

Testimony of G Newton Haleblian  
Plains, Montana

I live in a state that is under assault, and has been gravely wounded. The wounds have been visited upon loggers, miners, millworkers and their families. The communities they lived in have suffered losses, social and economic.

Jim Hurst, Eureka mill owner, gave touching testimony in court about the negative effect the mill closure would have in the community. His words fell upon deaf ears in the 9th Circuit Court.

Mill closings number in the 30's and unemployed loggers in the thousands. The losses to the Montana Treasury are in the millions. We have become the poorest state in America.

Roadless Bill SB417 could provide us with a measure of relief and a chance for partial recovery. It should have the support of all Montanans regardless of political affiliations.

The forces that oppose us have endless wealth and massive organizations. They are driven by a document called *Agenda 21*, The Earth Summit in Rio, 1992. It is available from the U.N. Document Office, 212-963-8302. It covers every facet of our lives: forest policy, community planning, income redistribution, globalization, you name it! It provides for community control of water, all land use, sewage, and relocation of people, if necessary.

Another U.N. document, the *Global Biodiversity Assessment*, on page 993, mandates the much talked about *Wildlands* for America and Montana.

**We are a target area.** Two House Bills, *1105* and *652*, The Ice Age Park, Yellowstone to Yukon, and Transboundaries, all seek to carve out huge areas of Montana for their own purposes.

An interesting case in point occurred in Kentucky. The Tennessee Valley Authority gave 170,000 acres of land to the U.N. as a Biosphere reserve. Republicans and Democrats in both Houses worked together to take back the 170,000 acres by Senate Resolution 35. See Attachment

On August 5, 1949, sixteen smokejumpers parachuted into the Mann Gulch area of the Helena National Forest. It was supposed to be an easy burn to extinguish. The area was designated *wilderness* and *roadless*. Firefighters in the area assembled at a nearby dock to cross over to the fire by boat. The only boat available was out with a group of tourists. Shifting winds plus the vagaries of fire caused it to jump a canyon and race uphill toward the sixteen jumpers who were now in a footrace to escape the fire. Thirteen brave young men lost that race.

Roads may not be pretty, but they are necessary and functional. They provide access for firefighters and their equipment. They also serve as a firebreak.

I want to thank Senator Curtiss for preparing and introducing this bill. I also want to thank the committee for giving me time to read my statement.

Respectfully submitted,

G. Newton Haleblian 2-16-05  
G. Newton Haleblian

**Resolution opposing the Biosphere Reserves designation of the Man and the Biosphere Program.**

May 1997

Norman Davis

Clarkson, Kentucky

270-242-6497

ndavis@aaais.net

Special Session of the Kentucky Legislature

SR 35 (Senate Resolution) and HR 18 (House Resolution)

A RESOLUTION opposing the Biosphere Reserves designation of the Man and the Biosphere Program and urging that the proposed Biodiversity Treaty not be ratified by the United States.

WHEREAS, the United Nations has promoted a Biosphere Program throughout the world; and

WHEREAS, the Biosphere Program threatens to place millions of acres of land under the control of United Nations via agreements and/or executive orders; and

WHEREAS, the United Nations Cultural, Educational, and Scientific Organization (UNESCO) has created a worldwide system of 328 Biosphere Reserves in 82 nations; and

WHEREAS, 47 United Nations-designated Biosphere Reserves are within the sovereign borders of the United States, and two United Nations-designated Biosphere Reserves are within the Commonwealth of Kentucky; and

WHEREAS, neither the legislature of the Commonwealth of Kentucky nor the Congress of the United States has considered, debated, or approved such designations; and

WHEREAS, such designations require strict land use management procedures as are set forth in the 1994 Strategic Plan for the United States Man and the Biosphere Program, as published by the United States State Department, and further described in the Global Biodiversity Assessment, published by the United Nations Environment Program, expressly for the Conferences of the Parties to the Convention on Biological Diversity; and

WHEREAS, Biosphere Reserves are, by definition, designed to continually expand each of the three zones: core protected zone, buffer zone, and zone of cooperation; and

WHEREAS, Biosphere Reserves are expected to be the nucleus of the system of protected areas required by Article 8 of the Convention on Biological Diversity as expressed in the minutes of the first meeting of the Conference of the Parties; and

WHEREAS, no land owner within reach or potential reach of the Biosphere Reserves has input or

recourse to land use management policies of UNESCO or the Conference of the Parties to the Convention on Biological Diversity; and

