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The "Occupy" Movement

By David Morris

This article is very important. Some of the background parts and observations are, admittedly, not the most exciting, but I believe they're important to get a more accurate picture of what's going on. If you only have time to read one article at this sitting, this is the one to read from start to finish. There are a lot of nuggets in here, and I encourage you to read it with a pen/pencil and review the parts that you marked up at least a few times.

The "Occupy" movement, which started on September 17th with Occupy Wall Street, has expanded over the last several weeks to 1,500 cities in 82 countries. I've talked with people who have been at Occupy Wall Street and Occupy DC and I've gone to "Occupy" events in a few cities in the last few weeks to try to get a handle on whether the happenings are a non-event that happens to capture media attention, like "American Idol," or more like what we saw in the Middle East earlier this year.

Conservative talk show hosts and columnists talk about the protesters as a blundering group of idiots. Liberal hosts stress how peaceful, organized, and well-behaved they are. They're compared to the TEA Party. They're compared to the recent revolutionaries in the Middle East. I knew that all of these opinions couldn't be correct, but I will tell you that my opinion of "Occupy" is completely different now

than it was before I dug into it and attended events.

What I'm about to share with you is something that I would love to share in the weekly newsletter, but it's either too "out there" or it's too accurate—I'm not sure which.

If you ever listen to talk radio, you may be familiar with the term, "Seminar Caller," in which a liberal caller calls a conservative radio show, says, "I'm a long time listener and I agree with you 90% of the time, but..." and then they begin to spout off the talking points of the day.

After going to three Occupy locations, talking with people who have been at DC and NYC, and reading several Occupy websites from different cities, I have to say that it's almost impossible to categorically define the movement or pigeonhole the people involved in it. Any observations that I share can't be taken as generalizations...

they're simply snapshots of what was going on in specific locations at specific moments in time.

The atmosphere at the protests is bizarre and has been fairly different from city to city as well as being different every time I've visited. My son and I went downtown early (0800) on Saturday the 15th to the local Occupy. The people who were there,

THE “OCCUPY” MOVEMENT

for the most part, looked like they would fit right in with a group picture with Che Guevera. FYI, my take on Che is that he was a mass murderer and I kind of want to punch anyone who I see wearing one of his shirts. To me, it screams, “I hate America, but I don’t want to put the effort into moving somewhere else so I’ll support revolution here, regardless of how much it screws up your life.”

So, the group that was awake and moving around early in the morning reminded me of Che. They were hardcore revolutionary types. They weren’t happy, smiling, or dancing. They didn’t have a look of hopelessness, despair, depression, or need like homeless people and beggars. A lot of homeless people had been co-opted for the “occupation” by offering them free food and relative safety, but they were mostly still asleep. The hard core ones looked like they had a purpose. They had clear eyes and they were very focused--heck, they were up at 0800 on a Saturday. This whole occupy thing is next to impossible to pigeonhole, but I’d say they were closest to revolutionaries or anarchists--not econo-anarchists like the founding fathers, but full-on anarchists.

They don’t dress like homeless people. When their clothes are torn or stained, it appears to be for effect rather than as a result of hard living. They don’t dress like people who work hard either like farmers, construction workers, or other people who work long hours of physical labor with their hands. I’ve done that work, lived that life, and these people are foreign to me. Instead, they have an “industrial”/occupied Eastern Europe/revolutionary look that I can’t fully describe. The places where I’ve seen it the most is watching

skinheads and anarchists in Berlin, San Francisco and Paia, Maui. In all three cases, it was mostly young people playing music for money on the streets with signs, shirts, patches, and stickers talking about how bad “the man” was. The most common band shirts and patches were from Insane Clown Posse (a man with dreadlocks running with a meat cleaver) and Rage against the Machine.



I’m writing this part of the article about a block away from one of the protests at a coffee & sandwich shop on a Wednesday (more on this in a minute). There’s a couple in their late 20s-early 30s sitting next to me eating lunch right now. She’s tatted from her forehead to her ankles. He stopped at his neck. Nothing wrong with tats...just painting a picture. But these aren’t happy, tribal, cultural, or commemorative tattoos—they appear to be meant to convey anger and intimidate others.

They’re drinking \$4 beer and wine and ordered \$8 sandwiches. They’re literally 6 feet away and I can hear everything they’re saying. They’re articulate. They don’t say “um” or “like” or any similar phrases, don’t swear and probably speak better than I do. In fact, they were just talking about some of the supplies they have in their medical/trauma kits and comparing the merits of different

treatment methods. I’m not sure why they’re expecting to need medical/trauma kits for a peaceful sit-in.

From their conversation, this has been their “job” for the last few weeks, but I didn’t hear them say anything about how they actually make their money.

Interestingly enough, the guy does have a house with “lots” of sleeping bags to hand out when it gets too cold for blankets.

This couple is intense. When I’ve seen them over at the protests, they’re either organizing or sitting off to the side and act like parents to the daytime protesters. They aren’t singing, dancing, and having fun like the daytime crowd.

A minute ago, I said I was writing this at a coffee shop near the protests. That brings up an interesting point about internet access and security. The protesters have power, internet hotspots, and of the 40-50 people there, 5-10 were using computers at any given time and another 10+ appeared to be scrolling through stuff on their smartphones.

Part of this group identifies with the hacktivist group, Anonymous, and one kid proudly wore an “Anonymous” mask and claimed to be part of the organization. He was high as a kite and was quite interesting to talk with, and after a few minutes it seemed clear that he wasn’t so much a hacker as someone who wanted to be associated with hackers.

Suffice it to say, this is definitely a place to be aware of internet security. When I’m in a public area and want to get internet access, I normally use a

high speed connection from a wireless network like Sprint or Verizon. Whether I use that connection or a public Wi-Fi, I also use Strong VPN (Virtual Private Network) or Iron key VPN so that even if my wireless traffic is hacked, which is relatively straight forward to do on public unsecured networks, all they'll see is an encrypted scramble of traffic. This is not only important for banking type transactions and making purchases, but also for simple things like email. The reason for this is that if someone hacks your email account, it's relatively easy to read your email to find out where else you have accounts and start requesting password reset emails.

