

Bits and Picks from the West V.P.

By Carl Dodson

I would like to thank Darrin and Lucky for coming over to our November meeting. We talked about the Road Guard for the Toy Run on Dec 6th that will start at Grand Junction Harley-Davidson and end up at the Eagles Lodge using the same route as last year. For anyone who would like to be in the Road Guard, contact Joe Tavarone.

I want to also put in a reminder that your dues are due and the membership drive is still under way. The adoption of our families is also ongoing.

Well people, it's time to go to work. It has been reported that a .08 BAC law has surfaced again, but it comes in the form of federal blackmail. Under this blackmail, it consists of the .08 law with an attachment to it: [1] Mandatory seatbelts and [2]an open container law in your car.

It has been proven in the states back east that the .08 law does not work. (see our web page for the studies proving .08 laws do not make a difference!) Also it's nothing more than a revenue generator. But under this federal blackmail it's "No Show, No Money".

I also want to note that there is a possible helmet law in the works this year. My understanding is that it will be an 18 and under law. But if you give an inch, they will take a mile and we all know that's a fact. As of yet there has not been any bill numbers assigned to any of these, but its coming in January.

On the Federal issues: the National Highway Traffic Safety Administration has superseded the power of Congress and went over their heads to mandate a law that Congress had already given back to the States.

I emailed my Congressman and Senators a question, "Why was this allowed to happen and which has more power, the Congress or a Federal Regulatory Agency of the United States"? Well you might have guessed it; at the time of this writing I have not heard back on either issue.

This might look to some of us like paranoia in this statement I am about to address; maybe it is and maybe it ain't. Have you even given some serious thought about this legislation? My question is; if they get away with this and pass it, then every other right we have in this country is in jeopardy and we can kiss 200 years of history goodbye!

Ride Free - Carl

"Our obligations to our country never cease but with our lives." — John Adams

Notes from the President

By Darrin Trussell

Well, I knew it was bound to happen. The prospect of a helmet bill for Colorado appears to be good. Now, mind you this potential bill is for under 18, but it's a helmet bill nonetheless.

How do I know? One of our members was recently approached in Ft. Collins by Representative Angie Paccione and asked the question, "What are your feelings on a helmet law for minors?"

You're probably thinking that since you're an adult, a helmet law won't affect you. But realize this is a first step down a slippery slope designed to deprive you of your right to choose. The best way to prevent this from happening is to kill any and all legislation geared to take your rights away.

You can look for helmet law proponents using NHTSA statistics to argue in favor of their case. But the thing with statistics is, they can be manipulated to argue for or against an issue. The real proof lies in scientific testing to determine whether a helmet can or cannot save lives.

But the interesting thing about NHTSA is, even though they mandate safety helmet standards, they don't conduct testing to determine if a given helmet meets those standards. Instead, they rely on the manufacturer to self-certify the helmets they produce. Kind of like asking the fox to guard the henhouse. If you don't believe me, call NHTSA and ask them for a list of approved helmets. What they'll tell you is that they have no such list and that they don't test helmets. Amazing they have the time to conduct airbag, collision and rollover tests for automobiles, but don't have the resources to test something as simple as a helmet, no?

What NHTSA chooses to do is wait until a complaint is made against a helmet and then and only then do they take action, usually by hiring an outside lab to conduct tests. Now get this, even though a helmet may fail testing it doesn't mean a manufacturer is required to issue a recall! Makes you feel real warm and fuzzy knowing NHTSA is hardly at work for the safety of motorcyclists.

Our lobbyist, Jim Brandon, will be keeping a close eye for this bill to be introduced so that I may pass the information onto you.

The other issue facing us this coming legislative session is the .08 bac DUI, mandatory seatbelt and no open container bill.

As you are well aware, the Transportation Committee recently voted to go forth with a bill that will address the .08 bac issue (the seatbelt and no open container will be addressed separately). Colorado, being one of five remaining states refusing to cave into the totalitarian enactment by the federal government,

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RIDERS FOR JUSTICE MEETINGS

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Riders For Justice Bylaws

1. The organizations's purpose is to defend and promote the rights of bikers, as well as, to associate for social reasons.
2. Persons speaking on behalf of RFJ must be the elected officers of a representative designated by the membership or officers.
3. All officers must be a registered voter and have a valid motorcycle license.
4. The membership can by a 3/4 majority, effect an election of officers at any regular meeting.
5. The membership can by a 3/4 majority vote, deny new membership, if any member questions the new membership.
6. In order for anyone to vote at the meetings, they must be a paid member.
7. Renewal of membership dues are from October to October.
8. Should this organization be dissolved, all funds shall be donated to a similar organization.

Purpose of Riders For Justice

1. We intend to support our current Constitution and keep as much of it intact as we can.
2. We also advise our membership of the best candidates for which to vote. When they are sometimes equally good or bad, we do not make a recommendation.
3. We DO NOT and WILL NOT receive money from any government entity.
4. Our officers are available through email and/or direct telephone.
5. None of our officers are paid for their work or reimbursed for food, travel or lodging.
6. We hire a lobbying firm to represent us at the state capitol.
7. The officers also lobby at the capitol and at town meetings with state and federal congressmen.
8. We ARE NOT and DO NOT intend to be politically correct.
9. We print in our newsletter, articles of political and social interest for members, as well as, keeping them abreast of current and potential bills.

stands to lose up to \$50 million dollars for new highway construction. Instead, these dollars would be required to be used for safety related issues.

What bothers me most concerning this legislation is the fact that the money the feds are threatening to withhold from our state actually came from us in the form of federal gasoline taxes. To add insult to injury, we currently only receive around 90 cents for every dollar we send to Washington! Not a good return on investment, if you ask me.

Even though resistance to a .08 law has been strong, it appears to be starting to wane. I guess the almighty dollar rules over an iron will. What you must do is call your state Senator and Representative to let them know you want them to keep up the fight against this oppressive law. Call it a pep talk, if you will.

Two such Senators we can count on to continue fighting are Senator Ron Teck from Grand Junction and Senator Dave Owen from Greeley. Recently at a Joint Budget Committee hearing, they both stated they opposed this piece of legislation. These are the kind of people we need on our side!

In other news, I reported about a bill titled "National Instant Check Improvement Act". I incorrectly stated the bill as H.R. 3227. It should read H.R. 3237. Sorry about that, I guess I stuttered on the keyboard.

Stupid postal workers, smart stamps.....The postal service has made the decision to go forward with a plan to better identify who's sending what to whom in the mail. A background check if you will. These so-called "smart stamps" would be encoded with information of the sender. So for instance, if you chose to send a hate letter to a Congressman, they would better know who stuck the stamp on the letter. And no, don't have a friend go into the post office to buy stamps for you because that would be a "straw purchase" and we all know that's illegal. The plan is to implement the program starting with bulk mailing, so I'll let you know how it goes when I mail the newsletters.

Please note if you haven't paid your dues, then this is your LAST ISSUE! We are not a charity organization. It takes MONEY to print and distribute the newsletter, so the least you can do is renew your membership. Please help us so that we may help you.

Also, starting in December, our Sunday 11:00 AM meetings will be held at the American Legion in Windsor, Colorado. The Legion is located at 624 Ash St. ([SEE MAP BELOW](#)) They don't serve food, but will allow us to have a pot luck as long as we have enough for the bartenders. I hope to see you there!

The Defense Department has totaled one measure of the price of liberty — almost 1.2 million members of our fighting forces have died while in service to our country since the American Revolution; 1.4 million have been wounded. The numbers, of course, offer no reckoning of the inestimable value of these individual citizens' lives, and the sacrifices borne by their families. But we do know their sacrifices defended a precious gift handed down to us — the liberties we cherish. Every day let us always hold our veterans and their families in our hearts.

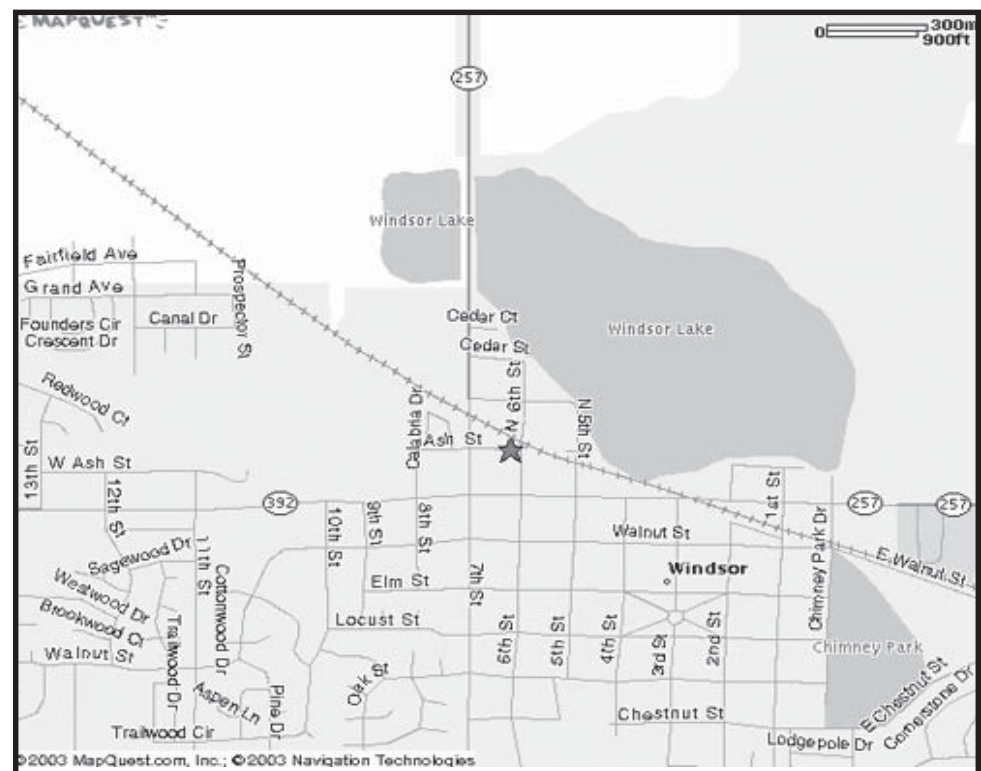
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AMA December 2003 News & Notes for the Politically Motivated Motorcyclist

<http://www.ama-cycle.org/>

AMA is hosting a Washington, D.C., seminar for motorcyclists who want to learn how to influence governmental decisions, whether it's in Congress or at their own local councils.

