others it could be very strong, or almost definite, the group says.

"We hope to inject truth into the link between extreme weather and climate change at the point when it is top-of-mind, using a transparent and peer-reviewed methodology," said Dr Cullen.

So far, scientists have found it easier to establish climate change links with natural hazards directly driven by temperature and rising seas, such as heatwaves or storm surges. But with floods and droughts, which are driven by rainfall, it is more difficult to establish a link, Dr Cullen said.

Research published this week, for example, could not come to a unanimous decision on whether the drought afflicting California had been exacerbated by human activity. However, it did conclude that regardless of the causes, the effects of the drought had been worsened by global warming. This is because whatever rain does fall in California tends to evaporate faster in the hotter climate, leading to drier conditions.



Shameful- Obama Misleads Students About Climate And Energy

by [Bob Carter and Tom Harris](#),



October 16, 2014

In his October 2 address on the economy at Northwestern University, President Barack Obama told students, “If we keep investing in clean energy technology, we won’t just put people to work assembling, raising and pounding into place the zero-carbon components of a clean energy age. We’ll reduce our carbon emissions and prevent the worst costs of climate change down the road.”

But what does climate change have to do with energy supply? Almost nothing.

Climate change issues involve environmental hazards, whereas energy policy is concerned with supplying affordable, reliable electricity to industries and families. So where is the relationship to climate?

Until the 1980s, there was none. That one is now perceived testifies to the effectiveness of relentless lobbying by environmentalists and commercial special interests towards the idea that carbon dioxide (CO₂) emissions from hydrocarbon-based power-generation will cause dangerous global warming.

So far, that has not happened. It has now been 18 years with no measurable planetary warming.

However, this warming disaster idea has become so entrenched that even prime ministers and presidents now misuse “carbon” as shorthand for “carbon dioxide,” and often call this plant-fertilizing gas a pollutant. For example, during his 13-minute address at the UN’s 2014 Climate Summit in New York City on September 23, Mr. Obama referenced “carbon pollution” seven times and “carbon emissions” five times. That’s almost one misnomer per minute.

In reality, CO₂ is environmentally beneficial. It is the elixir of life for most of our planetary ecosystems. Without it, life as we know it would end. No evidence exists that the amount humans have added to the atmosphere is producing dangerous warming or, indeed, any climate or weather events noticeably different in frequency, duration, or intensity from human experience over the past couple of centuries.

Many negative consequences flow from wrongly connecting energy and global warming issues. Foremost among them has been a lemming-like rush by governments to generously subsidize what are otherwise uneconomic sources of energy, solar, and wind power in particular.

The International Renewable Energy Agency reports that worldwide investment in renewables (not counting large hydropower) amounted to an incredible \$214 billion in 2013 alone! IRENA insists that these expenditures need to more than double by 2030, to achieve the impossible goal of restricting average global temperature rise to 2 degrees Celsius by the end of the century.

However, results to date show that those investments have brought few benefits, and much harm. European studies have found that expensive, unreliable wind and solar power kills two to four jobs for each “renewable” energy job this heavily subsidized industry creates.

Mr. Obama paints alternative energy sources as environmentally virtuous because they supposedly reduce CO₂ emissions and provide renewable and clean sources of power. This too is highly misleading.

Wind and solar energy are certainly renewable – when the wind blows and the sun shines. But there is no power otherwise, so it's tough luck if that's when a hospital needs electricity for emergency surgery. Such intermittency also makes these sources entirely unsuitable as major contributors to national energy grids, to power factories, schools, businesses, and families. The use of wind and solar power also increases the cost of electricity dramatically.

Moreover, these sources are assuredly not renewable when you consider the enormous amounts of land, mining, energy, and raw materials required to build the wind and solar facilities, the extremely long transmission lines required to carry their electricity to urban centers, and the backup fossil-fuel generators needed for the 80-90% of the time the renewable sources aren't working.

Alternative energy sources are also far less environment-friendly than the President would have us believe. Wind turbines kill millions of birds and bats every year, and some rare species will undoubtedly be vulnerable to extinction

if wind power continues to expand near important wildlife habitats. Massive solar installations have a disastrous effect on desert ecosystems and incinerate important bird species.

And yet the wind and solar generators are typically exempt from environmental laws that are used to block many other activities.

These problems are becoming apparent even to the European Union, once the world's green energy leader. EU Energy Commissioner Gunther Oettinger recently said that **European energy policies must change, from being climate driven to being driven by the needs of industry and job preservation. He could have included families because millions of European households can no longer afford to heat their homes properly, due to soaring energy prices.**

All nations need to return to the historic separation that previously existed between energy policy and climate policy. They must analyze and plan for both, in accord with their own distinct requirements and resources and based on defensible environmental, technological, and economic analyses.

This means abandoning Mr. Obama's naïve mantra that our energy choices affect global climate.

Dr. Bob Carter is former professor and head of the School of Earth Sciences at James Cook University in Australia. Tom Harris is Executive Director of the Ottawa, Canada-based International Climate Science Coalition.

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## **Of Course, Newsweek Clowns Link Ebola and So-Called 'Climate Change'**

by [Jammie](#) on Oct 01, 2014

<http://www.jammiewf.com/2014/of-course-newsweek-clowns-link-ebola-and-so-called-climate-change/>



This may well be the [dumbest thing](#) we've seen so far today, but it's still early. A lot of lefties are still sleeping and dreaming up new idiocies sure to come.

*“Humans are the major driver of emerging diseases,” says Jonathan Epstein, an epidemiologist at the non-profit EcoHealth Alliance who studies Ebola and other infectious disease. “Things like agricultural expansion and deforestation...and certainly travel and trade — these are things that manipulate our environment and allow pathogens to get from animal hosts to people and then travel around the world.”*

*In a [study](#) published in 2012, researchers asked national infectious disease experts in 30 different countries whether or not they thought climate change would affect infectious disease patterns in their countries. The majority agreed.*

*Nevertheless, it's unclear whether these beliefs are driven by good science, or, as [Malcolm Gladwell argued](#) way back in 1995, a guilt-driven “idea of disease as a punishment for wickedness.”*

Or by junk science and a desire to control every aspect of your lives.

*And there is, according to the [World Health Organization](#), a recent global increase in infectious diseases that seems to **correspond with rising global temperatures**. But determining whether there is a direct causative relation between the two is a hazy business.*

Despite all evidence to the contrary they still claim temperatures are rising, when [they obviously are not](#). Yet the media just keeps repeating the lies.

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**TO BE SURE OF HITTING THE TARGET,
SHOOT FIRST
AND CALL WHATEVER YOU HIT THE TARGET.**

Acting on Climate Change for our Children's Sake



By [Gina McCarthy and Nsedu Obot Witherspoon](#)

October 16, 2014

<http://blog.epa.gov/epaconnect/2014/10/acting-on-climate-change-for-our-childrens-sake/#more-2764>

The missions of the Children's Environmental Health Network (CEHN) and the U.S. Environmental Protection Agency (EPA) align for a simple reason: healthy people depend on a healthy environment to live, work, and play in.

Scientific research shows our children are especially vulnerable to environmental health hazards. October is Children's Health Month, and as we work to raise awareness and act on health risks, we need to keep children's health considerations and concerns at the forefront of our research, practice, and policy decisions. We need to be especially vigilant as we face new health risks from climate change.

Warmer temperatures from climate change, fueled by carbon pollution, are making allergy seasons longer and worsening smog, exacerbating children's asthma. One in ten kids in the U.S. already suffers from asthma, and these numbers could go up. Hotter weather is also increasing moisture in the air in some locations. More moisture means more mold and mildew—which also cause respiratory problems.

Power plants are our nation's largest source of carbon pollution—which comes bundled with other toxic pollutants like nitrogen oxide and sulfur dioxide that cause respiratory problems, especially among children. Although the U.S. already limits power plant pollutants like mercury and arsenic, there are currently no limits on carbon pollution.

When it comes to climate change, the health risks are clear, and so is the urgent need for action. That's why this summer, at President Obama's direction, EPA proposed a Clean Power Plan to limit carbon pollution. The plan would not only cut carbon pollution 30 percent from the U.S. power sector by 2030, but it would also slash those other harmful pollutants that lead to respiratory and cardiovascular disease. In 2030 alone, this plan will help avoid up to 100,000 asthma attacks and 2,100 heart attacks.

We also know climate-related health risks disproportionately affect communities of color, low-income families, and tribal populations that already deal with higher rates of asthma and exposure. Advocating for equal environmental protections means advocating for environmental justice.

Any action we take—whether our risks come from climate change or conventional pollution challenges—has to be based on sound science and research. That’s why EPA has Pediatric Environmental Health Specialty Units (PEHSUs) across the country to provide communities with advice on environmental causes of illness in children.

Solid science has always underpinned good policy that protects children’s health. When we learned that exposure to mercury in the womb harms developing nervous systems, we reduced exposure. When we learned that leaded gasoline creates toxic fumes that harm children’s brain development, we stopped its use. And when we learned about the risks of secondhand smoke, we fueled a movement that continues to promote dramatically healthier environments for our children.

The public health community’s voice has always been vital. As we continue to learn about the clear and present health dangers of climate change, our obligation to speak up for children’s health—and act to protect it—has never been clearer.

So this Children’s Health Month, we urge you to keep making your voices heard. Comment on EPA’s proposal to curb carbon pollution. Educate your families, and share your thoughts on Facebook and Twitter using #ActOnClimate.

All health professionals can agree that the easiest ailment to treat is one that never develops. As academic researchers, as public servants, and as parents and grandparents, let’s fulfill our obligation to future generations by acting on climate change today.

For more information and to get involved in your community, please visit <http://www2.epa.gov/carbon-pollution-standards> and <http://www.cehn.org/policy/climate> .

Gina McCarthy is Administrator of the Environmental Protection Agency. Nsedu Obot Witherspoon is Executive Director of the Children’s Environmental Health Network.



New Obama Law Affects Your Bank Accounts

This is an Advertisement, Gold Gate Capital, October 22, 2014
<http://www.goldgatecapital.com/market-news/new-obama-law-affects-your-bank-accounts/>



Americans are about to see a **major, major collapse in our national monetary system**, and our normal way of life.

You see, with the rising level of U.S. debt, many countries around the world are questioning the position of the U.S. dollar as the reserve currency. They want to diversify out of the U.S. dollar, as quickly as possible.

The latest sign of a move away from the dollar as a reserve currency is that **China** and **South Korea** recently came to an agreement that allows firms to settle deals in either the Chinese yuan or the South Korea won instead of the U.S. dollar. "The agreement is part of a push among emerging countries to internationalize local currencies after the global financial crisis," reports *Bloomberg*.

Alan Wheatley, a global economics correspondent for *Reuters* recently wrote:

"Fed up with what it sees as Washington's malign neglect of the dollar, China is busily promoting the cross-border use of its own currency, the yuan.

"Displacing the dollar, Beijing says, will reduce volatility in oil and commodity prices and belatedly erode the 'exorbitant privilege' the United States enjoys as the issuer of the reserve currency at the heart of a post-war international financial architecture it now sees as hopelessly outmoded."In fact, in the past couple years, China has signed international currency agreements with Germany, Brazil, Russia,

Australia, Japan, Chile, the United Arab Emirates, India and South Africa.

Japan and **India** also recently signed a currency deal linking their currencies closer together, and lessening their dependency on U.S. dollars.

These agreements are part of a trend that started a few years ago, when a group of the world's most powerful countries, including **China, Japan, Russia, and France, got together for a secret meeting** – WITHOUT the United States being present or even knowing about the meeting.

Veteran Middle East reporter **Robert Fisk** reported on this event in Britain's newspaper, *The Independent*. Here's what he wrote:

"In the most profound financial change in recent Middle East history, Gulf Arabs are planning – along with China, Russia, Japan and France – to end dollar dealing for oil, moving instead to a basket of currencies including the Japanese Yen, Chinese yuan, the euro, gold and a new, unified currency planned for nations in the Gulf Co-operation Council, including Saudi Arabia, Abu Dhabi, Kuwait and Qatar."

Fisk also interviewed a Chinese banker who said:

"These plans will change the face of international financial transactions. America... must be very worried. You will know how worried by the thunder of denials this news will generate."

And sure enough, after Fisk published the details of this secret meeting, U.S. officials and central bankers from around the globe denied these plans.

But as the old central banking adage goes... how do you know exactly when a currency will be devalued?

The answer is: Right AFTER the head of the central bank goes on television to adamantly deny that any such transaction will occur. (And guess who subsequently released a public statement about how the U.S. will "not devalue its currency"? Yes, you guessed it... former U.S. Treasury Secretary Tim Geithner.)

You see, the last thing a central banker wants to do in the midst of a devaluation is to give people a warning BEFORE he can devalue. So they have to deny, deny, deny. After the announcement is made, it's too late for citizens and investors to get out.

Then, not too long after this secret meeting was held, the International Monetary Fund (IMF) issued a report on a possible replacement for the dollar as the world's reserve currency.

I'm sure you recognize the significance of this event. The IMF, which is headquartered in Washington, D.C., is the intergovernmental organization that supports the global financial system. It is THE most influential financial organization in the world economy.

The IMF has proposed replacing the U.S. dollar with something called "Special Drawing Rights," or SDRs. SDRs represent potential claims on the currencies of IMF members.

SDRs were created by the IMF in 1969 and can be converted into any currency, based on a weighted basket of international currencies. When the IMF lends money, it typically does so via SDRs.

The IMF also proposed creating SDR-denominated bonds, which could reduce central banks' dependence on U.S. Treasury bonds.

The IMF also suggested that certain assets, such as oil and gold, which are traded in U.S. dollars, could be priced using SDRs.

This is a HUGE and important step to replace the U.S. dollar as the world's reserve currency. I'm telling you... it's coming... and it's coming much sooner than most Americans expect.

Most Americans simply aren't aware of what's being done and said around the world. For example, regarding the world's reserve currency, China issued a report through their state news agency, Xinhua, stating:

"International supervision over the issue of U.S. dollars should be introduced and a new, stable and secured global reserve currency may also be an option to avert a catastrophe caused by any single country."

It's just another sign of this inevitable event—the end of the U.S. dollar as the world's reserve currency.

Any government or investor with any sense is looking to get out of the U.S. dollar as quickly and safely as possible...

China and **Russia**, for example, took one of their first big steps to replace the U.S. dollar back in 2010...

China Daily reported...

"The two countries were accustomed to using other currencies, especially the dollar, for bilateral trade. Since the financial crisis, however, high-ranking officials on both sides began to explore other possibilities."

To settle their ordinary trading of about \$50 billion per year, they no longer first convert to U.S. dollars.

