

DRIVE FOR SHOW, PUTT FOR DOUGH, CHEAT FOR TAX DEDUCTIONS

[NB: Check the byline, thanks. /~Rayne]

I swear every time I think I've met the limit of repulsion for Trump, I meet a new threshold.

You're doubtless aware of the New York Attorney General's Motion to Compel against The Trump Organization, Inc.; Seven Springs LLC; Allen Weisselberg; Eric Trump; Charles Martabano; Morgan, Lewis & Bockius LLP (MLB); Sheri Dillon; Donald J. Trump; Ivanka Trump; and Donald Trump, Jr. in relation to investigation of "fraudulent or misleading asset valuations to obtain a host of economic benefits, including loans, insurance coverage, and tax deductions."

Martabano is a real estate attorney; MLB is a tax attorneys practice which sought to cut ties with Trump; Sheri Dillon has been a partner at MLB working on the Trump account. The rest of the named you are likely familiar with from previous news and posts.

This motion is only in relation to a *civil* action by NYAG Letitia James; the District Attorney of the County of New York (DANY) Alvin Bragg is conducting a parallel criminal investigation.

I've written before about Trump National Golf Club Westchester and the generally scammy and scummy way Trump and Trump org treated the community of Briarcliff where the course is located.

NYAG's motion opened up a new can of angry bees from a location I haven't looked at previously because it wasn't a Trump golf course resort.

Seven Springs is an example of a golf course which didn't happen, and what Trump did to try and keep the property while paying out as little as possible to do so.

This sounds relatively harmless; who doesn't try to keep their expenses down?

Except Seven Springs is yet another example of Trump's lousy judgment and his externalizing his failures onto others.

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This is Seven Springs as it was back when it was owned by Eugene and Agnes Meyer (also known as the parents of Washington Post's former publisher Katharine Graham née Meyer). It was built for the Meyers in 1915 for what then was an unfathomable amount of money – \$2 million for a little over 28,000 square feet. (Note the rows of young trees planted at the top of the photo as well as the trees to the right side which follow the embankment to the Byram Lake Reservoir.)



(source: Histree.com)

Agnes Meyer died in 1970; under the successor Meyer Foundation, Seven Springs was then used as a conference center by Yale University. In 1984 the foundation cut its ties with Yale and gifted the property to Rockefeller University.

In 1995 – three years after his divorce from his first wife Ivana and a year before he bought the former Briar Hall Golf and Country Club in Westchester – Trump bought Seven Springs from Rockefeller University

Trump originally planned to develop the property into a golf course. A number of architectural design firms worked competitively on plans over a handful of years.

But nothing came of the effort for a number of

reasons, the biggest barrier being the approval of the local community and his neighbors.

This is Seven Springs as it appears on Google Maps in satellite view. It is located almost half way between two golf courses – the Mt. Kisco Country Club (opened in 1928) and the Summit at Armonk (opened in 1961).



Mt. Kisco Country Club at upper left; the Summit at Armonk at lower right; Seven Springs in center to left of Byram Lake Reservoir. (source: Google Maps)

The addition of a Trump course at Seven Springs would mean three golf courses inside less than a 10-mile radius. Seven Springs is located on undulating terrain with granite underneath and wetlands on the property, making development extremely complicated and pricey.

Surface water from Seven Springs acreage drains into the Byram Lake Reservoir which provides drinking water for the Mt. Kisco community; a new golf course with all its lawn chemicals and additional automobile traffic dropping gasoline, oil, and more would increase pollutants in the reservoir. One can understand the community's reluctance to approve a Trump course when there has already been one nearby for decades; the community knows just how much a golf course can affect the reservoir.

The property also abuts the Eugene and Agnes E.

Meyer Nature Preserve immediately to the south which is owned by The Nature Conservancy. It is undeveloped woodlands overlooked by the 28,000 square foot house at Seven Springs.

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This is what pissed me off.

Trump had to have known when he bought Seven Springs that the nature preserve which had once been part of the Meyers' 1000-acre holding was next door to the immediate south of the estate. One of the tentative plans for a golf course snuggled up to the north boundary of the preserve.



Once Trump finally gave up on this course after stringing along star-struck course developers for years, he decided he would pursue real estate development, tentatively subdividing Seven Springs to build up to 14 McMansion-sized homes.

But he apparently wanted or needed a through way across the 213 acres for both the purposes of development and for the future home owners.

He sued The Nature Conservancy and the community for an easement to build a road – extending Oregon Road which leads to Seven Springs along the drive on the property and then through the nature preserve over an unpaved path to where

Oregon Road begins again south of the preserve.

Again, Trump had to have known when he bought the 213-acre parcel that it did not include an easement into/through the nature preserve. An unpaved path from Seven Springs into the preserve once existed, but a gate had been installed in 1990 between Seven Springs and the preserve. Rockefeller University had known about a previous easement but allowed it to expire during its ownership of Seven Springs.

The easement was extinct, demised, non-extant, and even more dead because Trump had allowed more than 10 years to pass between purchasing Seven Springs and suing for an easement.

And yet in August 2006 Trump went to court to get his way, costing The Nature Conservancy and the community time and money to fight off his demand for an easement and road through pristine woodlands because he didn't have the goddamned foresight to see the Seven Springs property was problematic as golf course and residential development when he bought it in 1995.

Never mind the fact the course would be in competition with two well-established courses.

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Now it gets messy.

Because he can't develop the property at all without some accommodation for a road and the neighbors and community aren't happy but he wants to hang onto the property for his family's use, Trump pursued tax deductions.

It's not clear from the NYAG's motion when Trump began pursuit of a tax deduction for a 150-acre conservation easement on Seven Springs property. In exchange for promising not to develop property, Trump's organization obtained a \$5 million tax credit from 2014 to 2018 for Seven Springs and Trump National Golf Club Los Angeles combined.

He also pursued a very similar conservation easement tax deduction at Trump National Golf

Club Los Angeles worth multiple millions in tax credits. The land set aside from development was used as a driving range – no buildings constructed, no fairways or greens, just a patch of mowed lawn for practice shots but still part of the golf course business, and surely not open to the public for free. This tax deduction, too, is being examined by NYAG.

Which part of the 213-acre Seven Springs property did he set aside to conserve?

The part which had been cleared of trees planted by the Meyers?

The part which has been cleared of trees and brushed out down the slope to the Byram Lake Reservoir, which realistically can't be developed anyhow because of that slope?

The part which couldn't be developed because of the lack of local approvals and the road he couldn't add?



MOUNT KISCO, NY – SEPTEMBER 30 2020:
President Trump's Seven Springs estate
in Mount Kisco, New York, seen here
Sept. 30, 2020.
(Johnny Milano for The Washington Post)

Which is the question at the heart of NYAG's investigation into Seven Springs: how can Trump place a value on the 150-acre conservation easement for a tax deduction based on high-end residential development, when it couldn't be developed?

How can a permanent swath of lawn punctuated with trees be the same value as new McMansion construction?

It's not worth roughly \$2-3 million a year in tax deductions on the face of it.

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Another really irritating part of this beyond the pudgy orange weasel himself is the absence of the Internal Revenue Service and the New York State Department of Taxation and Finance. How did this scofflaw get away with millions of dollars in sketchy tax deductions all this time?

This situation should never have gotten this far out of hand; the first time a taxpayer, human or corporate, takes multi-million tax deductions on conservation easements, that's the time an agent from either the IRS or the state tax authority physically inspects the property and investigates its backstory to ensure it's a legitimate conservation easement.

But like everything else Trump has gotten away with so far, the right authorities to deal with him at the time he violated a law or regulation failed to do their duty and the public has no idea why.

If I took a multi-million tax deduction on a conservation easement this year, you can bet I'd be sucked into an audit as fast as you can blink.

Once NYAG and DANY are done with their investigations, local, state, and federal governments need to look at what triggers should set off audits and investigations because whatever they're currently relying on isn't working.

\$2-3 million is one hell of a lot of tax revenue which could have paid for many public services in New York State and beyond.

And I haven't even mentioned the other Trump properties in New York though I've written about them before.

Nor have I mentioned the easement lawsuit and the creation of conservation easements for tax purposes occurred while Trump was appearing in *The Apprentice*, kitted out and scripted to look as if he was a successful, honest businessman and real estate developer season after season.

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Eric Trump, he of 500-plus invocations of the Fifth Amendment under questioning by NYAG, said of Seven Springs, “It was home base for us for a long, long time...”

Yeah? Well, all your base are belong to us if Seven Springs ends up seized for taxes.



Seriously, fuck this base.

GUEST POST: THE TIE THAT BINDS THE CONSPIRACIES

[This is a guest post by long-time community member WilliamOckham. /~Rayne]

This post began as an attempt to figure out who developed the “fake elector vote count in a box” package Republicans in seven states used to create “alternate” elector vote certifications.

It ended up helping me understand the “bigger conspiracy” to which Michigan Attorney General Dana Nessel referred. What follows is not an

indictment and nothing in it is particularly new. Most of what I describe can be found in various comments here at emptywheel.

I've laid out how I think the "alternate" elector scheme played a central role in the coup. I think I understand why it was important for Nessel to refer this to the Department of Justice. Because some of these activities violated multiple states' laws, it's easier to show the entire scheme was corrupt.