The seminar, to be held March 6-9 at the Phoenix Park Hotel in Washington, DC, allows participants to meet and learn from the AMA's Washington staff as well as other political experts. In addition to learning about state and federal issues facing motorcyclists today, participants will get tips on building relationships with government-agency officials and on lobbying elected officials.

Participants will also prepare to meet face-to-face with members of their congressional delegation. But the seminar isn't all work; there will be a welcome reception as well as a luncheon and a banquet over the course of the training.

The seminar registration fee is \$75. The registration deadline is February 11. AMA membership is required.

For more information or to register, contact Sharon Titus at (614) 856-1900, ext. 1252 or by e-mail at stitus@ama-cycle.org.

Louisiana Governor Mike Foster called into question a report on motorcycle crashes released by the National Highway Transportation Safety Administration (NHTSA). The NHTSA report indicates that motorcycle crash fatalities have doubled since the Louisiana Legislature repealed the state's mandatory helmet law. Foster pointed out that the NHTSA looked merely at raw numbers and not at the circumstances of the crashes and the increasing number of motorcycle riders.

The number of registered motorcycles rose by over 12,000 in the years covered by the NHTSA study. In 1998, there were 60,000 registered motorbike operators in Louisiana; two years later, 72,445 were registered with the Louisiana Office of Motor Vehicles.

According to a 2001 report by the Louisiana Highway Safety Commission, Traffic Crashes Involving Bicycles or Motorcycles, fatalities per 100 crashes only rose by 0.2 percent from 1998 to 2000. In 2001, that percentage actually went down to 3.8 percent. In 1998, 3.9 percent of every 100 crashes resulted in deaths. During that time, the number of crashes in general rose from 889 to 1,410, a fact that cannot be attributed to helmet usage rates. (Associated Press)

The US Forest Service has closed all 833,988 acres of the Cleveland National Forest in California to all recreation.

Officials closed the forest after the Cedar fire began October 25 because of "extreme fire activity and the continued threat

to life and property." The closure notice is on the Forest Service web site at <http://www.r5.fs.fed.us/cleveland>. The length of the closure is undetermined.

The Bureau of Land Management's (BLM) Imperial Sand Dunes, known in the off-highway vehicle community as Glamis, plan for reopening 49,000 acres to motorized recreation is once again on hold.

A federal plan that would have reopened a portion of the dunes that has been closed to off-road traffic in recent years was delayed as the US District Court in San Francisco ruled that the BLM must wait for more input from the US Department of Fish and Wildlife before issuing a plan to reopen 49,300 acres to vehicular traffic. The court action was in response to a suit filed by the Center for Biological Diversity, which claimed the biological opinion from Fish and Wildlife in the plan was flawed.

A bipartisan bill to end health-care discrimination against motorcyclists and all-terrain vehicle riders has cleared a key U.S. Senate committee.

By a unanimous voice vote, the Senate Health, Education, Labor and Pensions Committee on Oct. 29 approved S. 423 that would bar health plans from denying benefits to people injured while riding motorcycles, ATVs, horses, or engaging in other legal recreational or transportation activities.

US Senators Susan Collins (R-ME) and Russ Feingold (D-WI) co-authored the bill. A similar measure, HR 1749, is being considered in the U.S. House of Representatives.

In 1996, Congress passed the Health Insurance Portability and Accountability Act (HIPAA), which prohibits companies from denying access to employer-sponsored health insurance for motorcyclists and those who participate in other recreational activities. However, federal regulators created a loophole that allows the denial of benefits under various conditions.

The AMA is among a number of groups working to get this legislation approved. AMA is working with groups like the Motorcycle Riders Foundation, American Horse Council, American Council of Snowmobile Associations, Blue Ribbon Coalition, and many others.

Pennsylvania House Bill 2133, introduced by Representative Kerry A. Benninghoff (R-Bellefonte), proposes to amend Title 75 of the Pennsylvania Consolidated Statutes by adding a section 4310 to read, "Auxiliary lighting may be added to a motorcycle to protect the driver, including blue dot il-

lumination, standard bulb running lights and various colors of valve stem caps, light-emitting diode (LED) pods and strips, light wire, neon tubes and strobe lights." The bill was referred to the House Transportation Committee on October 27, 2003.

Motorcyclists and safety experts know that additional lighting increases visibility of motorcycles to other motor vehicle operators. Many enthusiasts have decided that stock lighting on their motorcycles is not enough. The addition of aftermarket lighting boosts conspicuity, especially at night. Even during daylight hours, adding more lights may help other drivers more clearly identify motorcycles.

Show your support for HB-2133 by sending a letter to Honorable Richard A. Geist, Chairman, House Transportation Committee, Main Capitol Building - Room 144, Harrisburg, PA 17120-2020.

Contacting your representative is also important in promoting HB-2133. You can use the "Take Action Now" feature of AMA StateWatch on www.AMADirectlink.com to send a pre-written letter of support for HB-2133 to your representative.

The BlueRibbon Coalition Board of Directors has just announced that Bill Dart, presently the Public Lands Director for BlueRibbon, has been selected to become the next Executive Director for the national Coalition.

Dart will become only the second Executive Director for the Coalition. Previous Executive Director Clark Collins, a co-founder of the organization, served for 16 years in this position. Collins will stay on with BlueRibbon in a newly created

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Dart has been involved in motorized recreation and land use issues for over two decades. Prior to coming to work for the BlueRibbon Coalition in June of 2002, Dart worked as the Legislative Officer for District 36 of the American Motorcyclist Association in California for nearly 15 years.

The San Francisco Motorcycle & Scooter Coalition is campaigning to increase motorcycle parking spaces within the city. To learn more about their efforts and how you can help, visit their website at www.sfmsc.org.

Michigan statewide outdoor groups concerned with the integrity of user-funded state recreational funds told Governor Granholm recently that they are prepared for action.

Michigan United Conservation Clubs, Michigan Council of Trout Unlimited, Michigan Boating Industries Association, Michigan Recreation and Park Association, Michigan Environmental Council, Michigan Snowmobile Association, Cycle Conservation Clubs of Michigan, Rails to Trails Conservancy Michigan Chapter, Michigan Mountain Biking Association, Great Lakes Four-wheel Drive Association and District 14 of the American Motorcyclist Association joined forces to send a clear message to Governor Granholm and the Office of Management and Budget. While the groups recognize the difficult financial situation facing the state, they outlined their concern over the state's use of restricted recreational funds in a letter. The message — they will not tolerate use of the restricted funds for non-recreational purposes.

The groups represent several million outdoor enthusiasts. User fees provide the monies for these funds, which are managed by the Michigan Department of Natural Resources. Specific language in the authorizing acts of each fund guide all fund expenditures and excess balances.

The outdoor groups will closely watch the budget process. Citizens have willingly paid their own way and these groups strongly object to their fees being used to solve the state's budget problems.

The Wisconsin ATV Association (WATVA), State agencies and the Powersports Dealers Association are supporting legislation that would increase funding for trail maintenance and development by altering the State's ATV registration program. The changes are encompassed in Assembly Bill 596, authored by Rep. Mark Pettis (R-Hertel), and its companion bill, Senate Bill 277, authored by Sen. Sheila Harsdorf (R – River Falls). The proposed legislation would raise the biennial registration fee from \$12 to \$30 and alter the formula used to determine how much fuel-tax revenue will be set aside for motorized recreation projects. The bills would also allow for the broader use of ATVs by young riders on private property

and would impose a 96 decibels sound standard for ATVs. To learn more about the proposed changes, see the "Protecting Your Right to Ride" page of www.AMADirectLink.com.

New guidelines issued by the Bush administration could open up previously restricted federal land to off-highway vehicles. The guidelines rescinded previous quasi-wilderness status for approx. 3 million acres in Utah and millions of additional acres across the West, including Colorado. Under these new directives, the Bureau of Land Management can still set aside lands, but those decisions will be made in a public planning process for each parcel and weighed on equal footing against other potential uses and based on input from local land managers and residents.

