

HALF-FULL REPORT 07/01/22

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What a Week! Government Power is Devolving

Jack Wheeler is leading another incredible expedition. He returns next week.



Welcome to the

Independence Day HFR! While we celebrate Independence Day on July 4, our Canadian neighbors celebrate Canada Day today, July 2.

The Deep State, or the administrative state, is composed of 437 federal agencies and 2.9 million bureaucrats engaged in eroding liberty through regulatory action. They get up every morning with one purpose: expanding power for those 437 agencies at the expense of the ordinary citizen.

All over the world, we have been watching administrative states in many countries, deep states, lose their minds and become drunk with power. Covid gave many democratically elected leaders their first taste of dictatorship, and their heads swelled to fill the available space.

The Patriot Act and its repercussions were probably the peak deep state for the USA, and the peak deep stater was Barak Obama. Obama promulgated the *Clean Power Plan*, which SCOTUS shot down yesterday.

The recent decision aligned with a global trend of government decentralization. In the USA, we have several magnificent Supreme Court decisions. We have the emergence of new leaders such as Trump and DeSantis. Instead of micromanaging, they lead by changing the big things. In the case of Trump, it was the composition of the SCOTUS.

In other countries, we saw the war in Kosovo, Canadian truckers, BREXIT, and an urgency in the Kremlin to solidify borders. The collapse of the global warming narrative is making fools of international bodies.

Here in the USA, we have a civil war between poor working whites and whites that won't work. Academics call them the settled working class and the hard-living class. Biden's open borders are targeted toward the hard-living class as the fentanyl creates legions of new government dependents. The settled working class is winning and deploring the hard-living types.

This civil war at the bottom and the anger the settled working-class felt brought us Trump.

Trump brought us three new Supremes.

The three new Supremes just changed the world.

I Have a Dog in this Fight



My business owns portable emission

testing laboratories, and I have spent the better of forty years hauling scientific instruments up the side of tall smokestacks to measure the composition and properties of industrial emissions. I have often found myself in the courtroom challenging the EPA or state agencies over the actual emission rates from clients vs. the politically charged accusations of politicians seeking donations. When the EPA inspector rolls onto the site, the conversation often becomes something like, *"nice little factory you have here, hate to have something happen to it."*

I believe that my work, the work product of all those years, prevented the loss of over 150,000 American jobs across fifty states by providing accurate data to the courts. I have been shot at, robbed, stalked, vandalized, and harassed by enviros for pursuing good data. It's a bad day to be targeted with deer rifles while standing on a small platform, 300 feet above the ground while collecting samples through ports in smoke stack walls. I am glad that man-bun-wearing liberals can't use a rifle very well.

Other stack testing firms have less trouble as they seek close ties with the regulators. Somehow the mobs that

chain themselves to equipment or factory gates seem to know which testing firm is onsite. The government lets them know when the fix is in.

Many site owners fear the power of the EPA and state agencies and use appeasement in the form of political contributions or the use of company aircraft by politicians, and even outright graft to prevent being targeted by authorities. Some leave the USA. Electric utilities cannot leave and are therefore subject to the most significant abuses.

I don't work for milqtoast plant managers. But I know many Hank Reardons from *Atlas Shrugged*. These are the type of men that stood up to the government and challenged the EPA.

West Virginia vs. Environmental Protection Agency



Ever since the Clean Air Act was promulgated in 1963, and through each

amendment, emissions have been measured, regulated, and enforced using site-specific measurements or emission factors based on heat input or fuel consumption. Tens of thousands of air discharge permits were written and enforced this way.

Obama tried to change this in 2015 by promulgating the *Clean Power Plan*, which did two things. It declared carbon dioxide to be an air pollutant, citing authority from section 111(d) of the *Clean Air Act*. It changed the basis of compliance from regulated emissions from each electric utility power plant to an emissions bubble covering all power plants collectively. Section 111(d), known as the New Source Performance Standards program, requires new industrial and utility emission sources emitting more than ten tons per year of criteria pollutants, such as sulfur dioxide, to install MACT or *maximum-achievable-control-technology* as part of the permit process.

In reality, only the politically well-connected contributors to the Democrat Party could ever be granted a new air *Permit to Discharge*. For this reason, America's refineries and industrial base cannot be upgraded or expanded.

New process plants and utilities must either be (1) built outside the United States, (2) owned by corporations espousing radical leftwing views, or (3) driven by electricity from solar or wind.

Obama ordered the EPA to set the CO₂ emission limit for the entire United States and created the authority to shut down power plants upon reaching the limit.

If a plant in California connected to the Pelosi family was the emission limit breaker, the EPA might shut down a fully compliant plant in Texas. Electric utilities were issued permits to operate at a fraction of the total national rate and expected to buy and sell credits from other utilities, private parties such as Al Gore's foundation, or the EPA.

Carbon credits for the transactions are political, not scientifically, created. The effect would be to create billionaires from those granted emission credits with guaranteed returns on investment.

The *Clean Power Plan* replaced MACT with BESR or best-system-of-emission-reduction. BESR mandated fuel efficiency and generation-shifting at the grid-level forced utilities to move from coal-fired plants to combined-cycle natural gas-fired power plants.

Combined-cycle plants are an assembly of heat engines in series, each driven from the tail gas emitted from the previous engine. An example would be a gas turbine engine with a conventional steam boiler driven by exhaust heat. While efficient, they have lower reliability and availability than less complicated arrangements. They emit less CO₂ per unit of power produced because the methane in natural gas is composed significantly of hydrogen.

The *Clean Power Plan* also required thermal (gas-oil-coal) power plants to shift generation capacity to solar and wind farms or reduce the electrical output from the thermal plants. The national threshold was a moving target set by the EPA and not codified.