One interesting thing that I observed and confirmed with multiple police is that there are full-time protesters and daytime protesters and they're VERY different. The full-timers are the intense ones. They're not really doing anything, but they act like they have a purpose. The day-timers wake up in their beds, and go down to protest for the day, spend the evening talking about how cool it was to be part of the movement, and go back to their homes and sleep in their beds.

The police have all been interesting to talk with. None of them want to be there. There's nothing good that can come out of the protests for either individual officers or departments. One of them told me that they try not to talk or interact with the protesters at all because they know how many cameras are on them just waiting and hoping that they'll screw up so that the protesters can claim police brutality.

On one Saturday, the daytime protesters were both young and old. They ranged from being in their 20s-60s, appeared

to hold white collar jobs and work for the man during the week and protest him on the weekends. They started showing up about 0830 and were loud, excited, and seemed more happy to be protesting than mad about injustice. They'd pick up a sign for a while, yell until they got tired, and hand off their sign to someone else.

During the week, it's a different vibe. Most of the day timers are in their 20s with one or two people thrown in from almost every age group. They've got a somewhat typical hippie/grunge look and seem happy sitting around talking, playing music, surfing the web on their phones and laptops, and singing. Most of the time during the day, the protest signs lay on the ground by the street, and the protesters talk and play.

The day timers are made up of several different groups that I have seen so far from watching and talking with multiple participants:

- People who want to relive the 60s or re-create the 60s that they read about.
- People who want to be a part of something bigger than themselves.
- People who want to be able to say, "I was there when..."
- People who want to do something besides watch TV and play video games.
- Anti-Capitalists
- Anarchists
- Hard core Communists
- Anti-"Man" people. There are "End the Fed" signs, but people aren't nearly as passionate about the Fed as they are about the mysterious "Man" who's holding them down.

- Pro Union messages were prevalent at one of the cities I went to, but didn't show up in other cities at all. Illegal Immigrant amnesty was the same way...it is hit or miss from city to city.

The anti-capitalist sentiment is strong at most, but not all of the protests. It has been strong at the protests I've seen, despite the fact that capitalism gave the protesters their computers, smart phones, portable internet hotspots, clothing, skateboards, guitars, etc. One of the more entertaining stories I heard was that some people donated a carton of cigarettes one night. Instead of handing them out, one of the anti-capitalist kids proceeded to take the cigarettes and go through the crowd trying to sell them.

I spoke with two of the leaders at one of the Occupy events that I traveled to for about half an hour. They were intelligent and articulate. Interestingly enough, these leaders, like many of the leaders in various cities, aren't local. They realize that they'll have more respect and less baggage in a town where nobody knows their history, so protesters swap back and forth between towns. In this particular case, both of the leaders traveled over 1,000 miles.

They gave me a "position paper" listing why they were there and what they stood for. It could have been taken off of Ron Paul's website and I agreed with almost everything on it. Enact term limits, stop crony capitalism, balance the budget, etc.

I commented on this...saying how their Occupy event seemed to be more Libertarian and less Socialist/Communist like the other events.

They visually cringed at the statement, and it soon became clear that they were giving one set of statements to the press and casual passers-by, but that what they really wanted was Communism.

The protesters have mini-causes that they are working on from day to day. On the weekends, they have committees that meet to figure out food/water, power, sanitation, “direct action”, hygiene, birth control, rape prevention, natural medicine, dealing with the media, and more.

During the week, they’re meeting to discuss things like ending the death penalty, ending corporate greed, ending water fluoridation, and other causes.

Another way to look at it is that the hard core people and the homeless stick around to make it a 24/7 thing. The hippies, kids, and sign-holders come in during the day to give them the numbers that they need to get media coverage. Where will it end? I think it’s impossible to extrapolate right now, but the “leaders” who are posting online and giving advice are definitely revolutionaries/anarchists. They’ve got media manipulation down; they’re attracting lots of disparate groups, and have a LOT of useful idiots at their disposal.

All of that setup to tell you why this movement has my attention and why I’m watching it...

The Occupy movement has exhibited incredible skill at manipulating the media. A friend of mine went on a field trip that happened to take them by McPherson Square Park, where Occupy DC was set up, with his

daughter and 50 of her classmates. There were 30 protesters there that day. The protesters made the news and her class field trip didn’t. The pictures show, at most, 5-10 people at a time protesting, but make them sound like a force to be reckoned with. It doesn’t hurt that the Lisa Simeone, host of “World of Opera” on NPR is a key spokesperson for Occupy DC, but the media is quite friendly to them regardless.

Because of how many different ideologies there are being represented at the different Occupy events, reporters are interjecting their own pet causes into the titles of their articles and captions of their pictures. The protests are called “Social Justice”, “Anti-Wall Street”, “Anti-Establishment”, or whatever cause the reporter identifies with the most, regardless of who is most represented at the protests.

Since the whole “movement” is so decentralized, it appears like it would be VERY easy to co-opt. “Leadership” voices on the different occupy websites could easily be assumed by ANY group, foreign or domestic, who wanted to try to influence what’s going on. This, coincidentally (hopefully) falls right into what two Chinese PLA Colonels suggested in “Unrestricted Warfare” and what Soros has done with media manipulation over the last 15+ years. The idea of taking over the reigns of a movement is also part of the plot of Brad Thor’s new book, “Full Black.”

One way to look at this is 1,500 semi-autonomous “cells” that are independent in nature, but feeding from a common trough and sharing best practices with each other through forums, blogs, webinars, and by

effectively using the media to spread their message. If this sounds familiar, it’s because terrorist organizations use a similar organizational structure... only with more anonymity. I’m not in any way saying that these groups are terrorist in nature at this time—just that they’re using a similar organizational structure.

Spencer Ackerman, one of the guys behind the social media aspect of the Egyptian riots started advising Occupy Wall Street. Other Egyptian and Israeli protest/riot figureheads/organizers have been advising OWS for weeks now. There’s a mindset of “we did it here, you can do it there...and we’ll help you.” In fact, OWS is openly saying that they want to duplicate the efforts of the Arab Spring—which overthrew Egypt, Tunisia, and Libya and has Syria, Yemen, and Bahrain close to the edge.