The National Highway Traffic Safety Administration (NHTSA) is an agency within the Department of Transportation. The primary mission of NHTSA is to reduce fatalities, injuries, and monetary losses resulting from accidents on America's highways.

As background, in 1966 William Haddon, an epidemiologist, testified before Congress that traffic safety is a science. Dr. Haddon focused on injury prevention through new design changes in automobiles and other forms of transportation. On the strength of his testimony and others, Congress passed the Highway Safety Act of 1966 to address the rise in highway fatalities. The National Highway Safety Bureau, later called NHTSA, was vested with the responsibility of administering the statute. Hadden became the first Administrator.

The American Motorcyclist Association (AMA) believes that the means to accomplish this mission is fundamentally flawed. To focus on injury prevention as opposed to accident prevention is the proverbial "cart before the horse." The statutory goals NHTSA attempts to achieve are doomed for failure. It accepts the idea that accidents will occur and therefore there is a governmental need to mitigate its affects.

The AMA believes that the statutory limitations on NHTSA have and will continue to prevent the agency from fulfilling its stated mission. That is why the AMA is encouraging you to use the Rapid Response icon on www.AMADirectlink.com to write your Member of Congress, and urge them to support a change in NHTSA's direction within the Transportation Equity Act for the 21st Century (TEA-21) reauthorization process.

Just three weeks after the bill was introduced in Congress, the House Resources Forests and Forest Health Subcommittee held a hearing on a proposal to crack down on people who willfully damage public land.

The bill, HR 3247, is called the Trail Responsibility and Accountability for the Improvement of Lands (TRAIL) Act. It would create consistent standards for law enforcement on federal land.

Also, the proposal substantially increases the penalties on recreational users of the land who willfully cause damage to public land. The fines would be used for rehabilitation, education, and awareness.

At the hearing, Mark Rey, US Agriculture Department undersecretary for natural resources and the environment, and Larry Parkinson, US Interior Department deputy secretary for law enforcement and security, offered support for the goals of the bill and offered to work with the subcommittee on the final language of the bill.

The AMA supports responsible riding on public land and believes that those who intentionally damage land should be punished, whether they're motorized vehicle users, horse riders, campers or hikers. The AMA decided to endorse the Tancredo legislation, in part, because another measure — HR 751, commonly called ROVER — targets only motorized vehicle users, and doesn't provide for consistent penalties among the various federal land agencies.

Notes from the Eastern V.P.

By Lucky

The eleventh month turned out to be quite good overall. The elections went well; the public did not get taken under with a billion dollars, and overseas scams. Our membership drive went better than expected. Although there wasn't as good a turnout as usual at the Hawg Wild Swap Meet, R.F.J. did manage to wrangle up a few renewals, and fresh blood! I think we signed up about twelve or so. Saturday being our best day but Sunday was a little slow. Most of the vendors may not have fared as well. You would think the colder weather would bring out the buyers instead of the riders. If I had the cash, I would have filled up my pickup! I am just happy as hell that we had a good showing of interest. We need to continue to try and increase our membership.

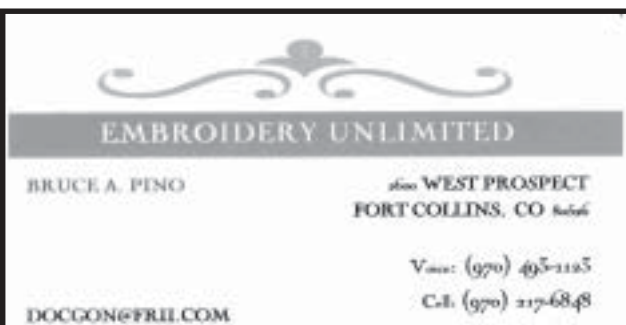
On the Sunday meeting the next week, our state lobbyist, Jim Brandon came to speak. I was also impressed with the turnout that day. The more interest the better in my book! There wasn't much for him to touch on though, because the bills won't be labeled until later December. Then of course the holidays break the legislature, so we can breathe for a while. He did touch on a few things like the all important loss of highway funds, from not succumbing to the federal extortionists. So this means, yes Martha, a .08 b.a.c. bill will more than likely be introduced. He also hit on the Colorado Consumer Campaign, a Constitutional Convention (this is bad), Denver's commie unconstitutional home rule agenda, which is in court, the water controversy, and of course the almighty and unencumbered E.P.A. Rumors are arising too that a helmet bill will be introduced for the sake of the children's safety. More to report as it comes in.

Darrin and I then traveled over the hill to the western slope meeting. You guys run a tight ship! I had way too much fun, but it was really good to see old friends, and meet new ones. The folks are great over there. It is nice to see so much support.

I received a nice letter from Marilyn Musgrave, for the postcards we sent out about H.R.990, the SAFE act, (concealed carry when traveling away from home). She strongly supports the second amendment, and will work hard to see that this bill is passed, when of course she is not fighting gay marriages. At least I got some response back.

In other news, you may recall my story a few months ago on

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too many liberals controlling our schools. Well now campus diversity rankings from the *U.S. News and World Report* in its annual findings are that rankings may be race neutral, but the language accompanying it may not. "Whites can never be a minority". According to *America's Best Colleges*, 130 "Campus Diversity" listings on pages 55-56 and many more on the web site for the *U.S. News* whites are never listed in the category of "largest minority and its percentage." For more than sixty of these schools where whites are the minority, they remain the unspoken majority. Example, Howard University, Washington D.C., twenty percent white population, lists largest minority as African American. University of Hawaii, twenty one percent white, seventy-four percent Asian American-their largest "minority." Florida International University, nineteen percent white and sixty percent Hispanic. But still whites are the majority. Now don't start calling me a racist. I'm just bringing out some facts. In this day and age, of Affirmative Action, and all the other stuff, sometimes the tables are turned, and the blind eye also has a sty in it. Remember "With Liberty and Justice for All." Well this just goes for saying. I know this is not motorcycle news, but then let's be glad that we aren't having to report on what I fear is coming...Yet!

My condolences go out to family and friends of ET, High Plains Drifters, who passed away last month. May you rest in Peace.

If for any reason anyone needs to get hold of me, and I hope it's not to bitch about this article, my home phone is also a fax number. Sometimes it is easier to call, fax, or snail mail me because these damn computers infuriate me! Yeah, I tried the free AOL shit, (and I really mean it!) but I just can't seem to handle the information age. I hope your Thanksgiving day went well (one of my favorite holidays), and thanks to our troops. Have a merry Christmas!

With that, the thought for the month: *"I consider an unjust war as the greatest of all human atrocities; but I esteem a just one as the highest of all human virtues. War calls into the exercise the highest feelings and powers of man."* -John Quincy Adams 1820

NHTSA STUDY DEMONSTRATES NEED FOR SAFER RIDING, NOT SAFER CRASHING

The National Highway Traffic Safety Administration (NHTSA) has released yet another "study" on motorcycle helmet laws. This time, NHTSA commissioned Preusser Research of Connecticut to build a case that motorcyclists in Kentucky and Louisiana, which repealed mandatory use laws in 1998 and 1999 respectively, are worse off by opting for adult choice in helmet use.

The Motorcycle Riders Foundation (MRF) is conducting a complete evaluation of the October 2003 research in concert with State Motorcyclists' Rights Organizations (SMROs), particularly those in the states targeted by the research. In

the interim, however, the MRF makes the following observations:

- The researchers conclude in the "Crash Descriptions" section of this study that the lion's share of tragedies from motorcycle crashes stem from dangerous practices - from motorist failure to yield to rider failure to operate the machine safely and effectively.

- The researchers erroneously conclude that "repeals have demonstrable (sic) negative safety consequences." In fact, as documented in "Crash Descriptions," careless, reckless vehicle operation has demonstrably negative safety consequences.

Read how not to drive (or, for that matter, ride) in "Crash Descriptions." It will underscore the importance of what the MRF and SMROs are doing in the states and at the federal level to advance safer riding - through rider training and motorist awareness - to prevent accidents, thwart injuries and save lives.

NHTSA's research is available at: <http://www.nhtsa.dot.gov/people/injury/pedbimot/motorcycle/kentucky-la03/TOC.html>

SENATE COMMITTEE PASSES HEALTH CARE REMEDY UNANIMOUSLY!

Sometimes progress takes years. On Wednesday morning, October 29, progress took all of eight seconds.

With the support of the Motorcycle Riders Foundation (MRF), the American Motorcyclist Association (AMA) and a host of groups backing health care benefit protection for legal transportation and recreational activities, the Senate Health, Education, Labor & Pensions Committee voted unanimously to pass S. 423.

The vote occurred within seconds and came after 24 hours of intense grassroots activity by the MRF and State Motorcyclists' Rights Organizations (SMROs) with Senators who serve on that committee.

