



Gordon Watts <gww1210@gmail.com>

Errata to:Re: Student loan repayment requirement issues: What possible injustice could there be in requiring loan takers for education to repay any and all loans ever taken except in re to any component whereof which would constitute an upward modification of any interest rates ever charged from the rate upon which reliance would have originally been predicated ?

Robert More <anselm45@gmail.com>

Sat, Mar 23, 2019 at 10:35 AM

To: ismabureauch4 <ismabureauch4@gmail.com>, Gordon Watts <gww1210@gmail.com>, Christopher Fogarty <fogartyc@att.net>, Michael More <michaelmore535@yahoo.com>

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Entitlement collector - GWW, you are invited to post the contents of this email on the first page of your websites or justify not doing so.

On Fri, Mar 22, 2019, 23:19 Robert More <anselm45@gmail.com> wrote:

On the other hand what possible justification could there be for granting exoneration from debt repayment in an arrangement in which the borrower would not have ended up without the benefit of his bargain and the general public would end up incurring the expense of someone else's education and correlative permanent procurement of any utility received wherefrom?

Since when was any law of bankruptcy ever intended to enable anyone to procure a windfall at the expense of a treasury subsidized from the fruits of the labor of the general population? Is the passing off of student loan debt from the borrowing beneficiary to the public constitutes of individual citizens not responsible for having induced any borrowing not just another form of collectivist theft and private property degradation? How is predatory borrowing any less a sin than predatory lending (Prob. 35:1)? What evidence is there that the authors of the Constitution's bankruptcy clause ever intended to provide an instrument for predatory borrowing? How would uniformity of bankruptcy not require the payment of any debt erased equivalent whereto by all citizens not receiving exoneration from a student loan debt ever erased?

RJM

Monday, 25 March 2019

Here are my replies to one of my readers, Mr. Robert J. More, who sought answers and justifications to my positions on certain higher ed debt matters. Also, when speaking to a legislative staff member of Congressman Ross Spano's D.C. Office (I will not name the staffer out of respect), he asked me a similar question as one of Mr. More's questions: He asked me how it might be justified to allow Bankruptcy Uniformity for collegiate loans when tax dollars made or guaranteed such loans. So, I will answer both of my blog's readers, who ask similar questions, below. (P.S.: Besides being one of my readers, Robert is my friend, for whom I am an occasional webmaster for his pages, <https://ThirstForJustice.net> and <http://ThirstForJustice.Tripod.com> and, here's his YouTube channel: <https://www.youtube.com/user/54mlesna>)

Gordon Wayne Watts, Editor-in-Chief, *The Register*

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***** Robert J. More:** “Gordon Wayne Watts, I stand by my previous comment, affirming the constitutional validity of the Uniformity clause, but I have questions about underlying issues, which I emailed you on Fri, Mar 22, 2019, 23:19 and followed up on Sat, Mar 23, 2019 at 10:35 AM, in which I sought clarification, and you did not respond. I invoke Matthew 18:16 (or 18:17?) of our common faith, and I here and now seek witnesses and peer pressure to resolve our disagreement- and I ask for a rehearing of my prior questions, which, as yet, have gone unanswered.”

(Prior answer: “OK, fair enough: Since I advocate these proposals, it's my duty to defend my points from a serious inquiry... My Internet is rather show out here in the country, and I'm rather busy with things, but I'll try to give you a straight answer to all seven (7) of your questions-- in a follow-up post, below.... Please be patient while the sugar and caffeine kick in, ok?”) → Current answer:

*****Gordon Wayne Watts – REPLY:** Thank you for supporting our constitution's Uniformity clause (ArtI Sec8 Cl4), Robert, which is actually ****IN**** the Constitution (not the amendments, like the 1st and 2nd Amendment), but the Constitution, itself. (Meaning it's even MORE important, ok?) And, thank you for acknowledging God and JESUS' “conflict resolution” method outlined in Matthew 18:15-17. Again—Apologies for being slow to answer, but I've been very busy on a number of things. Your petition for a rehearing is GRANTED. See below.”

***** Robert J. More:** “Re: Student loan repayment requirement issues”

“With all due respect:

***** Robert J. More – Question 1:** What possible injustice could there be in requiring loan takers for education to repay any and all loans ever taken except in re to any component whereof which would constitute an upward modification of any interest rates ever charged from the rate upon which reliance would have originally been predicated ?”