Since then, **China** has reached agreements with many other countries, as I mentioned earlier. Remember, they've already signed international currency agreements with **Germany, Brazil, Russia, Australia, Japan, Chile, the United Arab Emirates, India and South Africa.**

What does this mean?

Well, it used to be that China had to obtain dollars to buy natural gas from, say, Russia. But not anymore. And Russia no longer needs U.S. dollars to buy stuff from the Chinese.

And this brings us to one of the biggest and most important facts regarding the U.S. dollar.

As the dollar loses its place as the world's reserve currency, foreign countries will no longer need to maintain large holdings of dollars. This means we will no longer be able to print as much money as we want — because there will be fewer and fewer people willing to loan us large amounts of money.

This move between China and other countries around the world would have been unthinkable 10 years ago, but today it is the new reality.

As I am sure you are aware, for years the U.S. dollar has been accepted almost universally around the globe.

Heck, many times when I've traveled, I never even bothered to convert to the local currency, because I knew everyone would take my dollars.

Well, that's simply not the case anymore...

Many Places No Longer Accept the Dollar

For example, the *Seattle Times* reports that in Mexico, Americans are no longer allowed to exchange more than \$1,500 per month.

In **India**, the country's tourism minister said **U.S. dollars will no longer be accepted** at the country's heritage tourist sites, like the Taj Mahal. And the U.S. dollar is no longer good anywhere in Cuba.

China is moving in the same direction. The *New York Times* reports...

"Now, many shops in China no longer accept dollar-based credit cards issued by foreign banks... and foreigners cannot convert American dollars into renminbi beyond a given quota."

Iran, of course, has already moved all of its reserves out of U.S. dollars, and Kuwait de-pegged its currency from the dollar a few years ago.

And the Chicago Mercantile Exchange (the world's largest futures and commodities exchange board), now **accepts gold to settle futures contracts**. Until recently, the exchange typically accepted only U.S. Treasury securities as payment.

The guys at the Mercantile Exchange obviously see the writing on the wall.

Again, this would have all been completely unthinkable 10 years ago, but today it's a reality. And this trend is going to keep moving incredibly fast.

Just look at the actions taken by smart investors...

Bill Gross, who probably knows as much about currencies and debt as anyone in the world, runs the world's biggest bond fund. He was quoted by *Bloomberg* not too long ago, saying:

"We've told all of our clients that if you only had one idea, one investment, it would be to buy an investment in a non-dollar currency. That should be on top of the list."

Jim Rogers, one of the world's most successful multimillionaire investors writes:

"The dollar is not just in decline; it's a mess. If something isn't done soon, I believe the dollar could lose its status as the world's reserve currency and medium of exchange, something that would lead to a huge decline in the standard of living for U.S. citizens like nothing we've seen in nearly

a century."

I know... you probably still don't believe we can have a complete currency collapse here in the United States. But think about it...

Are we as Americans really immune to the laws of economics and finance?

I don't think so. And I'm not the only one saying this...

The dollar's days as reserve currency are numbered," reports the **Financial Times**.

And the **Wall Street Journal** recently ran a headline saying: "Dollar's Reign as World's Main Reserve Currency is Near an End."

I'm sure I don't have to tell you that the *Financial Times* and the *Wall Street Journal* are probably the two most respected financial newspapers in the world.

They too see the writing on the wall.

It's obvious to anyone who has studied any economic history.

In every instance, throughout history, where a government has tried to inflate its debts away, it has ended in disaster.

Believe me... it will happen here too.

As Jim Rogers says:

"History teaches us that such imprudent monetary and fiscal behavior has always led to economic disaster."

This is why World Bank president, Robert B. Zoellick, in a speech at the School for Advanced International Studies at Johns Hopkins University, recently said:

"The United States would be mistaken to take for granted the dollar's place as the world's predominant reserve currency. Looking forward, there will increasingly be other options to the dollar."

And this is why the International Monetary Fund (IMF) recently published a paper calling for a new global world currency.

This is why big U.S. companies like McDonald's and Caterpillar have begun introducing what are called "dim-sum bonds." These are corporate bonds denominated in the Chinese currency (the renminbi) by non-Chinese borrowers.

In other words, two of the biggest and most successful corporations in America realize they would have an easier time raising money by offering their bonds in a currency other than the U.S. dollar!

And this pressure to end the U.S. dollar's reign as the world's reserve currency, continues to accelerate...

In January of this year, **Justin Yifu Lin, a former chief economist of the World Bank**, told a Brussels-based think tank: **"The dominance of the greenback is the root cause of global financial and economic crises... The solution to this is to replace the national currency with a global currency."**

Do you see where this is all heading?

It's no mystery why **gold** and **silver** prices have absolutely soared since 2000. Yes, gold and silver both fell significantly in 2013, but keep in mind that before that, these precious metals went up for 12 STRAIGHT YEARS. Nothing has ever gone up for that many straight years without some type of correction. And even after the recent pull back, **gold is still up 356% since the end of the year 2000.**

In 2014, both gold and silver have continued their meteoric rise.

This is why the best investors in the world are protecting themselves from the coming currency crisis with **Gold** and **Silver**

For example, **Warren Buffett** is the world's most renowned investor with a net worth of \$63 billion. He has made his fortune on the strength of America, and no one has been a bigger America "bull." But two years ago, Buffett first warned: **"Bonds should come with a warning label."**

A March 6, 2014 *Bloomberg* story shows Buffett has reduced his company's bond holdings to their lowest levels in more than a decade. **What Bloomberg didn't mention is that Buffett also moved almost 70% of his remaining government fixed income investments into foreign currencies.**

Again, remember... this is all a result of "capital flight." When people no longer trust a particular currency, they look for better and safer alternatives. Over the past 12 years, **gold** and **silver** have been much safer and far more profitable than holding U.S. dollars in the bank.

Think about this...

Gold prices have gone up for **12 straight years**. No other asset in the world, as far as I know, has had a run like this in recent history. And why, exactly is gold going up?

The No. 1 reason is because savvy investors around the globe realize the U.S. dollar is no longer a safe store of value.

The point is, it's not a matter of "if" the U.S. dollar will lose its status as the world's reserve currency... it's a process that is already underway. And if, over the next few years, you ignore these basic facts, these basic laws of finance and economics, it will simply destroy you.

Investors, foreign governments, and large corporations know there are serious, serious problems with the U.S. dollar, so they are fleeing to precious metals, which have historically been very reliable when a country has major currency problems.



The Many Roads to Currency Ruination

[Frank O. Trotter](#), Executive Vice President - EverBank

<https://us-mg6.mail.yahoo.com/neo/launch?.rand=b8b2fre5r0gg2#521364434>

Total object failure. Mad Max. Breakdown of society. Chaos.

How's that for an upbeat start?

Failure is a tough thing to talk about, particularly here in the US where it's all about optimism. What's the best? Who's the fastest? Where should I put my money for the highest return?

But examining failures can help us avoid mistakes. So let's take a tour of a few currencies and money systems that fell apart. We'll learn some principles of sound money and hopefully, have a little fun.

What Is Money?

Even though we don't think about it every day, we all know that money is a fiction. It is a medium of exchange – a token we pass back and forth instead of bartering, and a store of value that keeps score of our assets and debts. It is based on belief and faith—nothing more.

At times, money has been metals or tobacco or wampum. There are the famous Yap Island stones. At other times, like today, paper tokens with no intrinsic value stand in as money.

As we'll see, people and societies have always experimented with money.

So, What Is a Failure?

One obvious sign of failure is that a currency is no longer usable as a medium of exchange or a store of value. It becomes worthless to everyone.

Currencies that create chaotic or unproductive behavior are also failures. Often, the collapse of a currency forces, or perhaps acknowledges, economic collapse.

What Are the Usual Causes of Currency Failure?

Aside from currencies that went extinct because their countries were conquered, there are two main reasons for failure—and they're at opposite ends of the same spectrum.

On one side, we have a lack of supply. Maybe there aren't enough coins to go around. Maybe the money supply is constrained. Price mechanisms can remedy this situation, but usually, society will shift to substitutes. If there's not enough gold or silver, people will use tin, cows, or cigarettes. I won't spend any more time on this because it's so rare today.

On the other side of the spectrum, we have too much supply. In 9 out of 10 cases, overissuance has been due to war, because war is expensive.

As it still is today, joining the military has historically been one way out of a difficult situation. Joining the military was a way for a serf or pauper to make it big. Soldiers are usually paid—and paid relatively well—to put their lives on the line. Historically, soldiers have insisted on being paid in gold, delivered to the front or to a verified recipient on time.

Like today, this cost is usually above and beyond what the sovereign had in the vault. So the ruler had to borrow. Or cheat.

Cheating normally took the form of what I'll call debasement—removing value from the currency by using smaller quantities of precious metals per coin. There was also the gangland approach of “borrowing” from the nobility or church.

Token debasement is about guessing the location of the edge of the cliff. Insert the right amount of tokens into the economy and it runs smoothly. A few more and maybe things will be okay. Too much and everything falls apart. Since tokens as currency have no intrinsic value or physical constraint on issue, there is always the temptation to keep making more. Surely increasing the money supply just a little bit more won't hurt. Will it?

Failures

With over 600 extinct currencies, including over 150 that died due to overissuance or debasement, there are a lot of examples to choose from. I'll go over a few below.

But first, let's play a game. I'll provide a series of hints through the rest of the article, and you try to guess the failed currency system. Hint #1: The ruler followed his father into power.

Failure #1: A currency can become worthless even when it contains precious metals.



The **denarius** in Rome is a great example. Around the year 0, it was 100% silver and was used throughout the empire. By 50 AD, it was 94% silver; in 100 AD, 85%. By 244 AD, just 5%.

Finally, when its silver content fell to less than 1%, the denarius was rejected by nearly everyone as a means of payment. Case closed.

Hint #2: The ruler waged a war without raising taxes and, in fact, initiated a tax cut.

Failure #2: Ineffective medium—the currency just doesn't cut it.

In early Virginia, there was no specie, and the use of wampum had run its course. There was, however, a lot of tobacco. So in 1642, the colony declared tobacco its currency.

The problems started almost immediately. Among other troubles, some people tried to hide poor-quality tobacco leaves between decent ones. Virginia instituted bond warehouses so it wouldn't get a bad reputation with its neighbors. But it was never able to solve the problem of fungibility, and the system collapsed.



Hint #3: His administration attempted to boost economic growth and employment by funding public works.

Failure #3: John Law

We should refer to Ponzi schemes as Law schemes, and stimulus spending as Lawsian instead of Keynesian. John Law was a pre-Keynes Keynesian.

Let's compare John Law's core beliefs with a modern commentator.

| John Law | Paul Krugman |
|--|---|
| If money supply was increased by issue of bank notes for productive loans. | If we could manage 4 or 5 percent inflation over that stretch, so that prices were 25 percent higher. |
| If money supply was increased by issue of bank notes for productive loans. | The real value of mortgage debt would be substantially lower than it looks on current prospect. |
| The value of the money | And the economy would |

should remain the same.

therefore be substantially farther along the road to sustained recovery.

Hmmm. John Law got into French finance to help clean up Louis XIV's war debts from the War of Spanish Succession. An array of books, papers, and academic careers have been dedicated to the analysis of this disaster, much like the Great Depression. The abridged version is that French coins were replaced first with paper issued by France, then shifted to new banks, then moved to shares in Compagnie de l'Occident that promoted the Louisiana Company and Mississippi companies, resulting in a speculative boil much worse than our modern tech and housing bubbles.

After the scheme imploded, it was said that French people could not use the word for "bank" for nearly 150 years without adding a pejorative. Law was sent into exile.

One more hint, then I'll reveal the answer: He confiscated gold and silver from citizens and replaced it with paper currency, issued briskly.

And the answer is...



Kublai Khan.

After taking over from his father, Ghengis, Kublai Khan (no known relation to the great squash players) consolidated control of China and the surrounding territories. He issued the first known unbacked paper money in recorded history in 1227.

The visiting Marco Polo reported that initially it was all going pretty well. The empire was prospering and there was enough "money" to stimulate economic activity.

But ultimately, inflation set in as Khan issued too much currency to pay for wars and to keep the populace happy. Polo's final commentary noted that the system totally collapsed into chaos.

Another one bites the dust.

At the end of the day, currencies usually collapse due to overissuance. We have all worried since the US Federal Reserve began its quantitative easing that maybe this time we were going too far. But the massive expansion of the monetary base has not—yet—created hyperinflation or anything like it.

Will it happen eventually? If only we could predict the future.

I am still concerned that when and if the economy truly enters expansion, nasty inflation could return quickly. If it does, the decline of the US dollar will likely be the result.

But until this occurs, we will wait and watch. And of course, maintain a diversified portfolio.



Ask the Expert – Dr. Paul Craig Roberts

Geoff Rutherford , Sprott Money News, September 2014

<http://www.sprottmoney.com/news/ask-the-expert-dr-paul-craig-roberts-september-2014>

On the line with me today we have **Dr. Paul Craig Roberts**. Dr. Paul Craig Roberts is an American economist and a columnist for [Creators Syndicate](#). He served as an assistant Secretary for the Treasury in the Reagan Administration and was noted as co-founder of “Reaganomics.” And with that, we’d like to welcome Dr. Paul Craig Roberts. Good morning, Paul, thank you for joining us.

Paul: Thank you.

SMN: Firstly, Paul, I just wanted to say “Welcome.” We literally received a deluge of questions from our listeners. And I’d like to apologize to them first because just due to the length of the podcast, we won’t be able to get to all of the questions today. But in any event, hopefully, down the line, we’ll be able to invite you back again as our guest and then we can get to the rest of those questions.

Paul: Sure.

SMN: Now, let’s take a look at our first question. **With the impending doom of the U.S. Fiat currency and the fact that most countries’ currencies are backed by the**

U.S. currency, which currency would you recommend investors to make their investment purchases in?

Paul: I think that people need to be wary that the dollar could take a hit in foreign exchange markets if Russia and China and India and the BRICs—Brazil, South Africa, if they succeed in organizing their international payments in their own currencies and simply abandon the use of the dollar because that would result in a drop in the demand for dollars in the foreign exchange markets.

And unless Washington could use currency swaps with the Japanese and the Europeans to support the dollar by purchasing it, and they might be able to do that for a short period, you'll see a decline in the dollar.

In the meantime, the growth of use of other currencies could be disrupted by Washington and Wall Street and London by shorting those currencies in foreign exchange markets, or destabilizing the currencies by sending in capital inflows, driving them up, yanking the capital inflows out, driving them down.

Like it happened to Asia in the late '90s. So the outcome of this will take a while longer. But I think that the dollar is world money... that that role is over. It effectively ended by two things. One, the massive policy of quantitative easing in which so many trillions of new dollars were created in order to support bond prices.

