

RICO AND THE UNITED STATES

In 1970 the RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT¹ (RICO) became law, this act was intended to prosecute the mafia but has been employed against a much wider range of organizations... ironically, the United States itself has become so corrupt that it itself is a *very good fit* for the actions that can trigger a RICO case.

18 USC 96, §1962², subsection (a) says, in its first sentence:

It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

which is pretty much a long-winded way of saying “people profiting directly or indirectly from racketeering are breaking this law.”

The definitions for activities considered racketeering is a rather long list, so I won't include it here, but if you're interested they're in the preceding section: §1961³.

One of the first things listed is “dealing in a controlled substance or listed chemical (as defined in section 102⁴ of the Controlled Substances Act⁵)”⁶ — this of course leads into the realm of drugs, and it is from this that we will show our first of RICO-actionable acts.

Allegations of the United States being deeply involved in drugs are not a new thing, some were made even before the Iran-Contra⁷ incident, though they are usually held of dubious accuracy outside of “conspiracy-theorist” circles the more recent *Fast & Furious* scandal has pushed the idea more into the mainstream... it is there, at *Fast & Furious*, where we begin our case.

According to CNN⁸ [and many others] the whole operation came to light because of the death of a Border Patrol agent, Brian Terry, on 14Dec10 with two guns found at the scene which were linked to the *Fast & Furious* operation which were uncovered because of

¹ [18 U.S. Code Chapter 96 - Racketeer Influenced and Corrupt Organizations](#)

² [18 U.S. Code § 1962 - Prohibited activities](#)

³ [18 U.S. Code § 1961 - Definitions](#)

⁴ Section 102 of the Controlled Substances Act is 21 U.S.C. 802, according to the United States Department of Justice in [this document](#).

⁵ [21 U.S. Code Subchapter I - CONTROL AND ENFORCEMENT](#)

⁶ [21 U.S. Code § 802 - Definitions](#)

⁷ [Christic Institute / Iran-Contra Affair](#)

⁸ [Fast and Furious investigation started with agent's death](#)

congressional enquiry into the matter in January and February of 2011 — then, 03Mar11, CBS⁹ revealed the claim that federal agent John Dodson made that the BATFE was intentionally letting guns go to Mexico.

Further investigation into *Fast & Furious* led to the discovery of Project Gunrunner, the project under which operation *Fast & Furious* was carried out revealed that this was more than just a single agency's idea, but that multiple agencies were involved:

Records show that in addition to ATF; Immigration and Customs (ICE) under the Department of Homeland Security (DHS), the Drug Enforcement Administration (DEA), the Arizona US Attorney's office, the Federal Bureau of Investigation (FBI) and the Internal Revenue Service (IRS) played roles in Fast and Furious.¹⁰

Now that intriguing collection of agencies and their involvement is where things start to get interesting:

1. The BATFE was violating arms-export treaties by providing the Mexican cartels with these weapons; it was the agency that forced the firearms dealers to actually make the sales.
2. The FBI had to have been involved in order to authorize firearms dealers to sell firearms via its NICS system.¹¹
3. The IRS was in on the case¹² apparently to help firearms dealers to handle the incoming monies for their taxes.¹³
4. The DEA was involved, by their own admission¹⁴, and their interest in the case likely came from an extended relationship with the Sinola cartel.¹⁵
 - a. The allegations Zambada-Niebla made through his lawyer¹⁶ were, essentially, that the Sinola cartel had been granted drug operations in the United States for providing information on other cartels.
 - b. Interestingly “The documents that detail the relationship between the federal government and the Sinaloa Cartel have still not been released

⁹ [Agent: I was ordered to let U.S. guns into Mexico](#)

¹⁰ [A primer on the "Fast and Furious" scandal](#)

¹¹ [National Instant Criminal Background Check System](#)

¹² [Meehan Getting Answers on Fast & Furious: ATF, ICE, DEA, & IRS Involved in Operation](#)

¹³ [Fortune Magazine Tries to Tell The "Truth" About Fast and Furious, Fails Miserably](#)

¹⁴ [The DEA Admits It Had A Hand In Fast And Furious Gun Smuggling Operation](#)

¹⁵ [CONFIRMED: The DEA Struck A Deal With Mexico's Most Notorious Drug Cartel](#)

¹⁶ Pleadings of [ZAMBADA-NIEBLA](#).

or subjected to review — citing matters of national security.”¹⁷

This last bit is quite intriguing: *how*, exactly, would the nature of the relationship between the Sinola cartel and the United States government be relevant to national security?