WHEREAS, no body of elected officials, whether local, state, or federal, has input, recourse, or veto power over such land use management policies that may be prescribed by either UNESCO or the Conference of the Parties to the Convention on Biological Diversity; and

WHEREAS, even though the Convention on Biological Diversity has not been ratified by the United States Senate, the very presence of United Nations Biosphere Reserves on American soil demonstrates the compliance with an international treaty that has not been ratified; and

WHEREAS, the use of land in biosphere areas for ordinary commercial or agriculture purposes may be severely restricted or eliminated; and

WHEREAS, the Mammoth Cave area and the Land Between the Lakes area have already been designated as Biosphere Reserves; and

WHEREAS, none of the current areas included within the Biosphere Program in Kentucky have been included at the request of or with the consent of the General Assembly of the Commonwealth of Kentucky; and

WHEREAS, the General Assembly does not believe that a request from the National Park Service or a tourist and convention service should be adequate to subject land in Kentucky to the control of the United Nations or any other foreign parties; and

WHEREAS, the areas encompassed by these reserves include not only public, but private, lands; and

WHEREAS, the placing of environmental or other restrictions upon the use of private lands has been held by a number of recent United States Supreme Court decisions to constitute a taking of the land for public purposes; and

WHEREAS, the proposed Biodiversity Treaty, if ratified by the United States, would ultimately lead to the reality that Kentuckians could not use their private and public lands in the manner to which they have been accustomed; and

WHEREAS, there are no proposals either to purchase the private lands by the United States or the United Nations; and

WHEREAS, the restrictions contemplated together with the outside control of the land encompassed by a Biosphere Reserve constitutes an unlawful taking of that land in violation of the Constitution of the United States, to wit: Article I, Section 8, Clause 17, before any state lands can be purchased, the consent of the state legislature and not the state executive branch, must be obtained. Article IV, Section 3, Clause 2, we note that, "[N]othing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular state." Article IV, Section 4, we note that, "The United States shall guarantee to every State in this union a Republican Form of Government." Amendment V of the Constitution of the United States, "nor [shall any person] be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."; and

WHEREAS, the virtual ceding of these lands to the United Nations leaves the residents who own the

land, local governments, and the Commonwealth of Kentucky without any legitimate form for redress of grievances for input into any decision-making process relating to the Biosphere Reserve; and

WHEREAS, under Article VI of the Constitution of the United States, this treaty would be given equal footing with the Constitution of the United States, thus effectively precluding any legal means of redress; and

WHEREAS, the General Assembly of the Commonwealth of Kentucky does not wish to have portions of its land area controlled by foreign minions over which it has no control and who are not subject to its laws;

NOW, THEREFORE, Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:

Section 1. The General Assembly of the Commonwealth of Kentucky is unalterably opposed to the inclusion of any land within the borders of the Commonwealth within the purview of the Biodiversity Treaty or any biodiversity program without the express consent of the General Assembly of the Commonwealth of Kentucky, as provided by the Constitution of the United States and the Constitution of Kentucky.

Section 2. The General Assembly urges the members of the Congress of the United States, and especially the Kentucky delegation to the Congress of the United States, to oppose ratification of this treaty and the inclusion of any land within the Commonwealth of Kentucky in any biosphere program of the United Nations.

Section 3. The Clerk of the Senate is hereby directed to transmit copies of this Resolution to the Honorable Bill Clinton, President, 1600 Pennsylvania Avenue, Washington, D.C. 20500; the Honorable Madeleine K. Albright, 2201 "C" Street, N.W., Washington, D.C. 20520; the Honorable Wendell H. Ford, 173A Russell Senate Office Building, Washington, D.C. 20510; the Honorable Mitch McConnell, 361A Russell Senate Office Building, Washington, D.C. 20510; the Honorable Ed Whitfield, 236 Cannon House Office Building, Washington, D.C. 20515; the Honorable Ron Lewis, 412 Cannon House Office Building, Washington, D.C. 20515; the Honorable Anne Northup, 1004 Longworth Office Building, Washington, D.C. 20515; the Honorable Jim Bunning, 2437 Rayburn House Office Building, Washington, D.C. 20515; the Honorable Harold Rogers, 2468 Rayburn Office Building, Washington, D.C. 20515; and the Honorable Scotty Baesler, 113 Cannon House Office Building, Washington, D.C. 20515.

<http://www.lrc.state.ky.us/recarch/97ss/SR35/bill.doc>