And then on top of that, the application of sanctions. First to Iran, an oil producer and then to Russia. Because the sanctions applied to Russia resulted in essentially Russia moving much of its energy outside the dollar system. And so, other energy producers are likely to follow that.

So the dollar's time is about up. But it could continue for several more years.

SMN: So with that being said, are we saying that, in other words, we've heard what's happening with the dollar. So **would it make sense to continue using the dollar for investments?** Or again, as we're looking to the rise of what's happening in China, would it make sense to look to China or Russia? What do you think would be the best choice is as far as that's concerned?

Paul: For now, it depends on what investments you're going to make. That depends on whether or not Washington is going to enter into a state of war or semi war. Your investments in Russia and China could be seized. Or they could be seized in retaliation to seize your other investments by the United States. China has substantial investments in the United States.

And so, you can't really know what the outcome of American foreign policy will be. It's highly aggressive. It's highly antagonistic against Russia and also China. Yesterday at the UN, this fool in the White House declared Russia as the second greatest enemy of humanity after the Ebola virus.

SMN: Simply absurd, wasn't it?

Paul: Yeah. There's no evidence anywhere for such an absurd statement. But essentially, it's a warning that Washington intends conflict with Russia. Washington may hope just to keep yet another Cold War in order to support the military security complex with taxpayer funding. Some of which, of course, is always recycled into political contributions.

Or Washington may be serious about provoking a war because the Wolfowitz Doctrine says the primary purpose of American foreign policy is to prevent the rise of Russia. So if they can't break up the Russian Federation without war, then they decide to use war.

And the Russians have proved to be amazingly tolerant and unprovocative. And they've shown massive restraint. But one never knows when they figure that they just can't put up with it any longer.

So I don't think there's any safe haven or any clear choice anybody could make at this time about where to invest or what currency to invest in. The long and systematic attack on gold by the Federal Reserve and its bullion banks is one way to shield the value of the dollar. Because the extraordinary rise in gold in the 21st century was a statement that there was no confidence in the dollar.

So they've managed to suppress the gold price by all the naked short-selling in the futures markets. And so, even gold as a hedge is under attack. This attack may be wearing out because gold seems to be departing the West for Asia. And the Asians have established their own gold exchange in which naked shorting is simply not possible.

So the outcome of that is also waiting to see what happens. For the moment, there's no real security for any investment. The bond market is a bubble, the stock market is a bubble, the dollar is a bubble. They're trying to talk real estate back, but it's still a bubble and it will probably crash further soon.

And of course, the money in the banks. If it's in excess of the guaranteed FDIC amount, it'll be lost. It's part of the new regulations.

So where can you put your money? People say well, the ultimate safety is the Treasury bond because the government can always repay your nominal investment by printing the money. And so, the loss would be to replace it, not to simply... an inability to pay.

So there's no real answer to the question, Geoffrey. It's a very uncertain and problematic time.

SMN: Understood. So keeping in line with the geopolitical concepts right now, what's happening in the world, **do you see a geopolitical power shift resulting from the next U.S. financial crisis? If so, how do you see it unfolding? And how will power be redistributed?**

Paul: That's a very long, complicated question for this interview. But the basis of American power in the world essentially is the dollar as a world reserve currency. Because this lets the United States pay its bills by printing money. And also, it is the source of American financial hegemony. It's the reason the United States can sanction countries. And so, if anything that weakens or destroys that role, weakens and destroys American power. And there's no way around it.

And I do think that the abuse of the dollar by Washington and by the Federal Reserve is terminating the dollar in its world reserve currency. In fact, I do not think a world reserve currency is any longer needed. The dollar assumed that role after World War II when the only intact industrial economy in the entire world was the United States.

And so, essentially, the United States is the only country that had a currency that could be backed by the production of goods and services. And therefore, if you had to make payment and have things linked to the dollar, it made sense because it gave confidence in the payments of other countries.

But today, you see there are many developed countries. There are many alternative currencies that are traded freely. And what is happening among the BRICs is that they are trading in their own currencies. They simply bypassed the dollar and of course, it's much cheaper.

The use of the dollar imposes foreign exchange commissions. So suppose you're a traveler, you want to buy something from Japan. You've got to change your currency for dollars and pay a fee. And then you pay the Japanese in dollars and then the Japanese Yen... you've got to exchange the dollar for a yen and pay a fee.

And if you don't have a reserve currency, you don't have these fees and these transactions. People just trade back and forth and that's that. So I think the reason for reserve currencies no longer exist. And if they don't exist, then that adds to the departure from the dollar, to the fact that it's abused by money creation, by sanctions, by using it as a tool against perceived enemies. Essentially, Washington is driving all the powerful countries such as China and Russia out of the dollar payments system.

SMN: Now, Paul, let's take a look at the power of big banks. **With big banks manipulating the prices of precious metals with impunity and continuing to capitalize from this manipulation, why would this manipulation stop?** Do you think the U.S. government will stop them? Will they close the future exchanges so they cannot continue this behavior?

Paul: Well, I don't think the United States government will stop it... by that, you mean the Fed.

SMN: Right.

Paul: It won't stop it because it protects the dollar from quantitative easing. It protects the dollar from the Fed's now humongous balance sheet. Since 2008, it's gone from about \$800 billion to \$4 trillion.

And so, the Fed, in my opinion, I can't prove it, but in my opinion, the Fed is behind the short-selling on COMEX and London by the bullion banks. And bullion banks make a lot of money out of it. Because when they dump these naked shorts, always at inopportune times when there's no trading, and down goes the price. And once the price starts down, then all the stop-loss orders that the hedge funds have in there are triggered. Margin calls and so, there's more selling.

And so, then, the banks can step back in and buy up the cover for their contracts. At a lower price than they sold. So they pocket the money or they can simply accumulate blocks of shares, say from the GLD trust in units of 100,000. And redeem them for the physical gold.

And then, that produces a supply of gold to meet Asian demands. And usually, there are premiums over the price of gold in the Asian markets. Sometimes, the premiums are very high. Sometimes, in Vietnam the premiums are a couple hundred dollars an ounce. And this is usually because of limits on the imports and so, it encourages smuggling.

So there are a lot of markets in which the banks can make money from redeeming the shares for gold and selling the gold. Or they can simply buy the shares back at a price lower than they sold because they've triggered the market decline. And then cashed them out and put the money in their pockets, so the banks make money doing this.

And the Fed doesn't stop it. In fact, it encourages it because it protects the dollar from the Fed's policy. So I think it can continue until, say, the Shanghai Gold Exchange in which no naked shorts are possible, produces different prices, different behavior. Or until the West is so depleted of gold, that the risk of selling all those naked shorts that can't be covered becomes too high.

I keep wondering why Russia or China doesn't step into the COMEX and buy up every one of the naked shorts that the bullion banks drop into the market and hold them and demand delivery because the bullion banks wouldn't be able to deliver. They'll have gold and the whole damn system would come down.

I keep wondering what is wrong with Russia and China? Here they are putting up with all this nonsense from the United States and they can collapse the system whenever they want to. Why don't they do it?

If I was advising Putin, I'd say "Next time these bullion banks dump all these shorts, buy them all up. And then hold them for delivery and the day of delivery, demand [inaudible 00:14:58]." And then the whole thing will collapse, the market would collapse. It would be a madhouse.

Unless Russia and China catch on and get some good advice or find some courage, this process can continue until it just becomes too risky or until the whole Western-dominated gold futures market is displaced by the Chinese one.

SMN: Well, let's kind of stay in line there in talking about the Shanghai Gold Exchange. **Do you think, sir, that when the newly opened Shanghai Gold Exchange, which quotes and settles in Yuan, will provide any true price discovery on physical bullion?**

Paul: Well, it remains to be seen. And the reason I say that is my understanding is that China is going to permit the Western bullion banks to participate. And clearly, they will be trying to protect their control and to protect COMEX and the London Gold Exchange.

Now, why is China doing this? Are they just naive and can't... or do they just want to be accepted by the West? I don't know. And I don't know what capabilities the Western bullion banks participating in the Shanghai Gold

Exchange might have to be able to devise, to control that exchange or disrupt it.

It remains to be seen. I haven't had any time to spend trying to game that and think it out. And it's pointless anyhow because if they come up with something, they will. And so, we have to wait to assess what I said earlier in this conversation. We'll have to see how that develops. It has the potential of displacing London and New York.

But if they buy-in the villains, the villains may ruin that path too. So I just don't really know. We have to see.

SMN: Fair enough, Paul. Now, let's take a look at the average family. **How are small, middle-class families able to preserve any savings with no governmental safeguards for wealth protection, a failing fiat money system and bullion outside the system is being eroded in some desperate game to hang on to the U.S. dollar.**

What is a family to do except look to China or Russia for some credible stability?

Paul: Well, there's nothing they can do. And they can't look to those countries for stability because the United States intends to destabilize them. The Russian response, in my view, has been very weak.

For example, if I was Putin, I wouldn't be putting up with this fool in the White House. I would call up each major European so-called leader... they're all American puppets. But I would call up and say "You know what? We've made a decision. We're not going to sell natural gas to members of NATO." In fact, I would wait another month or two. And this decision is effective in one hour. It would break NATO to pieces.

SMN: You're right.

Paul: It would be the end of NATO. But he won't do it. Why? If Russia and China, which have powerful weapons to use against the United States. I don't mean nuclear weapons, I mean financial weapons. Or the threat that I just told you, "we don't sell natural gas to NATO members".

If they won't use these kinds of weapons, then they're going to be destabilized by Washington. Russia has a Muslim population, China has a Muslim population. The CIA funds the opposition in those Muslim populations, encourages them.

Both Russia and China, I think, the other day, signed onto the new American laws internationally to prevent the movement of Muslim terrorists. If Russia and China had any sense, they'd be backing ISIS, the Islamic State. They'd be giving them surface-to-air missiles so they can blow the American planes out of the sky. They come up with a bomb and poof, back goes the Air Force just blown away.

But they don't. The real way international politics has always operated is the enemy of my enemy is my friend. Instead, Russia and China, in an act of total incompetence, have aligned with Washington against the Islamic State. Whereas they could very easily use the Islamic State to defeat Washington.

So what you see on parts of these two governments is they don't seem to be able to comprehend the threat that the United States represents to them. If Putin and the Chinese leadership think that the Muslim state is a bigger threat to them than the United States, then they're incompetent. They're more stupid than Obama.

In other words, they don't seem to be able to comprehend that the United States is after them. And they don't seem to understand all the things they can do to defeat the United States without having a war with the United States.

So I wouldn't say that either country represents any form of safety. And I think the desire to be part of the West has made both of these powerful countries semi-blind and semi-stupid.

That's just my opinion. I may change it if I see more promising signs of realization in China and Russia. I'm really puzzled about China because I was there some years ago and spoke to all the top leadership and they were very much concerned about the United States and its aggressive position toward China. But they don't seem to be able to come to terms with it.

SMN: Again, let's take a look at China right now. **There seems to be, maybe not within the upper levels of government, but a rising consciousness within the youth of China working to change the system.**

Even in Scotland, the Scottish Referendum, we had a vote that was showing 75% of 16 to 17-year-olds wanting independence. So **what advice can be given to those between 18 and 30 years of age in regards to their financial future?**

Paul: Well, they don't have one. Not in the West or in the United States. Now China doesn't need the West. It has a massive internal market, it's the largest in the world.

And just as the United States was able to be self-sufficient and have the highest incomes of the world for decade after decade based on its domestic market. China can easily do the same thing.

And when I was there, they explained to me that the problem they faced was the farmers or the peasants who were now prosperous won't spend any money because the Chinese one-child policy destroyed their traditional old-age security which was lots of kids. And the Chinese government told me that the only way around it was for China to devise an American-style Social Security system. And then, the Chinese internal market could develop. Because then, the hundreds of millions of people who would spend the money and not hold onto it for their old age protection because they would have Social Security.

So that was a consequence of the one-child policy and they're fully aware of it. So why did you have the policy? And they said "Well, because we didn't have the resources to support both the development of the country and the massive infrastructure and education that would happen if every Chinese was having three, four, five, six, seven children. There was absolutely no way we could have paid for bringing the children up and developing the country." So that was why they had the policy.

So I think that China doesn't need the West. They haven't been able to develop that market internally as quickly as they should have.

SMN: Now, let's kind of switch back over to precious metals for a moment, Paul. **How can precious metals expect to become more valuable in deflationary periods when gold is not an official currency?**

Paul: Deflation in what sense? You mean of assets? Bonds might deflate and stocks and real estate. But what is always the response to a Great Depression situation? What has been, in modern terms in response is print money. And so, the money creation will destroy and/or collapse the dollar. Because if the dollar loses exchange value, the United States is now heavily import dependent. All the offshore production comes back into the country as imports. We're heavily import dependent.

And so, if the prices of the imports go up because the dollar loses exchange value, you've got massive inflation. You may have, in addition, mass inflation just from money creation. Or if all that money sitting in the excess reserves of the banking system... if that starts getting into the economy, you've got massive inflation.

It's not simply deflation of all prices. That was the mistake of the Great Depression. They're not going to just have massive amounts of unemployed people with no money. You'd have total social instability.

So they'll print it. And the consequence would be to destroy the fiat currency. So that's why gold and silver are hedges. If you just look at what's been happening, then you have to come to the conclusion you should have some hedge. Because money creation since '07, '08 has been fantastic.

And not just United States. Because I'm convinced that United States put extreme pressure on its puppet state, Japan and on the EU to print those currencies in order to support the dollar. Japan has been printing money like crazy, right? That's my understanding.

SMN: For decades.

Paul: Right. It's part of supporting the dollar to save it from QE. And then, look what happened in Switzerland. There was such a flight from the Euro and from the dollar into the Swiss Franc, that the Swiss government finally had to announce "Look, henceforth, we're going to print new Francs with which to accept the inflows of foreign currencies."

And so, they have fixed the price of the Franc and they don't let it rise anymore. And I think the American inflation of currency has forced every country to inflate in order to protect their export markets. The dollar is the world's reserve currency and things are priced to dollar and the dollar is declining relative to other currencies because of the Fed's QE, then everyone else's currency appreciates. And that's what was happening in Switzerland.

And the fact that American policy forces everybody to inflate. So all the currencies are being inflated. And you see what the Chinese do. They have a floating peg now, but they pegged their currency to the dollar, so if the dollar inflates, then China has to.

Who wants all this printed money? Certainly goods and services in the United States since 2008 have not increased in proportion to the dollars that the Fed has created.

