

LIBERTY WATCH

VOLUME 10 | ISSUE 1 | March 2021

POLITICS. BUSINESS. LIBERTY.

ELECTIONS HAVE CONSEQUENCES

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THE CANCEL CULTURE**

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Volume 10, Issue 1 MARCH 2021

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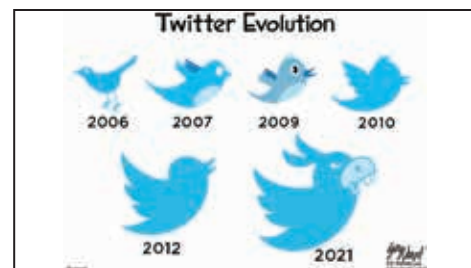
Liberty Watch Magazine
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BETTER DAYS AHEAD

Times seem dark.

Friends and family are at each other's throats; about politics, wearing a mask, social distancing, and the government's response. If you weren't on edge already, spend an evening watching cable news and you'll lose sleep wondering if the world is coming to end. Watching Netflix might do your frame of mind some good.



Chris Stirewalt, veteran politics editor at Fox News was fired by the network in the wake of the network's election night call of Arizona for Biden. Stirewalt didn't make the call, there are rooms full of nerds who do that, but he became the face of that call which upset many Fox viewers. Talk about shooting the messenger.

Stirewalt was interviewed the other night and made a point many people miss, which was a miracle he squeezed the point in against an onslaught from the rabid Chris Hayes. People struggled for centuries to get enough news, said Stirewalt. There used to be morning, afternoon, and evening newspapers. The kind you line your birdcage with. A person might catch Walter Cronkite around dinnertime and then some local

news before going to bed.

Then Ted Turner created CNN with the idea of presenting news 24 hours a day. They didn't figure people would watch much of it, but dip in for a little and then spend their time more productively. It became an industry. Cable needed eyeballs and clicks to sell advertising. Tell people what they want to hear, or they'll take their eyeballs elsewhere.

The problem is, as the ex-Fox News man said, "24-hours is not the correct increment to consume news." That's another way of saying, "don't watch too much of this crap, it's not good for you."

Folks on the left gorge themselves on their spin and those of us on the right do the same. Was Cronkite on the left or right? Who knows? Nobody asked or cared. Looking grandfatherly hair slicked with Brylcreem, glasses, pipe, mustache, and we still watched without aggravation.

Today's cable news works each side into a lather, while they sell advertising. Of course, the Covid-19 pandemic has made all of this worse. The past year was a perfect storm. People have been frustrated and have time on their hands. It's a lethal combination.

But, it won't last.

Covid-19, with its ever-growing number of strains, will not be a "thing" and dangerous forever. Interest in politics waxes and wanes. It always has. I'm a political junkie, all the time, but most people just roll their eyes and go on about their business during normal times. They might vote every couple of years and the rest of the time ignore politicians. That's the sensible, American thing to do.

I hope you've noticed the Liberty Watch tagline: "The Gold Standard of Conservatism." Conservative politicians morphed into Populists the last few years. The energy and excitement has been fun and infectious. Despite some medical challenges, I've had a blast on the phone constantly with political operatives from Carson City to D.C..

But, ultimately, populism comes and goes. Andrew Jackson, William Jennings Bryan, Huey Long, George Wallace, Ross Perot, Sarah Palin, Bernie Sanders, all populists, some relevant historically, some not. Time marches on.

And for people who believe Las Vegas is dead and just waiting for burial. Please. Sure, our governor is making all the wrong moves, but he's not forever either. People can't wait to come back to Las Vegas, and the rest of Nevada. The state has more to offer than ever. Besides, have you noticed our neighbor to the west has turned into a 3rd-world country? Nevada is the closest place to escape to.

As we begin a new year, I want to thank our readers for their support and loyalty, as well as, our advertisers and individuals whose aid allows us to spread the conservative message. Government at all levels must be watched and called out for its misdeeds in good times and bad.

While better days are ahead, we will remain vigilant. **LW**



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CENSORSHIP & THE CANCEL CULTURE

We have entered very dangerous times in the United States.



It is Germany in 1933 when Hitler and the National Socialists took power. We have never seen anything like what is happening in our country. The Deep State: National Socialists, RINOS, the 100 largest global US companies including Big Tech that control 50% of our Gross Domestic Product, the federal bureaucracy and Fake News are working together to censor the free speech of half the country; those that supported Donald Trump for President.

But they are going even further. They are out to destroy Trump Supporters. People are being fired or denied employment. They are attacking businesses to put them out of business. Publishers are refusing to publish books written by Conservative authors, or anyone that supported, or worked for the Trump Administration. Next, we will see book burning because existing books that do not fit their left wing politically correct ideology will be deemed as hate speech. It is coming. Where is the American Civil Liberties Union and other liberal groups that always fought for freedom of speech? Crickets.

Instead, the Deep State is advancing Cancel Culture to revise history using Critical Race Theory and the 1619 Project, which declares that the United States was founded to support slavery as the basis for our nation. Our Founding Fathers, among the greatest men who ever lived in world history are demonized. Everything to these Fascists has a racial component. All White Men and even boys are racists in their thinking. They claim that Western Civilization is evil because it was the basis for slavery. Forget about the fact that slavery existed for 5,000 years, including in Africa, long before it came to America. And that Native Americans, brown peoples, including the Aztecs, Incas, Mayas all had slaves. This is certainly not to justify slavery that is evil wherever it existed, but just a statement of historical fact.

The Cancel Culture even destroys statues of Abraham Lincoln and Ulysses S. Grant. Lincoln of course issued the Emancipation Proclamation in 1863 that freed the slaves. And Grant sent in the army to the Southern States during Reconstruction to protect freed slaves from repression and murder by the Klan. Naturally, Christopher Columbus is evil for coming to the New World because eventually it led to European colonization and slavery. Forget about the fact that African Tribes captured and sold the slaves to the Europeans. The Cancel Culture practices selective history predicated on hate for White people. History should show the good, bad and ugly of all peoples if truth is the objective; but that is not happening today.

Half the country that is being persecuted must stand up and say NO. We must use the courts when needed to protect our rights. We cannot allow Fake News to implement 7/24 propaganda and hatred. We must speak truth to power. Too many people have died to preserve the rights of all Americans. We must fight Cancel Culture at every level of our society, or we will lose our freedoms. We cannot allow that to happen.



Ben Shapiro

GET READY FOR 4 YEARS OF MEDIA SYCOPHANCY

On Sunday, Jan. 17, Vice President-elect Kamala Harris sat down with Jane Pauley of CBS News "Sunday Morning."

Pauley treated Harris to a full-on journalistic massage. At no point was Harris asked a tough question; at no point was Harris treated as anything other than an idol worthy of worship. Perhaps the most awkward manifestation of this sycophancy came when Harris -- an extraordinarily and transparently manipulative and mechanical politician -- spouted a canned speech about relentlessness. "I was raised to not hear no -- let me be clear about it," said Harris. "I eat no for breakfast!"

This prompted a spasm of ecstasy from Pauley, who immediately reflected Harris' bizarrely inappropriate laughter with an enormous grin of her own.

It will be four long years.

For four years, the media complained that outgoing President Donald Trump treated them as an enemy. They self-servingly claimed that they were *actually* the protectors of democracy and individual rights. It took all of one month after Trump's inauguration for The Washington Post to add the slogan "Democracy Dies in Darkness" to its masthead. By October 2017, CNN began running ads explaining that it was all about "Facts First."

Trump, for his part, attacked the media whether they deserved it or not: Every disparaging headline, true or not, became "fake news." That was unjustified and wrong, obviously. But the media's lack of credibility wasn't solely attributable to Trump. It resulted from their own journalistic malfeasance for years on end during former President Barack Obama's administration -- "his only scandal was wearing a tan suit!" -- followed by their aggressive repetition of even the most thinly sourced scandal regarding Trump.

And now we'll return to the gaslighting of the Obama era, when members of the Obama team could openly *admit* to lying to the media, only to receive obsequious praise in return. Already, media outlets are praising the newfound veracity

of Biden's press team -- despite the fact that Jen Psaki, Biden's choice for White House press secretary, was accused of openly and explicitly lying to the media in 2016. Media members are even admitting that the vacation has begun: CNN's Jim Acosta -- and, ladies, find you a man who loves you like Jim Acosta loves Jim Acosta -- admitted that he'd be covering Biden differently, explaining, "If being at the White House is not an experience that might merit hazard pay ... then perhaps it is going to be approached differently."

Of course, Acosta never needed hazard pay. He was too busy declaring himself a hero and preening for the cameras while pulling down a lucrative book contract. But now that the Biden administration is a reality, our media can go back to sleep.

And so, the controversies of the day will turn to the trite. The big question won't be governmental oversight but media self-policing: Last week, the media were consumed with the vital question of whether Vogue magazine's cover of Harris is respectful enough, given that it shows her wearing her trademark Converse sneakers. Other major controversies to come will include just how cute Joe Biden's dog is and whether the racial diversity of his Cabinet is merely important or *super* important. Meanwhile, the same media outlets that act as stenographers for the Democratic Party will insist that other outlets meet with social media censorship. After all, American needs unity! And that unity can only be provided by the same people who have wrecked all pretense of institutional objectivity in the pursuit of partisan outcomes.

People will continue to seek information from alternative sources, of course. But that will only provoke the media to seek new methods of repressing those alternatives. As it turns out, the commitment of many in our media isn't to truth or facts. It's to monopolistic control.



Doug French
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SILVER SQUEEZE: IS THAT ALL THERE IS?

Everyone, whether interested in investments or not, has heard of retailer GameStop Corp.

The company, which trades under the symbol GME, appears to be on its last legs, a brick and mortar retailer which sells games that can now be purchased online.

Last March, when COVID fears caused the market to tank, GME hit a low of \$2.57 a share. In September of last year shares went for \$5 amidst talk of bankruptcy. In early January it traded for \$17, a couple weeks later \$43. Then, retail traders, who figured out over 120 percent of the stock's float was sold short, rallied together on the reddit chat room WallStreetBets and piled into cheap out-of-the-money call options on the stock, forcing a short squeeze of the GME's price. Hedge funds that were short, furiously bought shares to cover their shorts, pushing the price upward to \$483.

For context, Almost Daily Grant's explained, "GameStop is expected to generate \$5.6 billion in revenue and \$114 million in negative free cash flow for the 12 months ending in January 2022, down from \$9.3 billion in revenue and \$483 million in positive free cash flow in fiscal 2016."

Meanwhile, silver bulls were attempting the same stunt to push up the price of the unloved metal. Peter Spina @goldseek tweeted "THIS IS MASSIVE -- JANUARY'S #SILVER INVESTMENT DEMAND (SO FAR) IS OVER 65 MILLION OUNCES #silver squeeze" TF Metals Report tweeted, "... Comex is ripe for a #silversqueeze. Note that just FOUR Banks are short over 90 days of global silver production. That's over 200,000,000 ounces!"

As it turned out, Mr. Whipple used to get more of a squeeze out of a roll Charmin than the great 2021 silver squeeze. The price went from \$25 an ounce to \$30 and back down within a couple of days. "Is that all there is?" Peggy Lee once sang.

If you rushed out to buy some silver during this faux frenzy, you noticed you couldn't buy one ounce silver coins for \$30 if you wanted to. Michael Wittmeyer, CEO of JM Bullion told CNBC's Brian Sullivan his company did over \$27 million in

sales on Sunday, January 31st alone. "The entire industry is frankly wiped out (of silver)," Wittmeyer said.

Geoffrey Caveney, writing on Seeking Alpha, reviewed the prices of major silver coin sellers and dealers and found, "the actual price of physical silver is at least \$37/ounce and often higher."

"The most basic and popular American Silver Eagle - not a special rare or antique coin with any extra markup value above and beyond its 1 ounce silver content - can be as high as almost \$43," he writes, "if purchased in a quantity below 20 ounces and by credit card or PayPal."

You may wonder why the difference. The amount of paper silver to actual physical silver is astonishing. Steve St. Angelo wrote in 2017 on Moneymetals.com, "the paper notional silver trading ratio to physical silver investment was a whopping 517 to 1..." (original emphasis)

In another Seeking Alpha post of January 31, 2021, "In silver, the commercials and Central Banks are at major risk. According to the COT reports, they have about \$35 billion in short positions. As silver rises, the short squeeze pressure on them increases massively. We appear to be heading into more lockdowns and the supply chain is being disrupted again. Gold and silver production may be hindered. We are running out of gold and silver inventory. Premiums are increasing tremendously in the cash market.

