

Petitioning a Success! C.V.A. Schmidt

The petition drive to put our candidates on the ballot was successful on almost every score! We will be represented in both U.S. congressional races in San Mateo County-by your editor in the north and by LP Webmaster Joe Dehn in the south-and in both state legislative races in the southern half of the county: by sometime LPSM Chair Chris Inama for the assembly seat, and by Jon Matonis for the state senate seat. Moreover, we registered a number of new Libertarians and 7 previously registered Libertarians took the extra step of becoming dues-paying members or donors.

Success was achieved by a combination of a direct-mail petition and membership drive; a telephone effort; traditional door-to-door circulation; and Entertainment book sales.

The slim margins by which we were able to achieve ballot access for our 4 candidates testify to the importance of every member, every donation, and every volunteer in the Libertarian Party. Thank you! Thank you! Thank you! The fact that no other 'third party' will have as many candidates on the ballot testifies to the commitment of our volunteers and donors.

Note: As the petitioning period drew to a close last month, the Natural Law Party (which seeks to promote Transcendental Meditation politically) was the only other small party which appeared likely to field any candidates in our county. At this point in the process it is still theoretically possible for other parties to do so, but not likely.

Arts Commissioner to Speak Scott Lieberman

Kate O'Brien, chair of the Libertarian Party of San Mateo County, will be the guest speaker at the LP of Santa Clara's February meeting, which is Thursday, February 15. Kate is a member of the Menlo Park Arts Commission, whose members are appointed by the City Council. Ms. O'Brien will tell us how she got selected, what her job is like, and anything else you might like to know about her position.

LPSC business meetings are held on the third Thursday of each month: Dinner-7:00pm; Meeting-8:00pm. These meetings cover what's happening in the LP in Santa Clara County, in California, and around the country. They're held at Coco's Restaurant, 1209 Oakmead Parkway (at Lawrence Expressway, one block south of 101, in Sunnyvale.). If you want to have dinner or a snack and participate in the pre-meeting discussion, please arrive promptly at 7pm.

The LPSC also sponsors a libertarian discussion group at the same location on the second Wednesday of each month, 7:00-9:30pm. These meetings are for anyone who wants to learn about libertarianism or who is interested in libertarian ideas.

Editor's Notes

Happy New Year to one and all! -And a special *thanks to all who signed petitions* to put our candidates on the ballot. As a 'thank-you' this issue is going out to all petition signers. §

December's meeting was almost entirely devoted to debating our financial philosophy and the relative importance of the (now completed) ballot-access effort. We agreed on a policy which does the minimum to place our candidates on the ballot, but 'keeps most of our powder dry' for growing the party and/or for a more 'winnable' local race in the future. §

Correction: In December's newsletter, I stated that it could cost \$3496 in *filing fees* to put a single candidate on the ballot for each legislative district in the county. I erred: failing to count some districts that we share with neighboring counties. In the absence of signature-gathering volunteers, fees could total \$6272 to file a complete slate in San Mateo County. §

Our *next meeting* will be *Wednesday January 17*, at Amy Guthrie's office in *Palo Alto* from *7:30pm to 9:00pm*. (See the map on the back page for directions)

Officers for 1996 will be elected. Kate and Mary have offered to continue to serve in their present offices, but the office of *Secretary is open*. The ideal candidate will attend each of our monthly meetings and write-up the interesting bits for inclusion in this newsletter, submitting copy via email, diskette, or fax. (This is probably not a bad position for a college-bound high school student who is interested in rŽsumŽ building. In a similar vein, anyone willing to summarize a few city council or board of supervisors' meetings is welcome to the coveted title of 'contributing editor'.)

Social Security in EPA C.V.A. Schmidt

At our November 15 meeting Chris Inama told us of the positive experiences he had gathering signatures in East Palo Alto and of an insight of one his neighbors shared: "Did you ever realize how racist Social Security is? Blacks don't live as long as whites, so Social Security overtaxes black workers to subsidize white retirees. It's another government redistribution-of-wealth scam." Curious to know the actual numbers, I did a little research, consulting my Historical Statistics of the United States Colonial Times to 1970 (Series B 116-125) and my Statistical Abstract of the United States 1992 (Table 104).

The data for 1929-1931 (presumably used as the actuarial basis of the Social Security Act of 1935) show that the life expectancy of a white male at age 20 was then 46.0 years: His cohort, on average, would live one year past retirement at age 65. Many would live longer, but a similar number were expected to die without receiving any benefits. Thus Social Security, at the outset, was primarily an insurance plan-covering the possibility that one might live longer than the then average 66 years. Because only a minority did, premiums were low-3% of one's salary. The system was actuarially sound.

In subsequent years, congress ignored the actuaries (something that would be apostasy in the world of private insurance) and failed to

change the system to reflect increasing life expectancy. In 1989 the life expectancy of a white male at age 20 had risen to 54.0 years. Because practically all participants now live past the age of 65, Social Security now functions primarily as a (badly run) savings plan and only secondarily as an insurance plan, hence the increase in the social security tax rate to 15%. Broadly speaking, the first 3% still represents the "insurance premium" covering the contingency that a participant might live past his cohort's average life span of 74.0 years, and the additional 12% attempts to cover payments between age 66 and age 74. (12% isn't actually enough, but that's another article...)