"We commend the motorcyclists of over a dozen states who took no time to answer our call for action," said MRF President Karen Bolin. In addition to a flood of support from individual riders, the following SMROs all worked with the MRF to deliver letters of support to their Senators within a 24-hour period: ABATE of Maryland, ABATE of Virginia, the Virginia Coalition of Motorcyclists, ABATE of South Carolina, Motorcyclists for Nevada, ABATE of Kansas, ABATE of Ohio, ABATE of New York, Freedom of Road Riders (Missouri), Concerned Motorcycle Riders of Ohio, ABATE of North Carolina, CMT/ABATE (Tennessee), Connecticut Motorcyclists Rights Association, the Washington Road Riders Association, the Confederation

RIDERS FOR JUSTICE 5.

of Clubs (New Mexico), ABATE of New Mexico and the New Mexico MRO. In addition, the Massachusetts Motorcycle Association and the New Hampshire Motorcyclists Rights Organization commended Committee Chairman Judd Gregg (R-NH) and Ranking Member, Senator Edward M. Kennedy (D-MA) for their leadership and innovation in bringing this vital measure to a full committee vote.

"The response by SMROs to our request was timely, sophisticated and right on target," said Bolin.

The MRF will continue to work with SMROs and other groups supporting the health care rescue to bring the measure to a vote by the full Senate and the earliest possible committee vote in the U.S. House of Representatives.

MRF Announces Board of Directors Changes

The Motorcycle Riders Foundation (MRF) is pleased to announce the following changes to its Board of Directors. Several of these changes were approved and announced at the MRF's Meeting of the Minds in Green Bay this past September. Two other changes occurred this week.

Vice President: Kirk "Hardtail" Willard, Wisconsin

Secretary: Deb Butitta, Arizona

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Continued on page 6

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Continued from page 5

Supporting SMRO Representative: Steve Zimmer, Ohio

The MRF Board of Directors would like to offer its sincere gratitude to Dave and Noriene Mann, who retired from the Board at the Meeting of the Minds after 20 years of dedication to the motorcyclists' rights movement. In addition, we would like to thank Chris Maurich for agreeing to continue serving as an Ex-Officio Member of the MRF Board.

We would also like to thank Wayne Thomas and Paul Cote' for their continued dedication to motorcyclists' rights and the MRF. Wayne made the difficult decision to step down due to his employment travel responsibilities. Paul announced his decision to step down due to his increased SMRO and PAC responsibilities in Massachusetts.

Please join us in welcoming the new members of the MRF Board of Directors, as well as extending our sincere thanks and best wishes to our former board members for their years of service. We invite you to visit the updated "Officers/Directors" section of the MRF website at www.mrf.org/directors.php for contact information and to learn more about the exceptional team of leaders representing you as your MRF Board of Directors.

COAST TO COAST BIKER NEWS

Compiled & Edited by **BILL BISH**,
National Coalition of Motorcyclists

CONGRESS ACTS TO PROTECT MEDICAL BENEFITS FOR BIKERS:

An important step toward protecting medical benefits for motorcyclists was achieved on October 29, 2003, when the Senate Health, Education, Labor and Pensions Committee voted unanimously to approve S. 423, "The Health Care Parity for Legal Transportation and Recreational Activities Act," co-authored by U.S. Senators Russ Feingold (D-WI) and Susan Collins (R-ME). The bipartisan act would eliminate a loophole that allows insurance companies to deny medical benefits to persons injured while participating in so-called "risky activities," including riding a motorcycle or ATV.

The measure will now move to the Senate floor for consideration, while a similar bill in the House of Representatives, HR 1749, awaits committee action.

Motorcyclists across the country successfully lobbied Congress in 1996 to enact the Health Insurance Portability and Accountability Act (HIPAA), which prohibited insurers from denying health care coverage to insureds based on their participation in activities such as motorcycling, skiing and horseback riding, but the legislation was later misinterpreted to require insurance companies to provide coverage, but still allowing them to deny benefits if a person was hurt as a result of such involvement.

Help close this discriminatory loophole by contacting your U.S. Senators and Congressman today and urge their support of S. 423 and HR 1749!

LOUISIANA GOVERNOR LAMBASTS NHTSA: Just hours after the National Highway Traffic Safety Administration released a report to the national press indicating that fatalities had increased dramatically in Arkansas and Louisiana following the repeal of those states' mandatory helmet laws, Louisiana Governor Mike Foster called NHTSA's numbers into question and accused the federal agency of misleading the public regarding the facts.

"You can make statistics say anything you want," lectured Foster in a press release issued October 30, 2003 to counteract the NHTSA disinformation campaign. "The NHTSA wanted to hear that fatal crashes have doubled, and they looked for statistics that supported that. It's true that the number of accidents has increased, but the report leaves a lot out of the picture, like the increasing number of motorcycle riders."

Foster pointed out that NHTSA looked merely at raw numbers and not at the circumstances of the crashes.

The number of registered motorcycles rose by over 12,000 in the years covered by the NHTSA study, according to the governor's press release. In 1998, there were 60,000 registered motorbike operators in Louisiana; two years later, 72,445 were registered with the Louisiana Office of Motor Vehicles.

According to a 2001 report by the Louisiana Highway Safety Commission, "Traffic Crashes Involving Bicycles or Motorcycles," fatalities per 100 crashes only rose by 0.2 percent from 1998 to 2000, and in 2001 that percentage actually went down to 3.8 percent. In 1998, 3.9 percent of every 100 crashes resulted in deaths. During that time, the number of crashes in general rose from 889 to 1,410, a fact that cannot be attributed to helmet usage rates.

"Bottom line, it's a matter of personal choice. No one is forcing or encouraging motorcycle riders to ride without helmets," said Foster. "But the NHTSA says that there were twice as many fatal crashes, but doesn't want us to know how many of those riders were wearing helmets. There are times where helmets are protective and times when they actually can do harm."

WORLDWIDE MOTORCYCLE SALES TO EXCEED 35 MILLION:

Forecasting worldwide demand for motorcycles to advance 5.2% annually to more than 35 million units in the year 2007, The Freedonia Group, an international business research company based in Cleveland, Ohio, says the global motorcycle industry will likely go through a restructuring phase in coming years, driven by increased income levels in emerging markets, continued strong sales in the U.S. and Western Europe, and advancements in technology.

In a new study titled "World Motorcycles," the research group says there are two separate motorcycle markets. One centered in the industrialized Triad (i.e., the U.S., Japan and Western Europe), where motorcycles are seen as pleasure vehicles by consumers who already have one or more automobiles. These motorcycles tend to be large, powerful machines that cost on average about \$4,000 to \$7,000 in the U.S. and Europe, and somewhat less in Japan. The research firm says the market for the larger displacement motorcycles will likely remain strong, but says some concerns regarding future demand have emerged due to the aging of the customer base, especially in the U.S. and Western Europe.

The other, much larger market in unit terms is in the emerging economies of the Asia/Pacific region, where motorcycles are seen as primary family and work vehicles. According to the study, demand for scooters, mopeds and light motorcycles will remain relatively robust in emerging markets such as India, China and Southeast Asia, due to increased income levels.

The third influence on the worldwide motorcycle industry, according to the study, is a transition in technology driven by a confluence of factors, most noticeably exhaust emission regulation. Motorcycle regulations have been increasing worldwide, as developed nations seek emissions parity with automobiles and as developing nations fight to reduce pollution levels in large urban areas.



MOTORCYCLES ARE "SMART GROWTH": Carter, a full service real estate company headquartered in Atlanta, Georgia has recently put the finishing touches on a pioneering mixed-use development that has been heralded as the premiere Transit Oriented Development in the country. Lindbergh City Center, which will eventually incorporate 4.8 million square feet of office, retail, and residential facilities, is located on top of the second busiest transit station in Atlanta.

Michael Hoath, director of real estate development for the project, is an avid two-wheel enthusiast who rides and races. "I ride to work regularly and often notice how many urban environments discourage motorcycle use. We felt it was important to encourage all smart growth principles—motorcycles as commuter transportation is smart growth. They are a frequently overlooked ingredient in providing solutions to urban sprawl and traffic congestion."

The development incorporates a mix of Smart Growth design principles such as pedestrian access, transit access, and reduced parking. One of the most important design principles is free parking on Main Street for motorcycles. Whereas other vehicles pay for parking, the prime street locations are reserved for free motorcycle parking. Additionally, the project incorporated concrete parking pads to prevent bikes from tipping over due to melting asphalt on hot summer days.

BROWN OUT: A recent print advertisement by UPS, seeking Christmas help, features a glaring, stereotypical leather-clad biker, with the following parody to a familiar holiday tune:

"Oh, the leather on Clyde is FRIGHTFUL.

And not paying him back is painful!

Before holiday bills make you sob,

Part-time job, part-time job, part-time job!!"

The ad goes on to say, "Borrowing money from someone like Clyde to cover holiday expenses is a very bad idea. Wouldn't it be better to get a part-time job at UPS?"

The ad appeared in the Sunday, October 5 edition of the Delaware County Times in Pennsylvania, and was brought to the attention of the National Coalition of Motorcyclists board of directors during the NCOM Regional Meeting in Philadelphia on November 1st by past board member William "Moon" Laber.

If you have a better idea on how UPS could be spending their advertising money, give 'em a holler at UPS Corporate Headquarters, 55 Glenlake Parkway NE, Atlanta, GA 30328.