So what should silver be trading for? Ray Arnott, CEO of Research Affiliates, reminds us that the Hunt brothers pushed silver to \$50 an ounce in 1980. If we start with that price and simply add 40 years of CPI (consumer price index) increases we end up near \$250 an ounce. "So, is there room for silver to go up? Oh my goodness, yes," says Arnott.

Where are the Hunt brothers when you need them? **LW**



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JUST SAY “NO” TO HARRY REID AIRPORT

(Chuck Muth) – It’s almost like we’re living in the Upside-Down universe of the next season of “Stranger Things” ...

- Two deadly viruses continue to ravage the country: COVID and TDS (Trump Derangement Syndrome)
- Nevadans remains under semi-lockdown and virtual house arrest
- Businesses are closed or on the brink of bankruptcy
- Workers have lost their jobs and thousands STILL can’t get their unemployment checks
- Classroom doors remain locked and students are killing themselves over it
- The state budget is in a hole deeper than the Grand Canyon
- Local and city governments are just as bad, if not worse



And with all these problems staring them in the face, what pressing issue will Clark County commissioners put at the top of their priority list at this Tuesday’s meeting?

Wasting millions of dollars to change the name of McCarran International Airport in Las Vegas to Harry Reid International Airport.

This is the living embodiment of “*stuck on stupid.*” Is it any wonder politicians are even less popular than jock itch and gonorrhea?

This same ridiculous issue came up before the Nevada Legislature four years ago.

A Las Vegas Review-Journal poll at the time showed only 14.4% of the people supported it. The RJ also reported that the idea was “*the second*

most unpopular proposed during the 2017 legislative session with 3,151 public comments against renaming McCarran and only 63 public comments in favor."

The bill got a hearing that session but was never voted on. It died a well-deserved death. But, unfortunately, not at the hands of a wooden stake through the heart. As such, Clark County Commissioner Tick Segerblom is trying to raise this corpse of an idea from the grave.

And get a load of this...

One of Tick's colleagues on the commission, Justin Jones, isn't supporting the idea because Harry Reid is such a wonderful person. No, no, no.

He's supporting it because he and his wife have personally benefitted from Sen. Reid's "Political Favor Factory." But don't take my word for it. Here's what he sent in a text to a vocal opponent of the name change earlier this week...

"I have known the Reid family since I was an 18-year-old college student, serving with (Reid's son) Josh as Chair and Vice Chair of College Democrats at BYU. Senator Reid gave my wife an internship in DC when she and I were just married, and then hired her right out of college while I was in law school. My wife has worked with or for Senator Reid for much of her career, including his last 3 campaigns."

"Senator Reid was instrumental in my getting a prestigious federal judicial clerkship and aiding my career and interest in public office. (Harry's son) Rory threw me my first fundraiser when I was a green 27-year-old running unsuccessfully for State Assembly. Needless to say, my family owes a lot to Senator Reid. But beyond that, I just think it is right thing to do at the right time. I hope you will understand that."

Yeah, we understand alright.

This isn't the "right thing" to do for Las Vegas and his constituents. This is the "right thing" to do for political payback. It's sickening. At the very least, Jones should be required to abstain from voting on ANYTHING having to do with this proposal.

And then there's the Accidental Commissioner, Ross Miller.

Miller is only on the commission right now because he supposedly "won" the seat in November by 15 votes in an election marred by 139 widespread "discrepancies" the Clark County Elections Department self-admits to and can't explain or fix.

That race is still being contested in the court system. A lawsuit calling for a new election is pending before the Nevada Supreme Court. As such, Miller, too, should abstain from voting on this proposal until the legal challenge is resolved.

With everything going on right now, the LAST thing commissioners should be pushing is a highly controversial proposal to change the name of the Las Vegas airport. But if the Commission is dead set on doing so, there are far better alternatives. For example...

1.) No one has done more over the last 30 years to re-make and re-build Las Vegas as the entertainment capital of the world than Steve Wynn. Steve Wynn International makes far more sense than Harry Reid International.

2.) Want to honor the heart and soul of Las Vegas' tourism industry? Then naming the airport after "Mr. Las Vegas" himself makes a heckuva lot more sense. Wayne Newton International Airport, danke schoen. Or maybe Siegfried & Roy International Airport?

3.) Intent on naming the airport after a political figure? Then naming it after Las Vegas' unofficial Ambassador of Tourism rather than a DC swamp creature is far more appropriate. Oscar Goodman International Airport? I'll drink to that!

Of course, all of those suggestions would stir controversy, as well. Not as much as Harry Reid International, but why add ANY additional and unnecessary heartburn to our lives than what we're already suffering right now?

But if commissioners want to insist on a silly name change because of controversies surrounding late Sen. Pat McCarran, there's only one new name that makes any sense whatsoever. Frankly, it's a no-brainer, as explained here by Randy Walker...

"As the longest serving airport director in the history of the airport, I do not agree with this proposal. I am not opposed to changing the name of the airport, but I think the best solution would be to name it the Las Vegas International Airport. ...

MUTH'S TRUTHS

The community has spent countless millions branding the name Las Vegas and we should support that effort. The three-letter (designation) for the airport is LAS...and the airport is almost universally referred to as the Las Vegas airport."

What he said.

But let's be clear. This is **NOT** an issue the Clark County Commission should even be talking about right now. It's accomplishing nothing more than fueling the already hyper-partisan divide in our community.

Indeed, this decision shouldn't be shoved down the throats of 2.267 million Clark County residents, or the rest of the state, by seven partisan politicians. If they think Sen. Reid is such a wonderful and beloved person deserving of such high honor, then put the proposal before voters in 2022 and let the people decide.

FAMOUS LAST WORDS

"I believe that Commissioner Justin Jones should abstain from voting on the issue of the airport naming. It seems clear that concerns from his constituents have not played a role in his decision to vote in favor of the renaming." – Denell Hahn

"So what I hear Commissioner Jones say is he is paying Harry back for all of his personal gain. Well done Justin. Any other debts we can help you with?" – Mark Cram

"Rebranding the airport name is a ridiculous idea at this time, and naming it after another politician is even worse. If you truly feel that the name of the airport should be changed, then allow the voters to have their say and put it on a ballot. Meanwhile, leave it as McCarran International Airport and save the political paybacks for election time." – Lynn M. Starr

"To consider renaming our airport after a man as divisive as Harry Reid is to make a mockery out of half the county. I implore the commission to do the right thing. Don't name a facility that everybody uses after a man that only half the people admire." – C. Pete Peterson

"Our country is now very divided. To name the airport after (Harry Reid) will add fuel to the fire. This would also anger tourists coming to Las Vegas. There is no benefit to this action. It won't make people happier, more prosperous, more proud of

their public officials...nothing." – Denell Hahn

"I don't believe it is appropriate to make this change at this time, without giving the citizens of Nevada the opportunity to let all of their voices be heard. Without the input of the voters, I don't support changing the name of McCarran International Airport." – Bob & Sandy Ellis

"The People must be given the chance to participate for the well-being of Clark County." – Miguel Barrientos

"My main opposition to the name change is it should be decided by a VOTE of the PEOPLE, not by seven Clark County Commissioners. We want our voices heard. Put any name change of our airport on a ballot and let voters from Clark County vote and decide!" – Marvin & Judy Schmidt

"I believe 'Las Vegas International Airport' is more appropriate since Las Vegas is a worldwide famous tourist city. No one knows McCarran or Reid. ... Commissioners should not make this decision without voters' consent." – Antonia Ying

"From all the correspondence I've received, I think most people would simply prefer: Las Vegas International Airport." – Las Vegas Review-Journal editor Steve Sebelius

"I don't understand much about politics..." – Blubber-blogger Jon Ralston, 1/2/21 **LW**



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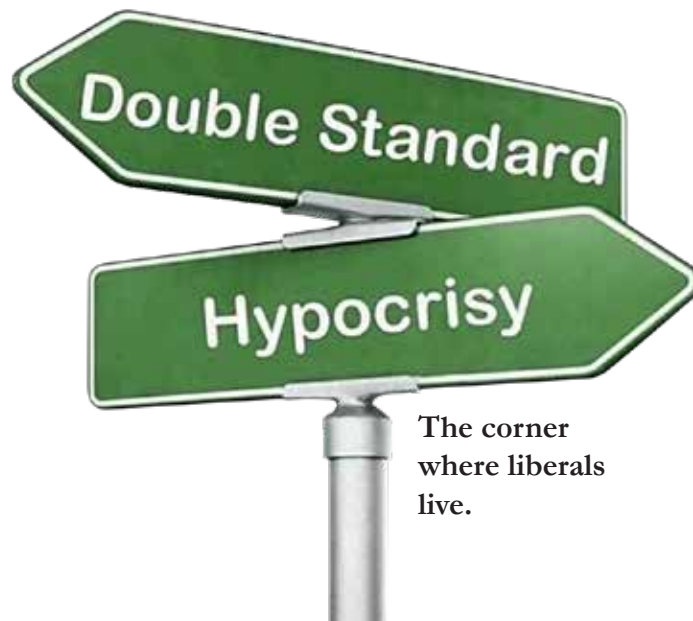
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I never thought we would quote Barack Obama, but he was right elections have consequences and Nancy Pelosi and her democrat cabal are all in to destroy your liberties. You can view the bill in its entirety at (Congress.gov) Text of H.R. 1

J. Christian Adams, President of the Public Interest Legal Foundation wrote "*H.R.1 packs into one 791-page bill every bad idea about how to run elections and mandates that the states must adopt the very things that made the election of 2020 such a mess. It includes all of the greatest hits of 2020: Mandatory mail ballots, ballots without postmarks, late ballots, voting in precincts where you do not live.... The Senate companion bill, S.1, might be even worse. In 2020, states such as Nevada and New Jersey sent ballots through the mail to anyone on their registration lists despite having voter rolls full of errors. The Public Interest Legal Foundation documented thousands of ineligible registrations in Nevada alone that received mail ballots. Some were sent to vacant*

lots, abandoned mines, casinos and even liquor stores."

The Public Interest Legal Foundation has put together a comprehensive study of how this legislation will affect the American People, they broke the bill down into 3 sections Voting, Campaign Finance and Ethics we will focus on Voting, here are some highlights.

- Prohibits states from requiring more than a **signature to verify** a person's eligibility to register to vote. [Sec. 1004]

- Prohibits states from requiring **voter ID** at the polls- a sworn statement is all that can be required for identification. [Sec. 1903]

Forces states to use **same-day registration**, requiring only signature attestation as to a registrant's eligibility, and requiring that the registrant be allowed to cast a vote that day, with no mention of it being provisional. [Sec. 1031]

- Prohibits states from banning **curbside voting** on election day. [Sec. 1908]

- Forces states to use **ballot drop boxes** for absentee and early voting and have them available at least 45 days before the election and “*during all hours of the day.*” [Sec. 1907]

- **Automatically registers to vote** all eligible “*individuals*” (as opposed to “*citizens*”) whose names and addresses appear in state and federal government databases (this also means that the federal government will decide a person’s domicile and thus their taxing state). States have up to four months to even notify the person that they have been automatically registered. [Sec. 1012]

- Requires all “*contributing*” state and federal agencies, defined as those that possess a person’s name, address, birthdate and citizen status, to send that information to the state election official for **automatic registration**. [Sec. 1014]

- Expands list of agencies that must offer **automatic voter registration** to those utilizing its services to include: state agencies that regulate gun sales (state Attorney General in most states), state departments of education, the Social Security Administration, the VA, the Defense Manpower Date Center of the Department of Defense, the Employee and Training Administration of the Department of Labor, the Center for Medicare and Medicaid Services, the Bureau of Citizenship and Immigration, and the Federal Bureau of Prisons, which must automatically register a convicted felon to vote so long as the felon has completed “*any part of*” of his sentence. [Sec. 1013(e)]

- Prohibits contributing agencies that do not ask for **citizenship status** in their normal course of business from completing any service transactions for the person until he or she either registers to vote or declines to register to vote (previously such agencies were just required to offer a registration form). [Sec. 1013(c)(2)]

- Forces states to **accept all voter registration applications** by criminalizing the refusal to accept one, even when it is rejected “*under the color of law*” (i.e., for a lawful reason) by an election official. [Sec. 1071]

- Prohibits states from collecting more than the last 4 of a registrant’s Social Security number. [Sec. 1005]

- Criminalizes “**hindering, interfering with, or preventing**” anyone from voting or from

registering to vote. [Sec. 1302(a)(5),(c)(1)]. The penalty is up to a \$100,000 fine and 5 years in prison. [Sec. 1302(c)(2)]. Query whether providing information to election officials regarding a registrant’s eligibility could be considered “interfering” with the ability of someone to vote.