*****Gordon Wayne Watts – ANSWER-1:** In theory, when you remove interest (and maybe – perhaps – adjust principle to exactly match inflation), it would be possible for many (perhaps even most?) to pay back their collegiate loans. But you overlook the principle, which was hyper-inflated due to several factors: (#1) The “Bill Bennett Hypothesis,” so-named after Dr. Bill Bennett, the Sec. of Education under former Pres. Ronald Reagan, which states that when you subsidise anything, costs go up. (And this has proven true, since colleges used to be affordable, and only raised prices AFTER the Federal Government used tax dollars to guarantee college loans. (#2) Secondly, we have an ILLEGAL MONOPOLY in higher ed, where students have only the current options. I know it's not a “popular” opinion to state that there's a “monopoly” (which is usually illegal, except in “regulated” monopolies, like Public Utilities, Water, Electric Companies, etc.), but you look up the definition of 'monopoly,' and see if that's not precisely what's going on here/now, ok? (#3) Third, while not well-known,

it's true that removal of ALL Standard Consumer Protections (such as the ability to file for bankruptcy on equal terms as, say, Credit Cards; have "Truth in Lending"; Statutes of Limitations; the Rights to Refinance; adherence to usury laws; and, Fair Debt & Collection practices, etc.), from collegiate loans left Student Borrowers DEFENSELESS. To illustrate, let me remind you of the Housing Bubble/CRASH of 2007—2008, remember? THOSE borrowers HAD "bankruptcy" defense (unlike collegiate/student loans, which must pass a next-to-impossible "Undue Hardship" standard to even be ****eligible**** for discharge), but if those housing-borrowers had lacked Bankruptcy protections, the Predatory Lending (which was bad already) would've been WORSE, since the lenders would've PILED ON, knowing full-well that the borrowers would be left defenseless to obtain any meaningful bankruptcy discharge. And, had the "Housing Lenders" had automatic wage-garnishment (like Collegiate Loan lenders), they would have piled on even more—resulting in a catastrophic YHUUUGE Bubble that would've been much larger, and likely resulted in a crash of the dollar when said bubble burst.

*****Gordon Wayne Watts – ANSWER-1:** *(continued—with line-break for clarity)* So, you can see that Bankruptcy (and other consumer protections that Credit Cards have, similarly-unsecured) are a necessary "Conservative Free Market" Check/Balance against predatory lending, and if it was needed for the Housing Market, don't you think it was/is needed for the Higher Education market? (Hint: The disaster that Higher Ed currently is, with TRILLIONS in collegiate debt, much of which is backed by the taxpayer dollar, proves the wisdom—in spades—of the Founding Fathers, when they included the Uniformity Clause in Art.I, Sec.8., Cl.4 of the U.S. Constitution. So, in conclusion, while it would be "optimal" or "ideal" for ALL borrowers to pay back ALL debts (not inflated by usurious interest/fees, of course), we ALL know that's not always possible, so requiring the impossible from borrowers would, itself, be an injustice. You asked: "**What possible injustice could there be in requiring loan takers for education to repay any and all loans ever taken except in re.. [interest/fees/etc],**" and again, I remind you that it's NOT always possible in 100% of the cases for a borrower to repay 100% of a loan. The Law does NOT require the impossible, remember? If you doubt that, Robert, then try requiring 100%-Repayment of ALL the discharged or defaulted loans made to places like LIBERAL Solyndra, GM, CONSERVATIVE Donald Trump, PRIVATE Credit Card users, etc. You ain't gonna do it, so don't try. And, if you don't try that nonsense on ALL THE OTHERS, then why might you try it on Collegiate Loan borrowers, who are—I argue—a cut above these others, since many others got loans for stupid things, gambling debt, drugs, etc.) That answer your question #1, Robert??

***** Robert J. More – Question 2:** On the other hand what possible justification could there be for granting exoneration from debt repayment in an arrangement in which the borrower would not have ended up without the benefit of his bargain and the general public would end up incurring the expense of someone else's education and correlative permanent procurement of any utility received wherefrom?