The Contingency Plan

The key to understanding the conspiracy to overthrow the election of the President of the United States is in Barton Gellman's article, *The Election That Could Break America* published September 23, 2020 in *The Atlantic*:

"... According to sources in the Republican Party at the state and national levels, the Trump campaign is discussing contingency plans to bypass election results and appoint loyal electors in battleground states where Republicans hold the legislative majority. With a justification based on claims of rampant fraud, Trump would ask state legislators to set aside the popular vote and exercise their power to choose a slate of electors directly. ..."

That's it. That's the core of the coup plan. "Bypass election results" means preventing the peaceful transfer of power. Every part of the effort, including the violence on January 6, depended on using Republican state legislatures to provide a façade of legitimacy to a brazen attempt to overthrow the government.

The "alternate" electors weren't just some goofy outpouring of grassroots Trump support. They were absolutely essential to the plot. To

understand the coup, we need to understand how the “alternate” electors scheme was carried out.

The Plan Realized

After a look at Michigan’s “alternate” electors, I noticed the formatting and textual similarities between the various states’ “Electoral Vote Certifications”; they show this was a nationally-coordinated effort.

One of the fake electoral vote count certifications (Nevada’s) was broadcast live. Go to the 7:08 mark and listen as they call the roll. You can verify that the names match the ones on the Nevada fake certification paperwork. At 12:53, they read their certification which matches word for word the one submitted to the National Archives. And at 14:15, two “electors” (Rice and Hindle) are shown using different pens. Sure enough, this difference shows up in the documents.

I think there’s a reason this particular event was the one live streamed. All of Nevada’s fake electors were selected by the Nevada Republican Party to serve in the event of a Trump win. There were no messy substitutions. Well, and maybe because they had a dude who could do a fairly decent acapella rendition of “The Star Spangled Banner,” which to be fair, I would show that off too.

As folks here have already noted, key figures in Trump World were well aware of this effort in real-time: Stephen Miller (imagine me turning and spitting on the ground every time I type that name) talked about it on December 14; Kayleigh McEnany talked it up on December 17.

However, I believe the foot soldiers for this aspect of the coup were from The Amistad Project of the Thomas More Society (not to be confused with Project Amistad or Amistad Law Project which are totally different, legitimate organizations).

The Amistad Project has been connected to a variety of shady pro-Trump “election integrity” groups, like Got Freedom? or Election Integrity Project, or American Voter’s Alliance (to which Got Freedom? now redirects its internet traffic).

These organizations are all basically the same thing: a bunch of right-wing lawyers and political operatives committed to a lawfare strategy against American democracy.

The headliner for The Amistad Project is Phill Kline, an attorney with an indefinitely suspended license due to illegally accessing and disclosing private medical records for political purposes. The organization hosted the 2-hour-long January 2, 2021 Zoom conference with state legislators which Trump joined, right after he got off the phone with Georgia’s secretary of state Brad Raffensberger.

Trump called into the meeting and told the legislators, “You are the real power...The most important people are you. You’re more important than the courts. You’re more important than anything because the courts keep referring to you, and you’re the ones that are going to make the decision,” in a 14-minute call into the session.

Several #StopTheSteal movement leaders were on the call. Other attendees included Trump attorney Rudy Giuliani, who got Trump on the phone; law professor John Eastman; Peter Navarro, Trump’s trade czar who recently authored a book on the election; and John R. Lott Jr., a Justice Department official who also separately authored a report suggesting some 300,000 “excess” ballots were counted, giving Biden his win.

During this call, Trump repeated the contingency plan. The “alternate electors” scheme is the tie that binds the conspiracies together. As it got closer and closer to January 6, all of the different threads of the insurrection tapestry began to converge on the need to obstruct the

Congressional certification of Biden's win.

In fact, Mark Meadows missed the January 2 Zoom meeting with state legislators because he was coordinating the Congressional end of the insurrection with Mo Brooks, Jim Jordan, and about 50 Republican U.S. House members. This eventually led to the violence at the Capitol on January 6, 2021.

Let's return to the question which started this essay. Who is responsible for the "fake elector vote count in a box" package? Two lawyers from the Amistad Project seem to be very closely tied operationally to the "alternate electors" scheme: Ian Northon and Erick Kaardal.

Ian Northon implicated himself in the Michigan stunt confrontation on December 14, 2020 at the state capitol building with Michigan State Police. At the 5:20 mark in this video, he says (and spells) his name and announces that he's with The Amistad Project of the Thomas More Society. That's pretty clear cut.

Kaardal's complicity is a little murkier. Kaardal was previously most known for filing the dumbest pro-Trump election lawsuit. No, really – he outdid the Kraken lawyers, at least according to one Twitter lawyer.

This is stupidity as it would be if Jesse & Heisenberg were cooking it. Sydney Powell and Lin Wood stay up at night dreaming of perhaps, if they really work at it, someday coming close to the levels of legal incoherence that Erick Kaardal has accomplished here

– Akiva Cohen (@AkivaMCohen) December 22, 2020

Kaardal's behavior in this case was so bad U.S. District Judge for D.C. District James Boasberg actually referred him to the U.S. District Court's Committee on Grievances. It's that very lawsuit, filed on December 22, 2020 which implicates Kaardal in the "alternate electors"

scheme. You can find some of the documentation for this case on [courtlistener.com](https://www.courtlistener.com).

However, the interesting part is Appendix 12 and, if like me, you don't have or want a PACER account, you can find it via the Wayback Machine looking through the now-missing Got Freedom? website. Buried almost 1500 pages into Kaardal's "evidence" are photocopies of two of the fake election certifications (Michigan and Wisconsin).

Recall these false certifications were signed on December 14, 2020; eight days later, Kaardal has copies of them. But, wait, that's not all. The "alternate" electors have to send off multiple originals to the National Archives, Vice President Mike Pence, so on. In the video of the Nevada signing you will see the "alternate electors" signing six copies of all the documents.

It's very interesting that Kaardal's photocopies aren't copies of the originals sent to the National Archives. He's got photocopies of different originals. I compared the signatures on the documents from the National Archives with the ones that Kaardal had, on or before December 22, 2020, and realized they're signed by the same people, but there are minor variations in the signatures, as you would expect when people sign multiple copies at the same time. He had photocopies of originals from two different states – states in which Kaardal doesn't live.

Would you like to guess what Kaardal's favorite font is? Baskerville Old Face. Check out the documents he submitted in this dumbest pro-Trump election lawsuit. The "fake elector vote count in a box" package uses the same font and the same margins that Kaardal's other documents use. He had access to the completed versions well before they were in the public domain.

One More Thing

(Imagine that in Peter Falk's Columbo voice.) In the course of tracking all this down, I actually read the dumbest pro-Trump lawsuit which Kaardal wrote. Some of it – the not-quite-completely-unhinged parts – seemed familiar. I knew I had read some of these paragraphs before.

I went searching through my OCR'd versions of various documents I had come across – and I found it. You might remember the DOJ coughed up a bunch of documents to the House Committee on Oversight and Reform. One of those documents was a draft lawsuit Trump's assistant sent to Jeffrey Rosen and Richard Donoghue which Trump wanted the DOJ to file to overturn the election.

Lo and behold, significant chunks of that lawsuit were copied from Kaardal's lawsuit. There's no ethical issue with the copying. It's just one more indication how closely the The Amistad Project folks were working with key Trump conspirators.

BREATHING ROOM: WHAT ARE YOU STREAMING?

I don't know about you but I have the sense things are about to snowball, and I don't mean because there's a lot of the white stuff out on my lawn.

There's just so much on our plates right now between trying to carry on with our lives and yet hang back in safety because the pandemic continues. Too many balls in the air which must descend and yet our hands are already full.

We could use a little breathing room before

things get hairier than they already are.



With that in mind, what is it you're streaming these days if you're a streaming platform user?

I finally caught a movie I've been meaning to watch since it released in 2018 – Fast Color, directed by Julia Hart featuring Gugu Mbatha-Raw, Lorraine Toussaint, David Strathairn, and a youngster who will surely appear in many more films, Saniyya Sidney.

It's an allegory about Black women and our changing world. I don't want to spoil the film. I will only say that it's a remarkably deft work making excellent use of a lean cast, a small number of settings, and in spite of it being a story about super powers, no heavy handed excess of CGI like Marvel or DC films.

It was perfect, not too much or too little. I'm sure I will watch it again. It's currently on Netflix and Hulu though you can rent it on many other streaming platforms.

It wasn't like the rest of my usual viewing which runs heavily toward Asian dramas (ex. Midnight Diner), documentary series about food and culture (ex. Taco Chronicles), with the occasional historical fiction series (ex. The Cook of Castamar).

What have you watched lately, and what are planning to watch in the near future?

For those of you who don't stream, what are you viewing these days and how?

Not certain yet what I'm going to watch tonight. It may depend on what you have to say in comments.

I do know I'm going to be eating popcorn. Somebody bought me a microwave popcorn popper; it was shipped to me without any card or gift receipt so I have no idea who to thank for this groovy silicone device which I have used every day since I got it. No more prepackaged microwave popcorn with the funky chemicals and too much plastic packaging.

In two hours I'll whip up another batch and find something suitable for breathing room.

A LOOK AT MICHIGAN'S "ALTERNATE" ELECTORS [UPDATE-1]

[NB: check the byline, thanks. Update(s) will appear at the bottom of this post. /~Rayne]

David Waldman (a.k.a. @KagroX) made an interesting point on Twitter:

Keep in mind that in most of the states where they forged Electoral College certificates, the "electors" are VERY PROMINENT REPUBLICANS.