Here’s another spin on this. Obama, Pelosi, and Reid are not-so-subtly sympathizing and identifying with the protestors. To complicate things even further, many of the Wall Street protestors are sleeping in Zuccotti Park. For some reason, they’ve been allowed to squat there, despite Bloomberg’s efforts to remove them so that sanitation crews could clean the place up. Zuccotti Park is owned by Brookfield Office Properties which is owned by Brookfield Asset Management. Brookfield Asset Management owns Brookfield Renewable Power which owns Granite Reliable. Granite Reliable is a wind farm project that received a partial (up to 80%) loan guarantee from the Department of Energy for \$168.9 million just two weeks after protestors started squatting at the park. I would like to say that they simply see the

protesters as a politically active voting block that can get them elected and nothing else. Time will tell.

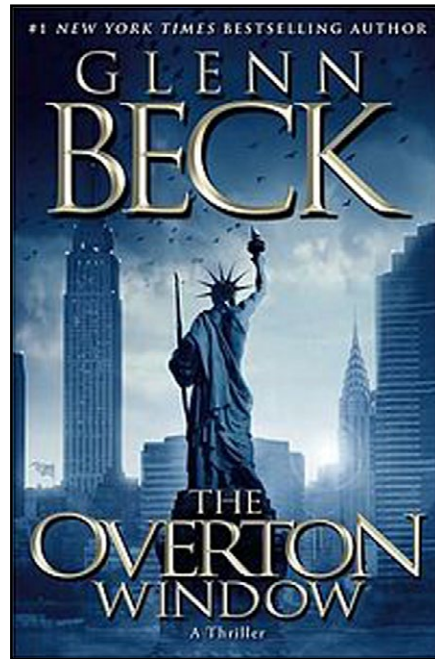
The part about this that's most disturbing is that these "Occupy" live events and online forums are serving as a conduit to build a massive database of uneducated people (who may have multiple diplomas and degrees) who are excited about protesting, demonstrating, and getting back at "the man". These events are making revolution seem "cool" and not-so-slowly desensitizing participants to organizing, protesting progressively louder and louder, and in rare cases, getting physical. If you read the book, "Overton Window," this is a perfect example.

"Overton Window" is the book by Glenn Beck where he describes the concept of actively manipulating what society sees as normal. In short, there is a window that people see as "normal" behavior called the Overton window. People who act outside of that window are seen as being abnormal. If you want a particular behavior to be seen as normal that is currently seen as abnormal, you simply expose people to something MUCH more extreme for as long as it takes for your desired behavior to be seen as normal.

In this case, many of the kids at the protests wouldn't have thought of themselves as being part of a violent protest a few months ago. Now, they're being exposed to protesting, "direct action", minor civil disobedience, and

possibly even getting arrested for a night or two. It's exciting. It gets the adrenaline going. It makes them feel alive. It's addictive.

The next time there's a march, protest, demonstration, or whatever they decide to call it, the tendency will be



to start with what they got away with before and push the envelope from there.

Right now, this is mainly just happening in Oakland, but could easily happen in other areas as well.

It's also teaching them that if they get together as a group/mob, they can get away with doing things that they couldn't do as individuals without getting arrested.

Since most of these 1,800 Occupy groups have both websites where

people are frequenting and live events where people are actually becoming friends with other human beings in live venues rather than just in online venues, it opens up the possibility that these groups can be manipulated and guided at some point in the future.

In any case, this thing could easily fizzle, spin out of control in one or a few cities, or spin out of control nationally or even globally, but LOTS of people want to take the reigns of this movement. Fortunately, we're "comfortable" enough right now that we don't have the same urgency and panic that was present in Tunisia, Morocco, Egypt, etc. One of the driving factors there was skyrocketing food prices. Here, it's corporate greed in the form of outright lying and stealing with impunity. One is painful TODAY, the other is a big boogeyman.

As an example, one of the "kids" just asked me for money for food. I recognized him from the protests because he was skateboarding all around the front of City Hall...playing and having a blast with his friends. When I told him that there was a table of food over at City Hall, he said, "You mean the peanut butter sandwiches? I've been eating that food all day and I need something different." Again, not quite the same as Tunisia, Morocco, or Egypt.

If you've been to any "Occupy" events, I'd love to hear your take. Please contact me directly at David@LamplighterReport.com.

Junk Silver...Why I Love It

By David Morris

If you've been following me for more than a few hours, you probably realize what a fan I am of tangible assets instead of currency...especially precious metals. One of the reasons why I like precious metals so much is because precious metals were the first tangible asset that I was able to afford.

There's a misconception that you have to be rich to invest in precious metals, but the truth is that you don't. You CAN buy collectable numismatic coins for hundreds of thousands of dollars or 1 oz gold rounds for \$1,500-\$2,000, but you can also buy pre-1965 US coinage that is made of 90% silver...specifically dimes, quarters, and half-dollars for a few bucks apiece.

These coins were conveniently minted so that the quarters weigh 2.5 times what a dime weighs and the half dollar weighs twice what the quarter weighs. The pre-1965 versions of these coins were minted with 90% silver, so it becomes a straightforward equation to figure out how much the coins are worth based on their silver content.

Collectively, US coinage that contains silver is called "Junk" silver, but there's nothing junk-like about them.

One of the things that I particularly like about junk silver is the fact that the edges are ridged and the denominations are small. There are a few reasons why this is important:

1. In ancient and not so ancient times, some merchants would take some time at the end of the day and shave off silver from the coins they'd received for the day. Ridges on the edge of the coin make it immediately evident if someone has been shaving.

2. Counterfeiting is BIG business... especially out of China, where 10% of the GDP comes from counterfeiting goods of various sorts. In fact, this is one of the tools of unconventional warfare that is talked about in the book, "Unrestricted Warfare."