And so, what backs those dollars is not goods and services. And so, the fact that prices haven't really gone up is because most of those dollars are locked up in bank reserves where they earn interest from the Fed. The banks are holding onto them because I don't think they have any real idea of the extent of their derivative exposure.

When you see that a single U.S. mega bank has derivative exposure in excess of world gross domestic product, there's no way the bank can cover that. Nobody knows what that situation really is.

When they stopped Brooksley Born from regulating over the counter derivatives, they created a monster. And nobody knows the consequences. To repeat myself, the only reason we don't have hyper-inflation is the money is locked up in the banks. And maybe it can stay there. I don't know. These are new situations that have never before been experienced.

So you don't have any basis on which to predict. I myself haven't the foggiest idea of the implications of all these massive derivatives. The sums are just mind boggling, they're mind boggling.

If you add up the derivatives of the four, five biggest banks, there are a multiple of world gross domestic product. What does that mean? Nobody has ever heard of any such thing. And we do know that so much debt is leveraged to extraordinary circumstances. The equity is leveraged to an extraordinary amount with debt, 30 to 40 to 1.

So how does this stand? How long does something like that survive? I don't think there are any answers to that. I don't know them, nobody knows them. I don't know anybody that knows them. Certainly the Fed doesn't know, the Treasury doesn't know, economists don't know. Mainly, they just deny it as a problem.

When the President of the United States can stand up in front of the whole world and tell the most outrageous lie and nobody says "You stupid bastard. What are you lying to us like this for?" Then you can have all kinds of deception and financial information as well.

So I suspect that what happens will not be anticipated. Whatever the black swan event is will not be seen. Just as one day, there will be a crisis. And half of them will be denying that there is one. And most of the others will be blaming it on the enemy. And no one will be able to deal with it.

And to the extent of my knowledge, there's no policy that can simultaneously deal with hyperinflation and massive unemployment. Because the traditional response to unemployment is to create money. But if you've got hyperinflation, you create money, you get a worse hyperinflation.

And if you try to deal with the hyperinflation by curtailing the money supply when you've got massive unemployment, then you are going to have worse

unemployment. So I find the situation that we're headed towards to be unsurvivable.

SMN: So Dr. Roberts, one of the questions that was sent in by our listeners and has come across my mind as well, too. **You've been outspoken as you courageously report on today's geopolitical reality. With this in mind, are you concerned about retaliation on you, personally? Do you fear for your life?**

Paul: Well, I sometimes think about that and a lot of my readers write me and ask me the same thing. I think that the government is focused on activists. And I am not an active participant in organizing resistance.

I provide information, but so do others. But the information that I provide is not leaked to me. So I am not in the position of Julian Assange or Edward Snowden, who were provided rightly, in my view, with classified information withheld from the public. It should not have been withheld and they made it public.

The government can always respond to me by saying "Oh, he's a kook." Or "He's a conspiracy theorist. He doesn't believe in [inaudible 00:31:28]." "He's just an old man now and he's dissatisfied."

But the trouble when you have leaked information, you've got the documents. And they can't say this is a lie or this is made up or that this is wrong. So they're more focused on the people who can really damage them.

Now, I, by providing alternative information... I mean, I have a huge readership. It's at least in 40 countries. It's translated into many languages. I'm constantly on foreign broadcasts. I have a tremendous number of interviews every month, both here and abroad. And that's because of Skype and communications.

But there are other people who tell the truth, too. I'll get more worried when they shut down RT. The British banned Press TV from England. When the U.S. makes Canada, if Canada hasn't already, shut down RT.

When they start equating not just protesters with enemies of the state, people who have a different story than the government as enemies of the state, then I'll be more concerned. But you see, I'm quite old; I'm 75 years old. It's difficult... as long as the neoconservatives are trying to claim Ronald Reagan, it's hard to go beat up on a Ronald Reagan assistant Treasury Secretary, particularly with all the commendations I had from Reagan.

So I think I might not live long enough to have to be worried. But if I was 40 years old, I couldn't expect to get away with this for the rest of my life.

SMN: Well, the only thing I can say to that, sir, is that we hope for the rest of your days, you continue to do what you're doing and tell us the truth. Because it's very hard to get the perspective that you have being on the inside for some time in your career. And now being there to give us the truth. And we really appreciate what you're doing and likewise, being with us today, and speaking here on Ask the Expert here on Sprott Money News.

Paul: Well, I appreciate your support, Geoffrey, and wish you much success in carrying the messages.

SMN: Thank you, sir. And to our listeners, thank you for joining us today. This is Geoff Rutherford for [Ask the Expert](#) here on [Sprott Money News](#). Have a good day.

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## **Ask the Expert – Eric Sprott**

**In this exclusive interview, Eric Sprott answers questions from our followers regarding the impact of geopolitical events, supply and demand data, manipulation, and the silver fix on precious metals prices.**

<http://www.sprottmoney.com/news/ask-the-expert-eric-sprott-july-2014>

**SMN:** Thank you for joining us. So, Eric, again we have a number of questions here from our listeners. Let's take a look at one of them first of all here. It's widely understood about precious metals that it performs well when there is economic or global upheaval. **With multiple crises going on simultaneously such as the Russia-USA-Ukraine situation, as well as the Israel-Palestine conflict, do you see precious metals rising very soon?**

**Eric Sprott:** Well, Geoff, there's no doubt that with all the tension in the world the average person would have a higher inclination to wanting a physical asset. And anyone in the Middle East or in Europe could see that this tension can spread from one place to another. None of these situations have been resolved. They're ongoing. They're kind of flaring up. We even have the Ukraine prime minister resigning yesterday, and it looks like their parliament might dissolve.

So there's lots of reasons for people to consider owning precious metals. We also have a situation in Asia where there's lots of tension between China and Vietnam, China and Japan, even China and the US, which could be explosive. I've never been one to use that as a factor for necessarily owning gold, although it is one, but it's not my primary reason to suggest that people should own precious metals.

My primary reason is just simply an excess of demand over supply. Obviously, I believe that the paper markets where they have unlimited supply of paper gold have restrained prices, and ultimately we're going to win that war. I've written many articles about the central banks possibly having no gold left, and I think there's very, very much evidence of that.

Of course, the people at GATA have done a great job of explaining that. We see some very odd data that the UK is a huge exporter of gold. Well, they don't produce any gold. The US exports more gold than they produce, and you've got to wonder where is this gold coming from. If you don't produce it, where is it coming from? Of course, the assumption I would make is it's coming from the central banks, and they're totally non-transparent about their transactions. In fact, there is way more demand than supply, and sooner or later this will play out in the markets.

**SMN:** There's been a lot of speculation as to **where the manipulation of precious metals are coming from**. Do you still believe it is the Fed manipulating these markets, or could it be the Chinese?

**Eric Sprott:** Well, first of all, I think the central banks are a part of it. There's no doubt about that. There's a great book written by Dimitri Speck called 'The Gold Cartel.' And he indicated that gold manipulation started on August 5th, 1993, basically led by central banks for the purpose of maintaining credibility of their currencies. They had this theory that if they keep gold down no one will be concerned about owning fiat money.

But I think laterally it's the manipulation has obviously been amongst the commercial banks. I think they figured out that with their very deep pockets that they can kind of overrun the natural buyers of paper gold and force the price to do what they wanted. And I've discussed many times I think they play this game in the options market where they cause their customers who are long options to lose the premiums constantly, and every option expiry the price of gold goes down. So I think it's transferred itself over to the commercial banks.

Luckily, we have a number of investigations going on whether it's in Britain, or Germany, not so much the US. But there's lots of investigations into manipulation of the gold market.

So today I think it's a combination of both the central banks and the commercial banks perhaps working in cahoots. Because let's face it, the central banks by their zero interest rate policy and printing of money have kept the

banking industry in a profitable position much to the detriment, of course, of the public and savers, because you can't get any return on your money any more.

**SMN:** Right.

**Eric Sprott:** But the intent of everything was to make sure the banks were profitable, because post-Lehman effectively they were all broke and they needed to open up the spread so they could make their interest margin and have their bond portfolios go up. So they had to work hand in hand, and I would not be surprised to believe that in the gold and silver markets they worked hand in hand as well.

**SMN:** Right. Now, let's also take a look here. Alternatively, source data shows that there is a significant worldwide demand that exists for physical precious metals. However, COMEX deliveries in the past year paint a different picture. **Why is there such a huge discrepancy between what COMEX deliveries are telling us and what non-mainstream data sources are telling us?**

**Eric Sprott:** Sure. Well, you know, it's interesting. I mean I look at the COMEX data every day, and when I look at the position of the inventories of the commercial dealers it had stayed the same for so long, day after day after day. I think the number is 23.117 tons. It never, never changes.

**SMN:** Wow.

**Eric Sprott:** I mean it's just impossible that that could be the case, so I might argue that the COMEX data is tainted, that they'll just say whatever they want to say.

In fact, I find it very interesting that there was a lawsuit just filed against the CME and one of their principals for facilitating high-frequency trading in the CME – Chicago Mercantile Exchange, and giving priority to certain high frequency traders. The suit was just filed, I think, yesterday, Thursday, or maybe on Wednesday. It's probably available to the public. I haven't specifically looked at it yet.

I just think that the COMEX data is corrupted. It's very hard to make any sense of it all. The fact that there's no deliveries from the dealers is incredible. You'd think there'd be some change in the inventory. I don't care whether it's up or down, but at least you'd think there'd be some change.

**SMN:** Right.



**Eric Sprott:** How can we trade, like, two and three hundred million ounces a year, which is, sorry, a day, which is 25% to 30% of the world's production on a yearly basis. We trade it every day, yet there's never a change in the dealer inventory? It's just beyond belief, and therefore I tend not to believe in the COMEX data.

**SMN:** Kind of sticking with the idea of the CME, let's take a look, Eric. They recently announced that the **CME will be taking over the daily silver fix in August**. So can you explain **why we need a silver fix** in the first place, Eric. There isn't a separate fixing body for other commodities. Is a silver one essential? **How do you see this affecting your predictions on the price of silver?**

**Eric Sprott:** I don't really think you need a fix, quite frankly. Most of these markets are 24-hour markets. I mean somebody might argue that you need it for pricing at a specific time for some contracts that are out there, but I suppose one could just say, "Well here's where silver was trading, let's say 10:00 a.m. London time this day, and make that the price for contracts to settle."

But, there seems to be no doubt that the LBMA fix was fixed, and of course we've seen examples of manipulation where Barclay's was fined, I think it was 40-odd million dollars, for manipulating the price back in 2013. As I've said before, you see these weird trades on COMEX when options expire. I mean it's a game that the boys with the money can play and move things around.

I wish they would've disbanded the fix, well, they have disbanded the fix, particularly when it manifested itself, because they had five traders sitting on the phone for five minutes deciding where things would go, and of course, in the meantime they are placing orders to make their books look more attractive to them and/or participating in the market before the fix was made.

So there's no doubt that it's outdated. It shouldn't be used and will not be used, but the fact that we've got the CME back in there is somewhat distressing to most of us precious metals holders who want to deal on the physical market.

**SMN:** Right. Now, again, kind of sticking with the idea of the silver fix now. **With the silver fix changing and talks of implementing the reforms to the gold fix and transitioning to an electronic platform, what effects do you see occurring, and will it affect price movements?**

**Eric Sprott:** Well, that's something we don't know, because who knows what's really happening in any fix. I mean some group of people have to come together and say this is the fix. You know, If they have a predisposition towards

the price wanting to be one way or another, I mean, one of those three members can affect that price.

So I just think we have a nice 24/7 market. We don't need a fixing price. I wish that people who have, in my mind, have proven that they're not reliable in terms of data and the proper markets and their regulation of those markets are now part of this process. So I'm not going to be big on fix. I really don't think it's going to make any difference.

I think the thing that'll make a difference in the precious metals market is a regulator who wants to step up and challenge these traders. I'm more thinking of the regulator in Germany, who's asked for trade information from the various banks that are involved in trading gold in Germany, will come out with some kind of resolution that in fact the banks were moving the prices so their option books would make them more money than otherwise would be the case.

That's the sort of thing that I think would kind of upset the apple cart in the paper markets. Either that, or we just find out that there's some physical shortage, whether it's Chinese or Indian, where somebody goes to buy gold and finds out that in reality, based on our own analysis, that the central banks are running on empty here, and sooner or later just the whole thing skyrockets and people lose confidence in currencies and economic recoveries. I mean there's so much data that it's impossible to have a recovery.

Of course, one of the reasons you keep going to economics is that there's no recovery. The effect on the banking business is very bad, because people and corporations can't repay debt.

**SMN:** Right.

**Eric Sprott:** That's why I keep talking about the economy, because if there's no ability to pay back debt then these very, very leveraged banks suffer catastrophic losses, because it takes so little decline in asset value the way that they're capital. We've already seen a number of instances – we have the one in Portugal, I think we had one in Bulgaria, and there's talk of some banks in Austria being in trouble – because of all the economic weakness that prevails pretty well throughout the world here.

So that's why I keep looking at economics to affect the banking industry. Then people realize that you get nothing for having your money in a bank and when you put your money in a bank you're a creditor.

**SMN:** Exactly.

**Eric Sprott:** When you're a creditor you can get bailed in. What's the point of making 0.1% return when your chance in getting bailed in on some bank failure is that you could lose 20%, 30%, 40%, 50% of your money? It just doesn't make any sense. So, to me, people having money out of the banking system and in real assets is exactly what people should be doing these days.

**SMN:** Kind of, again, sticking with the whole idea of currencies now. So we hear so much about US currency and other currencies like the Euro, and the Yen, and these upcoming crises that you've kind of described. So **how do you see the Canadian dollar and the economy's reaction to the global economic crisis?**

**Eric Sprott:** Well, I mean the Canadian dollar should be one of the stronger currencies, but all currencies are flawed, and they're flawed in the sense that by having created this zero interest rate environment, the cost of government's borrowing money is as negligible as you can get it. So, therefore, the willingness to keep increasing deficit spending is quite significant and to keep ignoring the increasing obligations.

And I always turn to the US in which they publish every year what the present value of their future liabilities is, and every year it goes up by about \$5 trillion. Well, the GDP is \$17 trillion. The government has revenue of \$3 trillion. They spend \$4 trillion. And, they've got an extra \$5 trillion of obligations at the end of each year. Those obligations are pushing towards \$80 trillion now. And any thinking person would know that this organization that has \$3 trillion in revenue cannot meet these obligations.

It's not just the US. I'm sure it's Japan and England and the various European countries. They all keep making promises that they know they can't keep. And, therefore, it's another reason not to believe in currencies, because someday they're going to default on their promises. There's no doubt they will default on their promises or they'll just keep printing money, and the money that they pay to these people who have these claims will be worth very, very little, because in reality the economies can't afford it.