That's who electors are. Locally prominent politicians.

That is perhaps... I don't know... a useful point? <https://t.co/1ME9dbp9VE>

— David Waldman-1, of Yorktown LLC™
(@KagroX) January 12, 2022

If you're active in a political party this may seem obvious. Having been a party committee member and a delegate, I took for granted most folks would intuit this. A political party won't have any Average Joe off the street attest to the party's business; they'll encourage and/or pick someone they trust who's an insider.

And in the case of my home state, that's exactly what happened. The MIGOP picked electors who are active in the party either on committees and/or public officials either elected or appointed.

Which means all these folks who signed the false certification attesting fraudulently to Trump's win of a majority of Michigan's votes are highly relevant to the party. They are:

Kathy Berden – Michigan Republican Party national committeewoman

Mayra Rodriguez – Wayne County Public Administrator, former MIGOP candidate for MI state house district 2, Michigan Republican Party 14th District chair for Grosse Pointe Farms

Meshawn Maddock – Co-Chair, Michigan Republican Party

John Haggard – Charlevoix County Republican chair

Kent Vanderwood – Wyoming City Council member

Marian Sheridan – Michigan Republican Party Grassroots vice chair

James Renner – Republican Delegate to County Convention (Watertown Twp, 2020) (*replaced Gerald Wall*)

Amy Facchinello – Grand Blanc Board of Education member, QAnon supporter

Rose Rook – Van Buren County Republican executive committee member

Hank Choate – Michigan Republican Party 7th District chair

Mari-Ann Henry – Greater Oakland Republican Club member

Clifford Frost – Michigan Republican Party State Committee and Macomb County Republican Party board member

Stanley Grot – Shelby Township Clerk, Michigan Republican Party 10th District chair

Timothy King – Washtenaw County Republican Party executive committee member, Michigan Republican Party 12th District committee member

Michele Lundgren – Wayne County Republican Party precinct delegate

Ken Thompson – TBD (*replaced Terri Lynn Land, former MI Secretary of State*)

These aren't exotic fruit bats out in the far right-wing hinterlands; they're the heart of the Michigan Republican Party.

There are several interesting tidbits about this roster. The first is that two of these folks were replaced by others even though they had been elected in November to their role as electors.

Gerald Wall is the Roscommon County Republican Party Chair. Granted, it's a less populous county in northern central Michigan, but removing the county chair is a bit of a statement to a fairly red county.

The second replacement raised my eyebrows because Terri Lynn Land was Michigan's Secretary of State for eight years. She's had the support of the DeVos family – yes, including Erik Prince's sister Betsey DeVos nee Prince – receiving campaign donations over multiple terms and candidacies for other public office.

Why were these two elected electors removed and replaced with "alternate" electors James Renner and Ken Thompson – the latter for whom I can find little information.

The slate of candidates running for the legitimate post of Republican electors – assuming a Republican won Michigan’s popular vote – had been contacted for profiles by the Detroit Free Press ahead of the November 2020 election. Several did not respond or refused to be interviewed; what’s indicated here was collected from the internet.

But there’s nothing about the swap of two electors for these new “alternate” electors. One might wonder if either Gerald Wall or Terri Lynn Land refused to serve as electors once a false certification was prepared.

The doozy out of this group is the Michigan Republican Party co-chair Meshawn Maddock, wife of state representative Matt Maddock, by whom it has been said the MIGOP had been radicalized.

You’ll want to read this thread by Karen Piper, who profiles Meshawn while connecting more than a few dots:

One of the fake elector signatories is known for radicalizing the Michigan GOP. She is now co-chair of the MI Republican Party. 1/ <https://t.co/P02Q08X7kA>

– Karen Piper (@PiperK) January 12, 2022

Maddock’s relationship with Amy Kremer – she of the three-burner-phones and the Willard Hotel – and multiple right-wing protests at Michigan’s state capitol building is particularly interesting. It’s as if the April 15, 2020 drive-in gridlock protest rally and the armed militia protest rally inside the capitol on April 30 were practice runs for the January 6, 2021 insurrection.

If I thought I had standing and a reasonable chance at winning I’d sue each one of these “alt-electors” for attempting to steal the 2020 Michigan presidential election from me and every Michigander who voted for a candidate other than Trump. I’d sue because so many volunteers who are neighbors, friends, and family members

honorably worked to ensure a safe and secure election, and these radical right-wing members of the MIGOP tainted their efforts, cast aspersions on our state, and nearly stole our civil rights after we had to put up with weeks of harassment to get to certification.

As former MIGOP leader and Project Lincoln senior advisor Jeff Timmer described Meshawn,

“She is nuts. Her husband is nuts. They are crazy, stupid, and mean,” Timmer tells Metro Times. “They think they are saving the world.”

Um, nope. Not saved, far from it.

Hope Meshawn has a good lawyer; for some reason I don't think she'll get much assistance from some of the old school MIGOP.

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UPDATE-1 – 12:30 P.M. 13-JAN-2022 –

Long-time community member WilliamOckham shared in comments last night some pointers about the false certification documents:

First, let me give a shout out to the folks over at [AmericanOversight\[.\]org](https://AmericanOversight.org) for liberating the fake electoral vote documents via a FOIA to the National Archives. Several folks have noticed the similarities between the documents. I believe we can make some reasonable judgments about the provenance of these documents that will contribute to our understanding of the overall election conspiracy. Even though all we have is a scanned images pdf, if we analyze the documents with attention to the similarities and differences, we can deduce something about how those documents were produced. If you want to follow along, head over to the American Oversight website and grab a copy of the pdf I'm referencing at [/american-oversight-obtains-seven-phony-](#)

certificates-of-pro-trump-electors

TL;DR version: These fake electoral certifications all came from a single source and there's a way to prove it.

First, note that for every state there is a page (pages 7, 17, 21, 25, 28, 30, 32, and 45) that begins with three centered and bolded lines that read:
CERTIFICATE OF THE VOTES OF THE
2020 ELECTORS FROM [STATE]

The first thing to note is that each of those pages is using the same font (with one slight twist that's very revealing): Baskerville Old Face. That's a good choice if you want to give your documents a 1776 feel. You see, it's a digital font based on a lead type design that was first appeared in 1766.

When you start looking closely, you'll notice that each state's wording following the title is slightly different. However, they're all set in Baskerville. In particular, note the "For President" and "For Vice President". Those are formatted as small caps (the lowercase letters are replaced with smaller versions of the uppercase letters). Do you suppose seven or eight different people all managed to correctly use small caps formatting? Me, neither.

Someone created a digital file (almost certainly a Microsoft Word document) and sent it to the fake electors to fill in. There's no other explanation for the similarities in the documents. And it's not just that page. There was even a template for filling vacancies (caused by some electors having, you know, integrity).

One more interesting thing. Look at the first page (page 7 of the pdf). Notice

the asterisks. Count the “petals”. There are five. That’s just like the Baskerville Old Face that Microsoft ships with Office and some versions of Windows. Now, look at Wisconsin’s page (page 45). There are six “petals” on the asterisks. Looks like the same font. Except what’s up with the different asterisks? Looks very much like Microsoft Word performing a font substitution. Maybe Wisconsin used the Mac version of Word. Or OpenOffice. Or Google Docs.

Now, here’s how to prove my suppositions. If you have subpoena power or a team of people to do some investigating, start tracking down the people who signed these documents. Ask them for the Word document (or other digital template) that was sent to them. Ask them who sent them and what instructions did they give them.

Hello, conspiracy.

THREE THINGS: A CALL TO ACTION FOR VOTING RIGHTS [UPDATE-2]

[NB: check the byline, thanks. Update(s) at the bottom of the post. /~Rayne]

It’s time to go to the phones and demand your elected members of Congress not only support civil rights but fulfill their oaths of office.

Before I forget, here’s what you’re going to need:

Congressional switchboard: (202) 224-3121
or use Resist.bot

You may also look up your senators' local offices online and call the one closest to you.

When you call you're going to remind them the people are guaranteed under the Constitution a republican (little r) form of government under Article IV, Section 4:

The United States shall guarantee to every State in this Union a Republican Form of Government...

The text may specifically say the states are guaranteed this, but it means that every state and in turn its citizens shall be assured their government is of, by, and for the people, with government's powers arising from their consent. No closed clique will govern opaquely for narrower interests.

To that end every citizen must be assured the right to vote as part of that guarantee. We expect our elected officials to deliver on that, not to act like some star chamber.

Call and demand this through the support of the John Lewis Voting Rights Advancement Act and the For the People Act, letting no procedural rule like the filibuster get in the way of the greater obligation to fulfill their oaths.

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John Lewis Voting Rights Advancement Act, S.4 (JLVRAA) undoes much of the damage done to the Voting Rights Act of 1965 caused by the Supreme Court's absurd decision in *Shelby County v. Holder* (2013).

Because of *Shelby County v. Holder*, states have been able to violate citizens' voting rights as states are no longer held to a federal standard to ensure they do not discriminate against voters.

This violates the 14th Amendment and its Equal Protection Clause; depending on the state in which U.S. citizens resided, they may not be assured the same voting rights as citizens in

other states.

