

Correspondence history between Pastor Kevin Lea and
Dr. Larry Vardiman pertaining to Pastor Kevin's July 6, 2009 letter
documenting Dr. Steven A. Austin's plagiarism and poor science being
featured in Ken Ham's AiG museum

----- Original Message -----

From: "Kevin Lea" <kevinlXXXX

To: <lvarXXXX

Cc: "Walt Brown" <waltXXXX; <kevinlXXXX

Sent: Monday, July 06, 2009 7:46 PM

Subject: Letter from Pastor Kevin Lea - Plagiarism in AiG Museum

July 6, 2009

Dear Larry Vardiman,

I understand from talking to Joe Bardwell that you are an author in the upcoming True Peer Review and are recently familiar with Dr. Brown's 8th Edition. I also know that you have been aware of the controversy concerning Dr. Austin's plagiarism of Dr. Brown's work on the Grand Canyon which I contend has had a detrimental effect on the creation science movement.

I have wondered if you played a role in rejecting my plea to the ICR leadership when I visited ICR on June 6, 2006. In the attached letter, I reference my 2006 letter to Mark Rasche, who in turn gave it to ICR's leadership. (There is a link to that letter and it will probably recall those events for you.) I am sending you this packet for your information based on your possible connection to that letter.

Since you know almost all the players, you may be able to shed some light on how matters have deteriorated so badly within the creationist community. Controversies such as this should never happen among Christians and I pray that you would consider taking a role in correcting matters before more damage is done.

You may not realize that on 5-6-2008 Dr. Brown sent Dr. Austin a copy of Endnote 34 in Brown's Grand Canyon chapter. (See the attached.) This was a month before it was placed in his 8th Edition. Brown offered to correct any errors Austin could identify- or remove the entire endnote if Austin publicly corrected the record. Austin ignored his offer. Unfortunately, 30,000 copies of that are now in print, not to mention on the Internet. Many people are reading it.

I will be leaving for Africa tomorrow and will not return until July 25. Feel free to respond now if you wish, some of my assistants are very familiar with the material and may be able to assist you and the others that are receiving this preliminary letter. However, some matters may have to wait till I return.

Sincerely,

Pastor Kevin Lea

The following is Dr. Larry Vardiman's (Institute for Creation Research – ICR) complete response. My comments (KL) are indented. Dr. Brown's input, where needed, is also indented.

Before my response to Dr. Vardiman was distributed and posted, it was sent to him for his comments on October 6, 2009. On October 10, 2009, in a face-to-face meeting at a Creation Conference in Washington State, I asked Dr. Vardiman if he had read this response. He had not. I handed him a hard copy. He refused to take it. I told him that his letter to me contained many false statements which were rebutted with documentation. I asked if portions of his letter to me were based on information he received from Dr. Austin. He said they were. I told him that my response to this false information from Dr. Austin and also false statements from Dr. Vardiman himself were going to result in Dr. Vardiman looking bad; he said he didn't care. I told him that for the sake of truth I had to post this information, unless he changed some of what he wrote. He told me that he wasn't going to devote any time to doing so. He told me to do what I had to do.

Pastor Kevin Lea
Calvary Church of Port Orchard
P.O. Box 151
Port Orchard, WA 98366

13 July 2009

Dear Pastor Lea:

I have not responded to your many emails and letters demanding redress of perceived grievances against Dr. Walter Brown on his flood model because I have concluded you are incorrect about the situation and are stirring up strife among the brethren inappropriately.

*KL — Dr. Vardiman, I fear that you must have failed to read my July 6, 2009 letter and documentation carefully. If you had, you would have seen that: I am not demanding anything, I am not asking for redress of perceived grievances against Dr. Brown on his flood model, and the documentation **proves** that I am not incorrect on the assertion that: Austin plagiarized Brown and as a result **bad science is now on display at Ken Ham's AiG museum.***

Please show me where my letter asks for redress pertaining to Dr. Brown's hydroplate flood model, or where I ask for any redress for that matter. I am simply asking (for the sake of the truth and for the sake of the creation movement, not for Dr. Brown) that AiG stop using plagiarism (documented fact, including Austin admitting so in writing) and bad science in their

museum. This is not about redress of a wrong suffered by a person; it is about stopping the spread of false information.

