

Where Did the States Go?

By Jim Beers, February 14, 2016

It all began in the 1960's and 70's when Nixon began the passage of an orgy of federal "environmental" laws that began an accelerating erosion of State authorities and jurisdiction to be replaced by a centrally-controlled bureaucracy in Washington. Growing federal bureaucracies enforced all these laws, wrote and rewrote the regulations that expanded them, and cooperated with all the interest groups that had lobbied federal politicians to pass them. Nixon began this as he first sought to gain re-election in the political turbulence of the Vietnam shutdown and the emergence of the radical free-love and drug demonstrators that were threatening to tear the country apart and later when the Watergate scandal emerged. Nixon encouraged and signed the:

- Endangered Species Conservation Act in 1969,
- Clean Air Act in 1970,
- Water Bank Act in 1970,
- Founding of the Environmental Protection Agency (EPA) in 1970,
- Migratory Bird Treaty with Japan in 1974 (expanded the # of species under federal jurisdiction),
- Clean Water Restoration Act of 1966 (expansion) in 1972,
- Federal Noxious Weed Act in 1974,

Nixon resigned in August of 1974.

Once the federal politicians of both Parties saw how much lobby money and favorable re-election support, with little or no downside, was to be harvested from all these "feel-good" laws that only adversely affected a few rural voters but greatly pleased an ocean of urban voters, federal lawmaking turned into a sausage-like affair that everyone from US Representatives and Senators to the President began benefitting from. Additionally, President Ford continued this vain ploy to prove that Republicans were "concerned" and wanted to "save" the environment and animals even more than their Democrat opponents. Remember as you read his "accomplishments" that despite all this, Ford ran for and lost the Presidential race against Governor and President Carter in **1976**. President Ford encouraged and signed the:

- Act for the Preservation of American Antiquities in 1976,
- Airborne Hunting Act in 1976,
- Animal Welfare Act in 1976,
- Multiple Use Act (expansion of the 1964 Act) in 1976,
- Migratory Bird Treaty Act with the Soviet Union in 1976 (expanded the # of species under federal jurisdiction),
- Coastal Zone Management Act in 1976,
- Endangered Species Act (replaced Nixon's 1969 Act) in 1976,
- Estuarine Areas Act in 1976,
- Fish and Wildlife Act of 1956 (expansion) in 1976,
- Fish and Wildlife Coordination Act in 1976,
- Fishery Conservation and Management Act in 1976,
- Forest Reserve Act of 1891 – Repealed in 1976,
- Forest Service Organic Administration Act of 1897 – Revamped in 1976,
- Fur Seal Act in 1976,
- Lacey Act (expansions) in 1976,
- Land and Water Conservation Fund in 1976,
- Marine Mammal Protection Act in 1976,
- Migratory Bird Conservation Act in 1976,

- Migratory Bird Hunting Stamp Act amendments in 1976,
- Mineral Leasing Act in 1976,
- Mineral Leasing Act for Acquired Lands in 1976,
- Multiple Use-Sustained Yield Act of 1960 (amended and constrained) in 1976,
- National Environmental Policy Act (NEPA) in 1976,
- National Forest Management Act in 1976,
- National Park Service Act in 1976
- National Wildlife Refuge System Administration Act in 1976,
- (FYI, 1976 is NOT stuck in my computer!)
- North Pacific Halibut Act in 1976,
- Outer Continental Shelf Lands Act of 1953 (expansion) signed in 1976,
- Plant Pest Act in 1976,
- Plant Quarantine Act in 1976,
- Public Health Service Act in 1976,
- Refuge recreation Act in 1976'
- Resource Conservation and Recovery Act in 1976,
- River and Harbor Act of 1899 (expansion) in 1976,
- Sikes Act Extension in 1976,
- Sockeye Salmon or Pink Salmon Fishing Act in 1976,
- Submerged Lands Act in 1976,
- Taylor Grazing Act (restrictions) in 1976,
- Toxic Substances Control Act in 1976,
- Tuna Convention Act of 1950 (destroyed tuna businesses) in 1976,
- Water Bank Act of 1970 (expansion) in 1976,
- Whaling Convention Act of 1949 (restrictions destroyed US whaling) in 1976,
- Wild Free-Roaming Horses and Burros Act in 1976,
- Wilderness Act of 1964 (expanded and strengthened) in 1976.

All of these acts generated bureaucrats to “administer”, “regulate”, and “enforce” the “will of Congress” AKA bureaucratic self-interest, bureaucratic growth, and the protection of politicians and their eternal re-election. Add in the later stuff like “Marine Sanctuaries”, federal government easements, federal land purchases, federal agency resource management and use shutdowns, and federally-subsidized easement purchases by TNC and federally-authorized legitimacy of NGO's like Defenders of Wildlife as “wolf compensation authorities” and is it any surprise that States are disappearing and Local governments are becoming political anomalies that merely amuse federal bureaucrats and their all-powerful interest group “partners” that profit from urban hysteria about these things?

Is anyone really surprised that USFWS bureaucrats can lie like communists or BLM “enforcers” look and act like they just stepped out of some grainy black and white German newsreel of rampaging thugs in 1930's Munich? Is anyone really in doubt about why the State fish and wildlife agencies are little more than AA and AAA Minor League teams for the Major League bureaucracies run out of Washington?

I started this article to explain two articles in this morning's St. Paul paper. One was about how the Minnesota Indian tribes are paid millions annually to not hunt, or fish commercially off the reservation but how they are seeking to have a federal court just give them carte blanche to destroy Minnesota fishing and hunting as they have done to many of Minnesota's premiere fishing lakes that they then in turn buy up with the casino money Minnesotans so lavishly dump in their casinos. The DNR that has suspended all moose hunting supposedly because of global warming (but NOT wolf predation?) and is now explaining dwindling deer herds and deer success as due to “winters” (?? in Minnesota??) but definitely NOT wolf predation is straddling a three-way fence between the Indians, the Minnesota hunters and fishermen, and the urban greenies of the Twin Cities that want all of Minnesota outside

the suburbs restored to its 1496 AD pristine splendor. I, for one, am not surprised though no one in Minnesota wants to hear it.

The other article is a gushing description of how Wisconsin may get two (not one, but TWO!) federal Marine Sanctuaries; one in Lake Superior and the other in Lake Michigan. The article is all full of the same post-1976 BS about how this will bring in federal \$\$ for “education and research”, will be co-managed by federal and state bureaucracies, and will not involve any closures or restrictions!! Where the h\$!! have Wisconsin Badgers been for the past 40 years? Do they really believe this feces? This is a thin ploy by those that think their nearby property will increase in value and that a country with \$18+ Trillion in debt can afford such things or that federal oversight ALWAYS leads to federal TAKEOVER? Like the Minnesota DNR the Wisconsin DNR is full of meaningless platitudes and diversions worthy of Nixon and Ford as they sought personal gain but found only ignominy.

Anyway, I thought it best to let the history of federal laws under Nixon and Ford sink in, once I had written them down. The next time you wonder where have the States gone and why, reread the beginning of this article.

There is a famous old Bluegrass song called Muhlenberg County about a boy and his coal miner father talking about what it was like in Muhlenberg County when Dad was a boy. The chorale lament goes something like this: “Oh Dad take me back to Muhlenberg County where Paradise lay”; “I can’t my son, you’re too late in askin’, Mr. Peabody’s coal train has hauled it away”. Substitute “States” for Muhlenberg County and “federal government” for “Mr. Peabody’s coal train” and you have answered the question “where did the States go?”

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If you found this worthwhile, please share it with others. Thanks.

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