The JLVRAA:

- Prevents states from reverting to discriminatory polling policies including but not limited to literacy tests and poll taxes with a new federal preclearance policy evaluating polling changes;
- Establishes adequate advance notice to citizens of changes to voting rules by states;
- Allows the U.S. Attorney General to assign observers where racial discrimination against voters is most likely;
- Not only requires federal approval for policies impacting the ability to cast a ballot or register to vote, but ensures availability of language assistance for ESL voters as well as fairness in redistricting.

This bill does not replace the 1965 Voting Rights Act but works hand in glove with it to protect every citizen's right to vote.

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The For the People Act, S.1 also supports the 1965 Voting Rights Act by:

- Expanding automatic voter registration to every state;
- Restoring voting rights to Americans who have completed their felony sentences;
- Establishing independent redistricting commissions in every state to end partisan redistricting.
- Changes ethics and campaign finance rules to reduce improper and unethical influence on legislation.

You'd think this would be a no-brainer piece of legislation.

~ 1 ~

This video by David Pepper offers the clearest explanation I've found as to why the filibuster must go when it comes to voting rights.

VIDEO: the filibuster is a procedural rule. Such a rule does not excuse violating the oath every Senator takes to protect the Constitution—and that oath is directly implicated when it comes to legislation to protect democracy itself.

The oath trumps.

WATCH: pic.twitter.com/sMKsohCLUp

– David Pepper (@DavidPepper) January 12, 2022

Our rights are guaranteed by the Constitution. Our elected members of Congress have a duty to ensure the guarantee is fulfilled as part of their oath of office.

Their oath is NOT to changeable, non-permanent procedures which have benefited a narrower class of citizens.

Insist your senators fulfill their oath and end the filibuster for any civil rights legislation including the JLVRAA and Freedom to Vote Act.

This applies equally to every member of Congress, no matter what state or party affiliation; they've sworn the same oath to defend and uphold the Constitution.

~ 0 ~

Perhaps I could have written a shorter hortatory post; if I'd felt less than I do about this I might have, but these bills are essential to the preservation of our democratic republic.

Bottom line: call your senators and demand they fulfill their oaths by passing the JLVRAA and Freedom to Vote Act, ending the filibuster as

necessary to pass these bills.

Congressional switchboard: (202) 224-3121
or use Resist.bot

Now go – get in good trouble. Let us know how
you did in comments.

~ ~ ~

UPDATE-1 – 5:00 PM –

Looks like there may have been a breakthrough on
a procedural basis:

☐BREAKING: Senator Schumer announces
plan to push through filibuster and
proceed with voting rights legislation
using a procedure known as “messages
between the Houses” in a caucus memo.

Here’s what you need to know☐☐

– Democracy Docket (@DemocracyDocket)
January 12, 2022

Fingers crossed this works. Can’t be certain we
have 50 senators supporting these two bills yet.

If your senators are Republicans or
Independents, call them anyhow. All 100 senators
swore the same oath.

~ ~ ~

UPDATE-2 – 1:00 P.M. 13-JAN-2022 –

Last evening Michael Li of the Brennan Center
noted the two voting rights bills have been
consolidated, which may make the “message
between the Houses” procedure much easier.

The Freedom to Vote Act and John R.
Lewis Voting Rights Advancement Act are
now the “Freedom to Vote: John R. Lewis
Act” <https://t.co/KjhnM45C00>
pic.twitter.com/9Tf86gAQXo

– Michael Li ☐☐☐ (@mcpli) January 13,
2022

This morning Democracy Docket's Marc Elias noted a change adding anti-subversion wording:

MEDIA: There was a @nytimes analysis yesterday that argued that Freedom to Vote Act didn't do enough on election subversion. After that, Dems released the NEW Freedom to Vote: John R. Lewis Act—which has new, excellent anti-subversion provisions.

Please do not confuse the two.

– Marc E. Elias (@marceelias) January 13, 2022

So the new “Freedom to Vote: John R. Lewis Act” isn't just a consolidation but an improved bill.

I need to confirm the improvement may get around that corrupt twit Sen. Marsha Blackburn's block of three election security bills which were intended to prevent foreign interference and tampering with electronic voting machines over the internet. (By the way, racist Blackburn is up for re-election in 2025. Ditch her, Tennesseans.)

The problem even with the procedural maneuvering remains Sen. DINO Sinema who has given a speech this morning which Sen. McConnell praised. That should tell you all you need to know.

Keep calling your senators including GOP senators. The ones who are more centrist like Murkowski in Alaska may be amenable – especially Murkowski given the percentage of voters in her state who are Native American.

THREE THINGS: BRACING

FOROMICRON'S OVERRUN

[NB: check the byline, thanks. /~Rayne]

Not going to lie or mince words: the White House fucked up its response to Omicron. They let businesses, pressure from the GOP's COVIDiots, and public polling tell them what to do instead of gaming out an effective response. They focused on the economy and then-irrational fear of inflation instead of COVID, only to create the problem they wanted to address.

While the impending COVID explosion would likely have happened anyhow, the curve could have been flattened and the blow to health care systems softened had the White House not only emphasized getting testing out to the public but getting better quality masks to the people while asking any and all public facilities conducting business indoors to ensure better air quality immediately.

You know, advocate the things which have been proven to work in other countries like Japan – a densely-populated country with a population more than a third of the U.S.'s but less than 19,000 COVID deaths to date.

But more on that in a moment.

~ 3 ~

I've been furious since a friend told me last week they were blindsided by someone in their social circle who has fallen prey to disinfo about COVID.

In a nutshell, their acquaintance is:

- 1 – Peeved about the unvaccinated being blamed for the spread of COVID;
- 2 – Doesn't think the lack of vaccinations in a sizable percentage of the population caused a new variant;
- 3 – Feels the virus will mutate and spread

whether people are vaccinated or unvaccinated;

4 – Believes vaccines will reduce severity of cases and keep hospitalizations down, but the mutations and contagion will happen anyhow.

Jesus Christ, where to even start except tell them to quit Facebook. These half-truths about COVID are truly problematic with an American public weak on science education – well, weak education as a whole, when it comes to critical thinking.

Mr. Blindsider needs to understand:

1 – The ongoing threat is the *willfully* unvaccinated, not those who can't be vaccinated because of legitimate health problems or those whose circumstances have prevented them from being vaccinated. Anyone *willfully* choosing not to be vaccinated isn't merely putting themselves at risk but others like children for whom we do not yet have vaccinations, and those who want but can't get vaccinated. Fuck the *willfully* selfish gits and piss on your peevedness.

2 – Yes, the lack of vaccinations DID cause a variant to rise. Unvaccinated humans are pools for new variant development. More unvaccinated people means a bigger reservoir in which new variants can develop.

3 – Take a fucking look around: do you see any new variants of polio (caused by poliovirus)? Measles (measles morbillivirus)? Chicken pox (varicella-zoster virus)? All of these are infectious diseases caused by viruses for which children have been routinely vaccinated as children over decades. Because vaccination rates are above 85% of all US children, the pool of unvaccinated is too small for the viruses to develop variants. This is what needs to happen with COVID.

4– As long as the pool of *willfully* unvaccinated remains as large as it is, SARS-

CoV-2 will have adequate opportunity to mutate and new variants will emerge. The answer is two-fold: (1) everyone must be vaccinated who can safely tolerate a tested vaccine, and (2) a better vaccine is needed, one designed to protect against all coronaviruses.

But the answer is really four-fold:

– The U.S. public school system needs to do more and better biological science education because too many adults are quite stupid when it comes to basics like infection control let alone microbiology. That education should also include new content on airborne spread of disease like measles and COVID, the latter by aerosolized particles.

– The White House needs to fix CDC and FDA communications problems, because they're frankly doing an abysmal job this deep into a pandemic. We should not still be arguing with our neighbors 23 months into this about simple infection control and its affects on individuals and society.

~ 2 ~

Mr. Peeved Blindsider will be part of the reason Omicron explodes; they're incapable of systems thinking necessary to enact effective mitigation, too busy folding like a broken lawn chair under disinformation and minor frustrations all of us have had to deal with.

Too busy throwing a pity party for the poor maligned *willfully* unvaccinated to think about what is about to erupt across the country.

Read this Twitter thread:

In case no one has told you, the odds your kids will be at school in person in 2-3 wks in the US approach zero in most areas, no matter what your BOE or Governor decide about opening. There won't be enough people well to run buses, lunches, clean, or teach. Plan

now as a family.

1:14 PM · Jan 2, 2022 · Twitter for iPhone

There were school systems across the country which didn't have enough bus drivers under the Beta and Delta waves. This is about to happen again even though more people are vaccinated and Omicron is not as severe as Delta, because Omicron still sickens people and still forces people into quarantine and isolation.

If all schools don't close this week, children are going to bring Omicron into classrooms, spread it to each other because they got it over the holidays, because they weren't given N95 masks, and their schools' HVAC systems haven't been upgraded to improve air quality and reduce exposure time to aerosolized virus.

They will infect school teachers and staff and bus drivers, who will infect their families.

Schools will be forced to go to remote learning again for the lack of teachers and bus drivers.

Students' and teachers' family members will take it to work, including places like grocery stores and fast food chains and manufacturing facilities and shipping companies.

The supply chain will be throttled down again and we'll hear yet another round of bullshit about inflationary pressures about which the right-wing and neoliberals will lie and claim the GOP can fix in spite of its ongoing anti-vaccination campaign.