The strife is being stirred up by those who embrace falsehoods and bad science. Should a parent be condemned for stirring up family strife when he/she tells their child to stop telling fibs and come clean and correct matters?

Of course not, and the same holds true when adults (especially professing Christians – Colossians 3:9) challenge each other to depart from speaking/teaching falsehoods and instead embrace the truth. Just like in a family, the strife stops when the fibbing stops.

Very little is at stake in childhood story making. But the souls of many are at stake when Creation Ministry organizations know, or should know, that they are feeding people incomplete or false information.

How many have lost their trust in the Bible because they were taught the biblical flood of Noah occurred when a supposed vapor canopy surrounding the earth collapsed and flooded all living things, and that it was the canopy that allowed people to live for 900 plus years before the flood?

Millions believed this falsehood because they heard it from ICR and AiG. (You have been perhaps the leading researcher for the canopy theory for more than 20 years and have known its fatal flaws.) Many (through mocking and scorn at colleges and universities) have come to realize it is unscientific garbage. Tragically, some loose their faith in the validity of Scripture rather than realizing they were misled by ICR, AiG and those who stuck with this fairy tale for years out of respect for Dr. Morris (unconscionable misplaced loyalties).

My concerns are identical with Dr. Austin's fairy tale that the Grand Canyon formed when a 30-mile wide, 2,000-foot limestone dam breached (without a scientifically sound explanation for how). I was not in a position to warn people about the Canopy Theory fairy tale. However, I can and will warn as many as I can about Austin's deception (especially since AiG and ICR refuse to stop supporting it).

You continue to push this issue and refuse to let it die.

KL — I want the falsehood to die and the truth to survive. Why do you fight against this reasonable goal? I had hoped that you would assist in the effort.

Consequently, I am writing to explain my position on the controversy and you will hopefully leave me alone.

I was involved in the disagreement between Steve Austin and Walter Brown when it first arose many years ago.

KL — I have read all of the documentation surrounding the dispute between Drs. Austin and Brown. To my recollection, you were never mentioned. I have sent this response to Dr. Brown for him to comment (where necessary for completeness) on his recollection of your involvement. His response follows mine under each statement that you make, where needed.

Walt Brown — Larry Vardiman's name never appeared in any of the correspondence I had with Henry Morris and Steve Austin. Nor did it arise in any other communication I had with anyone. It is likely that Morris and Austin showed some of our correspondence to Vardiman and discussed matters with him, but Vardiman was not involved (as he implies above and below) "in the settlement by arbitration." There was no arbitration!

I assisted in negotiating the settlement by arbitration.

*KL — Nothing in the record that I have read shows that you provided any assistance. The record shows that the matter was **never settled**. Most importantly, you could not have assisted with arbitration because **arbitration never happened**.*

Drs. Morris and Austin agreed to arbitration in writing. Then, after listening to legal counsel, they backed out of their written agreement with Brown and would only agree to mediation. Those who understand the difference between arbitration and mediation know why someone would want to back out of arbitration (that is – they are probably guilty).

Walt Brown — You are correct, Pastor Lea; there was no arbitration. Vardiman is overstating his involvement. Vardiman negotiated nothing. I will assume that Vardiman forgot that Austin and Morris backed out of their written agreement to arbitrate. They said that they would only mediate. I learned this in a phone call from the secretary of the arbitration panel four days before arbitration was to occur at Pepperdine University, after all preparations had been made, including the purchase of plane tickets.

Despite Vardiman saying (below) that he read my Endnote 34, I must conclude that he failed to carefully read it, because I spoke on page 214 of how betrayed I felt by Morris and Austin backing out of arbitration at the last minute, despite months of coordination with them for that arbitration. The Christian arbitration/mediation firm was equally surprised. Vardiman did not assist in the settlement by arbitration, because binding arbitration never happened.

KL — The documented facts show that Dr. Brown appealed to Morris/Austin to correct the record, submit to binding arbitration, or he would go public with Austin's plagiarism. At the bottom of this letter, I have listed the correspondence sequence that shows that Morris/Austin acted with avoidance and deceit, then finally agreed to arbitration (because Brown was otherwise going to go public). Why would Morris/Austin suddenly refuse arbitration after months of correspondence and a written agreement to do so?