Some counterfeiters go after high dollar items, like collectable rare coins, but buyers of these coins tend to be more sophisticated, so they can be harder to pass.

One Chinese counterfeiter has decided to specialize in US Silver Dollars and is supposedly counterfeiting 100,000 per year. My understanding is that these are mostly semi-collectable silver dollars from the late 1800s.

"Junk" dimes, quarters, and half-dollars that aren't collectables and don't have near as much temptation for forgers to counterfeit. With junk coins,

3. Small denominations make it easier to buy smaller, everyday products in a post disaster currency collapse situation. While it's easier to transport wealth with a gold coin, diamond, or collectable, junk silver is much easier for regular life.

I've summarized the value of 90% dimes, quarters, half-dollars, and dollars below based on silver prices at \$5 increments, as well as the weights and diameters. You'll notice that dollar coins weigh more than twice as much as a half dollar and make things somewhat more complicated for quick calculations.

The "Troy oz. Silver" row shows how many troy ounces of silver each type of coin contains.

The "Multiple times face" column gives a quick shortcut to go directly from the price of silver to the price of a coin without needing to know the silver content of each coin.

Pre-1965 US Coinage		Dime	Quarter	Half Dollar	Dollar
	Troy oz silver	0.0723	0.1808	0.3617	0.7735
	Thickness		1.75	2.15	varies
	Diameter (mm)	17.91	24.3	30.6	varies
	Weight (gms)	2.5	6.25	12.5	varies
Price Per Ounce	Multiple times face				
\$30.00	22	\$2.17	\$5.42	\$10.85	\$23.21
\$35.00	25	\$2.53	\$6.33	\$12.66	\$27.07
\$40.00	39	\$2.89	\$7.23	\$14.47	\$30.94
\$45.00	33	\$3.25	\$8.14	\$16.28	\$34.81
\$50.00	36	\$3.62	\$9.04	\$18.09	\$38.68
\$55.00	40	\$3.98	\$9.94	\$19.89	\$42.54
\$60.00	43	\$4.34	\$10.85	\$21.70	\$46.41
\$65.00	47	\$4.70	\$11.75	\$23.51	\$50.28
\$70.00	51	\$5.06	\$12.66	\$25.32	\$54.15
\$75.00	54	\$5.42	\$13.56	\$27.13	\$58.01
\$80.00	58	\$5.78	\$14.46	\$28.94	\$61.88
\$85.00	61	\$6.15	\$15.37	\$30.74	\$65.75
\$90.00	65	\$6.51	\$16.27	\$32.55	\$69.62
\$95.00	69	\$6.87	\$17.18	\$34.36	\$73.48
\$100.00	72	\$7.23	\$18.08	\$36.17	\$77.35

it's less likely that you'll find forgeries, and, if you happen to get one, your exposure will be much less than with a more expensive coin or bar.

As a note, the dollar doesn't have twice as much silver as the half-dollar. It actually diverges 7% from the multiple times face and contains MORE than twice as much silver as the half dollar. You want to keep

this in mind as you're buying, selling, and bartering. I've had a particular coin dealer through the years who has sold me dollar coins at the normal multiple times face, which works out to a 7% discount and you may be able to find a similar situation. In short, you want to minimize the difference when you're getting silver dollars and pay attention to it when you're paying for goods with silver dollars.

What this all means is that with silver around \$35 per ounce, you can start accumulating physical silver in increments as small as \$2.53. That lowers the bar considerably so that almost anyone can start buying silver.

The "Multiple times face" term throws some people for a loop, but here are two ways to look at it:

It's an indication of inflation since 1965. A silver dime was worth 10 cents in 1965. With silver at \$35 per ounce, a silver dime is worth \$2.53, which means the silver in the dime is worth 25.3 times more dollars today than it was in 1965. The other way you could look at it is that the dollar buys 4% as much silver as it did in 1965 ($1/25.3 = .0395$) or that we've lost 96% of the purchasing power of the dollar since 1965 at an average inflation rate of 7%.

It's a way to buy items...both now with people who appreciate the value of tangible assets and after a



possible economic collapse where paper currency falls out of favor. In a situation like this, you might see gas selling for "50c face per gallon." This would mean that it would take 50 cents of pre-1965 silver coinage or something of equal value to buy a gallon of gas. At \$35 per ounce, that would be \$12.66.

If you want to buy junk silver, I'd suggest doing a search online or looking in your phone book for "coin dealers" in your area. Call a few, if there are a few near you, and ask them what they're selling "junk" silver for. They'll usually

say something like, "30 times face" or something similar based on the current price. Next, ask them what spot price they're basing that on. Once you've got a couple of quotes from a couple of dealers, you'll be able to decide which one is offering the best prices that day.

Next, figure out how much you want to buy in "face" value. If you want to spend \$100, divide it by the "times face" amount. So if the dealer says that they're selling at 30x face, you'd divide $\$100/30 = \3.33 . I would ask them if they'd sell me \$3.50 face for \$100, and then they'll usually come back with \$3.35 or \$3.40.

If you use a smartphone, there's an app called "CoinSilver" that automatically updates the prices of junk silver based on the current market price (with a slight delay) that can help you with the math.

Once you've got your junk silver... keep it separate from your regular coins so that nobody (including you) will spend them as if they're only worth face value.

Any "junk" silver tips or stories? Please share them with me by emailing me at David@LamplighterReport.com.

David Goldman Interview

By David Morris

Why you should consider an NFA Trust

This month, I have a very valuable interview for you with one of my attorneys, David Goldman. Over

the last five years, David has helped thousands of gun owners legally own machine guns, silencers, and short barreled rifles. There are several reasons why I think all firearms owners should consider getting an NFA trust that we'll

cover in this article. In short, regardless of whether you're a career door-kicker or just a shooting enthusiast, there are several compelling benefits.