Omicron may burn itself out inside 3-4 weeks, but the effects will be much longer. We still do not have data about the long-term effects of Omicron on those infected; the data will be complicated by the spectrum of unvaccinated/unvaccinated-but-previously-infected/vaccinated-only/vaccinated-and-boosted.

We can plan ahead, though, for a worst case in which those infected with Omicron have some

degree of neurological sequelae and increased fatigue along with increased risk of death because we've seen this with previous variants. Expect more people acting irrationally or sluggishly because of COVID brain fog.

Social distancing throughout the rest of the winter may be our best approach.

Gods help us all if we need health care services for anything urgent apart from COVID.

~ 1 ~

As I wrote when I started this post, the White House fucked up the response to this variant. The Omicron scenario was always a possibility and a plan for it should have been on the books, ready for roll out. (Has no one in Centers for Disease Control and Food and Drug Administration as well as the White House done any simulations and scenario planning at all for this pandemic??)

A shorter isolation period due to Omicron's allegedly milder symptoms combined with more rapid testing isn't a rational response without better mitigation to flatten the curve, not to mention the assumptions made about illness severity relying on early data which could have been flawed in analysis.

Though a key component of the White House's answer to Omicron, rapid tests simply haven't been available at the scale of numbers and breadth of distribution this country needed. We've seen far too many examples of people waiting in lines for hours to get tested throughout the holiday season.

Propublica's reporting on the clown car that is America's COVID rapid test approval process explains much of the problem, but this should have been addressed as an emergency skunkworks in November, with the White House fully engaged with the FDA as soon as Omicron was announced.

There have also been people claiming huge quantities of rapid tests could be available

inside weeks. Read that Propublica report, and then think like a manufacturer for a moment – one which has had problems with obtaining raw materials, difficulty with reliable shipments (hello, fire Louis DeJoy), and labor shortages due to illness and insufficient child/eldercare for workers.

I know people being courted for jobs in testing production; the industry literally doesn't have enough current employees to step up production for delivery inside weeks let alone days.

Given all the barriers to adequate numbers of reliable rapid tests, heightened infection control measures are an absolute necessity.

And yet the response to Omicron has been sadly lacking emphasis on infection control – even after the absurd theater of an airline CEO sickening with COVID testifying before the Senate that masks don't do much.

Every single American should have been mailed (7) N95 masks – one per day to use on rotation through this Omicron surge. They're cheap, easy to ship by mail (hello, fire Louis DeJoy), don't need special testing and approval; we have multiple manufacturers in the U.S. ready to step up production.

Every single health care worker should have received at least twice that number already. Health care facilities should be able to hand them out to patients and their families.

Every single public facility should have been ordered to improve air quality with improved ventilation; CO2 tests should have been distributed to every school for every classroom as a measure of air quality and a proxy for risk of aerosolized virus exposure. Higher CO2 levels – roughly equating to increased aerosolized particles from occupants and low air flow – should result in windows and doors being opened, addition of Corsi-Rosenthal Cube filter systems, or dismissal of classes until CO2 levels fall to acceptable levels.

Longer term, legislation providing funding for improving air quality in all public facilities should be on Congress's agenda, because this isn't the last variant we'll see before this pandemic is over. There will be other reasons for improving indoor air quality – increasing numbers of wildfires and dust storms as the climate emergency deepens will be adequate justification to continue HVAC improvements.

And as I already said, something needs to be done pronto about the communications out of CDC and FDA about COVID, including infection control measures.

~ 0 ~

All that said, double down on measures to protect yourself, friends, and loved ones through this Omicron wave. Use the measures Japan's health ministry has advocated and apparently work when used widely.

Avoid the Three Cs:

- Closed spaces with poor ventilation or unmonitored air quality
- Crowded spaces occupied by many people
- Close-contact settings which don't allow adequate social distance

Do the Three Ws:

- Wear a better mask (N95 preferred)
- Watch your social distance to reduce exposure to aerosols
- Wash your hands to prevent spread of any infectious agents

And if you haven't yet gotten your booster, do whatever you can to get that on board.

LETTING GO OF 2021

It's been a rough few weeks in so many ways, on top of a really rough year.

We've reached the limits of patience, fortitude, and resources in so many ways. In part because of the pandemic and manufactured barriers created by disinformation and willful destruction, in part because of frustration with systems damaged over time by those who refused to believe in cooperative, collaborative, collective effort, and in part because time simply has its way with us, we've experienced pain and loss over and over again.

I've lost several heroes I looked up to in a handful of weeks – feminist author bell hooks, writer Joan Didion, attorney Sarah Weddington, and now actor/comedian Betty White, all gone ahead to higher ground.

With former senator Harry Reid's passing we've lost a fighter who taught so many younger Democrats how be effective.

The Trash Talk crowd here lost someone who surely entertained them many times since the 1980s with former coach and commentator John Madden's death.

There are so many more brilliant people to whom we've had to say goodbye, including many of the 822,914 COVID-19 dead. It just plain hurts.

Making resolutions seems wholly useless against this barrage of loss.

~ ~ ~

Author and journalist Elizabeth Gilbert wrote about making your own ceremony for ending the year. Her tone in 2014 when she wrote this post was so hopeful; it seems surreal now, looking back, to think we were all so glib about embracing the future.

We've had a trial by fire since then, a long conflagration which has torched all our illusions. What political monstrosity didn't destroy a pandemic and time have finished.

And in some cases, literal incineration thanks to the mounting climate emergency.

Gilbert's suggestion seems fitting, then, to say goodbye to this year with flames – write down things we want to get rid of with end of this year, write down the things we ask into our lives in the year ahead, and then burn these wishes, tossing the ashes into water to both release the past and summon the future.

Perhaps you won't need the symbolism and the ritual of ceremony, but the exercise is still worthwhile to take measure of what we're leaving and consider what lies ahead.

What will you let go of with the ending of this year and the passing of yet more of our figureheads?

What will you welcome at the stroke of midnight and the coming dawn of the new year?

~ ~ ~

Scottish poet Robert Burns is credited with writing the traditional song, Auld Lang Syne, which will be sung this evening where people meet in spite of the pandemic.

But Burns did little of the writing; he collected older bits and pieces of traditional Scots' songs and molded them into the tune we know now.

One of the earlier versions based on the older verses was published in a Scottish newspaper in 1711 by James Watson.

I'm very fond of one old verse in particular, which rings clearest this evening for me:

My Heart is ravisht with delight,
when thee I think upon;
All Grief and Sorrow takes the flight,
and speedily is gone;
The bright resemblance of thy Face,
so fills this, Heart of mine;
That Force nor Fate can me displease,
for Old long syne.

For Old long syne my Jo,
for Old long syne,

That thou canst never once reflect,
On Old long syne.

Goodbye and farewell, 2021. Hello and welcome,
2022.

Best wishes to you all for a better year ahead.

THREE THINGS: OMIGOD OMICRON

[NB: Check the byline, thanks! Updates will follow at the bottom of initial posted content. /~Rayne]

Only a month after the World Health Organization declared it a variant of concern, Omicron is now dominant in the U.S. accounting for roughly 3/4 of the nearly 1.9 million new cases of COVID reported over the last week.

Because of its dramatically increased ease of transmission, new cases of COVID are expected to explode and exceed past waves of cases.

~ 3 ~

Joe Biden will be speaking to the nation today about the federal response to the new coronavirus variant Omicron.

The surge of cases is expected to swamp health care infrastructure which has already been pushed up to and beyond its limits by previous COVID waves and the continued resistance to vaccinations and boosters by roughly 30% of the population.

Lockdowns are not expected to be part of the federal response; rather, the government will send federal personnel to large hospitals across the country to help beleaguered staff as new cases roll in.

500 million instant tests for home use are also expected to be sent out. The hue and cry after White House press secretary Jen Psaki's comments regarding testing and masks sent to homes may have spurred this effort in concert with the dramatic uptick in Omicron cases.

Will this federal response be enough? Likely not – but we would not be in this situation had there been a plan to mitigate COVID in place when Biden took office 11 months ago. Taking office just as another surge began placed the entire Biden response on its heels.

Likely more later on this as an update; three items are in progress and will follow shortly.

~ 2 ~

Speaking of the White House communications, Jeff Zients set off a shitstorm with a poorly worded or thought-through remark about the unvaccinated.

There's not a lot to say about Jeff Zients telling unvaccinated people to take a dirt nap other than to note for your records that a man named Jeff Zients thinks unvaccinated people should just collectively die.
<https://t.co/cA17YXuRbT9>:15 PM · Dec 19, 2021·TweetDeck

Disability activists were reasonably put out as many disabled can't get vaccinated and boosted for health reasons.

But there's another bigger problem in terms of the percentage of people affected: workers especially in low wage jobs aren't getting vaccinated because their employers aren't providing adequate support.

If you've gotten fast food recently, you've probably been in contact with someone who hasn't been able to get vaccinated.

Why more than half of Taco Bell workers

are unvaccinated , by @JuddLegum
<https://t.co/6yw1bQn1fN>
7:13 AM · Dec 21, 2021·Twitter for
iPhone

An effective federal outreach will reach the unvaccinated who want the shots and booster but whose circumstances haven't allowed them to do so. Leaving this to the states – especially in red states – has left economically vulnerable exposed to COVID.