One who carefully reads the record can guess what the answer is — Austin had plagiarized and they were willing to take whatever measures were necessary to avoid having to correct the record, which would have resulted in public embarrassment.

The record shows that following mediation, Dr. Austin, with Dr. Morris' awareness, violated the determination of the mediation panel, something they could not have done had the matter been settled in binding arbitration.

At that time apparently both Dr. Austin and Dr. Brown unfortunately chose the same name for the impounded “Grand Lake”.

KL — This false statement betrays that you never provided any meaningful assistance as you claim above. At the beginning of the dispute, Dr. Austin made the ridiculous claim that he somehow, independently, came up with the name “Grand Lake.” However, when he switched to the name Canyonlands Lake as a means to cover his plagiarism in preparation for publishing his book, he changed his tune and admitted in writing that he plagiarized the name from Dr. Brown’s written work. You don’t have to take my word for it; here is Austin during a rare moment of truth when he was writing to the lead mediator on [August 29, 1994](#):

Dr. Austin —Unfortunately, I [Austin] did not reference Brown as the source of the name “Grand Lake” until the 1993 issue of Grand Canyon Field Study Tour Guidebook. That lack of citation [plagiarism] of Brown in the earlier issues [1990-1992] of the Field Guidebook may have led some to believe that I was the source for the name “Grand Lake.” That supposition is, of course, incorrect.

The fact that you make this defense of Austin shows that you could not have read my letter carefully since the above quote is contained in the letter. Dr. Vardiman, I urge you to not judge and make erroneous comments about things you have not read. Doing so has had a detrimental effect on the creation movement, and may hinder your work in the future.

They both had similar concepts about how the lake formed and emptied.

*KL — The documented **facts** show that they did not. I challenge you to read Dr. Austin’s 1988 and 1989 guidebooks, and then read Dr. Brown’s work; there is a night and day difference.*

Austin and Brown, like hundreds before them, supposed that a breached lake formed the Grand Canyon. Austin wrote about how there were many problems that must be addressed before a breached dam hypothesis could be embraced.

Brown, with the Hydroplate Theory frame of reference, made several unique and key discoveries during his fieldwork. These discoveries by Dr. Brown solved the many enigmas of the Grand Canyon, which plagued Austin and others. Only after Dr. Brown started lecturing and writing about his details did Austin plagiarize what he could in his quest to market himself as the breached dam discoverer.

But Dr. Brown’s discoveries provide a scientifically sound explanation only when they are inextricably tied to his Hydroplate Theory. Austin could only plagiarize the name, breach point, and elevation of Grand Lake, but he could not use the related Hydroplate Theory information, which makes the breached dam explanation scientifically viable. As a result, Austin was forced to twist his plagiarized information into the bad science now featured in Ken Ham’s AiG museum.

After much disagreement over the name of the lake and several other issues, the argument was taken to arbitration and the use of the name “Grand Lake” supposedly settled.

*KL —It was **NOT** taken to arbitration because of the last minute violation of a written agreement by Drs. Morris and Austin. The mediator settled the use of the name Grand Lake when he told Austin to stop using the name Canyonlands Lake since it was Brown who discovered this body of water, and named it Grand Lake. But Austin refused to comply with this settlement. Instead, he bombarded the mediator with a smokescreen about federal requirements pertaining to the naming of lakes (irrelevant for extinct lakes) so that he could prevent the public disclosure of his plagiarism. Please read my letter so you can know the truth and stop fantasizing about what happened.*

However, Dr. Brown continued to be unhappy about the settlement because Dr. Austin would not agree that he (Dr. Brown) had developed the idea of an impounded lake prior to Dr. Austin.

KL—I am unhappy (as well as everyone who has read the documented record) that Austin and Morris refused to set the record straight for the sake of the truth and the creation movement. However, I will let Dr. Brown speak to what upset him.

*Walt Brown —No, **I was unhappy because Austin had told others that I had plagiarized from him.** I provided the names and phone numbers of those witnesses, but Austin never contacted them or even tried to refute their statements. Throughout the 18 month controversy, Austin steadfastly maintained that he never accused me of plagiarism. (However, I understand that, in 2008 at an ICC Conference, Joe Bardwell heard Austin again accuse me of plagiarizing his work concerning Grand Lake.) These accusations are always made behind my back.*

I was aware of Austin's plagiarism and false statements about me for a few years before I spoke up. As I explain in Endnote 34, I had to finally address the matter when Austin's false statements, repeated by Russ Humphreys, were threatening a very expensive video production of Bob Gentry. If Vardiman's accusation above (that I simply was seeking priority) was correct, I would have spoken up years earlier.