*****Gordon Wayne Watts – ANSWER-2:** Well, this question is basically the same as #1, but in reverse, so let me remind you, Robert, that if you don't vocally protest for the 'exoneration' from debts that ALL OTHERS REGULARLY ENCOUNTER (for example: LIBERAL Solyndra, GM, CONSERVATIVE Donald Trump, PRIVATE Credit Card users, etc.), you implicitly endorse and offer justification, and support the Uniformity clause (a special type of Equal Protection.) THAT justification: Equal Protection, in a nut shell. If nonsense gamblers and drug users can easily discharge UNSECURED credit card debt, and big corporations, likewise, for UNWISE and STUPID and GREEDY business decisions (where exacts get paid YHUUUGE 'salaries' – in quotes, as I don't think they earned THAT many millions), why not collegiate loan borrowers—college students, NOT using FUNDS\$ for gambling, drugs, etc.!?)

***** Robert J. More – Question 3:** Since when was. any law of bankruptcy ever intended to enable anyone to procure a windfall at the expense of a treasury subsidized from the fruits of the labor of the general population?

*****Gordon Wayne Watts – ANSWER-3:** It wasn't intended for procure a 'windfall,' but rather, a 'Second Chance,' and, if you doubt that, let me remind you that Bankruptcy Equality (which Rep. John Katko's (R-NY-24th) bill, H.R.770 does, would NOT guarantee ANY discharge of a collegiate loan—much less a 100%-total

discharge. Your question implies that I am seeking “Free College,” “100%-Total Loan Forgiveness,” and/or a Liberal “Free Handout,” and I respectfully DISCLAIM your implied accusation. (Were you accusing me of that? Just needing clarification.) Now, with regards to “The Treasury,” yes, it is true that the taxpayer currently owns much of the current collegiate loan debt, but 2 points you miss: ((#1)) First, that was done by Lawmakers under the Obama Administration, and I did NOT approve of that. However, I will admit it was not unconstitutional to put the taxpayer on the hook for this madness (Lawmakers can pass law), just VERY stupid. However, the bigger point that you miss, Robert, is this: Allowing bankruptcy would be MUCH cheaper than the current state of affair:

*****Gordon Wayne Watts – ANSWER-3 citation:** [[“This is also not a question of cost. Allowing the most extreme cases of student loan debt to be forgiven in bankruptcy would only cost the government \$3 billion, representing only 3 percent of the total amount of loans doled out by the government each year. This is far less than is expected to be forgiven by other relief programs like Public Service Loan Forgiveness and Income-Based Repayment (or “Pay As You Earn”), in service of a policy that is squarely targeted at distressed borrowers.

Allowing Americans to discharge their federal student loan debt in bankruptcy will give Americans still battered by the recession a chance at a fresh start. And it would provide an avenue of relief for older Americans struggling under the yoke of loan debt.

As Figure 1 below shows, over one-third of the \$1.2 trillion in student debt—or nearly \$420 billion—is currently held by those 40 or older. Older Americans in particular who struggle to pay off loan debt do not have the luxury of decades of future income to repair the damage to their credit or the lost savings and wealth that the debt portended.”]] **By Bob Lawless (U of Illinois), Nov. 24, as posted in DEMOS.org, linked here:** <https://www.demos.org/publication/no-recourse-putting-end-bankruptcy’s-student-loan-exception>

*****Gordon Wayne Watts – ANSWER-3 conclusion:** Three (\$3,000,000,000.00) Billion per year is FAR less than the currently almost TWO TRILLION in collegiate debt, amounting to almost TEN (10%) PERCENT of our Nat'l Debt of about 20 or 22 Trillion, and which will crash the dollar is left alone. (Remember, Robert: Not all students will file for Bankruptcy—it's an arduous venture—and, of those who do, few will get full discharge, and some, perhaps most, will get NO discharge.)

***** Robert J. More – Question 4:** Is the passing off of student loan debt from the borrowing beneficiary to the public constitutes of individual citizens not responsible for having induced any borrowing not just another form of collectivist theft and private property degradation?