**SMN:** Well, Eric, let's take a look at something that's been quite the hot topic in the last few weeks or the few months for that matter. **There's been rising concern about fraudulent gold bars coming out of China. What can an average investor do to protect themselves and their investments? How would you recommend Canada or the Royal Canadian Mint solve this rising phenomenon?**

**Eric Sprott:** Well, you have to deal with reputable people. There's no doubt, for example, when we buy bars we buy them from regulated institutions who will

stand behind the product. You have to know that whoever it is that's selling you the gold is selling you bona fide gold.

I don't know that it's been proven that there's a lot of fake gold. I know there are stories of some fake gold for sure, but the scale on which it's been done I have no idea, because we've only had a few instances of 10-kilo bars and the odd 400-kilo bar where someone had suggested that there were substitutes for the gold in there.

I think if people stick to, whether it's buying from the Royal Canadian Mint or [Sprott Money](#), or the reputable dealers whose business would just absolutely disappear if people found out they were selling fraudulent products, that's who you have to deal with. It's quite obvious who those people are, and most of them have been around a long time. And those are the people that customers should deal with.

**SMN:** Now, someone's asked a question more or less about a previous Ask the Expert guest. In a past [Jim Willie interview](#) on Ask the Expert, Dr. Willie advised against mining stocks saying that they're going to go into reverse and under extreme risk. **What are your thoughts on mining stocks, Eric?**

**Eric Sprott:** Well, I don't agree with that thesis. I obviously believe the price of gold and silver will rise dramatically before the end of this year. I still stick with that, okay. And in that environment you will see a massive increase in the valuation of gold stocks.

**SMN:** Right.

**Eric Sprott:** We saw in the first two months of this year a 40% rise in the gold stocks. It then retreated. We've seen about a 30% rise recently in the gold stocks. It just shows you how the market can react quickly. And this is with gold still trading \$1300 to \$1400. Imagine if it started going back up to \$1400, \$1500, \$1600. It's going to bring a world of investment into the market and, of course, people will buy those stocks.

And I would say conversely that people should realize that the general stock market, in my mind, is at great risk here, because it's sort of followed along with the degree of money printing, and you just can't keep doing this forever. The money printing will show up in inflation. We're seeing higher inflation data now.

I think that the risk of owning stocks which have risen so dramatically since '09, while basically GDP has done nothing, sales revenues have hardly done anything. Miraculously, earnings go up, but I can guarantee you that if your

sales don't go up you have a very difficult time having earnings go up, unless you're causing your suppliers, most particularly labor, to take lower wages.

**SMN:** Right.

**Eric Sprott:** Well, lower wages implies declining GDP, and this is kind of what we're seeing manifested in the US where we get all these part-time workers. The full-time jobs disappear. We say that the unemployment claims are down by whatever. But the fact is that the way it's worked out in the US, most employers, particularly very huge employers, want to employ somebody for 29 and a half hours, i.e. below the 30 hours it would cause them to have to make payments in pensions and other benefits. So that worker, in order to have the same income, needs one and one third jobs.

**SMN:** Wow.

**Eric Sprott:** So we get jobs created, but there's no extra income being generated. And that's the problem with looking at labor data which isn't showing you the effect on the average person.

We did a recent report that's on [sprott.com](http://sprott.com) showing that [the bottom 40% every year, they're spending more than they make](#), and if it wasn't for government handouts, particularly in the form of food stamps, they would've been going hugely backward, because their wages are under pressure, their hours are under pressure. So that's a huge element that people should be concerned with here.

**SMN:** As well, I mean, there's been a lot of questions about gold production, kind of sticking with the mining idea. So **since gold production costs have increased substantially in the past ten years, is there a possibility that these higher costs will drive large gold producers out of business given the current market prices?**

**Eric Sprott:** Well, there's no doubt that it's causing some companies today to alter their strategies. We have somebody like Barrick selling off all sorts of mines. We have lots of producers that have decided to high grade and try to become more efficient in their existing mines, which of course means you're leaving behind some of the gold that you would otherwise produce in order to try to hold it together with this low price environment. And all of those factors, of course, will lead to lesser production in the future, because once you bypass some ore it's very difficult to get back at it, because in the case of an underground mine you filled it in and you don't have access to it any more.

So I think that we will see production going down here. We know that exploration expenditures have fallen dramatically. We know that developments have fallen dramatically. We've seen lots of big developments postponed.

So the outlook on the supply side is, you know, we have not increased supply in the last 14 years. It's been about the same every year, 2700 tons of gold for 14 years. And I suspect that as we go into even the latter part of this year, into '15, '16, '17, there's no way that production can go up if prices stay at these levels.

I mean, some of them may go out of business as well. We've had lots of mines shut down, but I wouldn't particularly say that the large guys will go out of business. I think at \$1300 gold, most people can hold on here. But holding on is one thing, increasing production is another one. And to the question, I think, the real impact will be on future production.

**SMN:** You kind of talked about what your thoughts are as far as gold prices towards the end of the year. One of our guests wants to know. **Many are predicting gold prices are going to correct itself down to \$1100. Where do you see gold and silver prices going?**

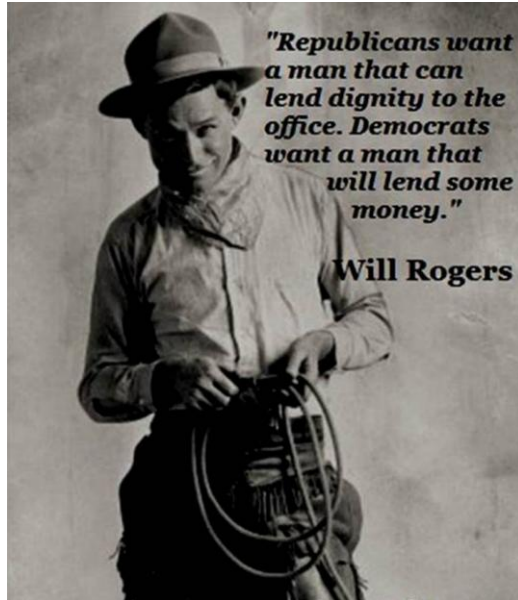
**Eric Sprott:** I might point out that these experts are all commercial banks, all of whom have profited immensely on the decline in the price of gold. We had four to six sigma events in the gold price last year, which are only supposed to happen once every 40,000 years. I have no doubt that, in my mind, there's a distinct possibility that they acted in concert on that.

These thousand dollar price projections around, I think, the most famous one was from Goldman Sachs. I believe that this last week they raised their price to \$1200, maybe on the way to much higher prices. It seems obvious to anyone involved that if the price got that low it would be the demand from India and China and many, many other countries would rise very dramatically here.

So I don't think that's a reasonable assumption. I think that the supply-demand data that we analyze all the time suggests there's a shortage, and that the paper markets will be overrun here, and we have to see much higher prices.

**SMN:** Excellent, Eric. Well, Eric, we'd like to thank you for joining us today on [Ask the Expert](#). Again, it's been a while since we've spoken to you and we look forward to speaking to you again on our program.

**Eric Sprott:** Geoff, thank you, and to all your listeners, I think staying the course is the appropriate thing. It could be a very exciting time here in the next six months. So all the best to all your investors.



## **TAXATION A LITTLE LATE NOW**

One current and one former IRS official [have warned](#) that the Foreign Account Tax Compliance Act (FATCA) is both damaging to U.S. residents and uneconomical for the government.

National Taxpayer Advocate Nina Olson — the voice of the taxpayer before the IRS and Congress — noted the disproportionate fines for even minor violations and asked: "Why are we doing this to folks? Why are we tormenting them in this way?"

Former acting IRS Commissioner Steven Miller questioned whether the U.S. Treasury would come out ahead on FATCA once we factor in the massive costs to financial institutions and individuals.

Both warned that the unintended consequences of FATCA could be severe — but that it was too late to stop the dreaded legislation now.



## MAKE UP YOUR MIND, WHY DON'T YA

In other FATCA news, the IRS has once again delayed implementation of rules applying to the types of documentation foreign banks can accept as proof of a client's U.S. tax status.

This is a result of confusion created by the existence of older rules that address the same thing. As FATCA continues to plague individuals and institutions across the globe with its draconian requirements, one can't help but wonder what the real purpose of the legislation is, and if it isn't purely for the sake of making it more difficult and frustrating for individuals to get their money outside of the United States.

As Taxpayer Advocate Olson observed in the gathering noted above, "However much I've tried to figure out what on earth [FATCA] means, and the consequences of it, I have no idea." You certainly have our sympathy, Nina. We really don't get it, either.



### Oregon governor 'hurt' by fiancée's sham marriage

JONATHAN J. COOPER, , October 10, 2014



PORTLAND, Ore. (AP) — Oregon Gov. John Kitzhaber said Friday he was hurt when his fiancée revealed she entered into a fraudulent marriage with an immigrant in 1997, and he rejected his election challenger's demand for a special prosecutor to look into her consulting business.

Kitzhaber addressed the stunning confession by his fiancée, Cylvia Hayes, for the first time in a debate with his Republican rival. The confession came just days before voters begin casting ballots in Oregon's all-mail election, complicating



the Democratic governor's march toward his likely election to a fourth term next month.

"I learned this three days ago," Kitzhaber said at the City Club of Portland. "I was obviously very taken aback by it and hurt. I have some processing to do on that."

On Thursday, Hayes held a news conference to admit she broke the law and apologize.

Hayes was a 29-year-old college student when she married an 18-year-old man from Ethiopia. She said she was in need of cash at the time, and kept the marriage secret from Kitzhaber because she was ashamed and embarrassed.

Kitzhaber said it took courage for Hayes to hold the news conference, and he's proud of her. He indicated the wedding will still happen, "hopefully soon."



**Oregon Democratic Gov. John Kitzhaber, left, shakes hands with Republican challenger Dennis Richardson**

"This is now a very personal issue," Kitzhaber said. "And we just need some time to work through this together."

Kitzhaber's Republican opponent, state Rep. Dennis Richardson, treaded carefully on the marriage issue, trying to steer the conversation toward a story in the Willamette Week newspaper saying Hayes used her position as first lady to advance her consulting business.

Richardson called for Kitzhaber to appoint a special prosecutor to look into the allegations, a suggestion Kitzhaber rejected.

"You can't be the governor's adviser while you take money from those that want access," Richardson said.

Hayes has helped Kitzhaber develop his energy and environmental policy, and she also has earned money from organizations that seek to influence state policy.



# **Fed Up With Government Misconduct, Federal Judge Takes Nuclear Option**

**Federal Prosecutor Alleges Boss Pressured Him To Engage in 'Unethical Conduct'; Judge Calls Abuses 'Egregious,' 'Pervasive,' and "Reprehensible"**

By Sidney Powell, New York Observer, 10/15/14

<http://observer.com/2014/10/fed-up-with-govt-misconduct-federal-judge-takes-nuclear-option/#ixzz3Gtsk7iHe>



**Judge Morrison C. England Jr. ordered the entire judiciary recused from a case another judge called “egregious” and “reprehensible”**

In perhaps the most stunning [documentation](#) yet of abuses by Eric Holder’s Justice Department, two former Assistant United States Attorneys spoke to defense attorneys and revealed appalling deceit and corruption of justice. This latest litigation time bomb has exploded from multi-million dollar litigation originally brought by the Department of Justice against Sierra Pacific based on allegations that the lumber company and related defendants were responsible for a wildfire that destroyed 65,000 acres in California.

In what was dubbed the “Moonlight Fire” case, the tables are now turned. The defendants have discovered new evidence and filed a stunning motion. The new evidence and disclosures are being taken seriously by the Chief Judge of the Eastern District of California—as they should be. In a shocking action, Judge Morrison C. England Jr. [ordered](#) the recusal of every federal judge in the Eastern District of California.

Sierra Pacific Industries and other defendants were compelled to pay \$55 million to the United States over a period of five years and transfer 22,500 acres of land to settle massive litigation brought against them by the United States alleging that they caused a 2007 fire that destroyed 65,000 acres in California. [Sierra Pacific](#) has always maintained that the fire started elsewhere and that the state

and federal investigators and Department attorneys lied. Now that settlement may go up in smoke because of the new evidence of outrageous misconduct by the federal prosecutors and the investigators from state and federal offices, as well as findings earlier this year by a state judge.

In an extraordinary development, Judge England, Chief Judge of the United States District Court for the Eastern District of California, [ordered](#) the recusal of all the Eastern District judges from the case because of serious allegations that the Court itself was defrauded by the government in the original prosecution. To avoid any appearance of partiality, he has referred the case to Ninth Circuit Chief Judge Alex Kozinski to appoint a judge from outside the Eastern District to handle the case going forward. [Judge Kozinski](#) has [excoriated](#) prosecutors for failing to meet their legal and ethical obligations.

The [order](#) notes that the defendants filed an action this week to set aside the \$55 million settlement because, as the defendants allege, “the United States presented false evidence to the Defendants and the Court; advanced arguments to the Court premised on that false evidence; or, for which material evidence had been withheld, and obtaining court rulings based thereon; prepared key Moonlight Fire investigators for depositions, and allowed them to repeatedly give false testimony about the most important aspects of their investigation; and failed to disclose the facts and circumstances associated with the Moonlight Fire lead investigator’s direct financial interest in the outcome of the investigation arising from an illegal bank account that has since been exposed and terminated.”

The [Sacramento Bee](#) reported on the Defendant’s filing. Indeed, the Defendants’ motion informs us that a former Assistant United States Attorney came forward and disclosed that he believes that he was removed from the original prosecution by “his boss, David Shelledy, chief of the civil division in the United States Attorney’s office,” because he “rebuffed” pressure to “engage in unethical conduct as a lawyer.” Of course, like [other former prosecutors](#) who [were unethical](#), Mr. Shelledy is to [receive](#) Attorney General Holder’s highest award for excellence—this week.

The defendants also reveal that another former federal prosecutor, Eric Overby, left the Moonlight Fire prosecution team also, stating: “It’s called the Department of Justice. It’s not called the Department of Revenue.” According to the motion, Mr. Overby told defense counsel that in his entire career, “I’ve never seen anything like this. Never.”

Well, sadly [we have](#), and we’ve been reporting on it as fast as we can. This is part of a disturbing and rapidly increasing pattern of abuses by this Department

of Justice to line government coffers or [redistribute the wealth](#) to its political allies—using its overwhelming litigation might and federal agencies as a tool of extortion and wealth redistribution.

The entire original prosecution against Sierra Pacific appears to have been driven by the Department of Justice’s interest in hitting a “deep pocket” for millions of dollars of revenue. The Defendants’ motion to set aside the settlement reveals a series of fraudulent acts by federal and state authorities that defiles our system of justice.