After the mediation, I became unhappy because, over a period of 13 weeks, Austin refused eleven of my requests for him to tell me how many of his Grand Canyon books remained. That number was to determine how we went about producing an errata sheet that Austin would place in every unsold book.

Morris and Austin continually tried to frame the controversy as being about who gets credit. Vardiman apparently bought into their story. If Vardiman had read all the primary documents and my letters to Austin and Morris, he would have understood and would not be repeating a false story.

Later in the debate you became an advocate of Dr. Brown and have been agitating to obtain additional concessions from Dr. Austin and ICR.

KL—You are mistaken again Dr. Vardiman. My efforts are solely about getting to the truth of this very important matter and exposing the falsehoods. On three occasions ICR directly or indirectly brought up the mediation in such a way as to cast Dr. Brown as being the unethical party. After the third occasion, I asked Dr. Brown to send me the correspondence (would have demanded had he not done so). Because of Brown's refusal to bring up the matter or discuss it,

I was beginning to suspect that he (Brown) was hiding something. When I read the correspondence between Austin/Morris and Dr. Brown, I realized that it was Austin who had something to hide, not Brown.

Had the truth pointed to Dr. Brown being unethical, then my efforts would have been to encourage him to change his book to reflect Austin's contributions in discovering Canyonlands Lake and that Brown needed to stop calling it Grand Lake. I am not an advocate of Brown! If it appears that way, it is only because Brown is the one telling the truth and Austin/ICR and AiG are sticking with the falsehood, on this matter and many others that are also documented at our web site.

I have not been intimately involved with the latest resurgence of the controversy and have been disappointed that this disagreement will not go away. Because I am convinced that Dr. Austin developed the idea of an impounded lake upstream from Page, Arizona independently of you or Dr. Brown.

KL—How can you be convinced when there is not one shred of evidence to support that Austin discovered an impounded lake, separate from Hopi Lake, at 5700 feet, which breached at Marble Canyon?

Austin did not (could not) provide an audiotape of a lecture, a witness who could attest to Austin's discovery, or even a single document that showed he independently discovered Brown's Grand Lake, elevation and breach point. Why? Because the record shows that he plagiarized these discoveries from Dr. Brown.

If you were to carefully read my letter, you could link to Brown's memorandum of the mediation that was held on 28 September 1994 at Pepperdine University. The memorandum describes a dramatic moment when Brown asked Austin, in the presence of Morris and the four mediators, to show them anything that would indicate that he came up with the name, elevation, or breach point for or existence of Grand Lake before the fall of 1988. (Brown had made this request to Austin several times in the previous months to no avail.)

Dr. Austin hesitated, and then claimed that he could. One mediator asked where that information was. Austin said that it was in his car. The mediator, with exasperation in his voice, said, "Well, go get it!" Austin left the room and returned ten minutes later. A mediator said, "Let's see it." Austin placed a sheet of paper on the table (the Whitmore map). The mediator who specialized in copyright infringement, studied it and said, "Where does this describe the lake?" Austin was speechless, because as everyone who has carefully read my letter knows, the Whitmore map shows no lake at all, let alone an elevation or breach point.

It was Dr. Austin's complete lack of evidence that caused the lead mediator to tell Austin to stop using the name Canyonlands Lake. Something Dr. Austin later refused to do.

I realize that it must have been very painful for Austin to be scooped by Brown at the Grand Canyon after he had done so much work at Mount St. Helens to try to explain the Grand Canyon. Dr. Austin may believe in his own mind that because of his work at Mount St. Helens he preceded Brown's work in the Grand Canyon, but Dr. Austin's (and others) observations

about a tiny lake breaching and carving a small canyon in Washington do not even come close to answering the many enigmas surrounding the origin of the Grand Canyon.

Because I am convinced that Dr. Austin developed the idea of an impounded lake upstream from Page, Arizona independently **of you [emphasis mine – Pastor Kevin]** or Dr. Brown.