MICHIGAN MOTORCYCLE NEWS: Michigan motorcyclists are making headway in their fight to repeal the state's mandatory helmet law, but in the meantime bikers are busy supporting and opposing other pieces of legislation that impact riders, and celebrating some other important victories.

Due to bikers writing and calling their legislators when the governor tried to remove the Motorcycle Safety Program from



Continued from page 6

the state budget, the Michigan MSP has been removed from the Department of Education and placed with the Secretary of State to protect the program's funding from being raided to make up for other budget shortfalls. The safety program is, and has been, a self-funded program using biker money to operate.

Concerned Michigan riders are also fighting House Bill 4337, which would amend the Michigan Vehicle Code to revise the permissible noise level for a new motorcycle or moped. Currently the law prohibits a dealer from selling a new motorcycle or a moped that produces a maximum noise in excess of 83 DBA, but the bill would lower that level to 80 DBA, which is significantly quieter.

Also of concern is a No-Fault insurance proposal, SB 0392, that is generally unfair to those who choose a 2-wheeled mode of transportation.

As if that's not enough on their plate, they are also supporting a bill, HB 5008, to change the renewal date on motorcycle registrations to your birth date, instead of March 31, and also includes options to purchase more than one year at a time.

They also have a biker anti-discrimination bill in the works. Good job, and good luck!

INTERNET SCAMS USE MOTORCYCLES AS BAIT: If you're shopping for a new motorcycle, beware of a new Internet scam that may take your wallet for a ride. In an October 21 "Problem Solvers" report on Local 6 News in central Florida, commentator Mike Holfeld uncovered Internet scam artists who are pirating legitimate eBay accounts and are reportedly using Harley-Davidson motorcycles as bait to rip off users.

In his report, Holfeld interviews a woman who wired \$4,600 to a man in Berlin, Germany to purchase a Harley Fatboy in an online auction. The money was picked up 24 hours later, but then the bike and the imposter disappeared.

Now, it appears phony auctions are being set up by account imposters, some using Harley-Davidson motorcycles as the bait, according to the news report.

Holfeld reported that more and more eBay members are discovering their accounts have been hijacked, and industry insiders say 30 or more bogus auctions are running at the same time. Buyer Beware!

MOTORCYCLE TRIVIA: NEW YORK TOLA.: The record for traveling from New York to Los Angeles by motorcycle is 45 hours, 41 minutes. It was set in 1968 by Tibor Sarossy, riding a BMW Model R69S. Sarossy made four fuel stops, never slept, fainted twice and averaged 58.7 mph all the way across.

WEIRD NEWS OF THE MONTH: FOR A BUCK, NAKED: When a Rappahannock County Deputy Sheriff was dispatched to a rural Virginia residence to investigate a noise complaint about a motorcycle blasting up and down the street at 7:30 in the morning, he was shocked to find 54-year old Peter Kreyling, a county building contractor, roaring along

on his Harley buck naked, except for his shoes.

The rookie officer, who just started the day before, stopped the motorcyclist, took a moment to size up the situation, and then calmly asked Kreyling, "Where's your helmet?"

The deputy soon found out that Kreyling was involved in a photo shoot for a calendar being put together by his wife to raise money for a new track at Rappahannock County High School, and is now the hottest topic in this rural and picturesque county.

It features more than a dozen local men—some as old as 80—parading around—tastefully, of course—in their birthday suits. Besides the naked motorcyclist, there are nude apple pickers, a daring beekeeper and a 70-year-old blacksmith presenting the bare facts.

The most famous of the calendar models is former "Dukes of Hazzard" star and ex-U.S. Rep. Ben "Cooter" Jones. The Rappahannock resident has no regrets or apologies.

"This is the best argument for clothes there ever was," he jokes. "It gives nudity a bad name."

Mrs. Donovan was walking down O'Connell Street in Dublin when she met up with Father Rafferty. The Father said, "Top o' the mornin' to ye! Aren't ye Mrs. Donovan and didn't I marry ye and yer husband 2 years ago?" She replied, "Aye, that ye did, Father." The Father asked, "And be there any wee ones yet?" She replied, "No, not yet, Father." The Father said, "Well now, I'm going to Rome next week and I'll light a candle for ye and yer husband." She replied, "Oh, thank ye, Father." They parted ways. Some years later they met again. The Father asked, "Well now, Mrs. Donovan, how are ye these days?" She replied, "Oh, very well, Father!" The Father asked, "And tell me, have ye any wee ones yet?" She replied, "Oh yes, Father! Three sets of twins and 4 singles, 10 in all!" The Father said, "That's wonderful!" How is yer loving husband doing?" She replied, "E's gone to Rome to blow out yer fookin' candle"

Bypass Constitution?

Justice Sandra Day O'Connor predicts that the U.S. Supreme Court will increasingly base its decisions on international law rather than the U.S. Constitution, according to an article in the Atlanta Journal-Constitution. By doing so, the court will make a good impression among people from other countries, she said. "The impressions we create in this world are important and they can leave their mark," Justice O'Connor said.

On the whole, the U.S. judicial system leaves a favorable impression around the world, she said "but when it comes to the impression created by the treatment of foreign and international law and the United States court, the jury is still out."

The 73-year-old justice made her remarks at a dinner in Atlanta sponsored by the Southern Center for International Studies. The first cited case was decided in 2002 when the Supreme Court found it unconstitutional to execute the mentally retarded, she said. In arriving at that decision, Justice O'Connor said, the high court noted that the world community overwhelmingly disapproved of the practice. Also influential was a court brief filed by American diplomats who discussed the difficulties confronted in their foreign missions due to U.S. death-penalty practices, she said.

The second ruling cited by Justice O'Connor was the striking down of the Texas antisodomy law, relying partly on a series of decisions by European courts on the same issue. "I suspect," Justice O'Connor said, "that over time we will rely increasingly - or take notice, at least - increasingly on international and foreign courts in examining domestic issues."

The Feds Are Drunk With Their Power

By Jon Caldara, president of the Independence Institute in Golden CO

Today's topic: blood alcohol content.

My position: I'm for it.

The higher it is in me, the more I like you. The higher in you, the better I look.

Alcohol mixes well with many things: social gathering, time with friends, the ball game. We all know, and all too well, that it doesn't mix with driving. Over the last few decades our attitudes on driving and drinking have changed for the better. No reasonable person accepts it.

Tougher laws and more public awareness have saved lives. Since 1982, alcohol-related fatalities per 100 million vehicle miles traveled in Colorado dropped 56 percent. Our very tight blood-alcohol levels can take part of the credit.

Mothers Against Drunk Driving has been unsuccessful in convincing the people of Colorado and our Legislature to lower the blood alcohol content level from the current 0.10 to their goal of 0.08 percent. But why bother convincing us that it is a good idea when you can get Washington to cram it down our throats?

And that's just what's happening.

It's worth noting that in many ways, Colorado's current, multiple-tiered blood-alcohol content system is more stringent than what MADD wants. To be driving while "under the influence" here, your BAC must be over 0.10. But unique in America, we have a level of only 0.05 for "driving while ability impaired."

Forget lowering the BAC to 0.08. In Colorado it is already against the law to drive at 0.05!

Hell, we even have a zero-tolerance level for underage drinkers. There's a "Baby DUI" at only 0.02!

Used to be we had no tolerance for Washington blackmailing with our own money, either. But it looks like courage to stand up to federal bullying is crumbling under the gold dome.

We pay taxes, like gas taxes, here in Colorado that go directly to Washington. Then, we spend more money on lobbyists, politicians and paperwork trying to get a fraction of that money back. Colorado is what's called a donor state; we pay more in transportation tax than we get back from the feds. If only we had the political will to keep it here in the first place, we'd have more roads, more freedom and less tax.

Even when we get a fraction of our own money back, it doesn't have the same buying power it did before it left the state. To get that fraction back, we have to agree to a bucket-load of

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costly regulations, everything from work rules to employee benefits to building specifications.

Several years back, the feds held the states' own money hostage until all the states raised their drinking ages to 21. Before that, Colorado had a sensible two-tiered drinking age. At 21, you could drink any type of booze you wanted. But from 18 until 21, you could drink only weak 3.2-percent beer. This acted as "drinking training wheels." Given all the binge drinking enjoyed by young adults today, I have little doubt the old way worked better.

That's the beauty of having different states doing things differently. It's why our Founding Fathers called it the United States, not the United State. Just because California has more congressmen than Colorado, they shouldn't dictate the laws Colorado legislators must pass.

While we have caved on the drinking age, we have held strong on our tight blood-alcohol levels. Again last year the state Legislature turned down nearly \$5 million in "federal" money by not changing the BAC. But the blackmail gets tougher every year. By 2007 the cost of self-determination will be \$20 million.

It is a price worth paying. Not only on simple principle, but because Colorado's current system is working and saving lives. Some states that have changed their BAC level to 0.08 have actually seen an increase in fatalities.

The real problem is not the people driving with a level between 0.08 and 0.10. (Again because that is already against the law here!) The problem is idiots above the 0.10 level. The average blood alcohol content for drivers involved in alcohol-related accidents is a whopping 0.16. Lowering the BAC to zero won't change that; only stronger penalties will.