This is a very meaty interview that

covers several topics. It's condensed down from the original 2 hours that David and I talked for this interview. In addition to condensing the interview down, I've also included a quick summary:

- The National Firearms Act (NFA) is the act that was passed in 1934 that regulates fully automatic weapons, short barreled rifles, short barreled shotguns, suppressors, destructive devices (grenades), and "all other weapons", which is a catch-all. Items that fall under this act are often called Title II or Class III items/weapons.
- Some of the many benefits of silencers/suppressors are that they preserve hearing while shooting, decrease felt recoil, and improve accuracy. They're considered by many to be the polite way to shoot when you've got neighbors in close proximity. They're also a GREAT tool to use with new or apprehensive shooters. By cutting down on the sound and recoil associated with shooting, new shooters have more fun and success early on.
- Short barreled rifles (SBR) are rifles that have barrels under 16" in length. They also have several benefits, including increased maneuverability in vehicles and better cornering in urban applications, and faster transitioning between targets during competitions. This is particularly important when using a silencer. An AR-15 with a 16" barrel and a silencer will stretch out past 20". But an SBR with a silencer on it can be shorter than a 16" rifle.

- The ONLY person who can use or have access to a Class III weapon is the person who's on the application with the ATF. That means you can't let friends or family shoot any of your toys at the range. It also means you can't let anyone (even a spouse) have the combination to your safe without breaking the law. An NFA Trust takes care of this issue so that friends and family can legally have access to and use your Class III items.



- As an individual, you need your local sheriff to sign off on your ATF application for Class III weapons. Many sheriffs, even pro-Second Amendment ones, will no longer do this. The NFA Trust allows you to legally get around this roadblock.
- As I said, David is one of my attorneys and set up a NFA trust for me. You can read more about David at GunTrustLawyer.com

On to the interview:

MORRIS: You have been, from what I understand, the trail blazer for creating NFA Trusts, and may even have set up more than any other attorney in the country—including mine.

GOLDMAN: Yes, I mean there were some people using trusts for NFA

purchases before I started working on this about five years ago, but there really wasn't anybody that had done what we do, which is to have a very specific trust that is designed to deal with the unique issues of firearms ownership, transfer and possession.

A traditional trust is basically a rule book that says how you want your financial instruments managed. Your bank accounts, your stocks, your house, your cash, in the event that you're unable to take care of yourself and someone else has to step in and manage the assets for you. It's your rule book as to how you want things dealt with.

For any of us that own guns, it's pretty clear that you deal with a bank account differently than how you deal with a pistol or a rifle, and who they go to after you die is not the same either.

Even if items do go to same people, it's a very different set of thought processes. A normal trust would say, "Give the bank account to my child", or "Wait till my child's 25 and then as long as a court hasn't declared them incompetent, give them the bank account."

With a gun trust what we do is wait till the child is 25, find out where they live, and if they can legally own firearms there. All of those things are relatively easy to do, so most importantly we want to know is that person mature and responsible enough that you'd want to put a gun in their hands.

The last thing any of us wants is to put a family member in a position to either injure themselves or someone else.

Those are the types of changes that we made throughout the entire trust, so it ends up being completely re-written

to just deal with firearms. In addition, because it is a trust, if you're looking at NFA firearms, silencer, short barrel rifles, machine guns, destructive devices or AOWs, in most states you do not need a sheriff's permission to buy these things, and there are basically two routes to purchasing these items.

One is as an individual and one is as a business type entity, and business entities and **trusts don't require the sheriff to sign off**. More and more we're finding that the sheriffs around the country feel that it's politically incorrect to allow someone to buy silencers and machine guns, or generally they're things that they don't understand.

Even here in Jacksonville our sheriff is very pro-Second Amendment and is always sponsoring things for friends of the NRA. He won't even sign off for his own police officers, so **we do quite a few trusts for police officers**.

They're usually interested in short barrel rifles. They're allowed to use their own weapons on the job. With a short barrel rifle, if you're on a tactical team, the chance that the barrel is going to be on the other side of the person you're trying to protect yourself from is reduced with a short barrel. If you're coming around the corner it doesn't do any good if your barrel's a foot beyond the shoulder of the person you're engaging.

MORRIS: Right.

GOLDMAN: We also do a lot of these, the silencers, and then there are a lot of people that collect machine guns also, and they tend to be all over the country.

MORRIS: So with NFA trusts, you're saying that you put ALL firearms into it and not JUST Class III?

GOLDMAN: Our trust is designed for all firearms. There are a lot of problems with the traditional way a trust is designed in using it for your regular firearms if you're going to have NFA firearms. One of the biggest problems is most trusts use what's called a Schedule A, which is basically a list of inventoried items to tell what items are in the trust. If you write down the make, model, and serial number of all your guns and then you go buy a silencer, you have to send a copy of your Schedule A to the



ATF and most people don't want to tell the ATF or any government official the make, model and serial number of all of their firearms, because it creates a de facto registration. We all know what's happened in Europe--registration leads to confiscation. The way our trust is designed is we do it through a series of assignment sheets instead of a Schedule A, and so **with our NFA trusts, you're only telling ATF about the item they're going to know about from the paperwork you're filling out anyway**.

None of your other firearms are mentioned on that document, so you're not disclosing all of your guns.

There's a lot of benefits to a gun trust that people rarely consider and hopefully they never need to use, but one of the biggest came up recently with a client that had multiple machine guns, and I've been trying to convince them for a number of years to pay the extra \$200 fee and transfer them to a trust, and they didn't really feel like they wanted to do that, and subsequently they

went through a divorce and as many divorces do, they involve allegations of spousal abuse and child abuse, in order to influence child support, custody and alimony, and as a result of that, this person lost their gun rights.

They were able to transfer their normal firearms because you can just give those away. They didn't lose their gun collection there, but ended up losing about half a million dollars worth of machine guns because they couldn't transfer them quickly enough.

If the firearms had been in a trust, they could have just removed themselves as a trustee and appointed someone else, and then they would have been complying with the law and they wouldn't have been forfeited.

MORRIS: It seems like a lot of "gotchas" and gray zones with private ownership of Class III items. Things like, if you keep your class III items in a gun safe and your wife knows the combination and she has access to them while you're not home—technically, it could be a problem. Or, if you're shooting at a range with a friend and go to the bathroom, you're technically breaking the law. Is that all just urban legend, or is there any truth to that?

