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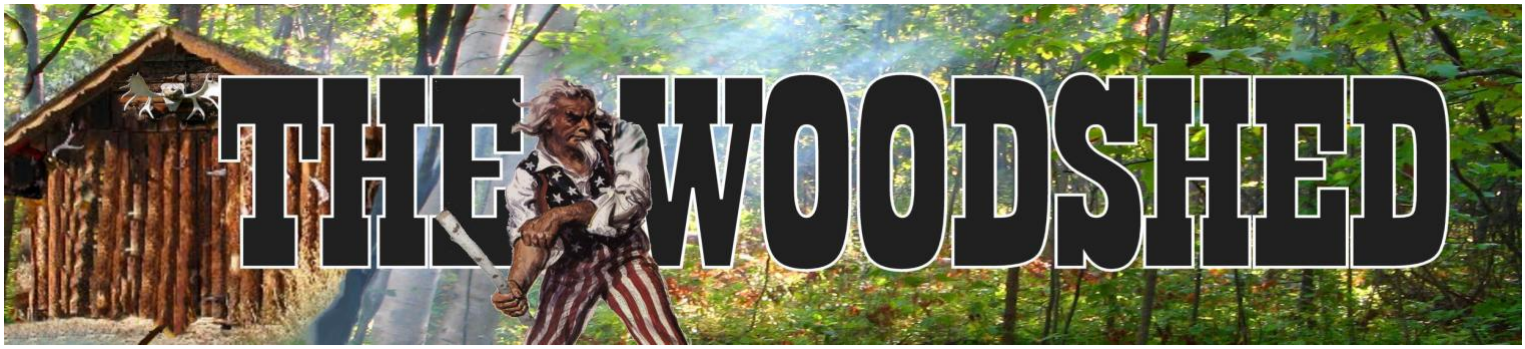


VOLUME 6, ISSUE 3 BY AND FOR FREEDOM LOVING ALASKANS

Senator Mark Begich Springs an Ambush on Gun Owners -- Bloomberg's minions declare "victory" after Begich language passes

by Gun Owners Tuesday, 11 February 2014 http://gunowners.org/state2112014.htm

On February 7, GOA reported to its members in a national alert that:

> In a surprise ambush, Democrats on the Senate Governmental Affairs Committee unanimously voted to defeat a Rand Paul amendment to allow guns in post offices.
>
> But Senator Paul was relentless in trying to get his language adopted. And as a result, a minor (anemic) improvement was later added as a sop to his persistence.

Now, we want to give you the "rest of the story" because it involves your Senator Mark Begich. But in doing so, realize that we are about to take you on what may, at times, seem like a circuitous journey through the most vile and contemptible inner workings of Washington, D.C.

We start with the February 6 defeat of the Rand Paul amendment to lift the Postal Service's ban on guns. Had we succeeded in passing the Paul amendment, we could have brought to an end the series of massacres that have occurred in postal "gun free zones." Instead, our pro-gun amendment was defeated in the Senate Governmental Affairs Committee by a party-line vote of 9-6.

Nine days earlier, the Paul amendment seemed on the verge of victory. But Senator Mark Begich (D-AK) and Ranking Republican Tom Coburn (R-OK) raised "red herring" issues, openly wondering what would be the effect of Paul's pro-gun language on post offices which were located in shopping malls or court houses.

He that would make his own liberty secure, must guard even his enemy from oppression; for if he violates this duty, he establishes a precedent that will reach to himself.

Thomas Paine, Dissertation on First Principles of Government, December 23, 1791

This was a phony issue. A post office is a post office is a post office. Shopping malls and court houses are not post offices. But Rand Paul worked in good faith, with our drafting help, to satisfy Begich's phony complaints.

Well, it turned out something else was happening. In the nine days that Paul was negotiating in good faith, Begich was using the time to organize an ambush.

When the committee came back, Committee Chairman Tom Carper sprung a "poison pill" amendment to the Paul amendment which, rather than lifting the gun ban, would merely "study" it. Because the Carper amendment was an amendment to the Paul amendment, the committee would never be required to vote on the Paul amendment at all.

The Carper "poison pill" was adopted by a party-line vote, with endangered Democrats Mark Begich (D-AK), Mark Pryor (D-AR) and Mary Landrieu (D-LA) all supporting the anti-gun language.