If the feds need to flex their muscles, it would be wiser for them to set performance goals instead of nitpicking blood-alcohol levels. If a state reaches a goal of less than X alcohol related accidents per million vehicle miles traveled, then it gets the dough. This way the legislatures can decide what mixture of law enforcement, BAC levels and education works best for their state.

Gen. Franks Doubts Constitution Will Survive WMD Attack

John O. Edwards, www.NewsMax.com
Friday, Nov. 21, 2003

NEWSMAX.COM Gen. Tommy Franks says that if the United States is hit with a weapon of mass destruction that inflicts large casualties, the Constitution will likely be discarded in favor of a military form of government. Franks, who successfully led the U.S. military operation to liberate Iraq, expressed his worries in an extensive interview he gave to the men's lifestyle magazine *Cigar Aficionado*.

In the magazine's December edition, the former commander of the military's Central Command warned that if terrorists succeeded in using a weapon of mass destruction (WMD) against the U.S. or one of our allies, it would likely have catastrophic consequences for our cherished republican form of government.

Discussing the hypothetical dangers posed to the U.S. in the wake of Sept. 11, Franks said that "the worst thing that could

happen" is if terrorists acquire and use a biological, chemical or nuclear weapon that inflicts heavy casualties.

If that happens, Franks said, "... the Western world, the free world, loses what it cherishes most, and that is freedom and liberty we've seen for a couple of hundred years in this grand experiment that we call democracy."

Franks then offered "in a practical sense" what he thinks would happen in the aftermath of such an attack.

"It means the potential of a weapon of mass destruction and a terrorist, massive, casualty-producing event somewhere in the Western world – it may be in the United States of America – that causes our population to question our own Constitution and to begin to militarize our country in order to avoid a repeat of another mass, casualty-producing event. Which in fact, then begins to unravel the fabric of our Constitution. Two steps, very, very important."

Franks didn't speculate about how soon such an event might take place.

Already, critics of the U.S. Patriot Act, rushed through Congress in the wake of the Sept. 11 attacks, have argued that the law aims to curtail civil liberties and sets a dangerous precedent.

But Franks' scenario goes much further. He is the first high-ranking official to openly speculate that the Constitution could be scrapped in favor of a military form of government.

The usually camera-shy Franks retired from U.S. Central Command, known in Pentagon lingo as CentCom, in August 2003, after serving nearly four decades in the Army.

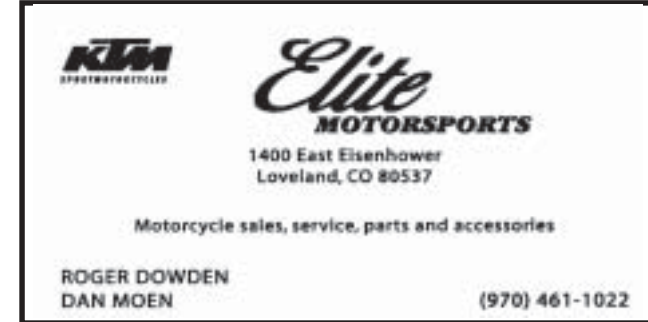
Franks earned three Purple Hearts for combat wounds and three Bronze Stars for valor. Known as a "soldier's general," Franks made his mark as a top commander during the U.S.'s successful Operation Desert Storm, which liberated Kuwait in 1991. He was in charge of CentCom when Osama bin Laden's al-Qaeda attacked the United States on Sept. 11.

Editors note: Given Gen. Franks comments, can we be sure that the government themselves won't execute a WMD attack against us using CIA arab operatives to usher in their new world order? Remember that the CIA trained al-Qaeda and who was the head of the CIA? George Bush senior.

Greeley Police Ignore Facts of Accident

By Bob Schleiger - Editor RFJ

Former Abate of Colorado officer and RFJ member, Dave Christy, talked at the November Eastern Colorado RFJ meeting about an accident that Dana Packwood of Aurora had in Greeley CO. A women driving a car pulled the classic left turn in front of Dana, causing an accident and injuries to Dana. Dave stated that officer Walsh issued a ticket & *penalty assessment* to the at-fault driver at the scene. This should not have happened; a summons to court should have been issued instead. Colorado Statute provides that in an accident *with injury*, that injury must factor in to the eventual penalty and disposition of the complaint and summons. Officer Walsh had no knowledge of the extent of injury at the scene; the differences between what constitutes "bodily injury" and "serious bodily injury" most assuredly are not his to ascertain nor interpret in this case, even if a possible initial query of the on-scene paramedics was conducted. Indeed, his report states that he contacted Packwood at the hospital *prior* to her being x-rayed, and even with that, x-rays in and of themselves are but a primary example of injury.



Any assessment that he made at the accident scene was/is conjecture on his part, and quite premature

Dave's full letter to Greeley officials is available for you to read at http://www.ridersforjustice.com/Christy_complaint.html. The eventual outcome of this accident was that the women who ran into Dana, paid her ticket, and received an *automatic* plea bargain down to a *paltry and pathetic one-point violation for a defective headlamp!*

Dave wanted to again bring up to all of us how motorists are constantly getting off the hook when hitting motorcyclists, even when injuries are involved such as this case. Dave is looking into possibly bringing up legislation to prevent this in the future.

While I agree with Dave on this issue of cops letting cage drivers walk away with nothing short of a slap on the wrist, I brought up the fact that Abate of Colorado tried to push through legislation similar to what he is proposing last year. Riders For Justice took the official position that we are against this type of legislation and fought the bill last year because Colorado already has plenty of laws on the books to prosecute these types of collisions. The problem is, and continues to be, law enforcement officers who have a total lack of regard for motorcyclists and WILL NOT enforce the existing laws just as in the collision Dana had. Will more laws work? Personally I doubt it. We were warned in the hearings last year that if we push for preferential legislation for bikers, then we are opening ourselves up to a full blown helmet law in Colorado. Special rights get special restrictions. The legislators told us that they cannot force the police to enforce the laws on the books.

Dave is looking for other examples of these types of accidents to see how prevalent this practice is. If you are interested in helping Dave, please forward your information to RFJ president Darrin Trussell and he will get the information to Dave. Whether RFJ can support future legislation depends on whether we are given the opportunity to have input on it prior to it being introduced unlike all previous attempts by Abate of Colorado where they consulted with no other motorcycle rights groups in the state before pushing their agenda ahead. RFJ is not against working with Abate on legislation that will help bikers, but our members will need to be solidly behind anything that is put together and we will not support anything that is special rights for bikers that will absolutely guarantee us a future helmet bill being passed.

A free people ought not only to be armed and disciplined, but they should have sufficient arms and ammunition to maintain a status of independence from any who might attempt to abuse them, which would include their own government. - George Washington

"The abandonment of original understanding in modern times means the transportation into the Constitution of the principles of a liberal culture that cannot achieve those results democratically." —Judge Robert Bork

How The IRS Violates Its Own Code

By Devvy Kidd

NewsWithViews.com "...We're confiscating property now....That's socialism. It's written into the Communist Manifesto. Maybe we ought to see that every person who gets a tax return receives a copy of the Communist Manifesto with it so he can see what's happening to him." - T. Coleman Andrews, May 25, 1956, U.S. News & World Report, Commissioner of the IRS for 33 months Under the Eisenhower Administration before he resigned.

The response to my recent article, IRS Makes Chilling Proclamation, was overwhelming and really got folks angry. Good. It's about time something nudged the people of this nation out of their self induced comas to face a harsh reality: Our servant government (both Republicans and Democrats) have lied to you for the past eight decades regarding the income tax. The IRS cannot handle the situation any longer, so they are resorting to unlawful enforcement actions and using the "mainstream media" to instill even greater fear in the American people.

The big lie

The big lie is that the income tax applies to domestic Americans, when in fact, it does not. The powers that be know the American people simply don't want to believe that their favorite politician, whether it be FDR, Joe Lieberman, Dana Rohrabacher, Jimmy Carter, Jesse Helms, Diane Feinstein or George Bush, Jr., have been lying to them. People would rather willfully believe the big lie than face reality. The path of least resistance and that's how slaves are made.

However, the IRS knows that more and more Americans are finding out that the income tax does not apply to domestic Americans. This is a provable fact and it is the single and only reason the IRS and DOJ reneged on the Truth-in-Taxation Hearings that were scheduled for February 27 & 28, 2002. On those days, the people were to sit in the seats normally occupied by members of Congress in an official hearing room just like you see on C-SPAN, with the IRS and DOJ sitting at tables as witnesses.

Those hearings were brokered by Congressman Roscoe Bartlett. In the end, IRS and DOJ thumbed their noses at We the People and refused to send their witnesses. You see, they couldn't. They could not take the chance that so many people would find out the truth about jurisdiction and who the income tax applies to under the law as written. This writer currently has three FOIA lawsuits in Federal District Court against Ashcroft, the IRS and Treasury in an attempt to obtain the documents revealing why DOJ and IRS reneged on the deal made for those hearings.

Because the truth has become self-evident regarding the fraudulent nature of the income tax, its deliberate misapplication against an unsuspecting, but dutiful people, the new Commissar of the IRS, Mark Everson, has begun issuing nothing less than Nazi styled proclamations that if anyone dares to expose this truth or not "pay their fair share," our servant government will step up its tyrannical attack on what used to be a free people.