GOLDMAN: You know the chance that you're arrested for something like that is probably slight, but the penalty is pretty severe. And just because you're not arrested for it doesn't mean it's legal to do it.

Some of these things are questions that people ask on a regular basis. The other thing that's kind of neat that we do is we created a NFA guide that answers pretty much all of the questions people ask, and the original version of this guide was written after

I had done probably 1500 gun trusts, so it was done for two reasons. One was I was feeling like a broken record. Number two was I was finding that the same discussions that I was having with clients – one, they were asking the same questions over and over again, but number two, it was important to communicate these answers and this information to other people who would be involved with a trust in the future. My initial phone conversation wasn't allowing that to happen, because the successor trustee or the other people that they add on later or the beneficiaries, they all have questions about what rights do I have as a beneficiary, and what rights do I have as a successor trustee? So we kind of outlined everything in the guide and it's a great tool to use. It's also probably something that should be included with any trust that deals with firearms.

GOLDMAN: I wrote an article on GunTrustLawyer.com called, "Can I let someone else shoot my silencer?" So I go through and I actually quote some of the definitions and the logic and the laws of why it's illegal.

Currently I don't think ATF is looking to necessarily go after this type of an issue. Even so, it's clearly illegal to do. With a trust it's something that's very easy to resolve. If I want to put my brother on my trust or you on my trust, I just amend my trust and now you're an authorized user. As an individual you don't have that ability. You can't create an extra authorized user without a trust or corporate entity.

Just the flexibility that you get with a trust is a significant enhancement. Keep in mind that the ATF is not predictable. A year ago when all the medical marijuana stuff was going

on, I've been talking about those for, for over the last year, everybody came out and said, "Oh, we're not going to prosecute people as long as you comply with state laws." Obama essentially communicated the same thing. And then some poor guy got on



TV and showed his 100 or his 1000 pot plants in California and ATF went out and arrested him, put him in jail and he's still there. And he's complaining, but they decided to prosecute him anyhow. For the last year I've been saying that they could decide to change their opinion at any time. I think it was three weeks ago they went out and arrested 100 people for the same thing.

You've got to keep in mind that the ATF chooses how to interpret and apply the law based upon the circumstances. It's not really fair, so what we do is take a worst case approach and say, if you do these things, you're not crossing the line.

We all speed, but not very often are you arrested for speeding. Maybe everybody doesn't speed, but at times people drive over the speed limit. But, if you're caught speeding it's \$50, \$100, \$200 fine. If you're going really fast maybe you'll lose your license. If you transfer a silencer or are in possession of one without a tax stamp it could be \$10,000 or \$250,000 penalty, depending on whether it's a business or an individual. Ten years in jail,

and loss and confiscation of all your firearms and I'm sure that you know that you lose your firearms rights too.

The penalties are severe enough that it's worth doing it right and not making mistakes with it. If you read on the internet, I see all kinds of crazy stuff about what it's okay to do, there are... "Don't worry, my hand is always going to be on his left shoulder," or "It's going to be inside a fence, it's okay as long as there's a fence around it," or whatever crazy interpretation people who are not trained to read the definitions and analyze law are putting out there. People read stuff on the internet and they just think it's true. It's dangerous.

Likewise we're starting to see a lot of gun stores and manufacturers provide some trusts to customers for free. There was a manufacturer of silencers in Arizona that provided thousands of trusts to clients or potential clients--they were just able to download them. The trusts were defective. There was no beneficiary designation in there, and so all these people bought stuff, got approval, ATF changed their position and said you can't fill in the short version of a trust, you've got to send them the full version, and now when these people are going back and re-purchasing, ATF is going to them and saying "We'd like to make an appointment and pick up your Class III items."

In several of these cases, we've been able to get in there and amend and restate those trusts and get them made legal before they get themselves into trouble.

I'm also concerned about the issues of the illegal practice of law. It's okay if somebody posts a non-copyrighted form and someone fills it out and does

the right thing, but what we're seeing a lot of times is gun stores instructing people how to fill out these trusts.

They don't know the best way or the questions to ask, you know. Their objective is sell the gun, not protect the family, so we really take time to analyze a person's family situation, their desires, what they're capable of doing and then try and merge that together to create a trust that offers them the greatest flexibility for the state purposes as well as usability.

MORRIS: Yes, that is great information to know. It's unfortunate that it's a necessity, but I'm glad there are guys like you who have figured it out.

The next thing I want to ask you about is an article that you wrote and have posted on GunTrustLawyer.com where you talk about how to use your NFA trust to both legally travel and move from state to state with a Class III item. To start with, do I understand correctly that your trust helps to avoid the \$200 per item re-registration tax?

GOLDMAN: There's no re-registration as far as a tax either for an individual or trust or a business. But you do have to update the National Firearms Act transfer registry registration and transfer record with an address change if you move out of state, or you're going to be traveling out of state. There's a form, a 5320.20 and if you want to take a look at it we have a web page on it, its guntrustlawyer.com/form20.html. It'll show you how to fill one of those out and what you can do is you can use that same form for temporary transfer or a permanent change of address.

This is something that I can fill it out for you, and you can fill it out for up to

a year at a time for temporary transfers. Let's say you go to Colorado on a regular basis. You can fill it out with the address in Colorado starting January 1st 2012 and going through December 31st 2012. You could fill it out for an entire year. And it doesn't have to be a



calendar year, it could be March 1st to February 28th, whatever you want. Or you could just do it from March to June if you don't travel the rest of the year.

If you travel to eight or ten places, once a year, you could have these forms and just save them on a pdf and just change the date and sign them and send it in. Takes about two weeks to get approval and then, if you want to go to Colorado or South Carolina or any place where it's legal to end up with these items, then you're free to do so. For people who travel in a motor home, they could have a whole list of states that they plan on going through.

The problem is that there's certain places where certain items aren't legal, so you've got to make sure that if you're going through those states it's okay. In general, you should be fine, but you can't detour too far.

