

Newsletter

A Quarterly Newsletter

Winter 2011

The Marin County Libertarian Party is pleased to share with you its Winter 2011 newsletter.

We are dedicated to representing Libertarian views of the People of Marin County, and to that end, we **WELCOME AND INVITE YOUR FEEDBACK.**

If there are topics you would like to see us investigate, cover, and/or report about, please **TELL US.**

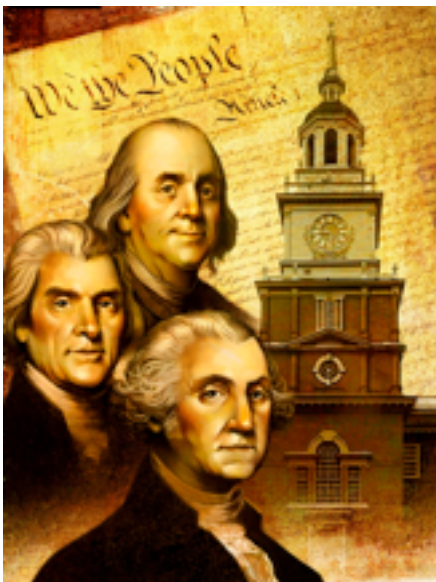
If you or your business can help us in our mission to propagate Libertarian solutions to local government dilemmas, disseminate information to the People of Marin, or in any other way, **WE WOULD LOVE TO HEAR FROM YOU.**

If you have an opinion about any of the issues we discuss or any other issues relevant to the People of Marin, **PLEASE SHARE IT WITH US.**

We exist for **YOU**, to represent **YOU**, to serve **YOUR** best interests, and to make life in Marin better for **YOU** and **YOUR** families. We can only do it with **YOUR** input and **YOUR** support. So don't be shy.



ARTICLES



- **SPECIAL REPORT from MLP President Paul Kelley: The TSA is violating YOUR rights**
- **The Not-So-S.M.A.R.T. Train**
- **Social Security, Ponzi Schemes, and the Need for Reform**
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THE TSA IS VIOLATING YOUR RIGHTS ~ by Paul Kelley

Below is a summary of some of the unconstitutional conduct and flagrant violations of rights taken by the TSA:



The Department of Homeland Security's (DHS) Transportation Security Administration (TSA) is the federal agency with primary responsibility for securing the air cargo system. The Implementing Recommendations of the 9/11 Commission Act of 2007 mandated DHS to establish a system to screen 100% of cargo flown on passenger aircraft by August 2010. The Government Accountability Office reviewed TSA's progress in meeting the Act's screening mandate, and any related challenges it faces for both domestic (cargo transported within and from the United States) and inbound cargo (cargo bound for the United States). As of August 2010, TSA reported that it met the mandate to screen 100 percent of air cargo as it applies to domestic cargo.

The Fourth Amendment states, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Actions taken across the country:

Texas:

In June 2011, the state House of Representatives passed a bill, HB41, that would make pat-downs (hands down the pants, groping) illegal, but it died in the state Senate. It had been dropped after the U.S. Attorney in Texas warned lawmakers that the TSA has the authority and responsibility to make sure air travel is safe, and it could conceivably ban takeoffs of aircraft within Texas if it isn't allowed to carry out its mandatory functions.

Later in June, the Texas senate passed a revamped version of HB41, SB29, otherwise known as the Anti-groping bill, which specifically makes invasive pat-downs without reasonable suspicion illegal and a breach of constitutional protections. However the bill died in the House.

"This bill jump started the debate and thrust it into the national spotlight. We may have lost this battle, but it's just the first salvo in the war," said Tenth Amendment Center communications director Mike Maharrey. "The American people are sick to death of standing around in their socks at the airport while blue-shirted agents grope their children and grandmothers.

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The Not-So-S.M.A.R.T. Train ~ by John Parnell

By now you all have heard of the S.M.A.R.T. Train, the Sonoma Marin Area Rail Transit project. The first segment runs 37 miles from downtown San Rafael with Railroad Square in Santa Rosa - this is half of the original plan, but it will cost exactly the same.