The wind and solar farms did not need to produce power to sell credits to the thermal plants. The rated capacity, not actual output, determines credit availability. So a plant in Bangor, Maine, with no hope of generating solar power, could sell credits to a company in California.

Homeowners in California with grid-tied solar panels on their roofs that took a tax credit upon installation did not own their carbon credits under the *Clean Power Plan*. The local utility did, hence the homeowner's penalties and fines for not maintaining the grid tie.

Trump recognized the scam and saw its primary purpose as a government insider trading platform on steroids. He canceled the *Clean Power Plan* shortly after taking office but not before filing lawsuits.

The Supreme Court decision on *West Virginia vs. Environmental Protection Agency* reverses the expansionist view of EPA authority under the *Clean Air Act* through the *Clean Power Plan*. The court rejected the EPA's interpretation of its mandate to regulate the entire nation as a bubble.

It also rejected the arbitrary declaration of CO₂ as a criteria air pollutant. The decision is a big deal because it kills the entire insider trading scheme, perhaps across the entire planet.

The Biden Administration did not pursue Obama's defunct *Clean Power Plan* and announced in 2021 that Biden had a new *Clean Power Rule* in the works. He does not, but Biden or his handlers hoped the court would drop the matter or rule favorably.

Why This Matters

Whether you call it a technocracy, an administrative state, the deep state, the rules-based liberal order, or Italian-style Fascism, those 437 agencies grow their power by broadly interpreting previous laws. For example, the Commerce clause in the Constitution authorizes Congress to “regulate commerce with foreign nations, among the several states, and with Indian Tribes.”

It is the chief doctrinal source of assumed positive rights of government to nullify the Bill of Rights and individual state’s rights. For example, LGBTQP organizations threaten businesses with anti-discrimination lawsuits for insufficient rainbows. The DOJ supports the agenda and has agreed to pursue complaints from LGBTQP groups and individuals, including enormous financial awards.

But absent the incredibly expansive interpretation of the Commerce Clause, these LGBTQP groups and BLM would be subject to the RICO Act, or Racketeer Influenced and Organizational Act, for conspiring with the DOJ to force businesses to donate funds to these groups.

In North Carolina, LGBTQP groups have threatened more than 100 companies with boycotts and legal action if they move to the state. They threaten to sue companies and governments that do not allow grown men into women’s restrooms and children’s locker rooms. The threats are a RICO situation.

The DOJ, teacher’s unions, and the Department of Education threaten local school districts with legal action and loss of local control for failing to implement CRT. The courts have allowed it based on wildly excessive use of the Commerce Clause.

The *West Virginis vs. the Environmental Protection Agency* case will start to unwind these abuses.

Europe’s *Rule-Based Liberal Order*, otherwise known as the private takeover of the United Nations by international banking concerns, made much hay during the Covid panic. Prime ministers got a taste of absolute power.

As with a bear in the wild that tastes human flesh, the world must put down a new cadre of despots and dictators. Originalist interpretations of the law are necessary.

Roe vs. Wade

x

<https://youtu.be/cZldY28d3IA>

It finally happened. Roe was overturned.

Abortion is still legal in states that legislate it, and morning-after pills are flying off the shelf. The morning-after pills do not technically cause abortions, but Amazon sells abortion pills online that technically can cause an abortion up to the moment of birth.

So abortions have not stopped, but the ability of the courts to create positive rights that do not exist in the Constitution is now minimal.

We seem to be moving toward a system of government where the legislative branch will be required to create the laws, the executive applies the laws, and the courts interpret the laws. Imagine that. How revolutionary.

The case of *Dobbs vs. Jackson Women's Health* is another example of the trend of decentralization and a return to Federalism. It is another plank in the argument that we have passed peak central government and are heading into a long period of unraveling central authority.

Is this the Fourth Turning? If the theory is correct, these court decisions are right on time as they signal a shift away from the process started by FDR and first imagined by Wilson.

Gun Rights

Left-wing mayors had their authority clipped as SCOTUS found New York's politically based permit process unconstitutional. My small city has virtually no violent crime because everybody is packing heat. If the trend of legal victories continues, the entire USA might one day be a permitless carry zone. You can expect a great deal more civility.

Prayer at School

Imagine this! Justice Gorsuch wrote in his majority opinion that a high school improperly relied exclusively on the consensus that a coach's silent prayer on the 50-yard line was an endorsement of a particular religion by the school.

Prayer at school without being terminated is magnificent. But what are the implications for the new consensus-based 'science' of global warming?

This was a biggie.

Lev Zelenko

Dr. Zelenko died of cancer after a four-year battle. RIP, good sir. He saved millions of lives with the Zelenko protocol of hydroxychloroquine, vitamin D, and azithromycin during the Covid panic.

His protocol was another example of decentralization, this time at the expense of global pharma and scientism. Dr. Zelenko was born in Kyiv and emigrated to Brooklyn many years ago.

That Stupid Select Committee

Truth all a big game to the Demtards



Who watched the Jan 6 Insurrection Committee kangaroo court?

It continued to be a rating bust until Amber Heard took the stand. She told whoppers for sure. Trump, she said, fought his way past four secret service agents, over a row of jump seats, through the driver's partition, past the front right seat agent, and took control of the presidential limo, the Beast to force the vehicle to drive to the Capital.

She is done. History. Her career is ruined, and Liz Cheney still looks like Miss Piggy



That's a wrap.

Enjoy the Independence Day weekend. Freedom is beginning to ring out across the land. Let's hope that the Fourth Turning, with all its strife, ends in a return of Liberty to our great land.

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