That said, fuck the unvaccinated who *willfully refuse* to be vaccinated, especially those who refuse all other mitigation measures. Welcome to the “winter of severe illness and death” you’ve asked for; may its toll be on you alone and not on any vulnerable children, immunocompromised, disabled, or precarious and marginalized persons.

~ 1 ~

One of the biggest flying periods of the year is nearly upon us as Americans fly to/from home for the holidays. Unfortunately this follows a hearing last week before the Senate Commerce, Science, and Transportation Committee in which an airline executive said something ridiculously absurd.

Southwest Airlines CEO Gary Kelly, when asked about mask use by travelers and staff on its airplanes, said,

I think the case is very strong that masks don't add much if anything in the air cabin environment. It's very safe and very high quality compared to any other indoor setting.

Never mind the studies of aerosol transmission which has examined mass transportation for dispersal of aerosolized particles, or case studies of specific outbreaks occurring among persons in enclosed spaces, all of which have shown sitting in close proximity to infected

persons substantially increases the odds of transmission between infected and non-infected persons.

In-Flight (Airplane) Transmission of SARS-CoV-2

A number of studies have documented transmission of SARS-CoV-2 occurring during commercial flights, with evidence of in-flight transmission between passengers and crew members despite face mask use (Choi*, Swaid*, Yang*). Closer seating proximity has been associated with greater infection risk through aerosol and/or respiratory droplet transmission without direct person-to-person contact (Eichler, Hoehl*, Khanb*). There is evidence that transmission took place through shared spaces on the aircraft (e.g., the toilet) (Bae*). For longer flights, it has been estimated that the average infection probability can be reduced by approximately 73% for passengers wearing high-efficiency masks compared to 32% for passengers wearing low-efficiency masks (Alang*).

Former surgeon general Jerome Adams was rather blunt in response to Kelly's remarks:

"I've got to tell you, there's no other way I can put my feelings about that than, it was irresponsible. It was irresponsible. It was reckless."

Kind of surprising for a guy who fluffed up the Trump administration's policy about mask use.

Karma had her way with Kelly, though, who had been coughing during his appearance before the Transportation Committee – he was diagnosed with COVID the next day.

What an ignorant, arrogant douchebag. He probably infected others in his own workforce and possibly members of Congress and staffers. Why Southwest's board of directors and shareholders haven't suspended Kelly is beyond me; air travel requires a fairly high degree of trust in science and Kelly clearly doesn't trust science.

Masks have been mandatory on public transportation including airplanes since last year. This requirement will likely continue throughout the Omicron wave and beyond.

If you must travel over the holidays, trust the science and wear a high-quality mask.

~ 0 ~

Oops, one more thing: Robert F. Kennedy III is a blight on his family's legacy. His anti-vaxx bullshit is racist bordering on genocidal.

An important read about how Robert F.

Kennedy Jr.'s anti-vaccine non-profit has thrived during the pandemic and his efforts to spread misinformation including targeting Blk communities.
<https://t.co/cAFFFQmXPZ>

4:20 PM · Dec 15, 2021 · Twitter Web App

He needs to be kicked to the curb. I would love to know who/what is funding his sketchy work.

ANGRY MOM: THANKS, JOE “2022 WILL BE AN ELECTORAL BLOODBATH” MANCHIN [UPDATE-2]

[NB: Check the byline, thanks. Updates at the bottom of this post. /~Rayne]

I have no choice but to warn you I write this as one hella angry mom. I want to put some people in time out badly.

First, a caveat and an ear-boxing:

The GOP is worthless. They have systematically refused to govern during a time of crisis. What the GOP has done instead has exponentially increased risk to America – Making America Great at Stupidity – and to the rest of the world with its anti-science, anti-vaccine, anti-mask propaganda.

They've fought every single damned effort to offer aid to the country. Their congressional voting record documents this for posterity as well as in state legislatures. They resist rational science-based efforts to stem the pandemic because of weak sauce excuses like “muh

freedom!" which means protecting the unconstitutional right to increase others' risk of sickness, disability, death, and loss of business.

They're not a political party with a reasoned platform based on a sound ideology with which the country can identify. Instead it's an organization intent on maintaining a grip on power by aggregating Know-Nothings, Do-Nothings, and Stop-Everythings, which includes stopping this country from realizing a more perfect union.

If the GOP was a sane and legitimate political party I wouldn't have had to write this post.

That said, Senator Chuck Schumer and President Joe Biden have screwed up in a big way, a couple times over. They need to be schooled for this.

~ ~ ~

Joe Manchin appeared on fucking Fox News yesterday to say he wasn't going to support the Build Back Better Act which has already been passed in the House.

If that wasn't a deliberate in-your-face "Fuck You!" to Biden, the Senate Democrats, his West Virginia constituents, and the entire country, I don't know what is.

Not NBC, not CBS, not ABC. Not NPR, not even a local West Virginia news station.

He went to Fox Home of Demoralizatsiya News.

And he was able to do so because Schumer and Biden allowed the Infrastructure Investment and Jobs Act (a.k.a. Bipartisan Infrastructure Framework – BIF) to be delinked from passage of the BBB, putting the BIF first and BBB second in order to obtain Manchin's support.

Except the BIF is the only thing Manchin wanted to the benefit of his corporate overlords. BBB gives money to those people he doesn't trust, like most of the constituents of his state, the second poorest state in the country.

Can't have that.

Ask Adam Jentleson about it. He does a better job in this Twitter thread explaining how this negotiation was fucked up all to hell.

Everything Manchin cared about was in BIF. While the WH never had much leverage over Manchin, that's all the more reason to cultivate what little leverage existed. Giving it all away, for free, up front was a strategic mistake. The day Biden endorsed BIF was the day he lost BBB.

2:06 PM · Dec 19, 2021 · Twitter for iPhone

Don't ask the progressive House Dems about this situation; you should already have been able to hear them warning before this all went down that Manchin couldn't be trusted. Their fury is righteous.

And I absolutely mean righteous because there's no goddamned way in hell someone like Ady Barkan, who has fought so vigorously for American's health care, should have to worry about services he needs as he fights a mortal illness.

Senator Manchin said he doesn't know how to explain #BBB to West Virginians, but they know what Build Back Better means already. For thousands, it means home care that keeps them safe with their loved ones.

Here's what West Virginians say it means to them.

#CareCantWait

https://pbs.twimg.com/amplify_video_thumb/1472693391557234690/img/_dAEpophXZ78KUyo?format=jpg&name=small

5:27 PM · Dec 19, 2021 · Twitter Media Studio

There's also no way that the roughly 10% of Americans who are diabetics should have to continue to worry about coming up with \$1000 per month to pay for insulin which costs a few bucks to make. They should be rejoicing about a \$35 month price instead, but no – Manchin fucked them over, and Chuck and Joe failed to see the fucking coming at us.

Don't get me started on the other fuck-ups like the Child Tax Credit, about which one tweeter wrote, "2022 will be a Electoral bloodbath" (sic).

bahahaha holy shit I just realized that between student loans switching back on and the Child Tax Credit monthly payment shutting off in January my household budget is about to take a \$1500/month hit this is very cool and very good USA number one

6:44 PM · Dec 18, 2021 · Twitter Web App

Imagine this happening to a household which has had reduced hours, wage cuts, or has been on minimum wage, or dealing with unpaid time off due to COVID over the last year. Just do the simple math of two young parents trying to manage this on 40 hours a week at prevailing local minimum wage.

People have to pay bills NOW, and in January, and in February, in spite of work disruptions and increased cost of daycare and other childcare expenses...they can't just float everything until this is fixed or the credit is paid out after they file 2022 tax returns.

In light of Sen. Joe Manchin pulling his support from BBB, here are just two West Virginia families who will go back to struggling to put food on the table come January, as the enhanced child tax credit will now run out if Congress does nothing by 12/28.

<https://t.co/lxfrT2mwxP>

10:27 PM · Dec 19, 2021 · Twitter for iPhone

Also extremely unhelpful is Biden's persistent refusal to use his executive power to forgive student loans in part or in whole.

Parents of young children with student loans are doubly screwed by the failures of both the White House and the Senate Leader. And yet there's head scratching about Biden's weak approval rating going into 2022 especially with younger voters.

Why the hell should Millennials and Gen Z turn out to vote when they can do the math and they know the Democratic Party hasn't delivered for them – especially as they go into another COVID hurricane thanks to Omicron?

PPP loans were created in 2020.

Within 1.5 years, over 80% of them have been forgiven, totaling \$600+ billion.

Student loans started around 1958-1965.

60+ years later & .6% of student loan debt has been forgiven.

No one asked how we would pay for business loan forgiveness.

11:47 AM · Dec 14, 2021 · Twitter for iPhone

~ ~ ~

Look, the BBB is an economic stimulus package. Every single household saddled with burdens BBB could alleviate would be able to participate more fully in the economy.

Some of that "economic anxiety" the media hyped up as one reason behind Trump's election in 2016 could be partially relieved.

Forgiving student loans is likewise an economic

stimulus targeted at a segment of the population which is most likely to spend income immediately, locally, and on goods and services which propel our economy.

This is what Joe Manchin failed to recognize and couldn't explain to his constituents AND his corporate overlords because he's a selfish dumb ass.