- Criminalizes challenging any registrant’s eligibility to register or vote, with fines and imprisonment up to one year per offense. [Sec. 1201(d)]

- Prohibits state election officials from using a list of potentially ineligible registrants to challenge the eligibility of a registrant unless that list contains the registrant’s photo, signature or unique identifying information; if not, it is an “**unverified match list**” and cannot be used. [Sec. 1201(a)-(b)]

- Forces states to give mail-in ballots to all American Indians living on tribal lands without requiring them to request a ballot or to provide their address. [Sec. 1904(a)(2)]

- Requires states to offer **Internet voter registration**. [Sec. 1001]

- Allows **16-year-olds to register to vote**, even though they cannot vote until age 18. [Sec. 1012, Sec. 1094]. Because Section 1201(c) of the bill makes it illegal for a non-election official to challenge anyone’s eligibility to vote on election day, registering 16 and 17-year-olds effectively ensures that they will vote (because their ID is not required to be presented at polling locations, and even if questioned by election officials, they can simply sign a statement attesting that they are eligible to vote).

- **Prohibits public disclosure of voter roll data** except for registrant names, address, and birthday (the only information necessary for voter registration) and specifically prohibits release of the signature of the registrant, any part of their social security number, their driver’s license number, email address, and phone number. [Sec. 1015 (e)(1)]. By withholding this information from the public, the ability to verify a registrant’s identity for list maintenance purposes becomes almost impossible. Thus, non-partisan groups who routinely conduct data comparisons of voter rolls to identify deceased or otherwise ineligible registrants, will be unable to do so, especially in light of the bill’s “*anti-caging*” law, buried later in the bill, which outlaws use of “unverified data” to assess a registrant’s eligibility. “*Unverified data*” is

conveniently defined as that which lacks the registrant's signature, or part of a social security number, or other uniquely identifying data. [Sec. 1201(a)(3)]

- Forces states to comply with new **“National Standards” for comparing data** when conducting **list maintenance** (standards will govern which data can be compared and the rules for matching it). States that fail to timely report their compliance will have their funding withheld. [Sec. 1015(e)(5)]

- Forces states to have 15 consecutive days of **early in-person voting** prior to election day, with each location open at least 10 hours a day. [Sec. 1611]

- Forces states to *“ensure that no individual will be required to wait longer than 30 minutes to cast a ballot at the polling place.”* [Sec. 1906(a)(1)(B)]

- Requires states to allow all registered voters to cast an **absentee ballot** by mail without needing a reason. [Sec. 1621]

- Requires states to **accept mail in ballots** that are postmarked on or before election day but are received up to **10 days after the election**. [Sec. 1621(e)]

- Requires states to pay for **return postage** of mail-in/absentee ballots, as well as voter registration applications and applications for an absentee ballot. [Sec. 1623]

- Requires states to send a blank absentee ballot to anyone who requests one (not just UOCAVA members) so long as the person promises not to vote twice and signs an attestation that he is eligible to vote. [Sec. 1706]

- Designates all universities and colleges as official voter registration agencies and requires each to designate a **“Campus Vote Coordinator.”** [Sec. 1901]

- Limits challenges to a registrant's eligibility to only those based on personal knowledge and documented in writing. [Sec. 1201(c)]

- Prohibits states from using undeliverable election mail as a basis to challenge a registrant's eligibility to vote or his registration status. [Sec. 1201(a)-(b)]. This could eliminate a key list maintenance tool states use in which they utilize returned undeliverable election mail to correct their registration lists.

- Prohibits a state's chief election official from running for office unless he recuses himself from

his election responsibilities. [Sec. 1821]

- Changes criminal laws on **felon voting** and criminal convictions because Congress finds that having various state laws creates “an unfair disparity and unequal protection in elections based solely on where a person lives.” [Sec. 1402(4)]

- Criminalizes **“false” statements** about election endorsements, election procedures, voter eligibility requirements and consequences to voting while ineligible by adding them to the criminal code under “Deceptive Acts.” [Sec. 1302]

- Eliminates all penalties in the naturalization process for **non-citizens who vote** after being automatically registered. [Sec. 1015]

- **Prohibits criminal prosecution of non-citizens for voting** if they were automatically registered or consented to automatic registration. [Sec. 1015]. Because nearly all state agencies are now required to make every applicant for social services either affirmatively agree to automatic registration or affirmatively decline to be automatically registered, any noncitizens who agree to be registered will be immune from criminal liability by doing so.

- Authorizes Congress to unilaterally **reduce a state's representation in Congress “when the right to vote is denied”** [Sec. 3]. Without further definition and separated from the original qualifiers contained in the Fourteenth Amendment itself[2], these seven words could be used by

Congress to reduce a state's representation on the basis of anything it defines as vote denial.

- **Limits access to the federal court system for any challenges to this bill** or to any laws enacted as a result of this bill, by requiring they be filed in just one court – the District Court for the District of Columbia.[3][4] [5] The inclusion of a requirement that all litigation over the unconstitutionality of any law stemming from this bill can only be brought in one court[6] exemplifies just how far the authors of the bill are willing to go to control, contain and extinguish their opposition. Indeed, even if all fifty states and the most experienced and well-funded NGOs joined forces to mount an offensive attack against the constitutional violations contained in this monstrosity, the bill anticipates such a response and aggregates all opposition into one side and just one attorney to argue the merits. [Sec. 4-Standards for Judicial Review]

- Prevents state officials from conducting **list maintenance** on the voter roll by preventing them from removing a registrant on the basis of any of the following (now called “*Factors Not Considered as Objective and Reliable Evidence of Ineligibility*”):

- A registrant’s failure to vote in any election,
- A registrant’s failure to return any notice (address confirmation card), and,
- A registrant’s failure to take any action at all to update or confirm their registration.

Now, registrants can only be removed for “*objective and reliable evidence of ineligibility*” which, of course, is not defined.

- Requires all states to use voting machines that offer **ranked choice voting** capabilities [3001(e)]

Regarding Redistricting for Congressional Districts

- Although changing state congressional districts, the bill claims to not affect the manner in which states carry out state and local elections [2434]. This could theoretically create two state congressional maps for every state- one for local and state elections and the other for federal elections.

- Forces states to form a state **Independent Redistricting Commission** (IRD) [2411] to redistrict every state’s congressional districts

- Requires states to appoint a “*Nonpartisan Agency*” that will pick the IRD commissioners. This agency is appointed by state legislatures [2414] with no guidelines other than members must not provide partisan services, must maintain impartiality and can’t advocate for either party.

- Authorizes the state’s Nonpartisan Agency to pick the first 6 members of the 15-member commission and then 45 days later, the 6 members must pick the remaining 9 members. The members must be 1/3 majority party, 1/3 minority party and 1/3 independent party members. The members must also be diverse with no further definition. [2411]

- Disqualifies as commission members anyone who, during the previous ten years, donated more than \$1,000 combined to a PAC or candidate or multiple candidates during a campaign; all lobbyists, paid campaign people, public office holders, and relatives of any of the above [2412(a) (2)]

- Prohibits “*mid-decade redistricting*” [2402] so that whatever is done via this bill cannot be changed until after the next decennial census

- Prevents state IRD commissions from considering historical voting blocs or residences of current House members or candidates when drawing new district maps. They can, however, consider “*communities of interest*” so as not to divide them. Such is defined as an “area with recognized similarities of interests including ethnic, racial, economic, tribal, social, cultural, geographic, or historic identities.” They may include political subdivisions like counties, cities, or school districts, but not political similarities. [2413]

- Requires states to establish a “**Select Committee on Redistricting**” as a 4-member partisan group of legislators (2-2) who approve the pool of commission candidates to fill the other 9 spots [2414(b)]. It is unclear how tie votes will be decided.

- Requires that a “*Nonpartisan Agency*,” which is of an unknown size, be established by the state legislature to appoint the first 6 members of the IRD

- Appropriates federal tax dollars to the states at a rate of \$150,000 for each House member the state has. [2431] So Nebraska, for example, will get 150 x 5= 750,000 while California will get 150,000 x 55= 8.25M to do this. Thus, this project will cost the country **\$65,250,000** (435 House reps x 150k each).

Actions to Limit the Power of Federal Judges

- Creates a new appointed Commission to monitor the actions of the federal judiciary to ensure that their rulings are independent and support free and fair elections. **This Commission can require any judge to testify and will submit annual reports to Congress** [3202 establishing the “*Commission to Protect Democratic Institutions*” and 3601- defining such institutions as those “*essential to ensuring an independent judiciary, free and fair elections and the rule of law.*”]. This is the third law affecting federal judges and how they rule. The first is the elimination of all of the courts to hear cases regarding this Act except for the United States District Court for the District of Columbia [Sec. 4]. The second is in Sec. 7001 which establishes a new Code of Conduct for federal judges (not yet written). This third part of the bill, if enacted, will monitor judicial rulings to ensure that the judges remain independent.

Miscellaneous and Endnotes

- Changes Census rules to require that incarcerated people be deemed to reside in the state from which they last lived before going to jail [2701]

- Finds that Washington, D.C. should be a state [2201]

Creates a task force to increase voting in U.S. Territories [2301 and 2302]

[1] The 2019 version of HR1 was 570 pages long.

[2] Section 2 of the Fourteenth Amendment states that when the right to vote is denied to eligible male citizens, *“the basis of the representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.”*

[3] Section 4, *“Standards for Judicial Review.”*

[4] An attempt to control opposition to the bill by controlling access to the courts was not included in the 2019 version of HR1. Notably, at that time,

President Trump had only appointed 84 new federal judges to the bench. However, by January 4, 2021, the date the new version was introduced, President Trump had appointed 229 new federal judges to the bench. See Biographical Directory of Article III Federal Judges, 1789-present | Federal Judicial Center (fjc.gov) (last accessed 01/26/21). The bill’s inclusion of the new *“Standards for Judicial Review”* section (Section 3) effectively prevents any of the new judges from ever reviewing or ruling on the constitutionality of an election-related law.

[5] Of the 15 active judges in the District of Columbia, 11 were appointed by Democrat presidents and 4 were appointed by President Trump.

[6] This changes federal law on venue that has been in place for over 50 years and which allows plaintiffs to sue in the districts in which they live or where the issue or injury occurred. See 28 USC 1391(e)(1) (venue for actions where defendant is the United States).

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The Democratically-controlled Senate spends thousands of collective hours conducting an impeachment trial against a president who is no longer president.

The acquittal is predetermined, as in the first impeachment effort a year ago—and known to be so to the Democratic prosecutors.

The constitutionally mandated presiding judge—the chief justice of the United States—refused to show up.

Chief Justice John Roberts apparently believes an impeachment trial of a private citizen is either a waste of time or unconstitutional—or both.

The Democratic House of Representatives is busy ferreting out purportedly extremist Republican members. For the first time in memory, one party now removes committee members of the other.

Yet for each Republican outlier, there is a corresponding Democratic firebrand member who has either called for violence or voiced anti-Semitic slurs—and yet will not be removed from House committees.

So the asymmetrical tit-for-tat continues.

The subtext to this madness is that the Democratic Congress, the new administration, the administrative state, and the political Left are obsessed with dismembering the presidential corpse of now citizen Donald Trump.

Apparently, they fear that one day he will rise from the infernal regions to wreak his revenge.

The Debt Piles Up

Meanwhile, life in America goes on.

Yet few of our leaders are much worried about the existential crises left unaddressed by their obsessions with the ghost of Trump.

Take the debt. It is now \$28 trillion. And it is growing at almost \$2 trillion a year. No one in Washington talks about reducing the annual budget deficit. Much less do officials find ways to balance the budget.

The idea of paying off the monstrous debt remains a fantasy.

Instead, our elected representatives argue over whether to borrow another \$1 trillion or more likely \$2 trillion, without worry of where it comes from or how it will be repaid.

But money is not completely a construct.

We will eventually pay for our profligacy either with steeper taxes, higher inflation, 1970s-like stagflation, or permanent zero interest. Or eventually, America will renounce its debt and destroy the credibility of the U.S. government.