Dick Beckler, an attorney for the company who used to be at DOJ and is now with Bracewell Giuliani, told the *Observer*, “Sierra Pacific is looking forward to having its day in court and proving all the facts of the government’s fraud on the court.”

A California state judge, Leslie C. Nichols, in a related state case issued [orders](#) earlier this year describing what he called “egregious,” “pervasive,” and “reprehensible” abuses in the investigation and prosecution amounting to “government corruption.” He found the state case to “betray the primary purpose of the judicial system—to reveal the truth.” He awarded \$32 million in fees and expenses to the Defendants, finding as the *Sacramento Bee* [reports](#), that the state agency, Cal Fire, “withheld some documents, destroyed other evidence and ‘engaged in a systematic campaign of misdirection with the purpose of recovering money’ from Sierra Pacific.”

It’s encouraging to see Judge England join Judge [Emmet G. Sullivan](#) and Judge Bates, [and others](#), as our Article III judges begin to demand that federal attorneys and agents follow the law and their oaths of office. But there remains a lot more work to do. It’s way past time to hold Holder accountable.

When will the next litigation time bomb and scandal explode on Mr. Holder and this administration? He [can’t run](#) fast enough.



# China Just Overtook The US As The World's Largest Economy

BUSINESS

By Mike Bird **INSIDER** October 8, 2014

<https://finance.yahoo.com/news/china-just-overtook-us-worlds-090801574.html>



Sorry, America. China just overtook the US to become the world's largest economy, according to the International Monetary Fund.

Chris Giles at the Financial Times [flagged up the change](#). He also alerted us in April that it was [all about to happen](#).

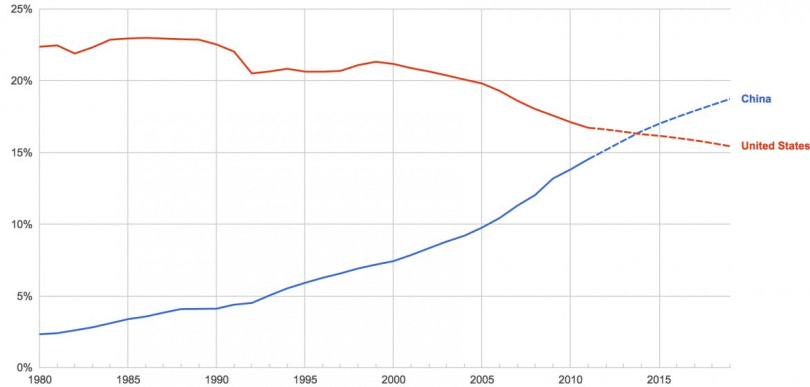
Basically, the method used by the IMF adjusts for purchasing power parity, [explained here](#).

The simple logic is that prices aren't the same in each country: A shirt will cost you less in Shanghai than in San Francisco, so it's not entirely reasonable to compare countries without taking this into account. Though a typical person in China earns a lot less than the typical person in the US, simply converting a Chinese salary into dollars underestimates how much purchasing power that individual, and therefore that country, might have. [The Economist's Big Mac Index](#) is a great example of these disparities.

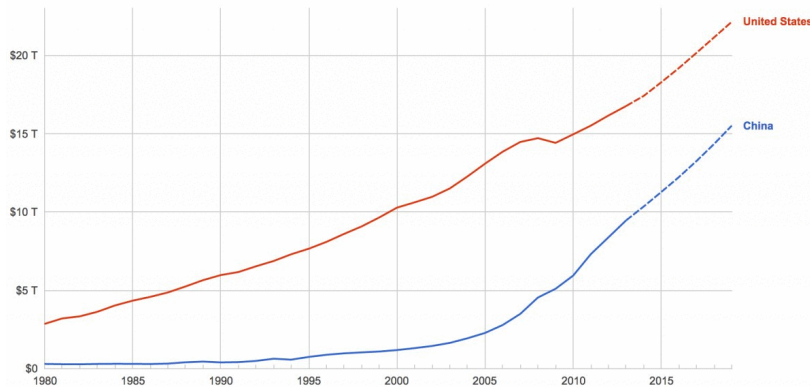
So the IMF measures both GDP in market-exchange terms and in terms of purchasing power. On the purchasing-power basis, China is overtaking the US right about now and becoming the world's biggest economy.

We've just gone past that crossover on the chart below, according to the IMF. By the end of 2014, China will make up 16.48% of the world's purchasing-power

adjusted GDP (or \$17.632 trillion), and the US will make up just 16.28% (or \$17.416 trillion):



Adjusted for purchasing power, the IMF thinks China's economy is now the world's largest. It's not all sour news for the US. It'll be some time yet until the lines cross over in raw terms, not adjusted for purchasing power. By that measure, China still sits more than \$6.5 trillion lower than the US and isn't likely to overtake for quite some time:



But in terms of the raw market value of China's currency, it still has a long way to go.



## **Economic Freedom, The Slope Gets Even More Slippery**

For many years, the U.S. ranked No. 2 in the world for economic freedom, just behind Hong Kong. But by 2005, the U.S. was No. 8, and is now ranked No. 12.

The culprit? [According to a report](#) co-published by our friends over at the Cato Institute, it's due to an "increased use of eminent domain to transfer property to powerful political interests" and "the ramifications of the wars on terrorism and drugs." Indeed, as the *Washington Post* has been [documenting in a must-read series](#), "asset forfeiture" by government agencies tracked by the Department of Justice has skyrocketed since 2005, reaching almost \$5 billion in 2012.

As the *Post* notes, "under civil asset forfeiture laws, the burden of proof is on the owner of the assets to show that they are not related to a crime by a legal standard known as preponderance of the evidence." It's no surprise to see our ranking for economic freedom plummet when our laws force individuals to prove their own innocence.



### **Obituary for the United States**

In 1887 Alexander Tyler, a Scottish history professor at the University of Edinburgh , had this to say about the fall of the Athenian Republic some 2,000 years prior:

"A Democracy is always temporary in nature; it simply cannot exist as a permanent form of government. A democracy will continue to exist up until the time that voters discover that they can vote themselves generous gifts from the public treasury. From that moment on, the majority always votes for the candidates who promise the most benefits from the public treasury, with the result that every Democracy will finally collapse over loose fiscal policy, (which is) always followed by a Dictatorship."

"The average age of the world's greatest civilizations from the beginning of history, has been about 200 years. During those 200 years, these nations always progressed through the following sequence:

- ✓ From bondage to spiritual faith;
- ✓ From spiritual faith to great courage;
- ✓ From courage to liberty;



- ✓ From liberty to abundance;
- ✓ From abundance to complacency;
- ✓ From complacency to apathy;
- ✓ From apathy to dependence;
- ✓ From dependence back into bondage."

**The Obituary follows:  
Born 1776, Died 2016**

Professor Joseph Olson of Hamline University School of Law in St. Paul, Minnesota, points out some interesting facts concerning the last Presidential election:

|                                                               |                    |                     |
|---------------------------------------------------------------|--------------------|---------------------|
| Number of States won by:                                      | Obama: 19          | Romney: 29          |
| Square miles of land won by:                                  | Obama: 580,000     | Romney: 2,427,000   |
| Population of counties won by:                                | Obama: 127 million | Romney: 143 million |
| Average murder rate per 100,000 residents in counties won by: | Obama: 13.2        | Romney: 2.1         |

Professor Olson adds: "In aggregate, the map of the territory Romney won was mostly the land owned by the taxpaying citizens of the country.

Obama territory mostly encompassed those citizens living in low income tenements and living off various forms of government welfare..."

Olson believes the United States is now somewhere between the "complacency and apathy" phase of Professor Tyler's definition of Democracy, with some forty percent of the nation's population already having reached the "governmental dependency" phase..

If Congress grants amnesty and citizenship to twenty million criminal invaders called illegal's - and they vote - then we can say goodbye to the USA in fewer than five years.



## **OLD BLACK VET SPEAKS OUT, "WAKE UP**

The words of a dying man have always captured my attention, right or wrong, they are worth reading. I believe what this dying man has to say has a lot of truth. May not be what some will want to hear.

I wanted to clear up a few black and white questions and answers. The things I state are facts. They are not downloaded from some media website, not propaganda, just observations from a 70 year old black man, born in America .

I was told by my parents (yes, a married man and woman with my last name), that I was nigger. We lived in " Nigger Town " in a small Texas town, no A/C, grass growing through the floor, no car, no TV. We washed our bodies with lye soap that my mother made, by hand. I thought I was a nigger, until I graduated high school, went to college, did an enlistment in the Army, and got a job. I am now retired, own my own home, have 6 children by ONE WOMAN, and we all have the same last name. I have a Bachelor's Degree in Liberal Arts, a Master's Degree in Sociology. My retirement, VA disability from combat in the Korean War (I only have one leg), and part-time pay in a local college, is about \$125,000 a year. From dirt poor nigger, to old, black, proud American.

Yes, I am black, and I can say "nigger", because I understand the true meaning of the word.

### **Let's clear up a few things about the Michael Brown incident.**

-Fact: It is not called "shoplifting or stealing", it's called "robbery", which is a felony. Brown stole something and assaulted someone, that means ROBBERY. It's on video, and it's a fact. Not shoplifting, not theft, not "lifting" a few cigars, but ROBBERY!

-Michael Brown, like Trayvon, was portrayed by the media as a "little black boy", cute little headphones, and his cap and gown photo, gunned down by a ruthless police assassin, executed by "whitey". First, I have never seen a cop drag a person into their car's driver door to arrest them. So, let us be clear, Michael Brown was a nigger; a sorry assed, criminal, hoodlum, nigger. Nobody wants to say that, but I will. He had a criminal record a mile long, was known for numerous assaults, robberies, including the one you saw with your own eyes, and still refuse to call it a robbery. He was, like so many others, living a life that he thought he was "entitled" to, just for being alive. Gangsta rap, weed, drinking, guns, and those stupid-assed low profile rims, makes him some kind of bad-ass nigger.

-I have fought communist Chinese and North Korean soldiers in the 1950's with more honor than that nigger. Yep, I peeled potatoes and shot communists. That's the only job a nigger soldier could get.

- -Rodney King? Black Riots!
- -Trayvon? Black Riots!
- -Hurricane Katrina? Black Riots! Stealing TV's, designer clothes, etc.
- -O.J. Simpson kills white man and white woman, found NOT GUILTY? Did white folks riot? Nope!

-In fact, when is the last time white people rioted? Civil War, maybe? That's because they are, relatively, civilized people, much like many black Americans. Protesting is one thing, hell, I'm all for it. Even if you are an ignorant idiot, you have a right to protest.

-Stop only showing the young black "cap and gown" photos of Michael. Charles Manson may have a few of those laying around, as well. Show the nigger "gangsta" photos of the "poor unarmed teenager" (grown man) pics that have been removed from his Facebook page, holding the loaded pistol, smoking weed, with a mouthful of money.

-Militarization? The stupid-assed media that publicizes this has no idea what "militarization" really is. Cops wear helmets and vests, and drive armored vehicle because unemployed niggers thrown bricks at them, moron! You put on an "Adam 12" uniform and walk down the streets of Ferguson during the criminal riots. I can guarantee that you'll jump into the first armored "military tank" that you see.

-You only "want the police" when you "need the police", otherwise, you mock and fear what you do not understand about the police. And by the way, the police are trained to take your shit, but I wouldn't f\*\*\* around with those Army National Guard, they aren't as well disciplined "culturally" to take your shit like police do every day. They will ventilate your black asses with M-16s, with military precision and extreme prejudice.

-And finally, the way we protest and demand justice, is run down the streets breaking shit, looting stores, and acting like a bunch of untrained monkeys? Hell, after Rodney King, criminal niggers were actually killing people, thinking they were entitled to be worse criminals than they already were. For those black criminals that do that, you are a disgrace to your race, inflamed by idiots like Al Sharpton, instead of listening to logic from proud black Americans, like Bill Cosby, Samuel Jackson, Colin Powell, Allen West, me, etc.

-You blame white people for your ignorance, criminal acts, unemployed laziness, etc.

-You blame white people for 89% of the prisons in America being full of blacks. They did nothing wrong, the racists white cops framed them all, right? No chance at school, no chance for college, military, employment? BULL SHIT!

-More niggers kill niggers, than niggers killing whites, whites killing niggers, and whites killing whites....COMBINED. I find this astounding.

-It's not white peoples' faults, the Emancipation Proclamation was signed by a white man years ago. You can go to school, get a job, buy a house, and vote, JUST LIKE WHITE FOLKS!!!! You are not a slave, you are not discriminated against! Slavery is abolished, and nobody alive today, was alive when it was popular. Get over it! You are discriminated against because you are a criminal, sorry-assed nigger. Otherwise, black Americans are treated like everyone else.

-If you choose to create "baby daddy and baby mama", and fake disabilities as an excuse for laziness to draw social security disability..... instead of husband, wife, family, job, mortgage, it's YOUR FAULT, not white folks. And there are a lot of proud black Americans that will tell you the same, as I AM ONE OF THEM!!!

-Remember, the way you act on the camera, is remembered by everyone who sees it. They will never forget it. It shows them how you, as the black race, responds to situation that don't particularly go the way you think they should. It will become a reference standard, something they expect from you when the next media report doesn't go your way. Stop being stupid niggers, and be a proud black American. My parents raised me well, but they were wrong about one thing, I am not a nigger.

I will not be around long. While my mind is still sharp, and my aim is still good, my body is eating away with cancer. It started in the prostate, and is spreading rapidly. After I die, I have asked my children to publish my writings, and include my name. Although I am not expecting any miracles, I can only hope that American will stop blaming color, start blaming criminals, and see people for what they really are. We have too many countries that want us dead. We should not be fighting each other.



# **YOU WORRY ME!**

## **AMERICAN AIRLINE PILOT SPEAKS HIS MIND**

By Captain John Maniscalco, American Airlines Pilot

I've been trying to say this since 911, but you worry me. I wish you didn't. I wish when I walked down the streets of this country that I love, that your color and culture still blended with the beautiful human landscape we enjoy in this country. But you don't blend in anymore. I notice you, and it worries me.

I notice you because I can't help it anymore. People from your homelands, professing to be Muslims, have been attacking and killing my fellow citizens and our friends for more than 20 years now. I don't fully understand their grievances and hate, but I know that nothing can justify the inhumanity of their attacks.

On September 11, ARAB-MUSLIMS hijacked four jetliners in my country. They cut the throats of women in front of children and brutally stabbed to death others. They took control of those planes and crashed them into buildings, killing thousands of proud fathers, loving sons, wise grandparents, elegant daughters, best friends, favorite coaches, fearless public servants, and children's mothers.