By the way, I never claimed to have discovered a lake, so why do you say that Austin made a discovery” independently of you” [pastor Kevin]?

I can't understand why the agreement for Dr. Austin to use a different name for the lake wasn't sufficient.

*KL—The agreement was **not** for Austin to use a different name for the lake. The mediator told Austin to stop using the name Canyonlands Lake because Brown discovered and named the body of water, Grand Lake. But Austin had already published the first run of his book with the name Canyonlands Lake; changing now would be a great embarrassment. So Austin bombarded the mediator with bogus federal requirements about naming lakes (which do not apply to extinct lakes) and successfully (tragically) caused the mediator to state he may not have the authority (as a lead mediator of a dispute) to force the use of a name, but stipulated to Austin that he still believed Austin should change the name. With the mediator mandate changed to a suggestion, Austin was able to continue to cover his plagiarism, but not without violating the heart of the settlement. You have to be very careful to read the **entire** record in order to see this very important fact clearly. Don't get fooled by Austin handing you one letter without the earlier letter from the mediator.*

Dr. Brown invited me to lunch at his home while I was speaking in Phoenix some four or five years ago and attempted to recruit me to have ICR revisit the issue.

KL—Since I wasn't there, I will let Dr. Brown address this.

Walt Brown — This is another overstatement. At lunch with Larry Vardiman, the topic of the Austin plagiarism controversy came up tangentially. I told Vardiman during lunch that Morris was telling influential people that I had threatened to take Austin and him to court, which would be a violation of a biblical prohibition (I Cor 6:1-6).

That is completely false. Vardiman told me that Morris had the view that arbitration in California is like taking someone to court. Christian arbitration, which in California would have been binding, is what I was pushing. It is about as far away from court as one can get, and it does not place a dispute among Christians in the hands of nonbelievers. Vardiman, nodded his head, and I thought he agreed with me.

The closest I came to asking Vardiman to do something was to show him a standard letter ICR's public information office had been sending out for years. The letter was ICR's standard response to people who wrote and asked for ICR's position on the Hydroplate Theory. Anyone who has read the theory would know that the writer of that standard letter had not read the theory. When I showed Vardiman the letter at lunch, he read it, then put it aside, saying that he had never seen it. I was hoping that he would have said that he would look into it and get back with me. That would have been

the response of any hands-on manager, but I never came close to making that request. I seldom press anyone to do something.

While I never asked Vardiman to do anything, as he was leaving our home, he said that he had just learned that he had been named CEO of ICR, I did comment that he would be in a position to make some changes to heal wounds. He surprised me by saying that he would try to make some changes, but he couldn't promise anything. I never asked specifically for anything.

A third party, Roger Heyan, was present at that lunch and can verify what I have stated above.

I was not convinced by his case nor was I in a position to raise the issue once again.

KL — If Brown's recollection of what happened is correct, then what you say above is another fabrication. Why?

Since that time I have been removed from any administrative role at ICR and have little or nothing to say about how things are done there any longer.

KL — I have never had an administrative role at ICR, nor do I have anything to say about how things are done at ICR. That does not prevent me from encouraging ICR to do what is right for the sake of truth and to enhance what should be the mission of the creation movement (put out accurate and scientifically sound arguments). If you are respected at ICR, then you could have an even more powerful and positive influence for truth and good science (if you can embrace the facts/truth yourself).

I request that you please stop pestering me and others who were at one time involved peripherally in this disagreement and let sleeping dogs lie.

KL — More false statements.

I have not "pestered" you. I have put you on cc on two letters in 2008. I sent you a direct letter this year because I knew that you were an author in the flood peer review and would most likely have read Dr. Brown's work on the Grand Canyon, and therefore may have seen the difference in scientific evidence between Austin and Brown. I mistakenly thought having done so would result in you having a positive role in correcting the plagiarized, garbage science being on display in Ken Ham's AiG museum. Your response causes me to stand corrected on this misplaced hope.

If the dog were sleeping, I would let it lie. How can you possibly think that it is? The rabid, vicious dog of false statements, plagiarism and garbage science is devouring unsuspecting visitors at the AiG museum. I intend to use all the powers Jesus gives me to kill that dog before it hurts another soul. Since God has ordained that the truth will always conquer the lie, I suspect the future will hold in contempt those who allowed it (the lying dog) to live and kill. Are you sure you want to be one of them?