They are preparing to deliver to voters roughly half the project that they originally outlined for almost the same cost. While they like to blame this on the poor economy, logic tells us that the costs should have been LOWER given economic conditions (soft real estate and labor markets, low interest rates, etc.), yet they are over 30% over budget.

While they claim to be "committed" to delivering the entire project, there is no money available to build the rest of the line, and they have stopped reporting the cost of the entire project.

S.M.A.R.T. has demonstrated repeatedly that they have little regard for taxpayer dollars, and are ready to spend freely on generous salaries and benefits, media programs to try to stifle the effort to allow the voters to make their voice heard again. S.M.A.R.T. has demonstrated a pattern of playing loose with facts and figures, and not taking responsibility for their words and actions. They tell voters what they think voters want to hear, regardless of how accurate it is. There is no accountability- no acceptance of responsibility for any of their failings.

One can't help but question the competence of a group that has been so wrong in their financial projections, and refuses to take any responsibility for these mistakes. Is this a group that can be trusted to deliver a project like this? Find out what YOU can do now by going to: www.repealsmart.org.

SMART employees are fleecing us with their pensions. SMART fully pays both employer & EMPLOYEE contributions. The Marin Grand Jury's [investigation](#) concluded: "As a recently formed entity, this generous policy does not seem reasonable or sustainable....It is not clear how SMART will be viable". Despite that recommendation, the pension double-dipping continues.



When the SMART Board violated our trust last month by cutting the train in half, they also violated the Brown Act (Govt Code sec. 54956) by casting a vote which was not previously placed on the agenda. RepealSMART.org has notified the SMART Board of its Brown Act violation and asked them to fix this mistake by voting again as an agenda item at their next meeting on December 15. If they are going to change the scope of the project by 43%, they can at least follow proper legal procedure.

EMBRACING SOCIAL MEDIA



Rapid change is happening on every level; in Marin, in the State Government, and on the Federal level. In an effort to keep up with it, and to extend the reach of our voice, we are now:

- [On Facebook @ facebook.com/MarinLibParty](https://www.facebook.com/MarinLibParty)
- [On twitter @ twitter.com/MarinLibParty](https://twitter.com/MarinLibParty)
- [On YouTube @ youtube.com/user/MarinLibParty](https://www.youtube.com/user/MarinLibParty)
- And, of course, we are still [on the web @ MarinLP.com](http://MarinLP.com)

Social Security, Ponzi Schemes, and the Need for Reform

~ by Michael D. Tanner, The Cato Institute

Recently there has been much debate over whether Social Security is or is not a Ponzi scheme.

Clearly Social Security has many structural characteristics that resemble those of the classic Ponzi or pyramid scheme. For example, like a Ponzi scheme, Social Security does not actually save or invest any of a participant's payments. When a worker pays taxes into the system, that money is used to pay current beneficiaries. Therefore, participants receive payments, not from returns on their own investments, but directly from inflows from subsequent participants.

As a result, Social Security was able to pay early participants a windfall return on their money. But as demographic changes result in fewer workers paying into the program and more recipients taking benefits out, the return to subsequent generations grows steadily worse. Today's young workers will receive a rate of return far lower than what they could receive from private markets.

However, there is one crucial distinction between Social Security and a Ponzi scheme. Once Ponzi was unable to talk enough people into investing with him, his scheme collapsed. People participate in Social Security because the government makes them. And if the Social Security system begins to run short of people paying into the system, as it is now, it can always force those people to pay more.

Yet, Congress's ability to preserve Social Security through higher taxes and lower benefits should not distract from the more fundamental problem that the program's Ponzi-like structure makes it unable to pay currently promised levels of benefits with current levels of taxation. In short, the program is facing insolvency without fundamental reform.

Instead of just making a bad deal worse, that reform should fundamentally restructure Social Security. It should remove the Ponzi-like aspects of the program and allow younger workers to save a portion of their payroll taxes through privately invested personal accounts.



We've Had Enough Government 'Stimulation'

After three years and \$4 trillion in combined deficit spending, unemployment remains stubbornly high and the economy sluggish. That people are *still* asking what the government can do to stimulate the economy is mind-boggling.