New @Sen_JoeManchin statement: "I have always said, 'If I can't go back home and explain it, I can't vote for it.' Despite my best efforts, I cannot explain the sweeping Build Back Better Act in West Virginia and I cannot vote to move forward on this mammoth piece of legislation"
<https://pbs.twimg.com/media/FG-quwYWUAc13Bo?format=png&name=small>

10:05 AM · Dec 19, 2021 · Twitter Web App

The BBB is economic stimulus – this is the justification for Schumer and Biden to approach moderate GOP members like Lisa Murkowski (AK) and Susan Collins (ME) to obtain their votes (Collins owes women this, big time).

Other people have been explaining it quite capably:

Senator Joe Manchin says that he can't explain the Build Back Better bill to West Virginians. So I thought I should help him out –

STATEMENT: CAP's Patrick Gaspard Explains How Build Back Better Will Benefit West Virginians – Center for American Progress
<https://t.co/QkK6uAu8WX>

4:02 PM · Dec 19, 2021 · Twitter for iPhone

Yet Manchin refuses to accept the assist.

Meanwhile, Goldman Sachs downgraded its estimates of U.S. economic growth yesterday.

(Bloomberg) – Goldman Sachs Group Inc. lowered its forecast for U.S. economic growth after Senator Joe Manchin said Sunday he won't support the \$2 trillion tax-and-spending plan that's the heart of President Joe Biden's economic agenda.9:00 PM · Dec 19, 2021·Twitter for iPhone

Which leads me to ask one rather important question, given Manchin's announcement on goddamned Fox News and Goldman Sachs' downgrade on a Sunday.

Who knew about Manchin's decision and shorted the market?

Heaven help you if *you* did, Manchin.

~ ~ ~

UPDATE-1 – 2:50 PM 20-DEC-2021 –

Thanks to Kendall Brown for saving us a click so we didn't have to read all the revolting Manchin-sympathetic journalism to get to this bit:

I'll save y'all a click. This is the statement Joe Manchin's team are calling "incivility" behind the scenes.

This milquetoast, exceedingly polite statement are the best excuse they can come up with to justify keeping millions of American children in poverty. This is pathetic.

https://pbs.twimg.com/media/FHEe8vqWYAEZGM_?format=jpg&name=small

1:09 PM · Dec 20, 2021·Twitter for iPhone

I'm even more convinced something shady happened than I was before if Manchin is going to blame

incivility by the White House as a reason to walk away from the BBB.

Who didn't know Manchin was the hold up? We all of us knew it, it wasn't a surprise. The White House naming him as the lone Democratic holdout only confirmed what we'd known and what the House progressive caucus was worried about – that a single Democrat would be the sole reason the bill would fail, and look, it was one of the two senators most-likely-to-DINO-tank-a-bill.

Doesn't he make enough from his other investments to take care of his family if he's so worried about them being included in harassment because he'd rather tank the entire BBB and hurt Americans in the process? Maybe sell your Maserati, Manchin, and buy a couple security people.

Jesus Christ, what a whiny baby he is.

Rep. Jayapal is now looking at executive action as a Plan B to realizing key components in the BBB.

So, the big takeaway from Jayapal press call is that progressives do NOT want to further shrink the bill and want to pivot to what Biden can get done via executive action.

"I think, at this point, we should not wait for that legislative path for the president to take action."2:29 PM · Dec 20, 2021·TweetDeck

What a pity Manchin didn't take a hint from all the feedback he got from average Americans to simply agree to pass the bill and be a hero instead of self owning by appearing to flip flop on his demands throughout the course of the negotiations in full sight of the public who could see he was the bottlenecking gatekeeper.

He looks even more weak and pathetic having to go to yet another sympathetic outlet to make his non-existent case.

UPDATE-2 – 11:50 AM 21-DEC-2021 –

There have been rumbles over the last 24 hours about the BBB possibly being revamped if not revived or resuscitated. But Manchin's homies have also taken issue with his position on BBB:

In the latest twist – > America's biggest coal mining union is calling on West Virginia's Joe Manchin to reconsider his opposition to Biden's economic plan
<https://bloomberg.com/news/articles/2021-12-20/coal-miners-urge-manchin-to-rethink-opposition-to-spending-bill?sref=veMZyIzD> via @business

7:06 PM · Dec 20, 2021 · Twitter Web App

The West Virginia Dems had done a fair amount of organizing recently which showed up in polling about the BBB:

But sure, Joe Manchin is just representing his constituents. Got it.
<https://pbs.twimg.com/media/FG-0UBHWQAAYKqX?format=jpg&name=small>

10:45 AM · Dec 19, 2021 · Twitter for iPhone

Hard to get around these numbers which show bipartisan support among constituents for BBB.

**THIS IS MY O FACE:
WELCOME,OMICRON**

[UPDATE-1]

[NB: check the byline, thanks. Scroll down for update and new content. /~Rayne]

Well, it had to happen sooner or later given this pandemic's craptacular start and the inability of Trumpy right-wingers, nation-states with fewer resources, and Global Big Pharma to tackle COVID's spread.

I've got what feels like a chest cold – gravelly upper chest, scratchy throat – and my spouse has the scratchy throat.

I've been around exactly five people in the last two weeks, one of which is my spouse; the others are my kids and two friends. All of them are fully vaccinated and boosted as are we two in my household.

Their status doesn't rule out the possibility that one of them may carried the virus, if indeed we're infected. Vaccinated folks can carry the virus.

No lost of smell or taste noted. No other symptoms so far. In my case this might not even be COVID; with the crazy windstorms we've had this week I've inhaled a bunch of dust every time I've had to go outside which may have triggered a flare of my autoimmune disorder.

But if Omicron results in milder symptoms especially in fully vaccinated persons, I may well have COVID.

Put me down as Status: Pending until I'm tested and receive my results.

There will be more to this post when I get back from the testing center, watch for an update.

~ ~ ~

UPDATE – Saturday 18-DEC-2021 --

That's not how I intended to start a post about the Omicron variant, but here we are: we go with the virus we have, not the one we wish we had.

What we know about Omicron so far is still rather loose and ill defined. Part of the challenge is that Omicron meets a different population than Alpha or Beta did last year – depending on the country there's such a broad mix of people who are partially vaccinated, fully vaccinated, boosted, and with different mixtures of vaccinations as well as the stubbornly unvaccinated and the previously infected who occur in each category along with the immunocompromised.

When the first wave hit, everyone everywhere was unvaccinated. There was no need to sort the population except for those who may have been previously infected. By the Delta-dominant third wave analysis was slightly more complicated as more people were vaccinated or previously infected.

Now there's so much more to sort through to identify trends. I wouldn't be surprised if there are still surprises in case data as Omicron infections explode.

And explode they will, doubling every three days – if not more in less time.

I still can't wrap my head around the number of cases this variant is expected to produce. I'd like to recommend you listen to this Twitter Spaces recording of a discussion with Financial Times' statistics journalist John Burn Murdoch, pharma correspondents Hanna Kuchler, Jamie Smyth, and Donato Mancini, and senior editor Clive Cookson.

Link:

<https://twitter.com/FinancialTimes/status/1471134080175689731>

A caveat before you dive in: the discussion has a UK+EU bias given the location of the participants and their employer. The UK's handling of COVID has been absolutely abysmal to date and may shape their perspectives.

An even bigger caveat: Twitter Spaces self-delete in 30 days, so you only have 27 more days

to listen to their discussion. Catch it before January 13, 2022.

I also can't wrap my head around the dramatically increased contagiousness of Omicron versus Delta. Delta was already much more contagious than the initial dominant variant; its electrostatic charge caused the aerosolized virus to be attracted to soft human tissues like magnets.

Omicron, though, is *70 times more infectious* than Delta. Just fucking mind boggling, this jump from Delta, and what it means for this winter as we approach the holidays.

A preliminary study suggests the Omicron variant is better at transmission because it infects the upper airway, but bad at infecting the lower lungs explaining why it presents with milder symptoms than its predecessor, Delta. Attaching itself to tissues higher in the airway the virus can be more easily dispersed in aerosol, but lower in the lungs the virus is more difficult to blow out.

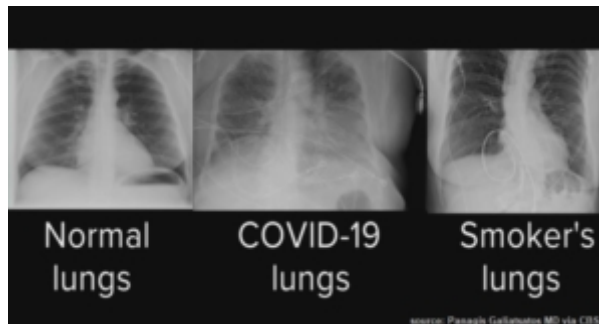
The increase in infectiousness† means you **MUST** upgrade your masks, especially before holiday gatherings in enclosed spaces. Fabric alone will no longer do the job even if everyone in the same shared space is wearing them. This goes for health care workers, too, who've continued to wear surgical masks through the pandemic when they could get their hands on them. All of us need to be wearing N95 masks in shared public spaces to reduce transmission.

Testing will become more critical because Omicron may present for many like common cold symptoms, hence my scramble yesterday to get tested. A year ago I might have blown off the symptoms I had because I didn't lose my sense of smell and/or taste, didn't run a temperature, didn't have breathing problems or feel like I was losing oxygen. But not now – I can't do that.

Nor can we ignore the fearsome possibility of co-infection or super-infection as mentioned in

Financial Times' discussion, in which the infected has both Delta and Omicron at the same time. Imagine this kind of scenario creating conditions for development of a new variant which is everything bad about Delta and Omicron combined. There's also the possibility of co-infection with influenza, which has already happened though infrequently so far.