I agree that the statements in the end notes of Dr. Brown's book are not flattering to either person or organization, but my understanding is that the statements were part of the negotiated settlement between Dr. Brown and Dr. Austin and they should be left alone. No further reconciliation appears possible between the two men and it is useless, in my mind, to continue to stir the pot.

KL — My goal is that people will know the truth and be aware of the most complete, scientifically sound, explanation for how the Grand Canyon formed. When the truth is embraced by Austin/ICR and AiG, then reconciliation will be automatic. I rejoice that the truth is getting out and less people will be deceived by Ken Ham's AiG museum. After I post this response to your letter (all the other letters are already posted), then I will be pointing over two hundred creation organizations to the documented evidence of the truth so they can join (if they chose to) in the effort to spread the truth even further.

In regards to my role on the True Peer Review panel, I have now read most of Dr. Brown's book for the first time and find that he has presented some very interesting and useful ideas, I plan to support some of his ideas about the Flood in my review and will attempt to the best of my ability to ignore the controversy between him and Dr. Austin.

KL — I pray that the truth about how the flood of Noah occurred, as supported by Biblical harmony, facts and sound science, will be found (if possible) and used to make a powerful movie which will harvest more souls into the kingdom. I will be praying for all of you to that end.

Sincerely,

*Kevin Lea
Pastor, Calvary Church of Port Orchard, Wa.*

Sincerely,

Larry Vardiman, PhD

The following letter sequence reveals that Morris/Austin acted with avoidance and deceit, then finally agreed to arbitration (because Brown was otherwise going to go public):

[August 19, 1993](#) – Brown asks Austin to come clean, submit to arbitration or Brown will be going public

[September 9, 1993](#) – Morris answers Brown's letter to Dr. Austin ignoring the facts of the matter and tries to push Dr. Brown into allowing the matter to be swept under the rug.

[September 21, 1993](#) – Dr. Brown responds to Dr. Morris that the matter cannot be swept under the rug and must be corrected, submitted to arbitration or Dr. Brown would be going public.

[October 5, 1993](#) – Dr. Morris suggests Emmett Williams as Arbitrator. Later rejected by Brown because of Williams’ connections with ICR.

[October 12, 1993](#) – Dr. Brown lays out the plan for arbitration, notifies Morris that he is already providing documentation of Austin’s plagiarism to those who ask. Dr. Brown also provides an example letter of what Dr. Austin could write in order to end the dispute. Morris/Austin ignore this offer.

[November 3, 1993](#) - Dr. Morris agrees to arbitration, complains about Dr. Brown starting to go public.

[November 10, 1993](#) - Dr. Brown clarifies the required process for an impartial arbitration.

[November 24, 1993](#) - Austin signs agreement to arbitrate if Mr. Stephen E. Hurst (a former ICR lawyer) is the arbitrator. Dr. Austin completely ignores Dr. Brown’s earlier letters outlining how an independent arbitrator is to be selected.

[December 17, 1993](#) – Dr. Morris approves Dr. Austin's letter of 24 November 1993, which recommends a former ICR lawyer to be the arbitrator.

[December 23, 1993](#) - Brown rejects ICR's choice for arbitrator. Brown proposes six mutual acquaintances/friends of Morris/Austin/Brown who live in Los Angeles and could select a neutral arbitrator.

[December 30, 1993](#) - Morris selects David Coppedge as the person who will select the arbitrator.

[January 14, 1994](#) - Dr. Brown points out Morris' scriptural error and notes that Dr. Morris must also be a party to the binding arbitration.

[January 20, 1994](#) - Morris pleads for Brown to drop the charges.

[March 12, 1994](#) – After Morris finally agrees to impartial arbitrator selection, Brown writes to David Coppedge (selected by Morris to be the person to select an arbitrator). Days later, Coppedge selected the Institute for Dispute Resolution (a Christian Arbitration/Mediation firm) to be the arbitrator. This firm then coordinates all arbitration details with the two parties. Morris, Austin, and Brown all sign to submit to binding arbitration. Morris and Austin back out from their signed agreement four days before the scheduled arbitration is to take place.