Meanwhile, hundreds of billions of dollars and countless hours of once productive labor are diverted to unproductive ideological censorship, career canceling, and indoctrination.

Our allies like democratic France warn America that it is cannibalizing itself—and becoming dangerous to others. Our enemies like the totalitarian Chinese are delighted with our suicidal wokeness.

The cost is not just the expense of cleaning up the billions of dollars of destruction from the summer riots, the thousands of memorials and statues destroyed and defaced, the hundreds of schools and buildings to be renamed.

Far more consequential is the suppression of creative thinking—from humanistic study to scientific research.

P.C. Stagnation

The Islamic world, as the historian Bernard Lewis once observed, stagnated in the 19th and 20th centuries, once radical Islamists began squelching all free inquiry that bothered the madrassas.

Humanities and science were perverted from 1932 to 1945 in Germany by the pollution of Nazi racial censors.

What was written or advanced in Communist Eastern Europe and the Soviet Union is largely discredited, given that commissar hacks determined the rules of publication and research.

Something similarly frightening is now occurring in the United States.

Scholars, journalists, artists, and educators feel they must mouth politically correct platitudes. They constantly hedge their public discourse in fear of career cancellation.

They strain to synchronize their research with some approved woke ideology to save their livelihoods.

When professors must write “diversity statements,” and hire, promote, and fire on the basis of race, the model is not the U.S. Constitution, but something out of contemporary China.

Suicidal Tendencies

No one pays much attention that our capital is now weaponized with soldiers in camouflage and barbed wire.

Not since the Civil War has Washington resembled such a vast police state. Ex-military officers who once warned Donald Trump not to deploy federal troops to ensure the safety of the White House from Antifa and BLM demonstrators now are silent about a veritable army deployed in Washington.

Joe Biden has signaled that all new pipeline construction is over.

Fracking on public lands is taboo. The border is to become wide open. Federal immigration law is now nullified.

Americans may soon have to be tested before flying into or out of the country. But undocumented aliens will not be so COVID-19 certified when—illegally—they cross the border.

Iran is bankrupt, isolated, and roundly despised by most of the countries in the Middle East. Now America is doing its best to resuscitate this most radical and anti-American regime in the world—at the expense of our allies in the Arab world, Israel, and America’s own interests.

While we are busy devouring each other, China is smiling that once-feared American running-dog capitalists have become laughable Keystone Cops.

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REPORT: SISOLAK'S EMERGENCY POWERS LACK LEGAL AUTHORITY

Governor Sisolak is misleading the public by claiming that his ongoing emergency powers are authorized by state law, according to a new report published today by the Nevada Policy Research Institute.

One example includes the Governor's false claim in Executive Order #35 that NRS 414.060 grants him the power to direct and control the movement of the general public. The actual text of the statute grants no such power to the Governor, but instead merely states that the Governor may cooperate with federal or state officials on emergency management issues affecting both the state and nation.

"A statute that merely authorized the Governor to cooperate with other state and federal government agencies during an emergency does not permit Governor Sisolak to control the conduct of private citizens in their own homes," Nevada Policy Vice President Robert Fellner said.

When read in their full context, it is clear that the Emergency Powers statutes are confined to those emergencies in which immediate action is required, such as military attacks from a foreign entity, natural disasters, and so forth.

"Needing to cooperate with the President or neighboring states about how to direct traffic and the movement of the general public makes sense during the kinds of emergencies contemplated by the Act, such as a missile attack or catastrophic natural disaster of some sort," Fellner said.

The Governor is simply wrong when he claims that this statute provides him with the authority to control the conduct of private citizens in their own home, according to Fellner.

"As the recipient of these emergency powers, it is unsurprising that Governor Sisolak has adopted the position that the Act provides him with a seemingly unlimited range of powers for an indefinite duration, based merely on his say-so," Fellner said.

"While a close review of the text and legislative history of the Act reveals this to be an utterly absurd claim, the Nevada Constitution forecloses the concept entirely.

"The framers of the Nevada Constitution were acutely aware of the folly of trusting government officials to restrain themselves, which is why they created a system of divided Government, and expressly forbid any one person or body from possessing the power to both write and execute the law," Fellner added.

Consequently, even if the Legislature wanted to transfer the lawmaking power to the Governor, it is simply "powerless" to do so — a fact recognized in binding Nevada Supreme Court precedent.

Restoring the rule of law and Nevada's representative, constitutional form of government is something that all Nevadans, regardless of political ideology, should support.

"If you would be uncomfortable with your least-favorite politician wielding an expanded form of these powers in a much broader range of situations," Fellner said, "you should be worried about the dangerous precedent being set by normalizing Governor Sisolak's blatantly unconstitutional behavior."

"Rather than forcing Nevada citizens to engage in the extremely costly and time-consuming nature of litigation," Fellner continued, "the Legislature should act immediately to restore the rule of law and make it clear that Nevadans live under a representative system of government, rather than one-man rule."

The report contains recommendations for strengthening and clarifying the existing statutes to make it harder for future administrations to similarly engage in unconstitutional overreach, such as (1) adding a definition for what constitutes an emergency, (2) imposing a time limit on any declared emergency, and (3) requiring the Legislature's approval for extending the duration of an emergency.

Assembly Bill 93 and Senate Bill 88 are both appropriate vehicles for implementing these changes. **LW** Article co-author by Robert Fellner.

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GOVERNMENT GONE WILD

QUALIFIED IMMUNITY ALLOWS WHAT?

Qualified immunity protects a government official from lawsuits alleging that the official violated a plaintiff's rights, only allowing suits where officials violated a "clearly established" statutory or constitutional right.

Seems simple enough and is outrageous on its face. Prison guards at the Augusta Correctional Center in Craigsville, Virginia took it to a whole new level in July, 2016. Angela Calloway visited, yes, just visited the prison to see an inmate.

Searching for drugs, Calloway was told by officers to remove her clothes and "lift her arms and breasts, open her mouth, and lean over and shake her hair," which one guard also ran her hands through to check for drugs. The officers had her "squat and cough" to examine her cavities (you know the ones); Calloway was menstruating, requiring her to remove her tampon, which the guards also inspected. Really?

Nothing was found, she left, and never returned. One officer "indicated that if Calloway did not consent to a strip search, she would not be permitted to come back to the prison," notes Judge Paul V. Niemeyer. According to Calloway, she was "bawling crying and didn't understand what was going on."

Judge Niemeyer of the U.S. Court of Appeals for the Fourth Circuit believed the invasive search was warranted due to an unidentified inmate saying two days prior that the inmate Calloway was visiting was "moving" contraband. Oh, and a guard saw Calloway briefly touch her pants. Oh my. What made that guard's word reliable? The same guard had twice previously identified contraband smugglers. Past performance does not guarantee future returns.

"In order to successfully overcome a qualified immunity defense, plaintiffs must clear two hurdles: They must prove that their constitutional rights were indeed violated by a state actor and that such a violation has been 'clearly established' in previous case law," Billy Binion writes for Reason.com.

Inexplicably, the court found that Calloway's rights were not violated.

In his dissent, Judge James A. Wynn wrote, "The majority wisely does not address the qualified immunity analysis beyond concluding the search was supported by reasonable suspicion," Wynn writes. "But even if the majority were to reach qualified immunity, I believe the right of prison visitors to be free from strip searches absent reasonable suspicion was clearly established at the time of this search."

There is nothing reasonable about this story. **LW**

CLIMATE JOE

With a raging pandemic, high unemployment, and everything else that's wrong, what does President Biden do? He debuts a massive new climate bureaucracy. Even if we give the climate crowd the benefit of the doubt and assume whatever government does would somehow stop the climate from changing or not changing the way people want, we can be rest assured we won't see any benefits during Joe's four or eight year term.

We also know, the new climate bureaucracy will cost money right now and be a pain in the regulatory ass, right now. Why fire up something that will aggravate a divided nation when the benefits are likely decades away? This is political malpractice, guaranteeing that Republicans take the House in 2022.

The Biden Climate Bundle will create the Civilian Climate Corps Initiative, the Special Presidential Envoy for Climate, the White House Office of Domestic Climate Policy, the National Climate Task Force, a world leaders' climate summit, the Interagency Working Group on Coal and Power Plant Communities and Economic Revitalization, and the White House Environmental Justice Interagency Council.

What happened? Did they run out of letters?

"It is flush with phrases like 'multilateral and bilateral channels and institutions' and other language that drips with officialese but doesn't really tell us much, plus oodles of ordering various

agencies and departments to prepare reports—on their own environmental impact, how they are considering climate change concerns in initiatives abroad, and so on,” writes Elizabeth Nolan Brown.

Let’s hope the Biden climate order makes no changes but is basically just something to keep bureaucrats busy and get Joe and Kamala good marks for speaking the language of AOC’s base.

What did James Carville say back in the Bill Clinton days?

“It’s the economy stupid.” **LW**

MINIMUM WAGE: HERE WE GO AGAIN

Writing about raising the minimum wage gets so tiresome. There is nothing new to report here; if instituted, some workers will get a raise, others a pink slip. Eventually, you will punch in your own order at McDonalds and Big Macs will be made by big machines.

There will be jobs lost, because some entry-level employees can’t produce \$15 an hour worth of productivity. Some jobs won’t be created in the first place, as a \$15 minimum blows up new business plans.

Norm Brodsky operates restaurants in the New York area. He writes for Inc., “The reason is simple math. Our restaurants will no longer be viable if labor costs rise above 35 percent of revenue. And no, we can’t just jack up prices and pass the additional cost along to customers. There are real limits to what people will pay. We can charge only so much for a shrimp tempura roll or a Kobe beef burger before our customers will start looking at other dining options.”

He continued, “labor costs in each of our restaurants average about 26 percent of revenue. We’re paying the minimum wage for entry-level jobs, such as busboy and dishwasher. Other hourly people get more than that, but none as much as \$15 per hour.”

He says he would like to be able to pay entry-level people \$15 per hour plus raise everyone else’s wages. “It’s just not feasible.”

What will he do if \$15/hour is mandated? Brodsky answers, “The first options are to automate and outsource, and we’re preparing to do both.

Raising the minimum wage is essentially legislating unemployment. **LW**

LUV GOV PART DEUX

New York governor Andrew Cuomo has made these pages before and makes it again with this juicy quote. “People value the truth,” said Cuomo during an interview on MSNBC. “Incompetent government kills people. More people died than needed to die in COVID.”

Cuomo said it with a straight face and no irony at the same time New York Attorney General Letitia James released a report which “suggests that COVID-19 resident deaths associated with nursing homes in New York state appear to be undercounted by DOH [the Department of Health] by approximately 50 percent,” concludes the report.

Fifty percent “5-0”. It turns out, if a nursing home resident in New York caught Covid, went to the hospital, and ultimately passed away, Cuomo’s staff took that death off of the state’s nursing home death toll.

At one facility, DOH noted seven COVID-19 deaths—one confirmed and six suspected—as of August 3. This, after that same facility had reported 31 suspected coronavirus-related deaths on April 18th to the Office of the Attorney General.

Cuomo, who claims to be a foe of government incompetence, announced that hospitals which vaccinated anyone out of the state-approved order of operations would face up to a \$1 million fine. Whoa. Plus, hospitals must use all their vaccine or face a \$100,000 fine.

You can see what will happen. Cuomo cast in stone a rigorous hierarchy of who was to receive the vaccine and when, meaning hospitals had no choice but to throw away expiring doses instead of finding willing vaccine recipients.

Hospitals may not know what their costs are, but they know it’s better to lose \$100,000 to the state government rather than \$1 million. **LW**



BIDEN'S FIRST-DAY EXECUTIVE ORDER EMBRACES SEXISM

When Sandra Bucha entered high school in 1968, she wanted to be a competitive swimmer.

But there were no girls' teams in her state. In 1972, with help from the American Civil Liberties Union (ACLU), she and her father filed a federal lawsuit against the Illinois High School Association on behalf of girls who wanted to compete in school sports. They lost, in part because the judge noted that males have physical advantages over females, and thus schools had valid reasons for separate athletic competitions.

That same year, Congress passed Title IX, a law prohibiting sex discrimination by schools receiving federal money, which is almost all of them. Now colleges and schools that field athletic teams have significant numbers of girls/women's teams and athletes.

Although I wish female athletics had been achieved without federal legislation and well before 1972, I've always thought providing equal opportunity is a great thing for everybody. And I've been proud of America for it.