If this is what lungs looked like with the earlier variants, what will they look like with a super-infection of Delta and Omicron combined? Will we see more patients in need of lung transplants even earlier? Will we simply see an increase in mortality?



Only time, observation, and data will tell, and we'd really rather not accrue any data.

One thing we have learned about Omicron: the Johnson & Johnson adenovirus-vector one-shot vaccine is not effective against it, based on a study (pre-print) by Vir Biotechnology Inc. employees published this past Wednesday.

Electric light bulb
New VACCINE RANKING
of ability to neutralize
#Omicron—Moderna appears to be the
strongest against Omicron in this study,
but still big drop. Pfizer next best
(but we know infection efficacy is
30-34%), AstraZeneca & Sinopharm poor.
J&J & Sputnik = zero.
Thread
<https://t.co/5xmnXH2XaJ>
3:33 AM · Dec 15, 2021
Twitter for
iPhone

The Center for Disease Control issued a

statement of preference for mRNA vaccines as well given the risk of death from unusual clotting observed across the population vaccinated with J&J. This means if you are J&J vaccinated but unboosted, you should look into an mRNA booster as soon as possible. This is fluid and may be subject to change; I wouldn't be surprised with Omicron's explosion of cases to see revaccination with a full regimen of mRNA recommended for J&J recipients.

~ ~ ~

Besides this unexpected Chinese fire drill of chasing COVID tests and results, what's really frustrating is the continued absurd nihilistic conservatism of many unvaccinated and their maskless counterparts.

Exhibit A: Matthew Walter, arch Catholic, editor of The Lamp, contributor to the American Conservative, and the author of "Where I Live, No One Cares About COVID," unfortunately published by The Atlantic.

Let's make a distinction here between the folks who are still struggling to get vaccinated because of vampiric capitalism and racism. Many unvaccinated people want to be protected but can't take the time away from work to get their shots and deal with the possible symptoms which often follow the vaccine. We forget too many Americans living in precarity risk losing their jobs if they or their family members are sick because this country hasn't ensured a reasonable amount of paid time off for illness let alone health maintenance. These same workers end up gambling on not getting COVID because they can't afford to take a handful of days for the vaccinations and booster for themselves and their family. If COVID gets them, well, they know it's all over.

Ditto the unvaccinated who have legitimate health conditions which preclude vaccination. For them the rest of us should be vaccinated.

But the deliberately unvaccinated and COVID indifferent who identify with Matthew Walther?

Fuck them.

All those stupid assholes like Walther who've decided to pretend there's no pandemic, choosing instead to party on Michigan's Torch Lake's sandbar back in July 2020, causing a superspreader event? Fuck them all, the selfish gits.

Fuck all the jerks fighting mask and vaccine mandates, who'd rather kids and their teachers got sick with COVID, causing more superspreader events.

Sure, I get it – Walther wrote his misbegotten spike-worthy piece for The Atlantic from his deep red rural St. Joseph County located on the Michigan border with red state Indiana. The Atlantic's editors stupidly decided to both-sides the pandemic.

But The Atlantic failed to look at what side they were giving oxygen by platforming Walther. The town in which Walther's journal The Lamp is published has a population of less than 8000.

And they're white, white, white.

It's a super homogenous location where nobody gives a shit about COVID because nearly 90% of them share the same everything from skin color to politics. They act as if the only people who get COVID, are disabled by it or die from it are those people in Metro Detroit area. That's the hidden subtext in Walther's essay.

The Ameri-centric xenophobia also rolls off Walther:

...Indeed, there is something small-minded and puritanical and distinctly American about the whole business of obsessing over whether vaccinated teachers remove their face covering during a long school day. ...

Shall we ask Japan and South Korea about mask wearing and other COVID mitigation measures? Japan's population is 38% of the U.S. and has

had less than 19,000 COVID deaths to date, while South Korea at 15% of U.S. population has had less than 5,000 COVID deaths in the same time frame.

Apparently the world doesn't exist outside predominantly white spaces like the U.S. and Europe for Walther. We look like morons not only because of the ongoing mass death event but because folks like Walther insist there's nothing to see, move along.

But I, too, live in Michigan, in a limnal space between a suburb and rural Michigan. It's not just *those people* who are getting sick, hospitalized, disabled, or dying because of COVID. Here we all know quite a few white people who've died of COVID, the disease Walther doesn't give a shit about any longer; the obituaries scrolling by on the local television stations are wall to wall with these white faces.

It's not just these disposable people to whom Walther is indifferent who are casualties. COVID is chewing up our health care system capacity to the point the feds have sent in support personnel; it's eating the spirit of our health care workers to the point where many are leaving health care permanently.

ER doctor Rob Davidson lives and works only four counties and a hundred miles north of Walther, in a community which is even smaller and whiter than Three Rivers:

Don't miss @DrRobDavidson's latest conversation with @JoyAnnReid about the difficulty health care workers face seeing patients suffer and even pass away from COVID-19 instead of taking the safe, effective vaccine.
<https://twitter.com/i/status/1471919814159523840>
2:06 PM · Dec 17, 2021 · Twitter Web App

If you follow Dr. Davidson on Twitter you know

how frustrated he and health care workers are to care for so many who are deathly ill and too often die when the disease could have been mitigated or prevented with a readily available vaccine regimen. Many of the people lost are friends and neighbors who refused to get vaccinated.

As Davidson notes, "...they've been poisoned with this idea that A, COVID's not a big deal from the beginning and B, these vaccines will somehow make them sick."

That's what Walther's piece continues to validate and nurture because it was platformed by The Atlantic – the other Big Lie which Trump began and continues with propping up by right-wing wretches who treat others' lives like so much toilet paper, supported by media complicity and click-bait cupidity.

When the pandemic began, Trump wanted to save his own ass at the polls so he repeatedly assured his weak-minded base that COVID wasn't a big deal, it was a hoax, it would disappear.

Except it was American's lives which disappeared – more than 800,000 so far, of which more than a third could have been saved by vaccines had Trump left a distribution plan in place instead of another Big Lie.

Nearly double that 800,000 have been lost if excess deaths are included due to COVID's drain on our health infrastructure.

Which means we've lost roughly two million Americans because of Trump's other Big Lie – a passive-aggressive democide by active neglect.

The capper on Walther's nihilistic crap: while he claims nobody cares about COVID, a couple thousand people are slogging away in Portage, a mere 26 miles north of Walther's digs.

They're producing as much of Pfizer-BioNTech's Comirnaty vaccine as fast as they can. There's a Pfizer plant under construction to expand production of injectables which will bring 450

more new jobs. Other biotech companies and their workers in southeast Michigan support Pfizer's production.

These Michigan residents and employers care one hell of a lot about COVID, and they've saved millions of lives.

Which makes Walther's op-ed look like what it is, an extension of Trump's democidal lie and an insult to the conscientiousness and humanity of fellow Michigan residents.

A literal insult to neighbors who may be commuting from Walther's town to make life-saving vaccines every day.

I hope some day Walther meets his Catholic god and is told what an offense it has been that he treated other human's lives with so little respect and dignity.

~ ~ ~

Status update: Both my antigen and PCR tests came back negative. My coughing is subsiding, leaving just the occasional tickle. I hope this was just an extremely mild cold or an autoimmune flare. But I'm now back on heightened alert; if this was a cold, how did I get it? Could I have infected one or more of the few people I've been in contact with this week?

Stay safe, peeps. Don't drop your guard just yet. Get your booster shot, and a flu shot, too.

† Commenter "Doug Fir" took exception to the use of the word "transmissibility" and the substitution of the word "infectious." Reporting across the media ecosphere has used transmission/contagion/infection and variants of these words interchangeably; this is a point needing further explication and explanation by researchers who are still studying Omicron's differentiation from other variants. I'll point to this excerpt from an article in StatNews also linked above as the most thorough reporting but still not definitive as it is based on

preliminary data:

The new research comes from a Hong Kong University team led by public health professor Michael Chan Chi-wai and pathologist John Nicholls. Previously, the researchers pioneered a method for growing human tissues extracted from the lung and respiratory tract, which they used to study how SARS-CoV-2 invaded cells and replicated compared to other dangerous coronaviruses. Using this same system, they analyzed how live, replicating particles of Omicron infected the tissues. They found that over the first 24 hours, Omicron multiplied about 70 times faster inside respiratory-tract tissue than the Delta variant. When they ran the same experiments with the lung tissue, they found Omicron was actually worse at infecting those cells than either Delta or the original strain of the virus that originated in Wuhan.

That seemingly helps explain the variant's infectiousness, and also why it may not be causing as severe sickness as previous variants of the coronavirus – as early data suggest.

“That basically tells us it's inherently more transmissible,” said Müge Çevik, a clinical lecturer in infectious diseases and medical virology at the University of St. Andrews School of Medicine in Scotland. “The reason Omicron is spreading so fast is not just because of immune evasion” – its ability to elude antibodies from vaccines or infection with earlier variants – “but a combination of that with intrinsic enhanced infectiousness.”

It appears Omicron is not as effective as Delta in attaching to tissues deeper in the lungs; it attaches more effectively to the trachea and

bronchi or upper airways where it can be more easily blown out as aerosol others can inhale especially if not well masked and in enclosed shared space with poor ventilation.