The Palestinians celebrated, the Iraqis were overjoyed as was most of the Arab world. So, I notice you now. I don't want to be worried. I don't want to be consumed by the same rage, hate and prejudice that has destroyed the soul of these terrorists. But I need your help. As a rational American, trying to protect my country and family in an irrational and unsafe world, I must know how to tell the difference between you, and the Arab/Muslim terrorist.

How do I differentiate between the true Arab/Muslim Americans and the Arab/Muslim terrorists in our communities who are attending our schools, enjoying our parks, and living in OUR communities under the protection of OUR constitution, while they plot the next attack that will slaughter MORE of the same good neighbors and children?

The events of September 11 changed the answer... It is not MY responsibility to determine which of you embraces our great country, with ALL of its religions, with ALL of its different citizens, with all of its faults. It is time for every Arab/Muslim in this country to determine it for me.

I want to know, I DEMAND to know and I have a right to know, whether or not you love America ..... Do you pledge allegiance to its flag? Do you proudly display it in front of your house, or on your car? Do you pray in your many daily prayers that Allah will bless this nation; that He will protect it and let it prosper?

Or do you pray that Allah will destroy it in one of your Jihads? Are you thankful for the freedom that this nation affords? A freedom that was paid for by the blood of hundreds of thousands of patriots who gave their lives for this country? Are you willing to preserve this freedom by also paying the ultimate sacrifice? Do you love America?? If this is your commitment, then I need YOU to start letting ME know about it

Your Muslim leaders in this nation should be flooding the media at this time with hard facts on your faith, and what hard actions YOU are taking as a community and as a religion to protect the United States of America. Please, no more benign overtures of regret for the death of the innocent, because I worry about who you regard as innocent.... No more benign overtures of condemnation for the unprovoked attacks, because I worry about what is unprovoked to you. I am not interested in any more sympathy; I am interested only in action. What will you do for America - our great country - at this time of crisis, at this time of war?

I want to see Arab-Muslims waving the AMERICAN flag in the streets. I want to hear you chanting 'Allah Bless America'. I want to see young Arab/Muslim men enlisting in the military. I want to see a commitment of money, time and emotion to the victims of this butchering and to this nation as a whole.

The FBI has a list of over 400 people they want to talk to regarding the WTC attack. Many of these people live and socialize right now in Muslim communities. You know them. You know where they are. Hand them over to us, NOW! But I have seen little even approaching this sort of action. Instead I have seen an already closed and secretive community close even tighter. You have disappeared from the streets. You have posted armed security guards at your facilities. You have threatened lawsuits. You have screamed for protection from reprisals.

The very few Arab/Muslim representatives that HAVE appeared in the media were defensive and equivocating. They seemed more concerned with making sure that the United States proves who was responsible before taking action. They seemed more concerned with protecting their fellow Muslims from violence directed towards them in the United States and abroad than they did with supporting our country and denouncing 'leaders' like Khadafi, Hussein, Farrakhan, and Arafat.

IF the true teachings of Islam proclaim tolerance and peace and love for all people, then I want chapter and verse from the Koran and statements from popular Muslim leaders to back it up. What good is it if the teachings in the Koran are good, pure, and true, when your 'leaders' ARE teaching fanatical

interpretations, terrorism, and intolerance? It matters little how good Islam SHOULD BE if huge numbers of the world's Muslims interpret the teachings of Mohammed incorrectly and adhere to a degenerative form of the religion. A form that has been demonstrated to us over and over again. A form whose structure is built upon a foundation of violence, death, and suicide. A form whose members are recruited from the prisons around the world. A form whose members (some as young as five years old) are seen day after day, week in and week out, year after year, marching in the streets around the world, burning effigies of our presidents, burning the American flag, shooting weapons into the air. A form whose members convert from a peaceful religion, only to take up arms against the great United States of America, the country of their birth. A form whose rules are so twisted, that their traveling members refuse to show their faces at airport security checkpoints, in the name of Islam.

We will NEVER allow the attacks of September 11, or any others for that matter, to take away that which is so precious to us -- our rights under the greatest constitution in the world. I want to know where every Arab Muslim in this country stands and I think it is my right and the right of every true citizen of this country to DEMAND it. A right paid for by the blood of thousands of my brothers and sisters who died protecting the very constitution that is protecting you and your family.

I am pleading with you to let me know. I want you here as my brother, my neighbor, my friend, as a fellow American..... But there can be no gray areas or ambivalence regarding your allegiance, and it is up to YOU, to show ME, where YOU stand. Until then "YOU WORRY ME!"

### **CANADIAN COMMENTS**

I totally agree with this sentiment. I hope you will forget all about the 'political correctness' mandate we've had rammed down our throats, and see if this doesn't ring true in your heart and mind. For Canada, with all the multiculturalism we've been told is so important .... why should we not, as Canadians, expect that the millions of new people immigrating to our country will show their love for our country, their allegiance to our country, their willingness to obey the laws of our country, and acceptance that we are a Christian country? Just because they are able to enjoy exercising their own religion, they should NOT expect us to be ashamed of ours. They knew Canada was a Christian country when they came here. Why are we erasing Christianity because immigrants who are unwilling to adopt our way of life expect us to? There is just too much insanity in the world, and we have to start taking a stand. I hope you will forward this, so that others will feel they are not alone if they are starting to feel the same.

## **BRITISH COMMENTS**

At last a clear non-racist example of the concerns that the vast majority of our Nations population probably share. The pilot's letter encapsulates all that is fair and just about national pride and protection of one's national culture. I fear it may be too late here in UK, BUT we too want our country back in the form that attracted all these different cultures to come here in the first place!! In all our conversations with a wide range of friends and acquaintances we have not met one that disagrees with our own views. If only we all had the courage of our convictions to pass this on, it is a statement that should be accepted as the heart-felt feelings of someone with honest commendable national pride.

## **Australian Comments**

Best email I have had in years it needs to be in every paper every day until we get some answers

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Larry the Cable Guy Humor

**THIS CABLE GUY HUMOUR IS AMERICAN AND FUNNY! BUT
UNFORTUNATELY ITS TRUE! THE MAN'S A GENIUS!!!**

Everyone concentrates on the problems we're having in Our Country lately: Illegal immigration, hurricane recovery, alligators attacking people in Florida Not me -- I concentrate on solutions for the problems -- it's a win-win situation. * Dig a moat the length of the Mexican border. * Send the dirt to New Orleans to raise the level of the levees. * Put the Florida alligators in the moat along the Mexican border.

Any other problems you would like for me to solve today? Think about this:

COWS

Is it just me, or does anyone else find it amazing that during the mad cow epidemic our government could track a single cow, born in Canada almost three years ago, right to the stall where she slept in the state of Washington? And, they tracked her calves to their stalls. But they are unable to locate 11 million illegal aliens wandering around our country.. Maybe we should give each of them a cow

THE CONSTITUTION

They keep talking about drafting a Constitution for Iraqwhy don't we just give them ours? It was written by a lot of really smart guys, it has worked for over 200 years, and we're not using it anymore.

THE 10 COMMANDMENTS

The real reason that we can't have the Ten Commandments posted in a courthouse is this -- you cannot post 'Thou Shalt Not Steal' 'Thou Shalt Not Commit Adultery' and 'Thou Shall Not Lie' in a building full of lawyers, judges and politicians, it creates a hostile work environment.



Obama vows he's 'not finished' after naming new monument

Laura Barron-Lopez, The Hill, 10/10/14

<http://thehill.com/policy/energy-environment/220446-obama-names-san-gabriel-mountains-a-national-monument>

President Obama designated nearly 347,000 acres of California's San Gabriel Mountains a national monument on Friday, vowing that he is "not finished" preserving the nation's wilderness.

Obama has designated 13 such monuments during his presidency, protecting a total of 260 million acres of both land and water, and sparking outrage from Republicans in Congress.

"Within these hills lies a millennia of history. Just as this region teaches us about our past it offers us a window into the future," Obama said at an event in Los Angeles County.

"I can think of no better way to honor our past and protect our future than by preserving the San Gabriel Mountains," he added.

Obama has designated nearly three times more land and water than any other president since Congress first passed the Antiquities Act in 1906, according to the White House.

Obama's predecessor, former President George W. Bush, comes in at a close second though, having designated at least 200 million acres of marine reserve near Hawaii at the end of his administration.

The designation for the San Gabriel Mountains comes after a decades-long push by Hispanic and environmental groups for the federal government to name it a national monument.

The new protections will preserve the thousands of acres, which provide 30 percent of the drinking water for some 15 million people living in the surrounding region, and 70 percent of L.A. County's open space, Obama said on Friday.

A lack of funding has plagued the mountains, which include the Angeles National Forest. The forest is one of the busiest in the country, with more than 3.5 million visitors each year.

The monument declaration will help fund and improve trail signs, restrooms and trash facilities, Obama said.

"It's not enough to have this awesome natural wonder, you need to be able to access it," he added.

On top of the designation, Obama announced that a number of philanthropies will commit to help kick-start public involvement and restoration projects in L.A. County, and the new monument.

The National Forest Foundation is pledging \$3 million for a new San Gabriel Mountains National Monument Fund to aid in community response and restoration. Another donation from the California Endowment and Resources Legacy Fund will help support recreation and habitat improvement projects.

The Hispanic Access Foundation praised Obama for the new monument.

"The Latino community recognizes how important quality drinking water, clean air, and accessible public lands are to the well-being of southern California — particularly in an area that has limited green space," said Maite Arce, CEO of Hispanic Access Foundation. "President Obama's action will help protect these resources for future generations."

Republicans were quick to blast Obama for his latest designation, coming less than one month after his biggest move yet to protect the oceans by [declaring](#) a large swath of the Pacific off-limits to fishing and energy exploration.

"Once again this Administration is taking unilateral action without Congressional or public input by naming the San Gabriel Mountains a National Monument," said House Majority Leader Kevin McCarthy (R-Calif.).

"This action restricts access to public lands and would put nearly half of the Angeles National Forest under lock and key. I strongly support multiple use of our national forests and other public lands, but this decision severely limits usage," McCarthy added.

Despite the pushback, Obama insisted on Friday he plans to designate more land and water before the end of his presidency.

"I've preserved 3 million acres of public lands for future generations and I'm not finished," Obama said.

"We are looking at additional opportunities to preserve federal lands and waters and I will continue to do so especially where communities are speaking up," he added.



Obama's Backdoor Gun Registration Scheme?

Black and Buying a Gun? The Government Wants to Know

Independent Living News

http://www.independentlivingnews.com/privacy/intrusion-update/201261-obamas-backdoor-gun-registration-schemea.html?utm_source=141005RFARNP&keycode=141005RFARNP&utm_content=continuedHere&u=bd27e8bc-ddc7-11e2-88f9-80ee731fd7a1#.VDST31PLdCQ

If you want to purchase a firearm, you'd better be ready to declare your race and ethnicity. Because the government wants to know.

This is a policy that was quietly introduced under the Obama administration in 2012. At that time, the Bureau of Alcohol, Tobacco, and Firearms updated their gun-buyer form to include checkboxes for whether or not you are Hispanic or Latino and to confirm if you are Indian, Asian, Black, White, or a Pacific Islander.

And don't even think about leaving that part of the form blank. That's a violation. One that could shut the gun dealer down if he lets it slide.

So, what gives?

Why exactly is this "post-racial" administration keeping track of race when it comes to gun purchases of all things?

A Plan for Backdoor Registration?

The whole situation is hinky.

A lot of things could be going on here. None of them have to do with better law enforcement. Or protecting average citizens from gun crimes.

The ATF says that it is just making its forms complicit with standards set by the Office of Management and Budget in 2003. (Apparently, they just got around to it.)

But critics say there is no federal mandate that gun dealers collect race or ethnicity information from their customers.

You must provide a government-issue photo ID when purchasing a firearm. The dealer also runs a background check. So collecting this information for identification purposes doesn't make sense.

According to some dealers the forms themselves are being mishandled. The gun dealer holds the forms in question on file. The ATF may request access to specific forms in the event of a criminal investigation. They may also check the forms during a gun dealer audit. But some dealers say that recently, ATF officers have come in and copied their forms ... all of them.

It seems possible to me that since gun registration bills have failed to pass, the Obama administration may be building its own "gun registration" database using these purchase forms. That's pure speculation ... but you must admit, it makes sense. Especially given this administration's history of circumventing Congress to get its way.

The Incremental Death of Your Constitutional Rights

Now, you may be thinking that this is really no big deal. It's just a form. Kept on hand by gun dealers, just in case.

But it's more than that. Over and over again the government is conditioning us to give up our privacy. To blindly accept authority. To put up with violation after violation.

The list of incremental encroachments on your rights is endless. Just a sampling:

- A man in Oregon was imprisoned for 30 days because he collected rainwater on his property.
- In Santa Monica, it is illegal in some cases to smoke inside your own residence.
- Filming a TSA agent is considered "terrorist" activity.
- Under directions from HUD, homes in some Pennsylvania counties are being scanned with infrared technology to track and record their green house gas emissions.
- The National Defense Authorization Act allows the government to detain U.S. citizens indefinitely if they are suspected of assisting terrorists. (I'm sure this will never be misused.)
- And that doesn't even get into the massive data gathering programs of the NSA, which continue to this day.

In terms of regulations alone, government power has expanded exponentially in the last 40 years. In the early 70s, it took nearly 75,000 pages of documentation to capture all the federal regulations on the books. Today, you need nearly 175,000 pages!

The government wants to know everything you're doing. And it wants a say in how you're doing it. Now they're collecting irrelevant personal data, with no federal mandate, when you try to exercise one of your basic constitutional rights.

If you're feeling mad right now, then good! You should be.

What You Can Do About It

Unfortunately, there's no magical solution to the ridiculous level of government encroachment on citizen's lives. It took a long time for things to get this bad, and it's going to take a long time to fix it.

But fix it we must. And the starting point is voting for people who favor a smaller government that limits itself to a few, common-sense regulations.

And then holding their feet to the fire when it comes to keeping their promises.

We have an election coming up. Make sure you vote, at every level, for elected officials who share your values.

P.S. If we can't reverse course on this devastating government trend, either the economy will collapse or we'll find ourselves dealing with marshal law as the failing government tries desperately to maintain its control. Either situation will turn our cities into war zones and make everywhere in the country less safe.

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***This is terrible news for seniors~***

**IMPORTANT ACTION INFORMATION FOR NOVEMBER, 2016 VOTE**

**FYI - Medicare at age 76!**

If you don't read this, and do nothing about it, don't complain when it affects you or your loved ones!!!! This is the second Judge to have read the Obama Care document comments. More highlights of Nancy's "pass it and then find out what's in the bill"!!!! Show this to everyone nearing the ripe old age of 76. These are just a few of the things that we seniors are going to have to deal with starting in 2014. Even far left Democrats will not like these.