If you don't own the fruits of your own labor, you are NOT free, you are a slave. Right now, petty despots in third world dumping grounds, the Pakistani government and the Russian Mafia own the fruits of your labor via your money paid to the IRS and funneled to the IMF (International Monetary Fund) via the central bank. That's a fact.

It's the money, honey

The grind by millions of us who fully understand the monetary system in this country and its direct relationship to this insidious, progressive, direct taxation, know that none of it is necessary or essential to fund a limited form of Republican government. Neither is a flat tax, a "fair" tax or a consumption tax.

This culture of the IRS and taxation needs to be re-examined by those who don't know history and certainly don't understand the central bank and why it's so dangerous to our liberties. Get the truth before you fall into the well designed trap of accepting these other phony fixes (flat tax, sales tax, VAT) that will only continue feeding the privately owned "Federal" Reserve. The irrefutable facts on this can be found at: <http://www.devvy.com/notax.html>

Common methods of stealing from the American People

Let me give you some facts that you may not be aware of, but should. The IRS gets away with their illegal activities against Americans for two reasons: (1) the big fear factor, and (2) because of the lack of facts by those being plundered by IRS employees and attorneys whose only concern is for their paycheck. They care nothing for the law and are little better than government sanctioned thieves. Do they know the truth? Of course they do, but when it comes to the law and paychecks, the law takes a back seat.

Revenue Officers send out an IRS form numbered 688-A, "Notice of Levy" to banks, brokers and employers. Problem here is, they always send out this form lacking something very important: an actual levy or court order.

On the back of this form you will find "excerpts" from Title 26, the IRC, code section 6331, the "Levy and Distraint" code section. But, a funny thing one sees is that this excerpt begins with paragraph b, with paragraph a omitted. Does that have any meaning? It certainly does if you look at the code:

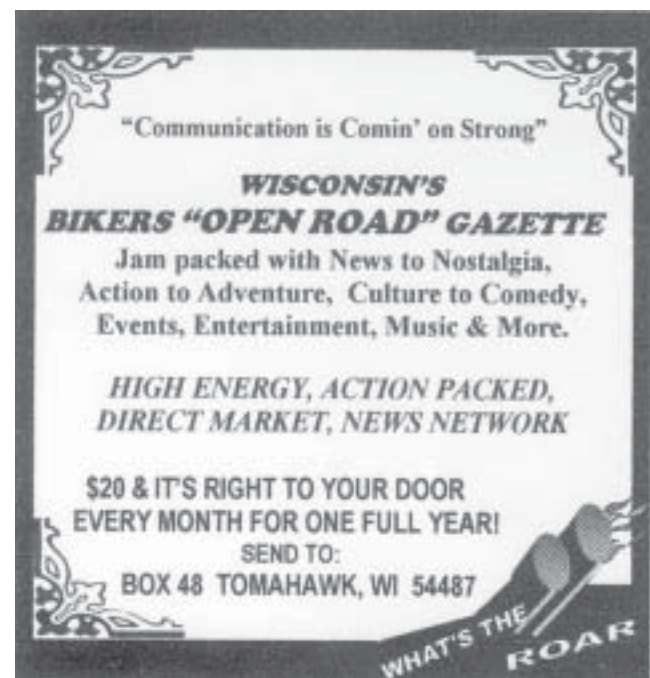
The authority to levy is restricted to and contained within Section 6331(a) of the Internal Revenue Code. IRC 6331 - Levy and distraint.

(a) Authority of Secretary. If any person liable to pay any tax neglects or refuses to pay the same within 10 days after notice and demand, it shall be lawful for the Secretary to collect such tax (and such further sum as shall be sufficient to cover the expenses of the levy) by levy upon all property and rights to property (except such property as is exempt under section 6334) belonging to such person or on which there is a lien provided in this chapter for the payment of such tax.

Levy may be made upon the accrued salary or wages of any officer, employee, or elected official, of the United States, the District of Columbia, or any agency or instrumentality of the United States or the District of Columbia, by serving a notice of levy on the employer (as defined in section 3401(d)) of such officer, employee, or elected official). If the Secretary makes a finding that the collection of such tax is in jeopardy, notice and demand for immediate payment of such tax may be made by the Secretary and, upon failure or refusal to pay such tax, collection thereof by levy shall be lawful without regard to the 10-day period provided in this section.

Whoops! Do you see yourself, your brother-in-law or friend who isn't an officer, employee or elected official of the United States, District of Columbia, or any agency or instrumentality of the United States of the District of Columbia, fitting in this description of a "person liable" under this section of the Internal Revenue Code?

Didn't think so, but this major legal fact is deliberately withheld from the terrified "taxpayer" who will get down on their



knees in total fear of losing the roof over their heads and sign over their life in "scheduled payments" to these thieves. It is fear which has kept this fraudulent system alive for so long.

But, we're not done yet. Let's look at code section 6332(c) under "special rule for banks:"

Special rule for banks

Any bank (as defined in section 408(n)) shall surrender (subject to an attachment or execution under judicial process) any deposits (including interest thereon) in such bank only after 21 days after service of levy.

This section of Title 26 states that a notice of levy must be accompanied by an "attachment" of levy (court order). The IRS never includes the attachment of levy with the Notice of Levy. Why? According to John Turner, former Revenue Officer, Collection Division:

"Even though CID agents do have "Enforcement" Pocket Commissions they are not the ones that collect taxes. But even if they were in the business of collecting delinquent taxes, as are RO's [revenue officers], an "enforcement" commission would still not authorize them to "levy".

"What the nonenforcement pocket commission illustrates is that the Internal Revenue Code and the 16th Amendment (assuming for a moment that it had been properly ratified) are constitutional as written, which includes the idea that citizens cannot lose their property without constitutional due process (not the bastardized form of "due process" that the Courts have allowed with respect to collection of income tax).

"What do I mean by that? Well, it has to do with the notion that the needs of the State take precedence over the needs of your individual rights. They think that nothing, including your individual rights, should interrupt or delay the revenue to the government. So, they have specified that you may pay your taxes and sue the government, therefore, your due process is still intact.

"In other words, force cannot be used in the administrative collection (enforced collection actions) used by RO's. They DON'T collect with court orders (due process) and the notices of levy are all made possible only by the assistance of third parties (banks, employers, ignorance of citizens, etc.)

"As an aside, that is why the law isn't written with specific enough language to demonstrate clearly that income tax is

10. RIDERS FOR JUSTICE

required. If the law actually applied to most Americans they would word it in such a way. It is NOT worded in such a way as to be clearly mandatory and that keeps it from crossing the line and becoming out of harmony with the Constitution.

“The nonenforcement pocket commission, which is issued to people who supposedly perform “enforcement” activities (levy, etc.), illustrates and confirms also that IRS agents don’t have authority to use force to take people’s property - that would break the law.

“Revenue Officers have no bona fide legal or IRC authority to engage in enforcement activity; this common method of stealing by the IRS is as common as the sun rising. Further clarification of how this fraud is jammed down the throats of unsuspecting Americans is the fact that Revenue Officers only have statutory administrative authority and carry a “pocket commission” with ID numbers that begin with the letter “A” for administrative.”

Tip of the Iceberg

The deception laid out above is only the tip of the iceberg. At this time, this writer is looking into the “big kahoonah” of fraud knowingly committed by the IRS: mail fraud.

It has been brought to my attention by a former FBI veteran who left that organization for a number of reasons, one being he couldn’t stomach what was going on, is that the IRS is also engaging in mail fraud, see 18 U.S.C. Section 1341 - Fraud and Swindles.

This is directly tied to the code violations above and possibly represent RICO violations against IRS employees/officers and agents who participate in such fraud. If this proves to be the case, it’s time to move forward legally against those IRS employees engaging in this illegal activity. No one is above the law.

Get off the plantation

It is honorable to want to “pay your fair share” to ensure there is adequate funds to fund our military and the other limited areas of expenditures authorized Congress under Article 1, Section 8 of the U.S. Constitution. Paying a tax you lawfully owe is the right thing to do, the key word here being lawfully.

There are no other organizations in this country today that are lawfully and non-violently taking the strongest action to stop these criminal activities by the IRS, via stopping the withholding and exposing the nature of the voluntary income tax, than We the People Foundation and We the People Congress, Inc. These organizations are not “think tanks.” They are education and action oriented.

Critical mass is needed and that means you getting involved.

Get off the plantation. Put your fear on the back burner and join us. An important lawsuit is about to be filed by We the People Foundation and you can read the details at: <http://www.givemeliberty.org/>. **Do it and do it today.**

We cannot be the land of the free and the home of the brave if our citizenry will not stand up to tyranny.

Now, which is it going to be? Will you live in fear or will you stand with us? © 2003 Devvy Kidd - All Rights Reserved

“And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are the gift of God? That they are not to be violated but with his wrath? Indeed I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever.” —Thomas Jefferson

Power to the people

By Roderick T. Beaman

John Lennon’s 1971 revolutionary mantra was a chant of frustration that libertarians can take for their own. Lennon never made it exactly clear what kind of power to what people he wanted but he was wrapped up in a lot of New Left causes at the time.