Alanna Smith, a sophomore at Danbury High School in Connecticut, is a natural athlete. She's the daughter of Lee Smith, a Hall of Fame major league pitcher, and her mom was a high-school long-distance runner. One uncle played professional baseball, another professional football, her grandfather was a high-school basketball and football standout, and her twin brother is a three-sport athlete.

"Sports is a huge part of who I am," she says. "Training to compete and be my physical and mental best at the starting block is who I am, too.

Running with my mom when I was younger taught me how to prepare, train and focus."

She won state 100-meter championships in sixth, seventh and eighth grades. She's proud to have set records and achieved personal goals. But as a high-school freshman, she had to compete against two males who identify as female in the state meet.

"No matter how many hours I trained – or how hard I worked on endurance, speed and strength – I had no chance to beat the physical strength of a biological male who previously ran in the men's division."

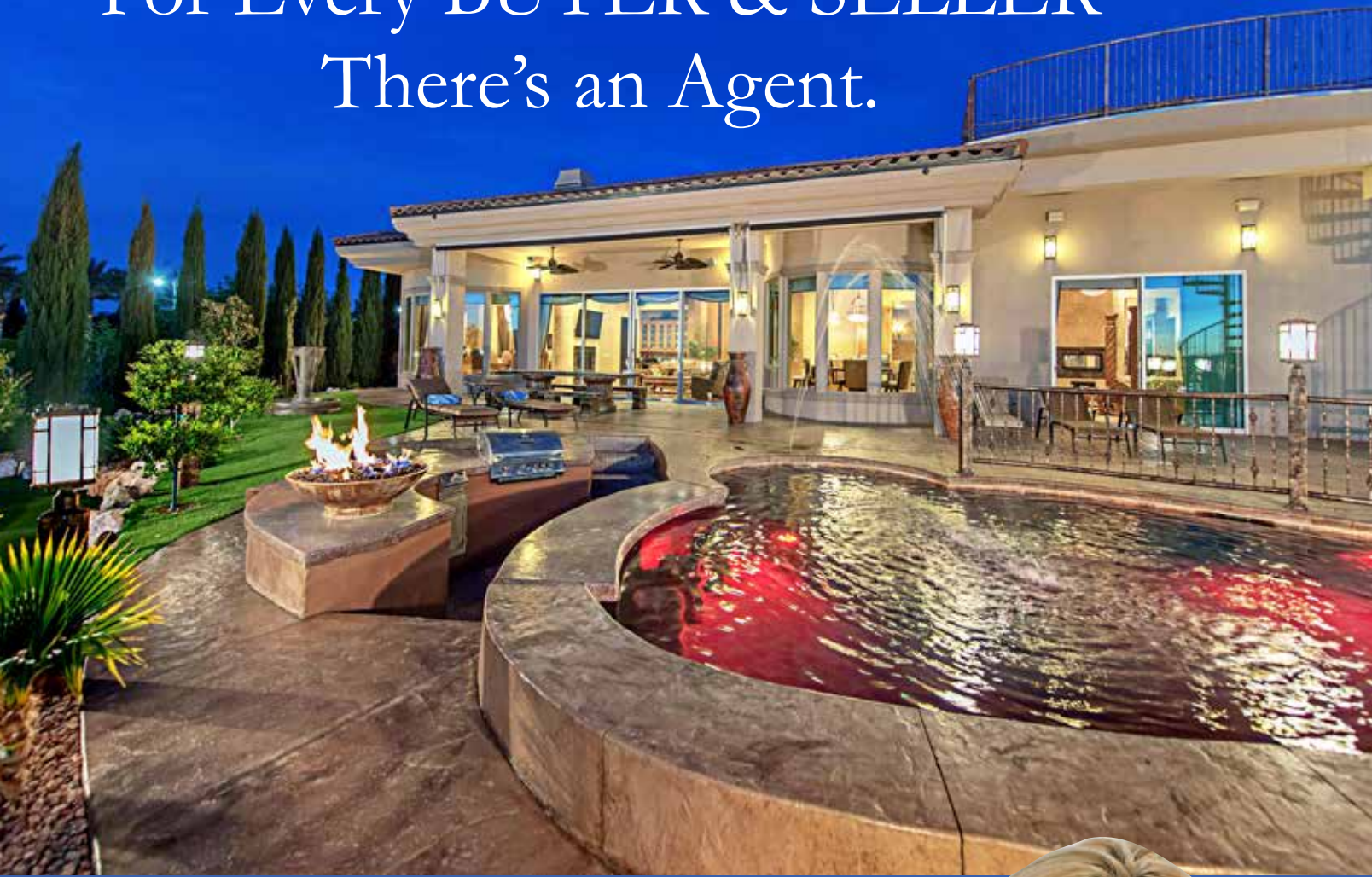
"I felt defeated before stepping onto the track.... It's not that second or third place isn't good enough for me if I've done my best; it's just not fair."

The two boys have been running girls off the track since 2017, setting 17 individual state meet records with times girls have little hope of ever breaking. Their sheer size and strength has resulted in more than 85 missed opportunities for Connecticut girls even to qualify for the next level of competition, even though neither transgender competitor was a top sprinter as a boy.

"It's simply not fair for anyone born as a boy to compete against girls," says Alanna. "That unfairness doesn't go away because of what someone believes about their gender identity."

So, Alanna and two other female Connecticut high-school athletes filed a federal lawsuit with

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RULE-BREAKING POLITICIANS

After Joe Biden's inauguration, he ordered everyone on federal lands to wear a mask.

That night, he and his family posed for pictures at the Lincoln Memorial -- none of them wearing a mask.

California Governor Gavin Newsom told Californians it's "essential" to avoid "mixing with people outside of your household." Then he had dinner with lots of people outside his household, without masks.

You can see the mask-less governor and the Biden family in my new video.

Newsom did apologize for attending "a friend's birthday party." Maybe you heard about that. But you might not know that the restaurant charges \$800 for dinners or that the governor's "friend" is a lobbyist, a politically connected "fixer" who helps select Hollywood businesses get exemptions from government shutdowns.

Restaurant owner Angela Marsden, instead of hiring an expensive lobbyist, spent her money building an outdoor patio that complied with COVID-19 regulations. But then the state shut down even outdoor dining.

"I'm losing everything," she cried in a viral video.

But the business right next door wasn't shut down. NBC's TV show, "Good Girls," was allowed to set up a dining area right outside her restaurant.

"She doesn't have a powerful team of lobbyists to argue on her behalf in the state's capital," points out Jarrett Stepman, a reporter who covers politicians' hypocrisy for The Daily Signal.

California gives him plenty of fodder. San Francisco Mayor London Breed went to a party at that fancy restaurant, too.

Speaker of the House Nancy Pelosi got her hair done when California salons were closed.

Mississippi Governor Tate Reeves held three Christmas parties, violating his executive order limiting the number of people at gatherings.

When a reporter asked, "How is that not in conflict with the order?" Reeves responded that his parties "send a message to the people of Mississippi that you can return to a life that is

somewhat normal."

But "the people" can't. Only politicians get to do that.

Rhode Island Governor Gina Raimondo attended a wine and paint event, just days after tweeting, "Stay home except for essential activities & wear a mask."

Even after a photo showed her at the event, Biden nominated Raimondo to be secretary of Commerce.

"Instead of being booted out, they get a promotion," complains Stepman.

Washington, D.C., Mayor Muriel Bowser ordered a 14-day quarantine for anyone going to several states, including Delaware, for "nonessential" activity. Then she went to Delaware for a Biden victory celebration, something that strikes me as "nonessential" as they get.

"I do a lot of things to advance the interests of the District of Columbia," was Bowser's arrogant defense. "All of them are necessary."

If politicians do it, it's always necessary. Rules are for the little people.

In Chicago, after politicians ordered salons closed, Mayor Lori Lightfoot still went to one for a haircut.

She defended her decision, saying: "I'm out in the public eye. I take my personal hygiene very seriously."

Stepman says Lightfoot is a "double hypocrite" because "she was seen attending Election Day parties and giant street festivals not wearing a mask."

The Heritage Foundation tracks such political hypocrisy, calling it "COVID Hypocrisy." As I write, they're up to 57 examples of "Rules for thee, but not for me."

Stepman concludes, "It's up to us to say, 'You're either going to follow these rules, change these rules, or we're going to throw you out.'"

Throwing out these hypocrites would be a good start.

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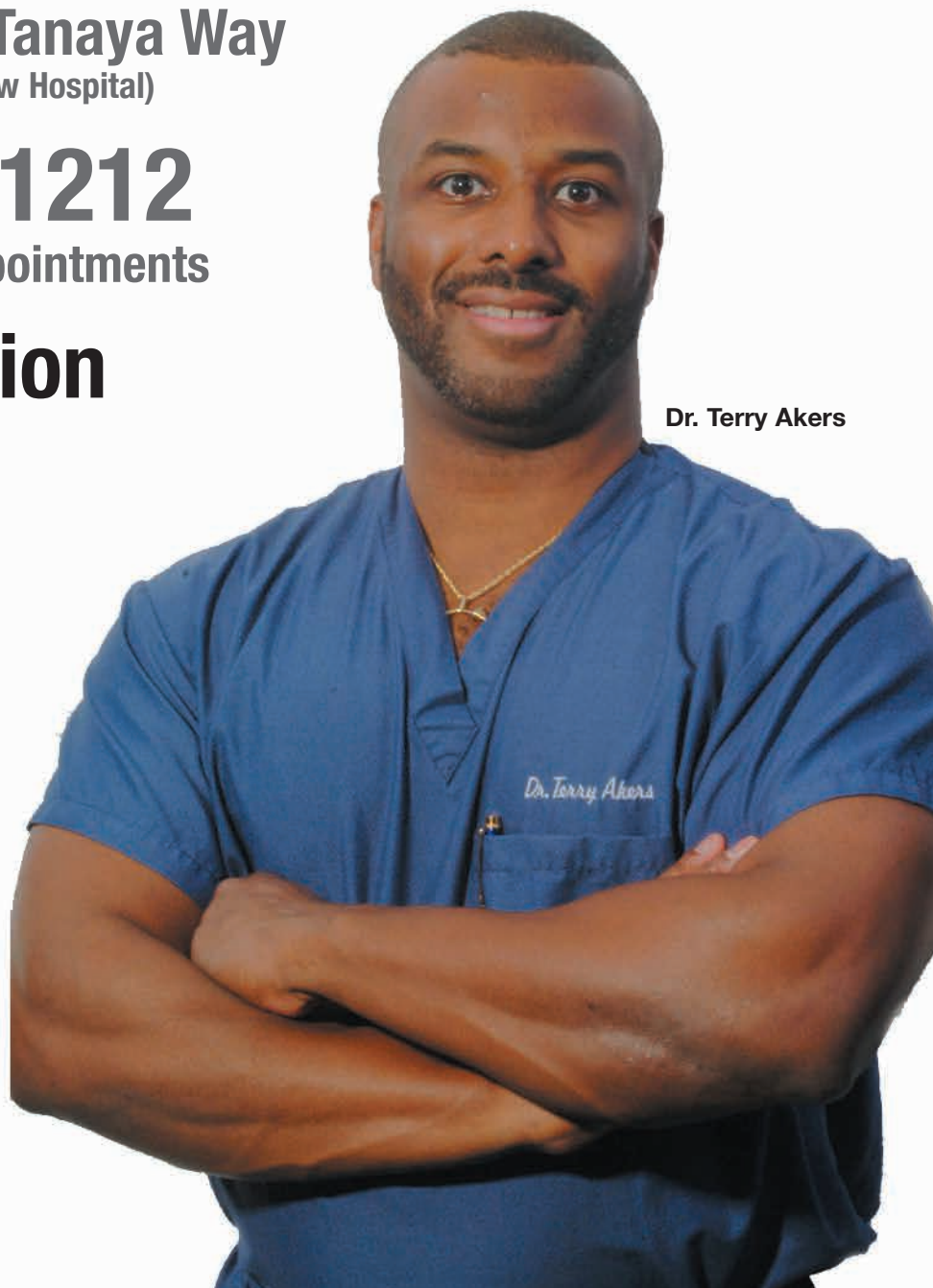
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DEMOCRATS WANT A 'RETURN TO CIVILITY'; WHEN DID THEY PRACTICE IT?

A 2020 Joe Biden campaign ad described the pending election as an "opportunity to leave the dark, angry politics of the past behind us."that we use.