There’s only a few ways that I can think of: if the agreements were in fact acts of war, if the Sinola cartel were actually wholly a front for the United States, and if the revelation of such matters would cause a revolt among the citizenry. (Though this last case is predicated on the assumption that the corrupt would do all within their power to retain power, this means that if their power came from in large part appearing uncorrupt to the majority of people.) — In any case, this does not mark a particularly good set of options.

It is here that we return to the matter of the law, according to the 21 U.S. Code § 802 definitions #8 (‘deliver’) & #11 (‘distribute’), the DEA (and possibly FBI) are allowing the delivery and distribution of these controlled substances. So, all that remains in to establish this first instance of violating RICO on the part of the United States is to tie it to 18 U.S. Code § 1962 (a) — which is easy as the first portion of the sentence reads “It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity”.

One of the vastly abused procedures for the War on Drugs is something called “civil asset forfeiture”¹⁸ — which is just a fancy legal name for theft — and, “create a perverse financial incentive for federal, state, and local law enforcement to pursue profit over the fair administration of justice.”¹⁹

So, by allowing drugs to enter the United States these law enforcement agencies create situations (and excuses) for seizing real property, to include money — and *this* is exactly the aforementioned “receiv[ing] of any income, directly or indirectly, from a pattern of racketeering activity.”

Indeed, how these properties are extorted under color of law and under implicit (and sometimes explicit) threat of deadly force is certainly relevant to federal agents, who according to 18 U.S. Code §872²⁰ and §880²¹ are literally flouting the law... and that the judicial system allows this is utterly shameful.

Another case of violation of the RICO laws — 18 U.S. Code §1962 (b) — is in effect: It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. Which is interesting because the IRS (and ATF) has been collecting monies on behalf of the United States under pretenses of taxes despite that there is no budget and hasn’t had one for

¹⁷ [High-Ranking Mexican Drug Cartel Member Makes Explosive Allegation: ‘Fast and Furious’ Is Not What You Think It Is](#)

¹⁸ [Last Week Tonight with John Oliver: Civil Forfeiture \(HBO\)](#)

¹⁹ [FACT SHEET: Why Civil Asset Forfeiture is Legalized Theft](#)

²⁰ [18 U.S. Code § 872 - Extortion by officers or employees of the United States](#)

²¹ [18 U.S. Code § 880 - Receiving the proceeds of extortion](#)

the greater part of the past decade, despite being required by law²² — instead using continuing resolutions and “omnibus spending bills” to incur ever more debt on behalf of the people and states that they are supposedly representing.

One of the reasons for not passing a real budget is to hide the true cost of the Affordable Care Act (A.K.A. ObamaCare), which is material in proving a 18 U.S. Code §1962 (b) violation: in short all we have to do is (1) prove that ObamaCare incurs debt illegally and that (2) the United States is engaged in activities relating to controlling interstate commerce.

Starting with the latter, we have previously shown that the flow of drugs is both encouraged/allowed *and* used to justify Civil Asset Forfeiture —this forfeiture is but one of the ‘tools’ that the federal government uses to try to justify this perpetuation of injustice, the ‘toolbox’ from which these tools are drawn is commonly called the War on Drugs.