Now, here's the interesting part: By 1989, the life expectancy of a black male at age 20 had only just risen to 47.1 years—roughly that of white males at the time the Social Security system was designed. Were black males permitted to form their own (privately owned) "social security system," their premiums today should be the same 3% figure that white workers paid in the 1930's. In other words, roughly \$12 of every \$15 paid by today's black worker will be transferred through the magic of "social security" to white retirees and only \$3 will come back to his cohort in retirement benefits.

The 'New Deal' is a bit more like the 'Old Deal' than you might have thought!

Emergency Powers Fraud William T. Holmes

The Republican Party of Texas Executive Committee voted unanimously on 17 June 1995 to recommend rescinding the Emergency Banking and Relief Act of March 9, 1933.

The Libertarian Party should do the same.

Given the many years Republican presidents had the opportunity to rescind their Emergency Powers and didn't, I have little faith that Republicans or Democrats will end the Emergency Powers and restore the Constitution to full force. Our best hope is a Libertarian president.

For those of you unaware of the history of Emergency Powers, I include here [a monograph on the subject].

In 1917 the Trading With the Enemy Act (50 USC Appendix) was passed. It allowed the president to "prohibit, restrict, license or regulate" any transactions by citizens or corporations of the enemy countries operating within the U.S. during WW II. It was conveniently not revoked even though the war and emergency ended.

On 24 March 1918 the Act was amended and its scope greatly extended by adding "hoarding, melting" to the description of foreign exchange and deleting the word 'such' from two places in "...and he may require any such person engaged in any such transaction..."

In the early 1920's, the Federal Reserve's loose money policy encouraged a lot of people, especially farmers to over-extend themselves. When the Federal Reserve contracted the money supply during the late '20s, it initiated an economic collapse that was sustained and deepened by the Smoot-Hawley tariff of 1930, which raised rates as high as 49%, purportedly to act as a price support for America's farmers. Hoover's interventions created a world-wide recession.

On 6 March 1933 FDR issued Proclamation 2039: under the authority of the Trading with the Enemy Act—"[T]he President...may prohibit...by means of licenses, or otherwise...the export [or] hoarding of gold or silver coin" and ceased redeeming the legal tender (Bills of Credit) for gold coin (lawful money).

On 9 March 1933 FDR convened the 10th Federal Congress in special session.

Congress declared a state of emergency (H.R. 1491, No. 1) and rubber-stamped ex-post facto Proclamations, granting FDR the same powers he would have in times of war. The Congress passed the Emergency Banking Act without reading or debating it (some say a newspaper was put into the hopper to represent the bill, which was still being written), effectively suspending the Constitution and imposing martial law on Americans under the provisions of Article I, Section 9, Clause 2. Once an emergency is declared, the common law and Constitutional guarantees are abolished, and we fall under the absolute will of the government, e.g., public policy. (Before 1933 we had "Statutes at Large"; federal legislation is now called "Public Law".) The President becomes Commander in Chief: in effect Constitutional Dictator, acting under the Law of Necessity, the Law of War.

The 10th Congress passed without debate the Bank Conservation Act, amending section 5, subsection b of the Trading with the Enemy Act to accommodate Proclamation 2039. The functional result of the changes:

"During time of war or during any other period of national emergency declared by the President, the President may, through any agency that he may designate... investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions... defined by the President... by any person within the United States or any place subject to the jurisdiction thereof; and the President may require any person engaged in any transaction referred to in this subdivision to furnish under oath, complete information relative thereto, including the production of any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed."

Immediately thereafter FDR issued Proclamation 2040: under the authority of the amended Trading with the Enemy Act, "[I]n view of such continuing national emergency...all terms and provisions of said Proclamation of March 6, 1933...are...in full force and effect until further proclamation by the President." 48 Stat. 1691. The New Deal was not to be temporary. People and their property became as chattels for unlimited obligations of the United States.

FDR's interventions created massive dependency on the federal government and converted a deep recession into a long-lasting world-wide depression, fertile ground for Hitler. The Democrat Party and to a lesser extent, the Republican Party continues his tradition.

The Act (now 50 U.S.C. 1622) is STILL in full force and effect. It is referred to as the source of authority for much of the Public Law found in the United States Code. Every president since FDR has declared or re-declared a national emergency to retain their martial law

powers. An amendment to the Emergency Powers Act was passed in 1977 and enacted in 1979.

It requires the declaration be done annually, but that didn't dissuade our Presidents. Like clockwork they declare or extend another bogus national emergency. The threats posed to the U.S. by Granada, Panama and Haiti justified a few of the more recent of a long line of national emergency frauds. Here is the latest:

THE WHITE HOUSE

- Office of the Press Secretary

For Immediate Release November 9, 1995

NOTICE

CONTINUATION OF EMERGENCY REGARDING WEAPONS OF MASS DESTRUCTION

On November 14, 1994, by Executive Order No. 12938, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction") and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on November 14, 1994, must continue in effect beyond November 14, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order No. 12938.

This notice shall be published in the Federal Register and transmitted to the Congress.

WILLIAM J. CLINTON

William T. Holmes (TSEditor@AOL.com), of Escondido, is a regional representative on the LP of California's executive committee. This article was posted to ca-liberty@shell.portal.com

Free and Clear on KKUP

Jonathan Steele, Dante DeAmicis, and Donald Cormier, of the LPSC, are co-hosts of Free and Clear, on KKUP, 91.5 FM. This radio program is not an official Libertarian Party program, but offers conversation on political and social issues. Upcoming shows will air 6:00-8:00 am on January 10 and 24 and February 7 and 21 (i.e. alternate Wednesdays).

-from the 1/96 Santa Clara Libertarian, edited by San Severs (sam@severs.com).

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