Let's say you were in Washington and you were driving to Arizona. Technically, you could get a permit to take your silencer and travel through California even though a silencer is illegal to have in California. But, if

you go off and you went to Disney World on the way down there, you wouldn't be able to do that.

With a silencer, it's not required to get that documentation to travel. It's only required with a short barrel rifle and machine guns or the other items. But what we always tell people is I would much rather have a Federal document in my hand that says it's legal to be in possession in this state with an item that most police officers probably don't think are legal anyway. Basically the concept is that you want to be able to provide information to the police officer to keep them from detaining you or the firearm, while they determine if you're rightfully in possession. So, it's free to get. I fill them out for silencers, as well as other things, and I'd recommend that, even though it's not required for a silencer, people should get them anyway.

MORRIS: I want to ask something... it's actually a question that I think I know the answer to, but I'd really like to know if there is an actual answer to the question. You've mentioned how the opinion of the ATF can change from time to time and one thing that I've talked with a couple of ATF agents about is Tannerite. They both said that it's definitely illegal but that they are NOT pursuing it. Tannerite is technically legal in all 50 states, but the issue gets complicated by the fact that there are several knockoffs of Tannerite that are lumped together with Tannerite. Of course, laws and legal precedence determines legality more than an individual officer or agent's opinion, so I take what they said with a grain of salt. They suggested not putting videos on YouTube or blowing up cars/houses with it, but they have bigger fish to fry right now.

All of that to ask, does Tannerite fall under destructive device, or is that completely different?

GOLDMAN: I can't give you a definitive answer, but coincidentally, I've actually thought about that a few times over the last month.

I want to feel a little more comfortable about the legality of it before I make any recommendations. I'm not sure that I'd want to be the test case that the ATF decides to make an example of. Whether you are right or wrong, it's going to be financially devastating.

To that same extent, these places that rent machine guns--I don't think that's technically legal, but ATF's letting people get away with it. Now there's a legal way to do it, but, few, if any ranges are doing that. The legal way would be to form a NFA trust. We have done this for several gun stores where we create a special form where the customers become a trustee for the day and it expires at midnight. They're then legally able to use it and there's no transfer.

I think when a gun dealer hands somebody a machine gun, you probably have a transfer going on. Now gun ranges say that they've got videotape of the shooter and that they're under constant supervision or, whatever they happen to be doing, and ATF doesn't seem to be caring today, but you never know.

GOLDMAN: On that same note, think about "brandishing" a silencer. A silencer is considered a weapon that most concealed weapons state laws deal with. Brandishing a firearm or a weapon covers knives and stun guns and all types of other stuff. But technically, if you pull

a silencer out of your pocket to show a friend, you've brandished.

I don't know of anybody that's ever been arrested for it, and in fact, I don't know that the police would recognize that that's a crime. But somebody might someday, so you want to be careful with this stuff.



Some of the best benefits for silencers are for hearing loss prevention. And it's incredible to have someone's first shooting experience to be with a silencer—especially women and children. It reduces the kickback, suppressed firearms tend to be more accurate, and helps keep people from developing flinch. **Basically, suppressors help with all of the problems with beginning shooters.**

And then you start to see some of the pistol competitions are now allowing silencers to be used. You get less kickback on the wrist, less lift, so for a lot of reasons, shooting with a silencer makes people a lot more accurate.

If you're in your home, and you have to use a firearm in a hallway, you're likely to go deaf from it, but if you have a silencer on the end you may save your hearing. Think about it--you're not going to hear an intruder and quick put on your ear muffs before you pull the trigger! Generally speaking, silencers tend to make shooting safe for your ears--they're not silent. What we see in the movies is not real accurate.

MORRIS: Fortunately, I spend a lot of

time in a state where it's legal to hunt varmints with a suppressed firearm.

GOLDMAN: Yeah, we can do that here in Florida. There are some pretty severe restrictions on hunting with silencers, which generally come from anti-poaching legislation. That's where that was started, but the trend in the United States is, about 15 states now that allow you to hunt with a silencer. And in Europe it's, considered a polite way to shoot.

MORRIS: And it is! Most definitely...

GOLDMAN: And it's neat going to the range with silencers. It always attracts quite a crowd, because most people think silencers are illegal, and they are pleasantly surprised when they find that they're not.

MORRIS: Alright David, for the people who are interested in getting an NFA trust, should they contact you directly or contact one of the attorneys in your network...I see that you've got over 100 attorneys across the country.

GOLDMAN: All of the trusts are done through our office. Basically what we do is we'll gather the information and then draft the trust to deal with the NFA, which is the more comprehensive part of the trust, and then we have local attorneys in each state that then make the minor modifications for state law, and so we work together.

So you have an attorney that deals with the state issues, and those are typically trust and estates attorneys or firearms attorneys, in the local state, and then we deal with the NFA issues. Besides providing the guides, we allow people to ask questions forever free of charge. So it's kind of a neat thing that you have an unlimited resource. If the

law changes or if some situation comes up and you're going to be out in the Gulf of Mexico in international waters with a short barrel rifle and you're concerned about piracy and you just want to know if you can do that. Can you bring it back? Many of those types of things are actually answered in the guide, but if they weren't you'd be able to ask them.

MORRIS: That's great, that's a huge benefit to getting a NFA trust through your network.

GOLDMAN: That's the level that we go to, in part because we deal with people all over the United States and actually many of our clients are international. We have trusts that are set up while somebody's still in Afghanistan and it's set up so that their mom or their brother or their wife or child or whoever, can go purchase the items so by the time they get back in February/March, they'll be able to pick up the items.

MORRIS: Would you say that your network of attorneys would be the same attorneys whose name people would want to keep in their pockets in the event that they were involved with a self-defense shooting?

GOLDMAN: I would say no to most of them. Most of them tend to be estate-planning attorneys that are pro-firearms.

This is probably off-topic from your article, but an example of that is, if you make a 911 call, its evidence can be used against you.

MORRIS: Really?

GOLDMAN: Really, but if your

neighbor or your friend makes a call that says, "I heard a shot - I think I heard a shot at this address...send someone." Now that's hearsay.

MORRIS: That's a big difference.