That the Keynesian-inspired deficit spending binge did create jobs isn't in

question. The real question is whether it created any net jobs after all the negative effects of the spending and debt are taken into account. How many private-sector jobs were lost or not created in the first place because of the resources diverted to the government for its job creation? How many jobs are being lost or not created because of increased uncertainty in the business community over future tax increases and other detrimental government policies?

Don't expect the disciples of interventionist government to attempt an answer to those questions any time soon. It has simply become gospel in some quarters that massive deficit spending is necessary to get the economy back on its feet.

The idea that government spending can "make up for" a slow-down in private economic activity has already been discredited by the historical record—including the Great Depression and Japan's recent "lost decade."

Our own history offers evidence that reducing the government's footprint on the private sector is the better way to get the economy going.

Take for example, the "Not-So-Great Depression" of 1920-21. Cato Institute scholar Jim Powell notes that President Warren G. Harding inherited from his predecessor Woodrow Wilson "a post-World War I depression that was almost as severe, from peak to trough, as the Great Contraction from 1929 to 1933 that FDR would later inherit." Instead of resorting to deficit spending to "stimulate" the economy, taxes and government spending were cut. The economy took off.

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BE HEARD!

We are looking for libertarian speakers who wish to be featured on our YouTube Channel and Facebook page, if anyone reading this wishes to set up a video shoot, please contact Paul Kelley at: kellep2@msn.com.

(Government Stimulation - continued from previous page)

Similarly, fears at the end of World War II that demobilization would result in double-digit unemployment when the troops returned home were unrealized. Instead, spending was dramatically reduced, economic controls were lifted, and the returning troops were successfully reintegrated into the economy.

Therefore, the focus of policymakers in Washington should be on fostering long-term economic growth instead of futilely trying to jump-start the economy with costly short-term government spending sprees. In order to reignite economic growth and job creation, the federal government should enact dramatic cuts in government spending, eliminate burdensome regulations, and scuttle restrictions on foreign trade.

The budgetary reality is that policymakers today have no choice but to drastically reduce spending if we are to head off the looming fiscal train wreck. Stimulus proponents generally recognize that our fiscal path is unsustainable, but they argue that the current debt binge is nonetheless critical to an economic recovery.

There's no more evidence for this belief than there is for the existence of the tooth fairy.

Not only has Washington's profligacy left us worse off, our children now face the prospect of reduced living standards and crushing debt.

This article originally appeared in a [PolicyMic debate](#) between the Cato Institute's [Tad DeHaven](#) and Demos senior fellow [Lew Daly](#). Check out Daly's piece [here](#).



THE 2011 INDEX OF ECONOMIC FREEDOM

For over a decade, [The Wall Street Journal](#) and [The Heritage Foundation](#), Washington's preeminent think tank, have tracked the march of economic freedom around the world with the influential Index of Economic Freedom.

Economic freedom is the fundamental right of every human to control his or her own labor and property. In an economically free society, individuals are free to work, produce, consume, and invest in any way they please, with that freedom both protected by the state and unconstrained by the state.

VIEW THE FULL LIST AT: www.heritage.org/index/

WORLD RANK	COUNTRY	FREEDOM SCORE	CHANGE FROM PREVIOUS
1	Hong Kong	89.7	0.0 =
2	Singapore	87.2	+1.1 ▲
3	Australia	82.5	-0.1 ▼
4	New Zealand	82.3	+0.2 ▲
5	Switzerland	81.9	+0.8 ▲
6	Canada	80.8	+0.4 ▲
7	Ireland	78.7	-2.6 ▼
8	Denmark	78.6	+0.7 ▲
9	United States	77.8	-0.2 ▼
10	Bahrain	77.7	+1.4 ▲



(TSA Special Report - continued from page 2)



These people aren't making us safer. They are stealing our dignity, along with our constitutional rights. This isn't the last you will hear on this issue."

Utah:

Inspired by Texas efforts, a state legislator in Utah has reportedly filed a similar measure prohibiting enhanced pat-downs for consideration in 2012.