Now, what’s interesting is that Prohibition which had the unintended consequence of empowering organized crime in the United States, *did* have a Constitutional basis, namely: Amendment 18. The *War on Drugs*, on the other hand, has no such constitutional amendment justifying its existence, it is therefore a legal nullity, despite how the government protests. — The *War on Drugs* really has it’s ‘justification’ built on (a) the cases originating under Prohibition [which ought to be null and void, considering Amendment 21], and (b) the terrible *Wickard v. Filburn*²³ case, where the government tried to rationalize controlling *intrastate* commerce under the powers of regulating *interstate* commerce; indeed, this finding was expanded in *GONZALES V. RAICH*²⁴ to include items that had never entered *any* commerce thus, according to Justice Thomas’s dissent: “*If Congress can regulate this under the Commerce Clause, then it can regulate virtually anything—and the Federal Government is no longer one of limited and enumerated powers.*”²⁵ — It is quite relevant because the same sort of ‘reasoning’ used to justify the *War on Drugs* is applied to considering ObamaCare legitimate.

This is relevant to ObamaCare because the ‘justification’ for regulating healthcare is the same justification as the *War on Drugs* uses, and while there may be a more valid case that healthcare *could* be done under interstate commerce, the fact is that for a huge majority of cases all the requirements/providers are done in-state. — In any case, ObamaCare obviously is involved, in some degree, in interstate commerce, therefore fulfilling the requirement of “acquir[ing] or maintain[ing], directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce”.

So, now all that remains is to show that ObamaCare is indeed collecting an unlawful debt. In the Supreme Court case *KING v. BURWELL*²⁶ the Supreme Court declared that the fines levied by ObamaCare for non-enrolment were actually a tax, the problem here is that

22 [CONGRESSIONAL BUDGET](#)

23 [Wickard v. Filburn](#)

24 [GONZALES V. RAICH](#)

25 [Thomas’s GONZALES V. RAICH Dissent](#)

26 [KING v. BURWELL](#)

revenue-raising bills *must* originate in the House of Representatives as per the Constitution Article 1, Section 7, Clause 1:

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

— This is quite significant because the bill did *not* originate in the House of Representatives, but was introduced by the House of the Senate by completely stripping an existing bill from the House of Representatives and replacing its text with that of ObamaCare. This is like taking a bag with a sandwich in it to work, dumping the contents in the trash, filling the bag up with cookies, eating said cookies, and then claiming to your wife “I ate everything in the bag”. It is obvious and pure deception when the events are looked at like that.

I am somewhat loathe to rely on the judgements of the Supreme Court, as it is readily observable that they see themselves and their rulings as superior to the Constitution itself — therefore, it behooves me to provide an alternate means of proving ObamaCare illegitimate; fortunately this is not difficult, as the Legislature feels unbound by the Constitution thanks, in part, to what the Supreme Court lets them get away with.

According to Black’s Online Legal Dictionary²⁷, ‘Extort’ is defined as follows:

The natural meaning of the word "extort" is to obtain money or other valuable thing either by compulsion, by actual force, or by the force of motives applied to the will, and often more overpowering and irresistible than physical force.

which is exactly what is happening in ObamaCare — the government is compelling the citizens to take part in approved ‘insurance’ plans, which have the same flavor as ‘protection’ payments to the mafia. Though, in any case, what this ‘law’ does is force you to spend your money on these ‘approved’ plans or give the government money directly, and it is *this* which elevates the whole enterprise into involuntary servitude: for now you must spend your money on government-endorsed insurance plans, or give your money to the government directly. The Constitution has something to say about this sort of arrangement in

Amendment 13, Section 1:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Now, you certainly could make the case that the fines *are* just such a thing: punishment for crimes — but this would be ignoring an important part: *whereof the party shall have been duly convicted*. The sort of mindset which ObamaCare is predicated is that you are beholden to the will of the government, not that the government has any obligation or accountability to you, or your state, but that you are merely cattle to be herded and used as they will.

Thus we see that ObamaCare is indeed unlawful, and thus any debt incurred for it is actually fulfilling the requirements for 18 U.S. Code §1962 (b), though the persons involved are many and varied, spread across various governmental agencies, just like the mess that was *Fast and Furious*.

And we have now established that there is indeed a pattern of racketeering going on within the federal government which, according to the RICO laws, and should therefore be subject to its penalties.

— Q.E.D.