GOLDMAN: You're not making a statement, "I shot so-and-so". You're probably going to get questioned when the police come out. If you have Castle Doctrine, you should have a prepared answer that follows the requirements of the Castle Doctrine: "I was in fear for my life; I defended myself until I was no longer in danger. I'd like to speak to an attorney". And that would comply with Florida's castle doctrine, which is probably similar to many of the other states, since they tend to be coordinated by someone or groups of people, but they do vary from state to state.

I definitely see the value in working with an attorney to have this type of information, what to do, what not to do, and how to act, and protect your liberties. I think that's the important thing that I haven't seen out there.

But we're hoping to expand our practice to offer more gun rights type services. In addition, I'm currently working on a new gun trust that will be available at the beginning of the year which is a gun trust that also offers asset protection. They'll look the same almost, basically the same flexibility as the revocable trust.

MORRIS: I was going to ask you about that, if there was any asset protection since it is revocable.

GOLDMAN: With a revocable

trust there is absolutely no asset protection, it's just like you own it personally. For people with larger gun collections, we're coming out with one that will offer asset protection and we're going to allow all our previous clients to upgrade and apply their full amount, whatever they paid for it, to the new trust.

MORRIS: One of the things that we talked about before was that I wanted to have an NFA trust that I could offer my customers and the thing that we ran into was that if it was specific enough to be useful, it wouldn't work for very many people. If it was general enough that it would work for every situation, it wouldn't REALLY do anyone any good. In the end, we decided we would be doing a disservice to post one.

GOLDMAN: Well, I mean, you could do one if everybody's situation was the same as yours, but that's where the usefulness would end.

MORRIS: It would provide a false security.

GOLDMAN: You're right. As an example, let me just ask you a few questions. Are you married?

MORRIS: Yes.

GOLDMAN: Does your wife shoot or know the combination to your gun safe?

MORRIS: Yes.

GOLDMAN: If you were to die, would you want her to receive the items or someone else?

MORRIS: Her.

GOLDMAN: Okay, so in your case we would make her a co-settler. So she's a co-owner. That way if you passed away they're automatically hers, no transfer tax, nothing. Now are there other people besides her that you'd want to be able to use the items?

MORRIS: From time to time, yes.

GOLDMAN: Okay, so probably what I would suggest is give me the name of at least somebody that you know at some time you'd like to use, we'll make an amendment for that person's name and then you can use that same form. If you want to do it on your own you can do that, or you could send it back to us and we can do amendments for you, but some people want to know if they're going to be able to amend it on their own, and that really depends on your own competence, but generally you're replacing a name, you're replacing the county and you're changing from the First Amendment to the Second Amendment to the Third Amendment, so it is pretty easy to do— we make it easy to do on your own but not everybody necessarily feels comfortable doing it.

MORRIS: Right.

GOLDMAN: And then if you and your wife were to pass away – do you have kids?

MORRIS: Yes. Little ones.

GOLDMAN: Okay. So most people say, oh no, I can't make them a beneficiary, but as I've just described to you earlier in our conversation,

it's okay to make them beneficiaries because we have enough controls in place to make sure it's appropriate when they do grow up.

MORRIS: Great.



GOLDMAN: Some parents let their kids shoot machine guns, I'm not really sure that that's right for my son until he's a little older. The other thing is you don't want to send the kid to school--to college with a machine gun. Now I'm not saying that they don't have the right to and that you shouldn't have the right to. I just am thinking of myself and other people I know when I was in college and most people in college are not mature enough – all of the time.

MORRIS: I have to agree with you.

GOLDMAN: So that's why we tend to set up the trusts to wait until 25 instead of 18. And then at 25 it's – are they mature enough then. In our trust it's not a yes/no answer, it's a yes/no, or I think we need to wait a little longer. And the thing is, you may be 50 and not mature. But you might have been mature at 30.

People change in both directions, so the way our trust is written is you get that chance to evaluate it, no matter what the age is. The biggest problem is if you were there you'd know what the right decision is, assuming you're competent. But the problem is, when this is happening you're dead, and so somebody else has to be able to make that decision. And so that's why it's important to have the level of guidance and flexibility with the trust that you do. So we're probably making kids the beneficiaries unless your wife has some objection to it.

MORRIS: Absolutely not.

GOLDMAN: And then we'd want a successor trustee, someone that if something happened to both you and your wife either that prohibited you from being in possession while you're alive, or after you passed away that – can make that decision as far as when and if it's appropriate for the kids. Sometimes we start off with the parents but obviously long term, if the parent passes away before you, you have to amend it at some point down the road, sometimes it's a sibling or a good friend or, something like that. It could be the same person as you want to make a co-trustee.

Those are basically the pieces of information that we go through. We have a questionnaire that we use overseas but we find that it's much quicker and easier to have an actual conversation with someone and hear concerns and address them and not answer all the questions which are irrelevant. I don't need to get into questions that, your wife if you're not married, or things like that. But,

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and then, the other issues are, if you have a gun safe, who else has access to it? And if it's just going to be silencers it's possible to put them in a separate locked container inside the safe to prevent others from having access to it, but if you're dad knows the combination to your gun safe we should add him on as a trustee also just to, just to protect against potential constructive possession.

MORRIS: Yes, that makes sense. Thank you very much for your time today, and especially your work that you've done on the behalf of firearms owners over the last several years. You know as well as anyone that bureaucratic systems have become so complex that it's almost impossible for people who want to be law-abiding to avoid breaking obscure laws without help from experts like you.

GOLDMAN: Thank you very much.

MORRIS: One other thing that David and I talked about...he's willing to offer a \$50 discount to anyone who gets a NFA Trust through his office, regardless of whether it's a first time NFA Trust or you need to update/fix a current one.

For feedback, or to comment please contact David@LamplighterReport.com

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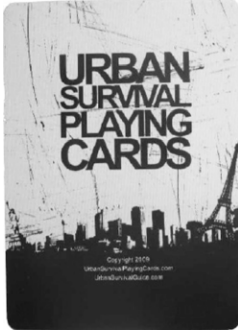
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