New Hampshire:

Pending legislation in New Hampshire would criminalize not only enhanced pat-downs but also full-body scans. House Bill 628-FN, co-sponsored by both sides of the political spectrum would classify "the touching or viewing with a technological device of a person's breasts or genitals by a government security agent without probable cause a sexual assault", classifying the TSA's use of enhanced pat-downs as sexual assault, punishable in the same way as other sexual offenses. "Let's put their name on the sex offender registry, and maybe that will tell them New Hampshire means business," stated cosponsor Rep. Andrew Manuse (D-Derry).

Idaho:

In June, 2011, Rep. Phil Hart, R-Athol, told IdahoReporter.com said he may address search methods in the next legislative session, set to begin in January. "I do plan on revisiting the issue," said Hart, who unsuccessfully pushed a bill to limit the use of full body scanners at public airports in Idaho in 2010. Hart says he is looking into the problem, but isn't certain if the bill he crafts will mirror the Texas legislation. "Whether it will be like the Texas bill, I don't know," he explained.

New Jersey:

Republican state Senator Mike Doherty has vowed to push for legislation that will ban both the scanners as well as invasive groping techniques. "It is with great sadness that I have come to recognize that one of our greatest threats has been presented by officials of the TSA who have begun to implement intrusive searches of law abiding Americans who are traveling within our borders." Doherty has said.

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(TSA Special Report - continued from previous page)



"I am drafting new legislation that will make it perfectly clear that in New Jersey, our Constitutionally granted civil liberties are treasured and will be protected. I am calling upon my colleagues in the Legislature to step up and co-sponsor legislation that will protect the rights of citizens in New Jersey," he added.

Pennsylvania:

Rep. Will Tallman (R-Adams/York) said his measure would illegalize contact with any person's genitals or breasts during an airport body search as indecent assault. Under his legislation, House Bill 852, Tallman said federal, state and municipal government employees would not be immune from prosecution, even if the violation occurred while performing the duties of their job. Tallman said the intent of his legislation is to deter both the TSA and the federal government from "terrorizing our most fundamental civil liberties to travel freely from one destination to another while they are allegedly protecting us from terrorists."

Hawaii:

On April 14, 2011, Senator Sam Slom of Hawaii officially convened "United States for Travel Freedom" caucus, a new, national, bipartisan legislative caucus emerging to take action against the TSA, believing it has gone too far in an assault on individual and states rights. The mission of the caucus is to, "establish a centralized location to share information regarding: (1) Federal security policies as they pertain to the right to travel freely; (2) How these policies affect the citizens of the United States of America; (3) Methods of screening and the accumulative costs of these procedures.

The primary organizers are Alaska State Representative Sharon Cissna and Washington State Senator Val Stevens. Republican and Democrat legislators from Alaska, Hawaii, Michigan, Montana, New Hampshire, New Jersey, Pennsylvania, Texas, and Washington have pledged to work together for common goals to oppose what is perceived as an ever growing threat to liberty by the TSA. Additional state legislative participation is anticipated. Each of the lawmakers involved to date has introduced legislation in their state to curb what they, and their state's citizens, believe to be excessive power by the TSA.

Specific issues include constitutional rights, invasion of privacy and civil rights, child protection and fiscal issues. Many of the state bills call for individual state prohibitions on TSA procedures with the ultimate goal federal action against the operations of the TSA itself. (A series of legislative lists regarding pending legislation may be found at www.akhealthcaucus.org/TSA.php).

Back in January, 2011, Slom introduced SB 1150: "Relating to the use of Body Imaging Scanners at Airports." The bill would make it illegal to use non-consensual full body imaging devices at Hawaii airports. There were four Democrat co-signatories. The bill was referred to three separate committees, but never given a hearing. It will be back in 2012.

G E T I N V O L V E D !

LIKE THE NEWSLETTER? WANT TO WRITE AN ARTICLE? HAVE ANY IDEAS FOR TOPICS? WANT TO ATTEND SOME OF OUR MEETINGS? WANT TO VOLUNTEER?

SEND A MESSAGE TO OUR PRESIDENT PAUL KELLEY: kellep2@msn.com