After Biden's election, he, Democrats and media urge a "return to civility." But when did the Democrats practice the very civility to which they seek to return?

Let's go to the videotape:

When Barry Goldwater accepted the 1964 Republican nomination, California's Democratic Gov. Pat Brown said, "The stench of fascism is in the air."

Former Rep. William Clay Sr., D-Mo., said President Ronald Reagan was "trying to replace the Bill of Rights with fascist precepts lifted verbatim from 'Mein Kampf.'"

Coretta Scott King, in 1980, said, "I am scared that if Ronald Reagan gets into office, we are going to see more of the Ku Klux Klan and a resurgence of the Nazi Party."

After Republicans took control of the House in the mid-'90s, Rep. John Dingell, D-Mich., compared the newly conservative-majority House to "the Duma and the Reichstag," referring to the legislature set up by Czar Nicholas II of Russia and the parliament of the German Weimar Republic that brought Hitler to power.

About President George Herbert Walker Bush, Rep. Maxine Waters, D-Calif., said: "I believe (Bush) is a racist for many, many reasons. ... (He's) a mean-spirited man who has no care or concern about what happens to the African American community. ... I truly believe that."

About the Republican-controlled House, longtime Harlem Democratic Rep. Charlie Rangel, in 1994, said: "It's not 's----' or 'n-----' anymore. (Republicans) say, 'Let's cut taxes.'" A decade later, Rangel said, "George (W.) Bush is our Bull Connor," referring to the Birmingham, Alabama, Democrat segregationist superintendent of public safety

who sicced dogs and turned fire hoses on civil rights workers.

Donna Brazile, Al Gore's presidential campaign manager, in 1999, said: Republicans have a "white boy attitude, (which means) 'I must exclude, denigrate and leave behind.' They don't see it or think about it. It's a culture." The following year, Brazile said: "The Republicans bring out Colin Powell and (Rep.) J.C. Watts, (R-Okla.), because they have no program, no policy. ... They'd rather take pictures with Black children than feed them."

About President George W. Bush, former Vice President Al Gore said: "(Bush's) executive branch has made it a practice to try and control and intimidate news organizations, from PBS to CBS to Newsweek. ... And every day, they unleash squadrons of digital brownshirts to harass and hector any journalist who is critical of the President." Digital "brownshirts"?

About George W. Bush, George Soros, the billionaire Democratic donor, said: "The Bush administration and the Nazi and communist regimes all engaged in the politics of fear. ... Indeed, the Bush administration has been able to improve on the techniques used by the Nazi and communist propaganda machines."

Former NAACP Chairman Julian Bond, in a 2006 speech at historically Black Fayetteville State University said, "The Republican Party would have the American flag and the swastika flying side by side."

Former Gov. Howard Dean, chairman of the Democratic National Committee in 2005, described the contest between Democrats and Republicans as "a struggle between good and evil. And we're the good." Three years later, Dean referred to the GOP as "the white party."

After Hurricane Katrina, Democratic Missouri Senate candidate Claire McCaskill said George W. Bush "let people die on rooftops in New Orleans because they were poor and because they were Black."

Feminist superlawyer Gloria Allred, in 2001, referred to Colin Powell and Condoleezza Rice as "Uncle Tom types."

Then-Sen. Hillary Clinton, in 2006, said, "The (Republican-controlled) House of Representatives ... has been run like a plantation. And you know what I'm talking about."

Debbie Wasserman Schultz, Democratic National Committee chairwoman in 2011, said "Republicans ... want to literally drag us all the way back to Jim Crow laws."

Again, exactly when did Democrats practice the "civility" to which they wish to return?

Left-wing actor/singer and activist Harry Belafonte, who marched with close friend Dr. Martin Luther King Jr., called President George W. Bush a racist. When asked whether the number and prominence of Blacks in the Bush administration perhaps suggested a lack of racism, Belafonte explained, "Hitler had a lot of Jews high up in the hierarchy of the Third Reich."

Then-Rep. Keith Ellison, D-Minn., former vice chairman of the Democratic National Committee and now the Minnesota attorney general, compared President George W. Bush and 9/11 to Adolf Hitler and the destruction of the Reichstag, the German parliament building: "9/11 is the juggernaut in American history and it allows ... it's almost like, you know, the Reichstag fire," Ellison said. "After the Reichstag was burned, they blamed the Communists for it, and it put the leader of that country (Hitler) in a position where he could basically have authority to do whatever he wanted."

Former Rep. Jim McDermott, D-Wash., said in 2002: "What we are dealing with right now in this country is whether we are having a kind of bloodless, silent coup. ... President (George W. Bush) is trying to bring to himself all the power to become an emperor -- to create Empire America."

About Hurricane Katrina, then-Rep. Barney Frank, D-Mass., said in 2006 that President George W. Bush's administration engaged in "ethnic cleansing by inaction. ... So by simply not doing

anything to alleviate this ... they let the hurricane do the ethnic cleansing, and their hands are clean."

Then-Gov. Scott Walker, a Wisconsin Republican who dared to rein in excessive public employee compensation packages, received the full Nazi treatment. The hard-left blog Libcom.org posted in 2011: "Scott Walker is a fascist, perhaps not in the classical sense since he doesn't operate in the streets, but a fascist nonetheless. ... He is a fascist, for his program takes immediate and direct aim at (a sector of) the working class."

After the 2012 Republican National Convention and the nomination of former Massachusetts Gov. Mitt Romney, then-California Democratic Party Chairman John Burton said, "(Republicans) lie, and they don't care if people think they lie. As long as you lie, (Nazi propaganda minister) Joseph Goebbels -- the big lie -- you keep repeating it."

Dick Harpootlian, the then-chairman of the South Carolina Democratic Party in 2012, compared the state's Republican governor to Hitler's mistress. When told that the Republicans were holding a competing press conference at a NASCAR Hall of Fame basement studio, Harpootlian told the South Carolina delegation: "(Gov. Nikki Haley) was down in the bunker, a la Eva Braun."

During the 2012 presidential race, then-Vice President Joe Biden told a heavily Black audience that Mitt Romney, accused of opposing more Wall Street regulation, is "gonna put y'all back in chains."

Longtime Harlem Rep. Charlie Rangel, D-N.Y., in 2014, said, "Some (Republicans) believe that slavery isn't over, and they think they won the Civil War."

Finally, during the 2016 presidential campaign, Hillary Clinton famously said: "You know, to just be grossly generalistic, you could put half of Trump's supporters into what I call the basket of deplorables. Right? The racist, sexist, homophobic, xenophobic, Islamophobic -- you name it. And unfortunately there are people like that. And (Republican opponent Donald Trump) has lifted them up."

When exactly was this era of "civility" when Democrats did *not* call a Republican president "racist" or "fascist" or, in the case of President George W. Bush, a warmonger who "lied us into war with Iraq"? Maybe Biden's press secretary can circle back.



Judge Andrew P. Napolitano
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THE CONSTITUTION IS NOT FOR SALE

Last week, Joseph R. Biden was inaugurated as the 46th president of the United States.

The federal government began arresting those it claims attempted to interfere violently with Congress' constitutional duties to authenticate Electoral College votes on Jan. 6. The Senate announced it would go forward with a second impeachment trial of Donald J. Trump, even though he is no longer in office. And the Defense Intelligence Agency sent a two-page memo to Senator Ron Wyden, D-Ore.

Guess which of these events never made it to the front pages? If you guessed the DIA memo, then you'd be correct. In that memo, the government acknowledged for the first time that it willingly and knowingly has violated the Constitution by using commercially available software to track the movements of innocent people in America without search warrants.

When asked how it could get away with this, the DIA told Wyden it had a unique interpretation of a recent Supreme Court decision that expressly prohibits the very spying in which the DIA engages.

Here is the backstory.

Those of us who follow the government's violations of natural rights and constitutional guarantees have been arguing for years that the feds have the ability to monitor the movements of our smartphones. We have also argued that the feds can listen in on conversations that take place in the presence of the smartphones, and they do all this without obtaining a search warrant.

Last week, the feds admitted that they have been doing this since the latter part of the Obama administration and throughout the Trump administration.

After years of denying this, the feds must have seen the handwriting on the wall and knew that someone would soon be asked about this during the confirmation process for Biden's intelligence community nominees. A failure to give a truthful answer would be career-ending, and perhaps

freedom-ending.

The DIA's justification for its warrantless spying is breathtaking. It argues that because it is not law enforcement, it is not subject to the constitutional restraints imposed upon law enforcement as interpreted by the Supreme Court. This is an argument that the court has never accepted. The DIA, apparently, thinks it is a law unto itself.

It also claims that because it can purchase the tracing software commercially, it can use it freely, just like any other purchaser. Such a rationale utterly defies the Fourth Amendment to the Constitution. Private purchasers are not bound by the Fourth Amendment -- but the government is.

In 2018, in a case called *Carpenter v. United States*, the Supreme Court was confronted with an appeal of a conviction based on FBI use of commercially purchased tracking software, which agents employed to trace the defendant's movements, and which put him in the vicinity of a series of armed robberies. On the basis of that data, he was convicted of the robberies.

The court vacated the conviction, holding that the government needs a search warrant based on probable cause of crime before it can use surveillance techniques to trace or track a potential defendant.

The DIA and other domestic American spy entities -- there are 16 that the government acknowledges it operates -- have taken the view that because the tracking software is available commercially, and because the domestic spies are intelligence and not law enforcement, they need not obtain a warrant. Stated differently, because the DIA did not seek to use its powers to compel a warrantless search of phone records, but rather stole phone signals, it committed no wrong!

This is a profound and direct violation of the Fourth Amendment, which was written for the very purpose of upholding the quintessential

the law
AMERICA'S JUDGE

American right -- the right to be left alone. The pre-Revolutionary British government regularly violated this right by obtaining secret general search warrants from courts in London. General search warrants permitted the bearer to search where he wished and seize what he found.

To ensure that the new American government could not do what the British government had been doing to the colonists, the Fourth Amendment was enacted. It states that there shall be no search or seizure or surveillance but for one authorized in writing by a judge based on probable cause of crime sworn to under oath and specifically describing the place to be searched and the person or thing to be seized.

When it comes to surveillance, there is no exception to this. The Fourth Amendment serves a dual purpose. The first is to prevent fishing expeditions -- such as the very acts the DIA now admits it utilizes -- in violation of the natural right to privacy. The second is to compel the government to focus its resources on those suspects as to whom it has a judicially recognized probable cause of crime.

The depth of the government's admissions are staggering. Its architecture is a decrepit three-legged stool on which sits totalitarianism, arrogance and lawlessness. One leg of the stool upholds a self-crafted immunity from compliance with the laws of the land. The second leg supports ways to avoid constitutional norms while still appearing licit in the eyes of the public. And the third and weakest leg offers its interpretation of the Constitution -- separate and apart from what the Supreme Court has ordered.

This stool should be cast into the dustbin of history. It was built by those who have been unfaithful to their oaths to preserve, protect and defend the Constitution of the United States -- the very same Constitution that is only as valuable as a safeguard to freedom as is the fidelity of those into whose hands we have reposed it for safekeeping.

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THE LEFT WANTS UNCONDITIONAL SURRENDER, NOT UNITY

About two years ago, one of my wife's best friends began to turn down invitations to get together.

Then, out of the blue, she unfriended my wife on Facebook.

That's kind of a rude way to brush off someone, so my wife finally asked her: What gives? Have I offended you? Her terse text response was full of self-righteousness: "John (her husband) and I are so appalled by the things that Steve writes that we don't want to associate with you anymore."

I wasn't offended that they disagree with my positions or even that they felt our political disagreements are so wide that we probably shouldn't hang out together anymore. After all, we are two Americas today.

What stuck in my craw was the word "appalled." It was her way of saying: "We are better people than you. We have higher standards." "Appalled" is the outrage you feel when someone gets drunk and starts hitting on your wife.

I recite the incident because it is an example of how liberals have anointed themselves as not just intellectually but morally superior to those on the right. Welcome to the "religious left."

A case in point: the Boston Globe recently printed a front-page opinion piece by the paper's liberal columnist Yvonne Abraham, who denounced the idea of any "unity" agenda with Republicans or conservatives. "Here's the thing about unity," she snuffed. "To achieve it, you have to believe in a common good. And most members of this Republican Party have demonstrated over and over that they simply don't." You can't find common ground with a movement "defined by lies."

