

From: [REDACTED] on behalf of Monte & Tina Baker
[REDACTED]
Sent: Saturday, December 09, 2017 12:01 PM
To: FS-travel-comments-rocky-mountain-shoshone
Subject: travel management plans on the Shoshone Forest

Dear Public Servants:

"It is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions,. There are men of all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters." Daniel Webster

Issue #1

Roads across public lands are assets belonging to the People of the United States. " Article IV, section 3, paragraph 2, grants to Congress the "Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." Contingent with "We the People", Article IV refers to the property of the People of the United States, not the Property belonging to the United States Government. It follows; Any closure of roads is a "takings of private property", particularly in light of the RS2477 legislation of 1866, which granted a private property right in "right of ways across public lands" to every individual prior to 1976 when the Federal Land Policy and Management Plan (FLPMA) was enacted.

Although Sec. 706 repealed RS2477 in 1976, Section 701 of FLPMA reaffirms all valid right-of-way, or other land use right or authorization existing on the date of approval of the Act. The vast majority of RS2477 "user made" roads were validly created under a private property right (RS2477) to access lands and resources of the People, necessary to sustain their "Life, Liberty and pursuit of Happiness.

The Fifth Amendment to the Constitution declares: "Nor shall private Property be taken for public use without just compensation." You 'the Forest Service', are violating the Rights of the People by closing roads without just compensation. If you close a road, you must replace it with a road of equal or greater value.

Issue #2

The Forest Service has been negligent in managing the Public Lands. You have failed to render reasonable care in addressing cancers of the forests such as: Commander Rust, Blister Rust, Pine Bark Beetles, Spruce Beetles, etc. And because of your NEGLIGENCE, the forests are 70-90% DEAD! Loss of access to the forests has created horrendous RISKS AND DAMAGE TO THE PEOPLES PROPERTY. Let me remind you, "ALL POWERS INHERENT IN THE PEOPLE" If you fail to take care of OUR PROPERTY, WE THE PEOPLE have the rights to do it for you and REMOVE YOU, as the caretakers. Again, because of your NEGLIGENCE, not only have OUR FOREST AND WILDLIFE RESOURCES BEEN WASTED, your policies have rendered the forest fit only for FIRES, which have WASTED BILLIONS OF OUR TAX DOLLARS. YOU HAVE WASTED THE MASTERS RESOURCES. It would behoove all of the Public Servants to read the "Parable of the Talents" found in the Bible. You would find that the Unprofitable Servant who wasted the Masters resources, was forthwith FIRED and cast into

outer darkness where there is weeping, wailing and gnashing of teeth. The other two Servants in the parable magnified the Masters resources (He came out ahead for his investment). We the People are the Master, and WE are supposed to "come out ahead" for our investment. Roads are part of that investment whether timber resources or tax dollars are used to build the roads. ROAD CLOSURES ARE PART OF YOUR FAILED POLICIES TO CARE FOR THE FORESTS! YOU HAVE VIOLATED OUR RIGHTS OF LIFE, LIBERTY AND PROPERTY. YOU HAVE HARMED THE COMMUNITIES CLOSEST TO THE FOREST, INCLUDING THEIR LIVES (HEALTH AND SAFETY), LIVELIHOOD (RIGHTS TO WORK), AND DAMAGED THEIR PROPERTIES.

Issue #3

You have further VIOLATED RIGHTS BELONGING TO THE PEOPLE, BY REQUIRING A PERMIT AND CHARGING A FEE FOR FIREWOOD. Again, "ALL RIGHTS INHERENT IN THE PEOPLE", INCLUDING THE RIGHT TO DEFEND THEIR LIVES AGAINST YOUR NEGLIGENCE OR PRESERVE THEIR LIVES AGAINST THE ELEMENTS. And you think you are authorized to limit their Rights with rules and regulations on how far away from a road they can cut firewood, or what length of dead log they remove.

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." *Miranda vs. Arizona* 384 US 436,491

"There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights." *Sherer vs. Cullen*, 481 F 946

"Any law that is repugnant to the Constitution is null and void." *Marbury vs. Madison* 5 US 137

"...cannot impose a fee or charge on a secured right." *Murdock vs. Pennsylvania* vol. 319 US Reports 105

No licence necessary to exercise a right. *Shuttlesworth vs. Birmingham Alabama* vol. 373 US Reports 262

Issue #4

"When governments fear the people, there is liberty. When the people fear the government, there is tyranny." -Thomas Jefferson

The consequences of Violating the Peoples Rights:

Title 18 US Code sec. 241, 242 \$10,000 fines, 10 years in prison, or Life

Title 42 US Code sec. 1983, 1985, 1986 No Immunity

"An unconstitutional Act is not Law, it confers no rights, imposes no duties, affords no protection, it creates no office, it is in legal contemplation, as inoperative as though it had never been passed" *Norton vs. Shelby County*, 118 US 425

In Short: When you violate the People Rights, acting under the color of law, you can be sued personally and/or collectively.

We are growing short on patience with the Forest Service repeated trampling of the Peoples Rights. We, the Masters, appreciate your efforts to be Trustees, Guardians, or Servants of the People. Remember in our Country we have a Republic where we have Government of the People, by the People, and for the People. We would suggest you develop a new attitude and respect for the Constitution and the People.

ABSOLUTELY NO MORE ROAD CLOSURES!!