*****Gordon Wayne Watts – ANSWER-4:** Yes. It is NOT responsible—correct!.. And that is precisely why I support President Trump's request of Lawmakers to start imposing “Loan Limits” on the use of taxpayer dollar\$ \$ to make or back (guarantee) collegiate loans. (Actually, if it were left up to me, I'd PROHIBIT ANY use of TaxDollar\$\$ to make/guarantee ANY collegiate debt. Period. Make it illegal – just like use of our Tax\$\$ for abortions. Let the kids get a Credit Card, if they must take a debt out.) This “spending” measure would be “preventative” in nature, and stop the pouring of (financial) fuel on the (higher-ed debt) bubble-fire. The “curative” measure, HR770, br Republican Rep. KATKO (R-NY-24TH) would help reduce TAXATION (the other side of the equation), and be somewhat curative, as it would scare off lenders, when students could declare bankruptcy, and – of course – save tax dollars – which would be on the hook for this nonsense. AND, Robert, both measures would DRIVE DOWN tuition, because colleges would see less ability for students to take out debt, and more ability to scare off lenders. (Lest you forget, back when collegiate loans were able to be discharged in bankruptcy withgaur Undue Hardship, bankruptcies were 0.3%, and not a problem, and colleges/universities were AFFORDABLE, and American Higher Ed was the best in the world. If they could do it then, they can do it now, so don't doubt me, brother!)

*****Gordon Wayne Watts – ANSWER-4 (proof)** “By 1977 only .3% of student loans had been discharged in

bankruptcy." [LINK](#) ** "Debunking the first premise is the fact that by 1977, under 0.3% of the value of all federally guaranteed student loans had been discharged in bankruptcy...(See H.R. REP. NO. 95-595, at 148 (1977).)" [Harvard Law Review](#) " [LINK #1: https://www.linkedin.com/pulse/history-student-loans-bankruptcy-discharge-steven-palmer](#) [LINK #2: http://HarvardLawReview.org/wp-content/uploads/pdfs/vol126_student_loan_exceptionalism.pdf](#)

***** Robert J. More – Question 5:** How is predatory borrowing any less a sin than predatory lending (Prov. 35:1)?

*****Gordon Wayne Watts – ANSWER-5 – Intro:** Uh, what were you trying to cite? The “Wisdom” book of PROVERBS, written by King Solomon, and from the Holy Bible? That only has thirty-one (31) chapters, Robert. Perhaps, you meant one of these other 2 passages? **[[Psalm 37:21 Holy Bible (KJV) “The wicked borroweth, and payeth not again: but the righteous sheweth mercy, and giveth.” – or – Proverbs 22:7 Holy Bible (KJV) “The rich ruleth over the poor, and the borrower is servant to the lender.”]]**

*****Gordon Wayne Watts – ANSWER-5 – Continued:** But, to answer your (rhetorical) question: Predatory borrowing (that is, with bad motives, and/or to excess) is NO LESS a sin than predatory lending. And, your point? You seem to imply that allowing Bankruptcy Equality (which is what is done by H.R.770, Rep. John Katko's {R-NY-24TH} bill) is “predatory” in nature. That is NONSENSE! If THAT is predatory (to allow collegiate loans the same standards and protections as, say, Credit Card debts, which are similarly-unsecured debts), then allowing these other debts to be eligible for some Bankruptcy discharge is also 'predatory,' but I don't think you're going to tell EVERY PERSON ON EARTH that he/she is no longer eligible for bankruptcy discharge.

*****Gordon Wayne Watts – ANSWER-5 – Continued:** Moreover, when I took out my loan, it DID have Bankruptcy discharge available, and changing the law here changed the terms of my loan contract – VERY IMMORAL (changing the rules after the race's begun), AND illegally and unconstitutionally violating well-settled contract law on this point. (To illustrate my point, let me ask you: What if YOU entered into some contract – be it for a loan, or otherwise – and then, AFTERWARDS, had the terms of the contract CHANGED in favour of the other party. How would ****you**** like that, bud? Didn't think you'd like it much, so don't foist this nonsense on others, OK? Thank you. :) P.S.: If you strip Collegiate Loan borrowers, benefitting Liberals in Higher Ed and the banks involved, than ALL OTHER lenders might want a sweet deal, “legally” pay off lawmakers (via LEGAL, but very immoral, campaign contributions, with strings attached), and this would be horrendous – to all except a few rich banks, and colleges / universities. Do you want that? *Oh, really?*

***** Robert J. More – Question 6:** What evidence is there that the authors of the Constitution's bankruptcy clause ever intended to provide an instrument for predatory borrowing?