Of course, the irony here is that it is President Joe Biden, not Republicans, who is pledging an agenda to unify the country. But so far, the new administration's position seems to be: Why bother to find common ground when you control all of the levers of governmental power and you can steamroll over them instead?

What is to be gained by uniting with people who are "white supremacists" or "insurrectionists"?

Most everyone I know on the right agrees that violence is rarely, if ever, an acceptable form of

political protest.

Do liberals? The new vice president of the United States called the liberal mobs who ransacked cities this summer "social justice warriors." Apparently, it is excusable to burn down a building or assault a police officer if you are protesting racial injustice, climate change, abortion rights or cuts in social programs.

The Trump Haters say that the rioters who stormed the U.S. Capitol are guilty of a treasonable offense. OK, but several years ago, when many thousands of "social justice warriors" (i.e., union thugs) stormed past the police and occupied the domed Capital building in Madison for days, the media celebrated.

Abraham is right about unity. America is now a country divided into Hatfields and McCoys. In just his first four days in office, it's clear there isn't going to be any unifying of the country under Biden. That was a hollow campaign slogan that has swirled down the drain as the White House issued executive orders, such as killing the Keystone XL pipeline, that have infuriated conservatives. The absurd House snap-impeachment of former President Donald Trump a few days before he was to leave office was absurd enough, but not nearly as divisive as the apparent Senate plans to go ahead with a trial.

Biden said he "doesn't see red states and blue states, only sees the United States." Really? Then why is one of his first proposals a blue-state bailout to the tune of \$350 billion -- to be paid by the Republicans in red states. That is a financial insurrection against the half of the states that are not run by Democrats.

The left doesn't want unity with the right. It wants submission. They don't think we live up to their standards of proper behavior and righteousness.

If these are the people that are collectively "unfriending" us on Facebook and in the grocery stores, that's fine by us. Frankly, the feeling is mutual.



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PROPERTY THEFT UNDER THE COVER OF COVID

Landlords are not universally loved.

On a left-wing site called wearyourvoicemag.com, Laura Witt wrote after the pandemic broke out last year, “landlords maintain their rapacious and predatory grip on our societies.”

She cites Rhik Samadder who wrote in an op-ed for *The Guardian*, “Whether your landlord is a genial profiteer or an actual psychopath is the luck of the draw. Anyone can be one, if they have made enough money or inherited property, and those are two of the worst qualifications imaginable. Like anyone who thrives off the housing crisis, they are social parasites.”

With this as the zeitgeist, is it any wonder property rights are being bludgeoned by the government without explanation or apology. Landlords are rich, tenants are poor and their respective votes at the ballot box are equal. There are many more voting tenants, than voting landlords.

The CARES Act “Seems So Uncaring Towards Landlords” shouts the headline from rentalhousingjournal.com (RHJ). Here in Nevada, Governor Sisolak has continued his eviction moratorium until March 31st. So, for a year tenants

have stiffed their landlords with the government's blessing, and it's likely to continue.

While business owners have availed themselves of PPP loans to survive, "What did the struggling landlord get from the Cares Act?" wrote the editors at RHJ. "Nothing but their properties 'seized' by the federal government if they had a loan backed by Fannie Mae or other government-backed loan (something the landlord did not ask for) and told they could not make decisions for properties they own." You may not know it, but Fannie or Freddie probably holds your loan.

Many in Las Vegas have lost their jobs and are struggling. They deserve help, for sure. But, the landlords I know are also suffering. Many can and have deferred their mortgage payments. But, in the end, they still owe what is not paid, versus their tenants who when forced, will move out of the home and will never pay the back rent. Landlords can file a judgement for the back rent, however, collecting requires hiring and paying a lawyer, who may be chasing someone who is unable to pay anything.

Put on your shock-face, but, I think there is a better way to accomplish what the government wants to accomplish without gouging landlords in a quest of giving tenants a break. Jeremie Dufault, a Republican member of the Washington State House of Representatives, representing eastern Yakima County (15th District) wrote in an op-ed for the Seattle Times a good idea to simply provide rent vouchers to tenants. These vouchers could then be turned into cash by landlords.

Rep. Dufault puts it beautifully, "After all, government doesn't force grocery stores to give away food or day-care facilities to give away child care — also necessary parts of everyday life. Instead, it provides prepaid vouchers for those services to the people who need help."

That's just too simple for a big bureaucratic

government. Instead, in Nevada, from Governor Sisolak's Directive 036, the eviction moratorium is 13 sections containing over 1,200 words of gobbledygook. If a landlord believes he or she can evict, here is section 6:

A landlord may seek an exemption from this Directive by providing notice required for the Covered Eviction pursuant to NRS 40.280, along with a notice to the tenant that the landlord is seeking an exemption due to risk of foreclosure.

A landlord may request an exemption from the provisions of this Directive by filing with a court of competent jurisdiction:

1. A complaint, or if a proceeding is already pending, an appropriate motion or request; and,
2. Evidence which demonstrates that the landlord faces a realistic threat that the leased property will be foreclosed upon before the expiration of this Directive, unless the landlord is able to evict the tenant.

If the court finds that the landlord has demonstrated a realistic threat that the leased property will be foreclosed upon before the expiration of this Directive, the action is exempt from the provisions of this Directive.

And that's just the beginning. Instead, why not pull out Occam's Razor and solve the problem.

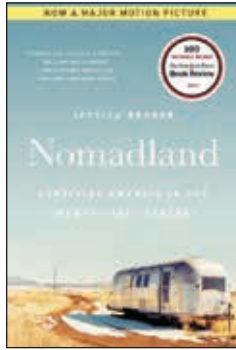
Nevada's governor, like many other governors, is swinging his emergency powers around like a meat cleaver. Mr. Dufault, a graduate of Harvard Law School, wonders, "Should the governor be allowed to use the emergency powers given to him during a pandemic to require private businesses to provide a service for free?"

A law degree is not needed to answer correctly, a resounding no. **LW**

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NOMADLAND: GRIM GOLDEN YEARS

Frances McDormand's performance in "Nomadland" (premiering in February on HULU and theaters) has critics expecting the star of " Fargo " and " Three Billboards Outside Ebbing, Missouri, " to clutch her third Oscar win.

"Nomadland" has won a slew of awards already, strengthening McDormand's chances. Before the movie, there was Jessica Bruder's book of the same name.

The Federal Reserve's decades long program of inflation, as the cure to fix all things wrong with the economy, has made retirement a luxury fewer people can afford. It's not a story that's well known. That the retail world is being taken over by Jeff Bezos's Amazon is common knowledge.

The two trends crash together in Bruder's "Nomadland," a book gushed about by reviewers at The New York Times. Bruder said at the Wisconsin Book Festival, "the economy is a mess," and goes on to rail against greedy employers who don't want to pay benefits and fund retirement funds.

Bruder's book is chalk full of sad stories of layoffs, foreclosures, and lack of family support. At the same time, these nomads, workampers or rubber tramps, are a resilient bunch, who left behind the costs and responsibilities of real estate for "wheelestate" to survive their golden years.

This is where Mr. Bezos comes in. Amazon is a large employer of the workampers. "Incentivized by federal tax credits for employing elderly workers (25 to 40 percent of wages), the company aggressively recruits them, especially during the holiday season," Parul Sengal writes for the New York Times. "Jeff Bezos has predicted that a quarter of all workampers will pass through his warehouses, working 10 hours or more a day, sorting packages."

Not having the luxury of financial security and leisure time to play golf and bridge, "workampers ride a national circuit of jobs extending coast to coast and up into Canada, a shadow economy created by hundreds of employers posting classified ads on websites with names like Workers on Wheels and Workamper News," writes Bruder.

The fact is, employers are eager to hire workampers. "They love retirees because we're dependable. We'll show up, work hard, and are basically slave labor," seventy-seven year old David Roderick told the author.

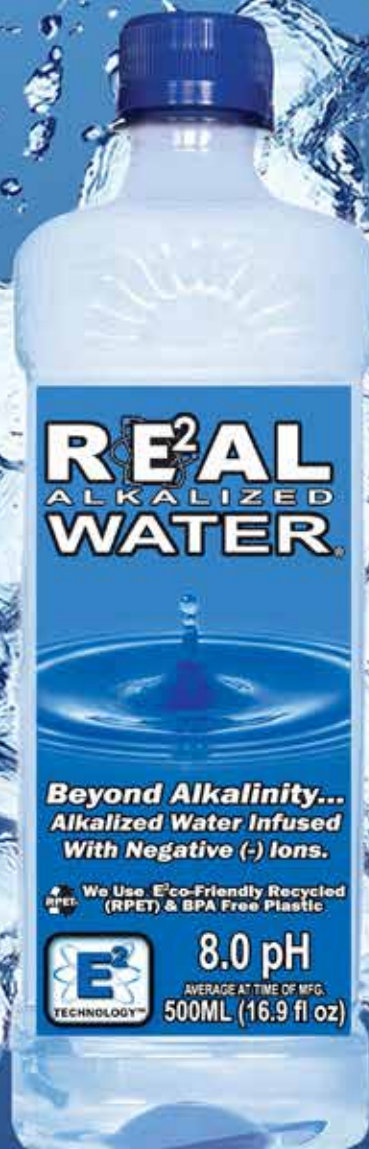
The author lived in a van (named Halen) and traveled with the workampers for three and a half years. The people she befriended were cheerful and gracious, even after working grueling shifts at Amazon warehouses that could involve walking 15 miles punctuated with dozens of squats. A couple Advil, taken before and after work, are a must.

However, few dream of living in an RV Park, working for Mr. Bezos, then moving on to work for a forest service contractor, and then toiling in the pressure-packed, beat-the-clock, sugar beet harvest.

Contrary to how Bruder portrays it, this is not a minimum wage issue. Government provides employers incentives to hire temporary workers so as avoid paying margin killing benefits. The author doesn't finger Uncle Sam for working these wanna-be retirees to the bone and shorting them on their hours, even in national parks. She saves her bile for the evil Amazon.

"Many of the workers I met in the Amazon

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(BIDEN'S FIRST-DAY EXECUTIVE ORDER EMBRACES SEXISM

continued from page 30)

the help of Alliance Defending Freedom to keep boys out of girls' competitions. Bucha, now a lawyer, and 300 other current and former female athletes are pursuing similar action at the college level.

To illustrate the unfairness, the Connecticut suit notes the fastest female sprinter in the world, America's great Allyson Felix, has more gold medals than Usain Bolt. However, Felix's lifetime best in the 400-meter run is 49.26 seconds. And about 300 American high-school boys beat that time each year.

Says Bucha about the effect of allowing biological boys in girls' competitions: "It isn't merely the trophies and scholarships and opportunities at stake. It isn't even all the benefits sports have so long provided to young women – in self-esteem and health and camaraderie with friends. It isn't merely that girls who participate in sports tend to earn better grades, that so many Fortune 500 executives were athletes, or that sports force teen girls out of their own heads where they might stew to their own detriment. It's the profound injustice of it."

On his first day in office, Joe Biden signed an executive order purporting to require that schools receiving federal funding must allow boys self-identifying as girls onto girls' sports teams – reversing a Donald Trump policy. Elections have consequences.

And the ACLU supports Biden's awful policy. **IW**



(NOMADLAND: GRIM GOLDEN YEARS

continued from page 42)

campers were part of a demographic that in recent years has grown with alarming speed: downwardly mobile older Americans," writes Bruder. In the heyday of a place like Empire--the era of a strong middle class, complete with job stability and pensions--their circumstances had been virtually unimaginable."

Yes, successive generations are now doing worse, as government has become an over leveraged leviathan. However, people don't just curl and die, they persevere, with a smile. The author cites a wonderful quote from James Rorty who wrote during the Great Depression, "I encountered nothing in 15,000 miles of travel that disgusted and appalled me so much as this American addiction to make-believe."

While Americans put on a happy face, central bank inflation robs people at the bottom and transfers wealth to those at the top. "Creating money out of thin air, which is what central banks and commercial banks are licensed to do, confers purchasing power on those who are able to use the money first," writes Russell Lamberti on mises.org. "For this new money to obtain purchasing power, it must rob little bits of purchasing power from all the other money in the economy. Purchasing power is transferred from those who hold money to those who create new money at close to zero marginal cost."

Lamberti continues,

This explains how and why wealthy, creditworthy asset owners get richer while many poor people tend to resort to overconsumption and ultimately get poorer. Economist John Maynard Keynes, ironically a proponent of inflationary policies, famously noted that "by a continuing process of inflation, government can confiscate, secretly and unobserved, an important part of the wealth of their citizens."