Then, when Paul tried to get a separate up-and-down vote on his amendment, Chairman Carper declared it procedurally out of order.

The persistent Paul merely offered his amendment (to end the postal gun ban) to the next amendment the committee considered. This time, the two-timing Begich suddenly pulled out a new "alternative" to Paul's amendment. The Begich amendment would allow guns in post office parking lots, but only by some concealed carry holders. It wouldn't have applied to most gun owners who were allowed to carry in Begich's home state of Alaska.

The Bloomberg-backed Moms Demand Action praised Senator Begich and other Democrats on the committee right after the Paul amendment was defeated, and they declared a victory for their side:

“We are pleased the Senate Committee on Homeland Security and Governmental Affairs rejected [the Paul amendment] today that would have allowed concealed, loaded guns to be carried in post offices.”

Bottom line: Mark Begich voted to help kill the pro-gun Paul amendment in committee, and then the Bloomberg minions celebrated Begich’s vote as a victory for their side.

Now that Begich is doing the bidding of New York interests, will Bloomberg money start filling Begich's campaign coffers to help him in his tough upcoming race for reelection? We’ll have to wait and see.

Re: Washington Post Feb. 9 Article by E.J. Dionne Jr.

Herder H. Winkelman Feb 18

The article by E.J. Dionne Jr. "An economic school has led to gridlock in Washington" (Washington Post Feb. 9) is typical of the contemporary arguments to convince us that all is truly well and that government-managed strategy rightfully belongs in the normative while any resistance impedes our progress with gridlock.

He illustrates an appeal to the "heyday" of years past when the bogies of free market capitalism where properly tamed for the good of the world by Keynesian-based thought and policy. It was, and is, he asserts, the only explanation for the post war expansion. It must be thus: for he and his kindred believers have a crumbling dogma to re-invent.

A majority of us, admittedly, have shown a rather tenacious inclination to engage the perpetual boom of our Keynesian inheritance. At the micro level, we have excelled at encouraging nearly boundless extensions of credit. The attending faustian bargain of perceiving this credit as discretionary income has also proved sufficient to perpetually mortgage real income values to the titillation of the proctors. The bargain is concluded, of course, usually by those who can least afford it.

It is also difficult for fallible beings to not become enthralled with "feel good" policy, particularly when we become convinced that an injustice of inequity will be corrected. The irony is that the more un-disciplined we become, the more exasperating the control. The enthusiastic pursuit of "equality" by fiat necessitate an increasingly desperate search for validity in any construction that will allow the pursuit to continue without sanction. The vexing condition is that the real world of balances continue to frustrate the "neo" sophists of achieving utopia.

In the midst of the present day search for perfected social engineering and construct market values, we do find some consistencies to admire. The unfortunate reckoning, however, is that for the balance of the productive entities and people in this country the simple adage from "an honest days work" has been consistently, and increasingly, robbed. All is made just unless you are among the unfortunate advocates of accounting that balances- an example of "archaic" ideas of a defunct school. As Mr. Dionne asserts, the old school has been proven by history and practice as discredited. How profound an example of this triumph of thought than raising the "debt ceiling" to "pay our bills" and the creative nexus of base-line budgeting on credit. So profound it belies the banal stupidity of the old Austrian theorists. Pure muck.

We are admonished as being "obstructionist" if we attempt any abatement of the increasing absurdity. We are to accept without question that government must be allowed to intervene in any myriad of ways that affect markets, and if the results appear unfavorable, the only option for corrective policy is more manipulation. This includes, in another irony, the removal of some of the few regulations that can arguably be required to maintain tenable and proper relationships of financial institutions. We must admit, Mr. Dionne, that the proponents of intervention have been successful in their fruition of thought. We need only exemplify the results to declare its failure. In the final analysis, we can only find one dominant theme for justification of the dysfunctional policy he defends: control.

Recalling his mocking of Hayeks' thoughts regarding (social engineering), his assertion is proven false, again, by that annoying obstruction of reality. There is not sufficient wool to hide from view the imperious posture of the executive and the collective tyranny of a centrist government that taxes productive enterprise and imposes more restriction upon, and surveillance of, our liberties. Thank you, Mr. Dionne, for clarifying more abundantly my preferences.