Mao Ze-Dong once observed that political power comes from the barrel of a gun. He was right, of course, for the essence of government power is coercion. It’s very difficult to coerce anyone without the threat of violence.

It’s incredible sometimes how the goo-goo left tries to ignore that reality. Tom Wicker, the southern liberal journalist of The New York Times, wrote a book, ‘A Time To Die’ about the prisoner uprising at Attica in 1971. During the publicity tour, he appeared on The Merv Griffin Show and regaled the audience with the insight that when one person possesses a gun and another doesn’t, it has some profound effect on their relationship. Griffin, adopting a thoughtful countenance, fawned as if that was some new truth of biblical proportions. Having experienced a gun pointed at me and a knife held to my abdomen, I was less than impressed with the profundity his insight. Any two-bit punk could vouch for it.

But what is power for the people? I have two suggestions. The first is weapons and the second jury nullification. What power do the people truly have if they don’t have both of these options?

Jury nullification has been a topic that has interested me for quite a while and I’ve been ambivalent about it. After all, the law is the law and is the glue that holds society together. Jury nullification seems to violate that.

But, at the same time, it serves notice on the government that the people are its final source of legitimacy and that it must be able to satisfy them of the propriety of its laws in an ultimate forum. Government, then, may find itself forced to not only prove that the accused violated the law but also facing a debate, in open court, over whether the law does not violate the common sense of the ordinary citizen. This could be the ultimate check on government’s power to legislate, prosecute and tyrannize its people. It means that the accused can appeal to the jury and say that although he may have broken the law, as written, that law is unreasonable and wrong. This is heady stuff; the people as the final arbiter of the law.

This principle is a thumb in the eye or a knee in the groin to the government. It usurps the entire judicial system and leaves judges and attorneys helpless against an outraged jury. Judges, who have heretofore thought of themselves as the sacrosanct vicars of the law, are threatened. The results have been predictable.

Judges are outraged. Many are horrified at the thought that they might, after all, be overruled by what they regard as their mere subjects. Some have gone so far as to forbid the jury nullification approach by the defense. This principle may go to the Supreme Court for a final decision. We should all hope that for once the Supreme Court comes down on the side of common sense. Personally, I endorse jury nullification for when the law veers from the common sense of the common man, it has gone a long step from legitimacy.

It impresses me that this would be an especially useful argument for defenses in cases of government arrogance; income taxes and the Patriot and RICO Acts come to mind. In income tax cases, the government has relied on taxpayer resentment among jurors who pay their taxes to prosecute its cases. Jury

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nullification allows the defense to appeal to the citizens’ resentment of the whole system and point out to them that, under the current system, they could be next if they convict.

Weapons are another matter. If Mao’s dictum is true, then unlimited weapons must remain with the people. One of the best treatments of this subject I have ever read is ‘All Guns To The People’ by William Tonso in the current issue of Liberty Magazine. Tonso goes to great lengths to demonstrate, conclusively, that throughout much of our history, our citizens had better arms than the military. The article made me even more resolute in my conclusion that there is no constitutional justification for any interference by any government at any level in this country in the right of the people to possess any kind of weapon and that includes nuclear weapons. And the people include felons who have served their time and even the insane. I am somewhat uneasy with that especially with the latter but the blanket wording renders them that right.

Oh, there are many who will rail at the dangers of that but if everyone is armed, as is their option also, they will be able to respond to the excesses of convicted felons and the insane a long time before local law enforcement can as the goo-goo Left tells us. In some cities, the police departments have become such jokes, street lore has it that you could shoot someone in his house and you would have time to prepare yourself a meal, clean up the place and clear out before the police would arrive. That is hardly an immediate deterrent.

It is no accident that totalitarian states first disarm their citizens. The Jews in the Warsaw Ghetto knew why. It was for the same reason that many southern states forbade blacks from owning firearms. The courage of hobnail boots and sheets with burning crosses dissolves rapidly when looking down the wrong end of a gun barrel.

The National Rifle Association, contrary to being an advocate of arms rights, is actually an unwitting agent of the conspiracy to strip us of our constitutional rights. No restriction of weapons rights, of any type, against any person is permitted by the Constitution. It lists no exclusions. Our citizens have the right to arm themselves, in any manner they deem appropriate, to protect themselves from harm.

So I return to my original point: Jury nullification and weapons of any type. Power to the people.

Right on.

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It’s funny how a SEMI-automatic rifle in the hands of a Real American Man is called an “Assault Weapon” while the FULLY-automatic rifle in the hands of a soldier is called a “rifle.” -Chris Linstruth

Green Wealth: Funding the Enemy

By Alan Caruba

Green and animal rights organizations do not subsist on the sale of calendars, books, and stuffed animals. They are wealthy beyond the comprehension of most Americans and others who support them in the belief they are "protecting the environment" and saving animals from "cruelty" and "extinction."

You will be astonished to learn that there are more than 4,000 environmental groups in America today. "And the number is growing," warns Ron Arnold of the Center for the Defense of Free Enterprise, "and they are really out to get you." Worse, they have the clout and the money to do it." They use it to lobby and support members of Congress to initiate legislation harmful to the interests of all Americans.

Hugo Gurdon of the Competitive Enterprise Institute, in a recent National Post article, noted that "The 12 biggest environmental pressure groups in the United States enjoy combined annual revenues of \$1.95 billion, according to the latest Internal Revenue Service figures. Only 725 of the United States' 20 million companies can boast such magnificent cash flow."

"Among the green dozen are some-Nature Conservancy (\$731 million) and the Wildlife Conservation Council (\$311 million)-that are merely left-of-center. But there are genuinely extreme organizations-the World Wildlife fund (\$118 million) and the Sierra Club (\$73 million)-that militate aggressively against the free market and attack property rights to the detriment of the economy and the majority of ordinary people," said Gurdon.

Arnold has written several excellent books on this topic that demonstrate how the Natural Resources Defense Council, the Environmental Working Group, and the Rainforest Action Network, have a long record of activities that undermine entire industries and the welfare of the nation's mining, ranching and farming enterprises.

In the case of the animal rights groups, Arnold has documented how People for the Ethical Treatment of Animals (PETA) is a case history of IRS tax law violations, stolen trade secrets, advocated arson, and assaulted business executives.

The Greens and the Animal Rights groups use every protection afforded by the Constitution and every loophole in our legal and IRS codes to pursue their war on capitalism, property rights, and the welfare of this nation. They are a Socialist Taliban.

Americans for Medical Progress, a group that monitors the Animal Rights movement that opposes the use of animals for medical research, recently released information concerning the wealth of some of the leading groups. PETA's annual budget is \$13,499,614. It has net assets worth \$4,480,988. It heavily underwrites the Physicians Committee for Responsible Medicine whose budget runs \$2,915,847.

The American Anti-Vivisection Society as assets in excess of \$11,561,737 and an annual budget of \$1.2 million. The Fund for Animals has net assets in excess of \$189,438,862 and runs an annual budget of more than \$5.6 million. Defense of Animals is worth \$1,483,334. There are others that include the Animal Welfare Institute, the Animal Legal Defense Fund, the Doris Day Animal League, and the Humane Society of the United States.

The Greens are leading the battle against genetically modified foods, a scientific breakthrough that promises to end famine. They are behind the US government's former forest

management policies that have led to years of catastrophic fires. Within the passed few weeks the Bush administration has announced the revisions necessary to thwart this menace. Through their use of the Endangered Species Act and other "environmental" legislation, they fund the attack on property rights, the keystone of the American economy. They have undermined the training of our nation's military through such laws as well.

While our attention is focused on the threat of the global Islamic Jihad, we also have to keep an eye on these groups. The threat of the Earth Liberation Front and the Animal Liberal Front is international in scope and increasing daily here on the home front. They have begun to use violence against individuals to achieve their goals. In the past, they have specialized in arson and vandalism, some of which has destroyed years of scientific research for the benefit of humans, animals and protection of natural resources such as our forests.

You can learn the facts by visiting sites such as www.undueinfluence.com, www.ranamuck.org, all provided by the Center for the Defense of Free Enterprise, www.cdfef.org. In the interest of full disclosure, I am an adjunct scholar of the CDFE.

The next time someone buys a Sierra Club calendar or gets a slick brochure asking for a donation to these causes, that money will fund the enemies of America.

This commentary is posted courtesy of Eugene A. Cieply, a sponsor of The National Anxiety Center.

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A Mexican, an Iraqi and a New Yorker were in a bar one night having a beer.

The Mexican drank his beer and suddenly threw his glass into the air, drew a gun and shot the glass to pieces. He said, "In Mexico our glasses are so cheap that we don't need to drink from the same one twice."

The Iraqi, impressed by this, drank his beer and threw his glass into the air. Then he drew a gun and shot the glass to pieces. He said, "In Iraq we have so much sand to make glass that we don't need to drink out of the same glass twice either."

Seeing this, the New Yorker picked up his beer, drank it, threw his glass into the air, drew a gun and shot the Mexican and the Iraqi. He said, "In New York we have so many Mexicans and Iraqis that we don't need to drink with the same ones twice!"

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