Ms. Bruder believes this is just the beginning. Most who fall on hard times won't move into their vehicles. However, "Those who do are analogous to what biologists call an 'indicator species'--sensitive organisms with the capacity to signal much larger shifts in an ecosystem."

The disease is inflation, workamping is a symptom. **IW**



Douglas French writes from Las Vegas, providing commentary on the Vegas economy, financial markets, and book reviews. He earned his Master's in economics at UNLV under the direction of Murray Rothbard and Hans Hoppe.

TRECE IS THE PLACE

The Planet 13 superstone is a cannabis dispensary on steroids.

Everyone knows that. It is also the home of Trece Eatery & Spirits. Trece is advertised as a Mexican restaurant, but that hardly does it justice. Executive head chef Manny Sanchez has crafted a menu with something for everyone morning, noon, and night, from breakfast dishes to an assortment of burgers.

Two friends and I dined at Trece at noon, starting with the Flaming Chili Con Queso, served sizzling in a cast iron skillet, with monterey jack cheese, pico de gallo, roasted poblano, and, of course, tortilla chips. The chips are the good kind, substantial chips which will safely hold a heap of hot, gooey cheese.

For entries, which arrived prior to the complete consumption of the Con Queso, the three of us happened to select from the not-so-mexican section of the menu. My two lunch companions dine at Trece regularly and neither hesitated with their selections. My friend's Grilled Salmon, was served with cornmeal cake, sauteed spinach, and lemon butter sauce. While it may have been lunch, the cut of salmon was large enough for dinner, with plating you normally only see on the Strip. Chili was the choice of my other friend. He likes his extra hot, and Manny made it to order.

While I pondered over Trece's Mexican dishes, which include Flaming Fajitas, Trece Burrito, Grilled Calle Tacos, and Stuffed Tamales, I settled on one of the artisan pizzas, BBQ Chicken, made with smoked gouda cheese, red onions, bacon and cilantro. Incredibly tasty and just the right amount of food. I admit the Chocolate Chip Waffle was my second choice.

Fried Ice Cream was our desert selection. For those not familiar with this culinary miracle, it's made from a breaded scoop of ice cream which is quickly deep-fried. The end result is a warm,

crispy shell around the still-cold ice cream. Every lunch everywhere should include fried ice cream.

Trece is across the grand entry from the Planet 13 dispensary. The room is large and airy. The building was once a warehouse and the owners have wisely left the high ceilings in place, meaning Trece is a place you can actually talk in a normal voice with the people at your table. For older folks like me, this is a critical amenity.

Trace has two bars, 25 beers on tap and features a number specialty cocktails from the World Famous FUBARgarita, made with FUBAR Tequila it's a great twist on the traditional margarita and don't forget to be abducted with an Alien Tequila margarita or the wonderful Trece house margarita. Big-screen TVs are prominent if you are looking for a nice, clean place to watch a game. When I say clean, I mean laboratory clean. The fact there is a laboratory in the building down the hall from Trece is the reason.

Planet 13 manufactures many of the products sold in the building. After having a bite at Trece, be sure to walk a few steps to peer through the glass and watch cannabis being infused into gummies, chocolates, and other products. Employees in white lab coats, booties over their shoes, hairnets, and of course, masks, are diligently turning out products. Nothing is more fascinating than watching something being made. In this case, the "something," cannabis, is saving the state of Nevada's fiscal bacon with the tax dollars it generates. With gaming down and retail sales down, cannabis came to the rescue just in time.

Don't wait to try Trece. Do it while tourist numbers are down. Once everyone is vaccinated, conventions come back, and planes are full, getting into Trece will be a tough (meal) ticket. **LW**



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2021: A BREAKTHROUGH YEAR FOR CANNABIS

January 5th was a big day for cannabis.

As the commentators on Cannabis Investing Network explained, removing (their words) Mitch McConnell from the Senate was a huge plus for Cannabis and in turn cannabis stock investors.

Of course, Senator McConnell was not exactly removed, but there's miles of difference between being the majority leader, who can block any legislation that comes Washington's way, and a minority leader who is left to simply look on helplessly and herd the cats on his side of the aisle.

The new Senate sheriff in town is Chuck Schumer, who, according to Canaccord Genuity Corp.'s Yasmin Gordon, Sr. Investment Advisor, "said that he intends to make federal marijuana reform a priority as this year's legislative session begins."

In her weekly "This Week in Cannabis" letter to investors, Ms. Gordon pointed out that President Biden is not keen to approve of legalizing adult-use cannabis, but, "remains amenable to expunging prior related records, decriminalizing possession, and moving ahead with minor federal rescheduling."

Add to that, several Biden appointees favor cannabis reform. So, Joe is pretty much a go for making the world better for cannabis users, sellers, growers, and investors.

THERE'S WRONG, REALLY WRONG, AND 280e

Not many people have reason to know what 280e is. Most investors in cannabis stocks haven't a clue. But if you run a marijuana business, 280e likely makes you grit your teeth everyday. Why?

The IRS tax code 280e came into effect in 1982, back in the "war on drugs" days. But, before that, in 1975, Jeffrey Edmondson filed his tax return for the year 1974. The findings of fact in the case state "Jeffrey Edmondson was self-employed in the trade or business of selling amphetamines, cocaine, and marijuana." He purchased most of his product from Jerome Caby.

"Petitioner did not keep books and records of these transactions because of the illegal nature of his business. Petitioner reconstructed these transactions in February of 1975 for the purpose of filing a Federal income tax return for 1974 in response to a jeopardy assessment made by the

Commissioner. He reported on this return that his cost of goods sold for these products was \$105,300.”

Mr. Edmondson was fighting for the rights to deduct "ordinary" business expenses (cost of goods sold. I.e., packaging, home expenses, phone expenses, and vehicular expenses) from his overall "taxable" income, like any other business. He won the case in tax court, but it was soon overturned. Businesses selling schedule I or II controlled substances (deemed by the government to have no medical use or potential for abuse), are illegal on the federal level, thus, illegal businesses per 26 U.S. Code Sec 280e forbids businesses from deducting any expenses from their gross income when it involves "trafficking" schedule I and II controlled substances.

While the state of Nevada collects millions in cannabis taxes generated from legal cannabis sales, federally, marijuana is still a schedule I controlled substance and cannabis businesses everywhere, including Nevada, cannot deduct normal business expenses.

There is an exception for cost of goods sold, which is mainly inventory costs, including, the cost of the actual product, the cost of shipping (to the retail location), and any directly related expenses.

However, as Greenleaf's McKenzie Swishhelm wrote, "the IRS completely ignores any tax changes made after section 280e, which would allow more indirect costs to be applied to the overall concept of the cost of goods sold. In other words, any expenses related to the distribution process cannot be included under the cost of goods sold."

Swishhelm continued, "That would include outbound shipping and some inbound shipping, rent, overhead, payments to contractors, maintenance and repairs, health insurance premiums, marketing and advertising, utilities, and employee expenditures. In fact, the cost of goods sold more or less only applies to the purchases of seeds, soil, water, and nutrients for planting and cultivation."

280e BY THE NUMBERS

This is best understood with an example comparing a cannabis business to a non-cannabis business. Swishhelm, in her piece entitled "the

Cannabis Business Guide to the IRS 280e Tax Code" compares two businesses with gross revenues of \$1 million in a year. Both businesses have a gross taxable income of \$350,000 after deducting cost of goods sold. The non-cannabis business is allowed to deduct another \$200,000 in costs, leaving a taxable income of \$150,000. The cannabis business is not allowed to deduct the \$200,000 in expenses and pays taxes on \$350,000 in net income.

Assuming a tax rate of 30 percent, the non-cannabis business pays \$45,000 in taxable income, while the cannabis business pays \$105,000. The cannabis business pays an effective rate of 70 percent, 40 percent more than a business with the same revenues. And, both businesses are legal.

"You also have to factor in rent, utilities, employee salaries and benefits, and so on, Swishhelm explained. "All of those things can't be deducted as business expenses. Taking all of this into consideration, you realize that this is something that can render a business unprofitable."

None of the above includes the 15 percent wholesale excise tax and 10 percent retail tax collected by the state of Nevada. For the three months ended September 30, 2020, the state collected \$37 million, an average of over \$12 million a month compared to an average of less than \$9 million per month in fiscal 2020 (ended 6/30/2020).

WHAT'S UPLISTING?

Because cannabis remains on schedule I, federally, cannabis company shares only trade on what's known as the "Pink Sheets." This exchange has very limited reporting requirements and accepts mostly penny stocks, floated by dodgy companies.

Most institutional investors won't have anything to do with companies listed in the Pink Sheets or OTC or Over-The-Counter exchange. They likely have rules forbidding it.

"When a stock either uplists or does an IPO to a better, larger exchange (like the NYSE or NASDAQ) it has more reporting requirements, but it also gets better investors," explains the Investing in Cannabis blog. Better is not really the best word, but rather, bigger, more sophisticated, institutional

investors is what will push investment capital into the cannabis space.

The NASDAQ and NYSE have no interest in picking a fight with the federal government. But, when the rules are changed, there is a mountain of money ready to flow into successful cannabis companies, especially, MSOs (Multi-state operators).

SAFE BANKING ACT OF 2019

If you ever wondered why cash payment is required at your friendly cannabis dispensary, it's because banks being federally regulated and the deposits federally insured, banks have been shy to do business with the marijuana industry.

The SAFE Banking Act is proposed legislation regarding disposition of funds gained through the cannabis industry in the United States. On March 7, 2019, the bill was introduced in the U.S. House of Representatives by Ed Perlmutter (D-CO) and was referred to the Judiciary and Financial Services Committees. Bankers now have company as the National Association of Professional Insurance Agents and other lobbying organizations provided the addition of language from the "Clarifying Law Around Insurance of Marijuana" (CLAIM) Act.

This bill rocketed through the House, but was stopped dead in its tracks by Mitch McConnell (see first paragraph). Also, the SAFE Banking Act was folded into the HEROES Act COVID-19 relief bill passed by the House in May, 2020 and again in October.

Katrina Skinner, with Burns & Levinson LLP explains the significance. "Although the Safe Banking Act does nothing to legalize marijuana at the federal level, it would provide a true legal 'safe harbor' for financial institutions and insurance companies providing financial services to cannabis-related businesses. This safe harbor removes the liability financial institution directors and officers have solely for providing services to state-legal cannabis businesses. Additionally, the Safe Banking Act would remove the threat of criminal, civil, or administrative forfeiture of any legal interest in collateral that a financial institution may have related to any loan provided by a financial institution to a cannabis-related business."

Although the sausage is still being ground, it's

rumored the SAFE Banking Act, if passed, would also exclude legal cannabis businesses from 280e, putting them on equal tax footing with other businesses.

WHAT ARE CANNABIS COMPANIES WORTH?

If you have made it this far, you'll likely agree with the hosts of the "Cannabis Investing Network" podcast who say, "We don't know what these businesses are worth yet."

Sure, federal legalization is likely years away. But, passage of the SAFE Banking Act will open the doors to banks doing business with cannabis companies and a change to 280e will add to the bottom line of all marijuana operators. Successful cannabis companies have outgrown the ability to raise capital inexpensively. Once Wall Street feels comfortable underwriting cannabis IPOs, successful operators will trade at multiples to cash-flow that are commensurate with their growth prospects.

Most Nevada operators are mom-and-pop operators who may or may not survive even as high tides lift cannabis boats. The state's premier operator, Planet 13, will not only survive, but likely thrive. The company's superstore concept has made its ever-expanding Desert Inn location, just west of the strip, a must-see attraction for tourists, besides serving local customers.

Imagine, in just the few years since Nevada legalization, Planet 13 has grown to a publicly-traded \$1 billion company with 500 employees. The superstore currently has 43 cash registers open. However, during some weekends, COVID or not, hundreds of customers must wait in line to buy product, much of it created in that very location. Soon, the superstore's dispensary will expand in square footage and to 85 cash registers.

In the last issue of LibertyWatch, we included comments from a cannabis investor, who said, "I think legalization is closer than it was a year ago. So that creates an interesting dynamic. It's going to make these businesses a lot more profitable and easier to operate. I think this is one of the greatest opportunities of my lifetime."

If you missed investing in beer or whiskey at the end of 1933, your opportunity of a lifetime has come. **LW**

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