New Assaults on American Law

By Judge Andrew Napolitano *http://tenthamendmentcenter.com/2014/02/27/new-assaults-on-american-law/*

In the months since Edward Snowden revealed the nature and extent of the spying that the National Security Agency (NSA) has been perpetrating upon Americans and foreigners, some of the NSA's most troublesome behavior has not been a part of the public debate. This behavior constitutes the government's assaults on the American legal system. Those assaults have been conducted thus far on two fronts, one of which is aimed at lawyers who represent foreign entities here in America, and the other is aimed at lawyers who represent criminal defendants against whom evidence has been obtained unlawfully and presented in court untruthfully.

Investigative reporters at The New York Times recently discovered that the NSA has been listening to the telephone

'The issue of land ownership is secondary; what counts is the issue of control. Private citizens, therefore, may continue to hold titles to property--so long as the state reserves to itself the unqualified right to regulate the use of their property.'

Leonard Peikoff, *The Ominous Parallels*, 1982

conversations between lawyers at a highly regarded Chicago law firm and their clients in Indonesia. The firm, Mayer Brown, has remained publicly silent about the revelations, as has its client, the government of Indonesia. But it is well known that Mayer Brown represents the government of Indonesia concerning trade regulations that govern exports of cigarettes and shrimp to the U.S. The lawyers on the other side of the bargaining table from Mayer Brown work for the federal government, which also employs, of course, the NSA.

Can the NSA lawfully tell lawyers for the government who are negotiating with Mayer Brown lawyers what it overheard between the Mayer Brown lawyers and their client? The answer, incredibly, is: Yes. Federal rules prohibit the NSA from sharing knowledge with lawyers for the federal government only about persons who have been indicted. In this case, Mayer Brown is attempting to negotiate favorable trade relations between Indonesia and the U.S., and the lawyers for the U.S. have the unfair advantage of knowing in advance the needs, negotiating positions and strategy of their adversaries. In the Obama years, this is how the feds work: secretly, unfairly and in utter derogation of the attorney-client privilege.

For 100 years, that privilege — the right of lawyers and their clients to speak freely and without the knowledge of the government or their adversaries — has been respected in the U.S., until now. Now, we have a lawyer who, as president, uses the NSA to give him advance warning of what his office visitors are about to ask him. And now we have lawyers for the federal government who work for the president and can know of their adversaries' most intimate client communications.

This is profoundly unfair, as it gives one side a microscope on the plans of the other. It is unwise, too, as clients will be reluctant to open up to counsel when they know that the NSA could spill the beans to the other side. In the adversarial context, for the system to work fairly and effectively, it is vital that clients be free to speak with their lawyers without the slightest fear of government intrusion, particularly when the government is on the other side of the deal or the case.

If you have spoken to a lawyer recently and if that lawyer is dealing with the federal government on your behalf, you can thank the constitutional scholar in the Oval Office for destroying the formerly privileged nature of your conversations. But that is not the only legal protection that President Obama has destroyed.

In 2012, the U.S. Supreme Court heard oral argument in a case in which journalists in the pre-Snowden era challenged the government's spying on them. The government won the case largely because it persuaded the court that the journalists did not have standing to bring the lawsuit because, the court ruled, their fears of being spied upon were only hypothetical: They suspected that their communications with their sources were being monitored, but they couldn't prove it. In this post-Snowden era, we now know that the journalists in that case were being spied upon.

Nevertheless, during the oral argument in that case, government lawyers told the high court that should government prosecutors acquire from the NSA evidence of criminal behavior against anyone whom they eventually would prosecute and should they wish to use that evidence in the prosecution, the Justice Department would inform defense counsel of the true source of the evidence so that the defendant would have the ability to challenge the evidence.

Yet, last week, in a case in federal court in Oregon, the same Justice Department that told the highest court in the land last year that it would dutifully and truthfully reveal its sources of evidence — as case law requires and even when the source is an NSA wiretap — told a federal district court judge that it had no need or intention of doing so. If this practice of using NSA wiretaps as the original source of evidence in criminal cases and keeping that information from the defendants against whom it is used is permitted, we will have yet another loss of liberty.