*****Gordon Wayne Watts – ANSWER-6:** I ask ****you****, why do you ask this question? (What is its relevance?) – I must only assume and infer that you're implying that a strict application of the Uniformity Clause (Art.I, Sec.8., Cl.4) of the U.S. Constitution would necessarily result in predatory (abusing, or ill-intended and greedy) borrowing. To begin with, your slight against the Founding Forefathers is MOOT, Robert! It matters NOT if it IS or IS NOT predatory in nature. (If it is, too bad: Change the Constitution, by addition on another Amendment, ok?) HOWEVER, more to the point, the Uniformity clause IS NOT a cause of predatory borrowing. Two (2) examples to prove this: Credit Card (and business loans), both unsecured debt (assuming there's no collateral, which is OFTEN the case!) have loooooong had Bankruptcy discharge as an option, and there's been no problems. (And, if there were, you know that the credit card companies and banks could – and do – just loan less, based on ability to repay. You know, a “Conservative Free Market” response to borrower-credit-worthiness, ok?_ Secondly, as I show above, back when Collegiate Loans had “Standard” Bankruptcy discharge (like practically ALL other debts, ok?), the bankruptcy rate was like ZERO POINT THREE (0.3%) PERCENT. (Look above, and do your own research.) So, removal of Bankruptcy Equality was a “solution” to a nonexistant problem. (In fact, the removal of this self-defense mechanism – combined with insane & unwise use

of TaxDollar\$\$ to guarantee – and eventually make – collegiate loans is what CAUSED tuition to soar, when colleges/universities saw deep-pockets students, with repayment guaranteed by Uncle Sam aka YOUR tax dollars.) So, please know, realise, & understand this, Robert: Your opposition to the application of the U.S. Constitution's Uniformity clause is off-centre, without honour, and illogical, not based on sound reason. AND, this is what CAUSED much (if not most) of our present (very, very, very dangerous) Higher Ed debt bubble, which we are all currently experiencing. Moreover, if bankruptcies were allowed for college loans, then the taxpayer (even in a worst-case scenario) might only be “on the hook” for, say, 20 or 30 grand, and this would scare off lenders, and save future tax dollars. BUT, if we do nothing, and the taxpayer stays on the hook, the loan very-often “balloons” (interest & fees) to insane amounts – on the order of 300 grand –sometimes as much as in the MILLIONS, you see? So, allowing Bankruptcies NOW (instead of later) would be far preferable.

***** Robert J. More – Question 7:** How would uniformity of bankruptcy not require the payment of any debt erased equivalent whereto by all citizens not receiving exoneration from a student loan debt ever erased?

*****Gordon Wayne Watts – ANSWER-7:** The way you phrase your question, it seems you're trying to imply that the Uniformity Clause **does** indeed require repayment of all debts in an equal or similar fashion. (Not sure what you meant, but anyhow, see my answer, here.) The Uniformity Clause, cited above, neither “requires” nor “prohibits” discharge of any or all – or none – of any debt. It simply requires that ANY AND ALL law in the U.S. Code on Bankruptcies be “uniform.” Go look it up, Robert.

***** Robert J. More – Follow-up Demand/Invitation/Statement:** Entitlement collector - GWW, you are invited to post the contents of this email on the first page of your websites or justify not doing so.
RJM