MEDICARE AT AGE 76, IMPORTANT PLEASE READ - ANYONE WHO DOUBTS THIS IS TRUE CAN DOWNLOAD THE NEW OBAMA CARE AND LOOK UP THE PAGES MENTIONED. THIS IS JUST THE BEGINNING.....THIS should be read by everyone, especially important to those over 75..... If you are younger, then it may apply to your parents....

Your hospital Medicare admittance has just changed under Obama Care. **You must be admitted by your primary Physician in order for Medicare to pay for it! If you are admitted by an emergency room doctor it is treated as outpatient care where hospital costs are not covered. This is only the tip of the iceberg for Obama Care.** Just wait to see what happens in this year and 2014!

YOU ARE NOT GOING TO LIKE THIS... **At age 76 when you most need it most, you are not eligible for cancer treatment \* see page 272. What Nancy Pelosi didn't want us to know until after the health care bill was passed. Remember she said, "We have to pass the Bill so that we can see what's in it."** Well, here it is.

Obama Care Highlighted by Page Number THE CARE BILL HB 3200 JUDGE KITHIL IS THE 2ND OFFICIAL WHO HAS OUTLINED THESE PARTS OF THE CARE BILL. Judge KITHIL of Marble Falls , TX - highlighted the most egregious pages of HB3200 Please read this..... especially the reference to pages 58 & 59 JUDGE KITHIL wrote:

\*\* Page 50/section 152: The bill will provide insurance to all non-U.S. residents, **even if they are here illegally.**

\*\* Page 58 and 59: **The government will have real-time access to an individual's bank account and will have the authority to make electronic fund transfers from those accounts.**

\*\* Page 65/section 164: The plan will be subsidized (by the government) for all union members, union retirees and for community organizations (such as the Association of Community Organizations for Reform Now - ACORN) \*\* Page 203/line 14-15: **The tax imposed under this section will not be treated as a tax. (How could anybody in their right mind come up with that?)**

\*\* Page 241 and 253: Doctors will all be paid the same regardless of specialty, and the government will set all doctors' fees. This is what they do in Sweden too. I know because Alf's daughter Ann is an OBGYN, and her husband, Thorsten, is a surgeon.....

\*\* Page 272. section 1145: **Cancer hospital will ration care according to the patient's age.**

\*\* Page 317 and 321: The government will impose a prohibition on hospital expansion; however, communities may petition for an exception.

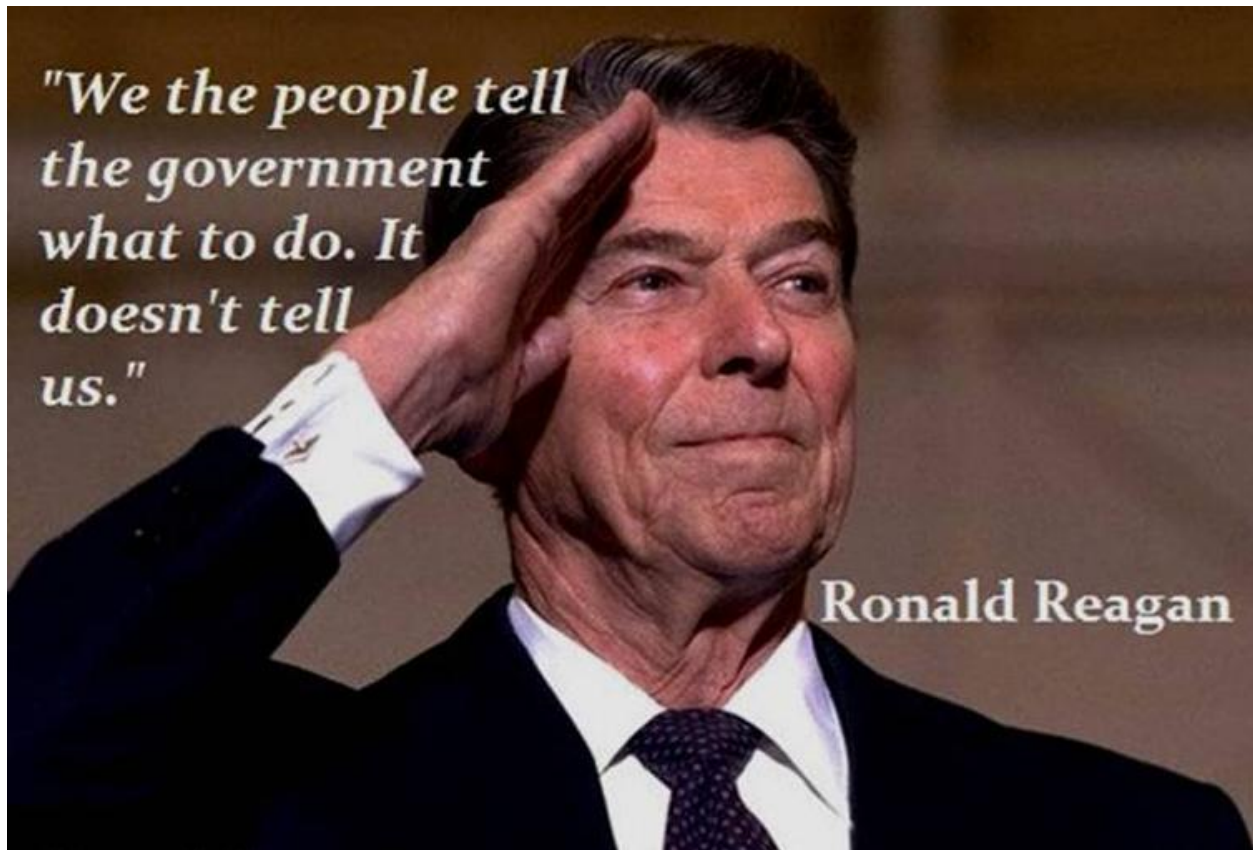
\*\* Page 425, line 4-12: **The government mandates advance-care planning consultations. Those on Social Security will be required to attend an "end-of-life planning" seminar every five years.** (Death counseling..)

\*\* Page 429, line 13-25: **The government will specify which doctors can write an end-of-life order.**

HAD ENOUGH???? Judge Kithil then goes on to identify: **"Finally, it is specifically stated that this bill will not apply to members of Congress". No wonder they did not see the need to read it....doesn't apply to them!!!** THE AMERICAN PEOPLE NEED TO STAND UP TO WASHINGTON..... I don't know if we can do anything, but awareness helps.

Winds Of Change -- **Warren Buffet is asking each addressee to forward this email to a minimum of twenty people on their address list; in turn ask each of those to do likewise. At least 20 if you can.** It has to stop somewhere. In three days, most people in The United States of America will have this message. This is one idea that really should be passed around

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TWO AMERICAS

The Democrats are right, there are two Americas.

Bob Lonsberry, December 9, 2013

<http://www.lonsberry.com/writings.cfm?story=3651&go=4>

The America that works, and the America that doesn't. The America that contributes, and the America that doesn't.

It's not the haves and the have nots, it's the dos and the don'ts. Some people do their duty as Americans, to obey the law and support themselves and contribute to society, and others don't.

That's the divide in America.

It's not about income inequality, **it's about civic irresponsibility. It's about a political party that preaches hatred, greed and victimization in order to win elective office. It's about a political party that loves power more than it loves its country.**

That's not invective, that's truth.

And it's about time someone said it.

The politics of envy was on proud display last week as the president said he would pledge the rest of his term to fighting "income inequality." He notes that some people make more than other people, that some people have higher incomes than others, and he says that's not just.

It was the rationale of thievery.

The other guy has it, you want it, Obama will take it for you.

Vote Democrat.

It is the electoral philosophy that gave us Detroit. It is the electoral philosophy that is destroying America.

And it conceals a fundamental deviation from American values and common sense. It ends up not being a benefit to the people who support it, but a betrayal. The Democrats have not empowered their followers, they have enslaved them – in a culture of dependence and entitlement, of victimhood and anger instead of ability and hope.

The president's premise – that you reduce income inequality by debasing the successful – seeks to ignore and cheat the law of choices and consequences. It seeks to deny the successful the consequences of their choices and spare the unsuccessful the consequences of their choices.

Because, **BY AND LARGE, THE VARIABILITY IN SOCIETY IS A RESULT OF DIFFERENT CHOICES LEADING TO DIFFERENT CONSEQUENCES.** Those who choose wisely and responsibly have a far greater likelihood of success, while those who choose foolishly and irresponsibly have a far greater likelihood of failure.

And success and failure can manifest themselves in personal and family income.

You choose to drop out of high school or to skip college and you are apt to have a different outcome than someone who gets a diploma and pushes on with purposeful education. You have your children out of wedlock and life is apt to take one course, you have them in wedlock and life is apt to take another course.

Most often in life our destination is determined by the course we take.

My doctor, for example, makes far more than I do. There is significant income inequality between us. Our lives have had an inequality of outcome. But, our lives also have had an inequality of effort. Whereas my doctor went to college and then gave the flower of his young adulthood to medical school and residency, I got a job in a restaurant. He made a choice, I made a choice. And our choices led us to different outcomes.

His outcome pays a lot better than mine.

Does that mean he cheated and Barack Obama needs to take away his wealth?

No, it means we are both free men.

And in a free society, free choices will lead to different outcomes.

It is not inequality Barack Obama will take away, it is freedom.

The freedom to succeed, and the freedom to fail. And there is no true option for success if there is no true option for failure.

The pursuit of happiness means a whole lot less when you face the punitive hand of government if your pursuit brings you more happiness than the other guy.

Even if the other guy sat on his arse and did nothing.

Even if the other guy made a lifetime's worth of asinine and shortsighted decisions.

Barack Obama and the **DEMOCRATS PREACH EQUALITY OF OUTCOME AS A RIGHT, WHILE COMPLETELY IGNORING INEQUALITY OF EFFORT.** The simple Law of the

Harvest – as ye sow, so shall ye reap – is sometimes applied as, “The harder you work, the more you get.”

The progressive movement would turn that upside down.

Those who achieve are to be punished as enemies of society and those who fail are to be rewarded as wards of society. Entitlement has replaced effort as the key to upward mobility in American society.

Or at least it has if Barack Obama gets his way.

He seeks a lowest common denominator society in which the government besieges the successful and productive and fosters equality through mediocrity.

He and his party speak of two Americas.

And their grip on power is based on using the votes of one to sap the productivity of the other.

America is not divided by the differences in our outcomes, it is divided by the differences in our efforts. And by the false philosophy that says one man’s success comes about unavoidably as the result of another man’s victimization.

What the president offered was not a solution, but a separatism. He fomented division and strife, he pitted one set of Americans against another.

For his own political benefit.

THAT'S WHAT PROGRESSIVES OFFER. MARXIST CLASS WARFARE WRAPPED UP WITH A BOW.

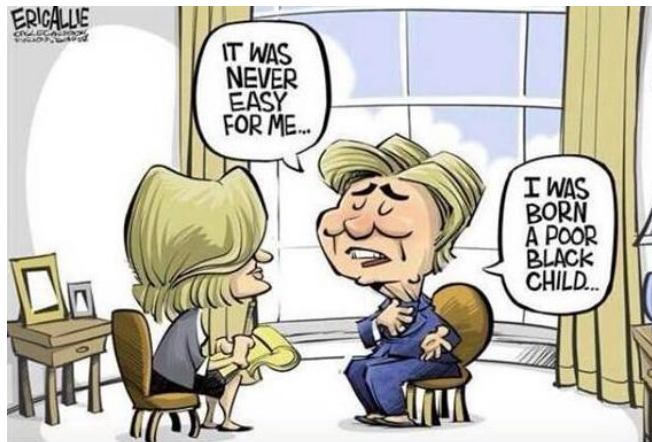
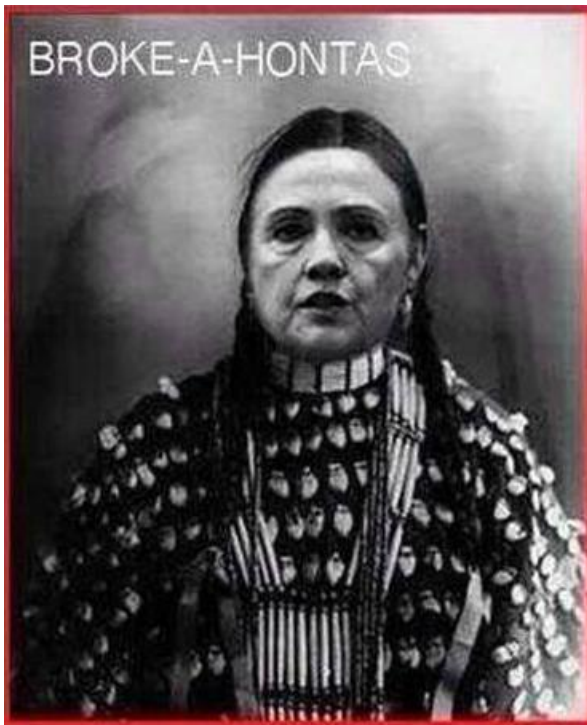
TWO AMERICAS, COMING CLOSER EACH DAY TO PROVING THE TRUTH TO LINCOLN'S MAXIM THAT A HOUSE DIVIDED AGAINST ITSELF CANNOT STAND.

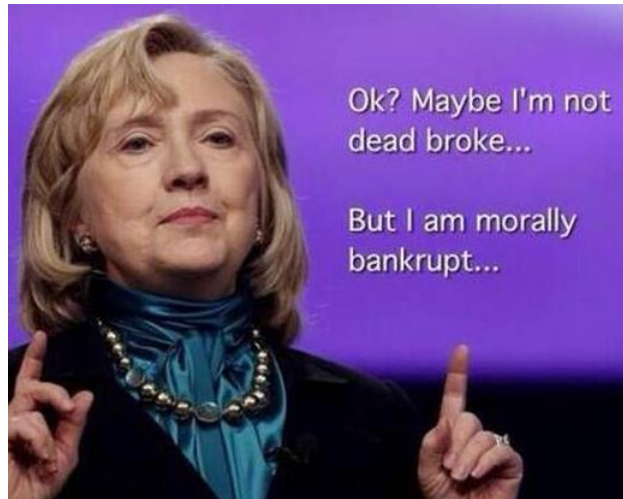
OBAMA
Fun Fact #301
**For every one job
created under the
Obama Administration
75 people went
on food stamps.**

**That awkward moment when millions of
racists suddenly transform into sexists**



November 8th, 2016





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