Federal law requires that criminal prosecutions be commenced after articulable suspicion about the crime and the defendant. Prosecutions cannot be commenced by roving through intelligence data obtained through extra-constitutional

means. That is the moral equivalent of throwing a dart at a dart board that contains the names of potential defendants and prosecuting the person whose name the dart hits.

For the past 75 years, federal prosecutors have not been permitted to use unlawfully obtained evidence in criminal cases, and they have been required to state truthfully the sources of their evidence so that its lawfulness can be tested. This rule generally has served to keep law enforcement from breaking the laws it has sworn to uphold by denying to its agents the fruits of their own unlawful activity.

Liberty is rarely lost overnight. It is lost slowly and in the name of safety. In the name of keeping us safe, the feds have spied on the lawyers who negotiate with them, lied to the lawyers whose clients they are prosecuting and misrepresented their behavior to the Supreme Court. As far as the public record reveals, they have not corrected that misrepresentation. They have done all of this in utter defiance of well-settled law and procedures and constitutional safeguards.

What will they do next?

Andrew P. Napolitano a former judge of the Superior Court of New Jersey, is the senior judicial analyst at Fox News Channel. Judge Napolitano has written seven books on the U.S. Constitution. The most recent is **Theodore and Woodrow: How Two American Presidents Destroyed Constitutional Freedom**. *To find out more about Judge Napolitano and to read features by other Creators Syndicate writers and cartoonists, visit creators.com. http://www.creators.com/*

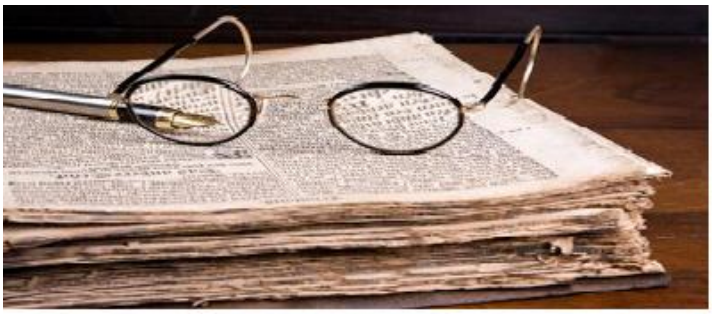
Competition and Risk

by Lance Roberts

Remember when long distance phone calls cost so much that one teenager separated from their friend could bankrupt your budget? Reagan brought competition to the phone industry and opened the door for cell phones and cheap long distance. Now we don't even think about making long distance phone calls, they're just part of the plan. This is exactly the kinds of efficiencies and cost savings that competition can bring to education in Alaska. In this article I'd like to show a specific as-pect of governmental programs that would be drastically improved with some competition.

Risk is a factor in any project or process, and a lot of effort and resources go into managing that risk. It can come from under-estimating the costs, not recognizing the impacts of attached strings, legal liability, and a host of other reasons. The borough itself has a Risk Management division just to look at these issues. Risk aversion is rapidly becoming one of the largest costs of the government doing business.

A current local example is where the Borough spent $503,600 to put up 350 bus stop signs. This has resulted in the borough twice adding more money into the bus stop project. A significant portion of that was because public works had all the signs and their placements engineered, instead of just having a contractor install them according to already known safe standards. This was done to mitigate the risk that a sign might fall over and hit someone in the head. So how far do you go to avoid risk? Do you encase all the signs in NERF® material? Do you mount the signs on pilings driven to bedrock? What you find in these situations is that a private business is always willing to take more risk than the



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government, so private enterprise is always able to do it for less. To be honest, you'll never completely get away from this as long as government is doing pro-jects, because the money isn't their own. The government never feels the need to take more risk when it can just take more money.

So now let's take a look at education and some of the risks. If you didn't have enough teacher time allocated for each student then maybe you would be sued for not dedicating that time. If you don't have enough security at the schools then if any-thing happened you could get sued. If you don't have a psychologist at every school, then any psychological problems the children may have in the future you may take the blame for. While not all of these examples are fully implemented in our school district, it is the line of reasoning that has led to the doubling of staff (not teachers) in the last twenty years, while student population has declined. In its great desire to avoid any risk or liability, the school district has been increasing the number of employees to mitigate risk.