*****Gordon Wayne Watts – ANSWER-7:** First off, in regard to your allegation or claim that I'm an “Entitlement collector,” yes, I admit publicly – and for the record – that I do take STATE Food Stamps, a FEDERAL welfare phone, and, have, in the past, taken COUNTY indigent healthcare. BUT, for MANY years, when I WAS legally entitled to these, I did not take them (feeling I didn't need them), and moreover, MY TAX DOLLARS pay into these programs: It's not a free handout, but rather an insurance plan, so to speak. LASTLY, I reported ALL my income, YES, EVEN CASH INCOME, and DID NOT cheat the system. Additionally, I would be OK with a vast reduction in said programs, but am grateful for what I have, and try to help others (and myself) as able—BUT more-to-the-point: I do NOT seek a “Liberal Free Handout,” – or “100%-total Loan Forgiveness,” or “Free College,” Robert. Even though many countries DO have free (or very, VERY, very affordable college of HIGH quality), I do NOT make these requests, and so what requests I do make are even more tenable. HOWEVER, with regard to your petition for me “to post the contents of this email on the first page of your websites or justify not doing so,” I grant your request – when and if I have time, opportunity, and energy. And, in the mean-time, I hope my slowness is justified, me being human. Remember, Robert, your FIRST and SECOND AMENDMENT rights are merely in the Amendments, but the Uniformity Clause is in the Constitution ITSELF, and Clause 4, of Art.I, Sec.8, is ahead of even the powers to coin currency or the war powers granted the Legislative branch. Wake up, bro. You don't want me to take away YOUR 1st or 2nd Am. Rights, with (lame, feckless, and honour-lacking) arguments that you might slander (1ST Am.), or shoot someone (2ND Am.), now would you? And, if YOU took out a huge loan, with the PRINCIPAL so high because of an illegal monopoly and other factors, which had a bankruptcy safety-net – a loan that you would NEVER have take out if it lacked Bankruptcy Equality – you wouldn't want ME to change YOUR contract after the fact, now would you? So, if you won't want it for others, then, please do unto others as you'd like them to do unto you: Support both my taxation/regulation bill (HR770, regulating tuition, a form of tax), and the spending loan limits bill that I sought for years – and which finally has the backing of Pres. Donald J. Trump. Thank you, your friend,

*****Gordon Wayne Watts, Plant City, FL (between Tampa & Orlando)**

P.S.: Besides the conservatives I cited earlier, both Mike Cernovich and Frank H. Buckley support collegiate loan bankruptcy:

[Mike Cernovich, Verified account, @Cernovich said:

“Tuition is high BECAUSE of student loans.

Cheap money loaned to a gullible class of borrowers with poor economic literacy allows colleges to continue jacking up tuition above the rate of inflation.

Student loan bankruptcy means interest rates go up, and tuition goes down.”]

NOTE: Cernovich apparently supports both loans limits preventative measures and bankruptcy curative measures.

<https://twitter.com/Cernovich/status/1106344655682035712>

NOTE: from FRANK H. BUCKLEY (Conservative) - kin to other conservative William F. Buckley, Jr.?

[[“Trump said that he wants to rescue the highly leveraged students of today from what amounts to debt slavery. How to do so? Right now students can’t discharge their educational loans in bankruptcy, and that would have to change. Better still, Trump wants the colleges to bear some of the cost of default. “They have to have skin in the game,” he said. They have to care about making their students employable.

That won’t hurt universities that keep tuition low and whose students get jobs. The community colleges, the decent state schools — they won’t be affected. As for high-cost, social justice-focused schools that make their kids unemployable, it’ll be good to see them pay a price.”

F.H. Buckley teaches at Scalia Law School, and is the author of “The Republican Workers Party: How the Trump Victory Drove Everyone Crazy, and Why It Was Just What We Needed.”]]

Source: "Trump’s fight for campus justice is only beginning," By Frank H. Buckley, *NY Post*, March 22, 2019, LINK: <https://nypost.com/2019/03/22/trumps-fight-for-campus-justice-is-only-beginning>

Recap: Many *other* Conservatives student loan bankruptcy equality: Conservatives, such as [Ike Brannon](#) of the Cato Institute and [New York Times columnist David Brooks](#) have publicly called for the return of bankruptcy to collegiate loans. [Even Jeb Bush included this in his platform](#) when he ran for president. And, of course, I (Gordon Wayne Watts) am a far-right Conservative: I'm 'the' guy who almost won the Terri Schiavo case all by myself, and am a fiscal, moral, and Constitutional Conservative, remember? (-or can be found by a cursory Google search or review of my blogs). Likewise, liberals like Robert Reich, Thom Hartmann, & many others have called for this much-needed repair to fix a broken system. Indeed, [the Democratic Party made return](#) of bankruptcy a plank in their party platform in Philadelphia, recently.

Source: <https://www.WeeklyStandard.com/ike-brannon/let-them-go-bankrupt>

And: <https://www.pbs.org/newshour/show/shields-brooks-on-romney-s-electability-cain-s-9-9-9-plan-wall-st-protests#transcript>

And: <https://www.insidehighered.com/news/2016/01/20/jeb-bush-unveils-higher-education-plan-focus-federal-loan-overhaul>

And: <https://www.INSIDEHigherEd.com/views/2017/12/14/college-leaders-should-support-bankruptcy-protection-student-loans-opinion>