It's important to note that a lot of the risk mitigation here locally has been driven by the federal No Child Left Behind stand-ards. They require all students to test to the same level (if the school district wants federal handouts). It has now reached the point where the school district sometimes has one teacher for one student. This is because it feels that if it doesn't show that it's putting out enough effort, i.e. spending more, then it could be held liable if the child fails the test. It will only get worse with the pseudo-Common Core standards that the State has adopted, which are completely test-driven (woe to those students who have test anxieties).

What competition can bring to this playing field is that private and charter schools can accept more responsibility from the students and parents, and therefore require the parents to take more risk. Each parent will be able to weigh in the balance the risk they are willing to accept versus the quality of education that the parent wants, and make the decision on where to edu-cate their children. The government schools will respond because of their desire to have more students, and move back to-wards where the schools once were with regards to risk and responsibility. As mentioned already, government will never be as efficient as private enterprise, but it can certainly be more efficient than it is right now. We currently spend around $16,000 per student in the Borough, one of the highest rates in the country, and a large portion of that is the school district dealing with potential liability. There is a bill in the legislature (SJR9/HJR1) to allow the citizens to vote on whether parents should have choice in their educational systems. It would allow those of all incomes to utilize private systems of education. Polling has shown that overwhelmingly most Alaskans do want that choice, but the no-choice lobby has been pressuring the Senate and House to not support letting the people vote on this issue. Please let your legislators know that you would like to vote on this issue. You can email the entire legislature at GOV.ALLlegislators@alaska.gov.

Lance Roberts is a member of the Fairbanks North Star Borough Assembly. The views expressed here are his own and do not represent the assembly or borough administration.

Planning an Economy Is Not Elementary

by Jim Fedako March 06, 2014 http://mises.org/daily/6683/Planning-an-Economy-Is-Not-Elementary

In the absence of prices, could a central planner efficiently run an economy? Before you answer, I'll drop the Hayekian proviso that the planner be vile. Instead, I'll only ask you to consider a planner who is a soccer mom wanting to maximize happiness among all. Would you still answer in the negative?

I live in a neighborhood that has an adjoining elementary school. Most mornings, a significant number of mothers (typically) drive their children to school. As I travel to work in the morning, the last left-hand turn before leaving the neighborhood leads to a school service road. There are cars and buses coming off the main road into the neighborhood, wanting to turn right onto the service road; there are folks leaving the service road, wanting to turn both right and left; there are folks coming from the neighborhood wanting to turn left onto the service road; and there are folks like me wanting to get past the service entrance in order to get to work as quickly as possible.

To no one's surprise, this situation leads to congestion, delays, and anger. Now, enter the selfless central planner.

Oftentimes, as I sit stacked in line, I notice that cars in my lane seem to wait more than cars coming from other directions. And as I slowly advance toward the head of the line, I see the cause: the first driver in my lane is waiving others by, with those drivers returning waves and smiles.

You see, when you are the first car in the lane, with each iteration, you are presented with only two faces: the driver wanting to enter the service road and the driver wanting to leave — and you decide who goes.

So, in that position, the selfless driver becomes a central planner of sorts, using her altruistic heart to balance the wants of all other drivers —balancing the costs of waiting with the benefits from a returned wave and smile, and quickly calculating the aggregate psychic profit of all the drivers in all lanes.

That is the seen. Unseen are the sad faces growing longer behind her. Since folks in my neighborhood typically do not sound their anger through a horn or otherwise, there is no signal to reflect the cost suffered by those waiting in line.

So it may not be until the tenth iteration — the tenth time the driver waves a car to go ahead of her — that she deems the perceived marginal benefit of the wave and smile to be less than the assumed cost suffered by those waiting behind her. But the costs and benefits perceived while sitting in the first position are not real costs and benefits, nor are they proxies. They are nothing more than her perceptions, and her perceptions alone.

Without a means to recognize actual prices, the central planner, no matter how much she desires to maximize happiness among all, cannot efficiently rule the intersection. And substituting perceptions for prices is no solution at all.

I can assure you that, if the selfless mom knew the anger brewing behind her, she would attempt to adjust her actions accordingly. But, again, without a cost signal, she would only be groping for a better solution. And, one can assume, would finally abdicate her position (*à la* Mises) due to the inability to allocate efficiently.[1]

The solution, of course, is property rights, a free market, and prices determined by both. In the absence of all three, even the selfless heart cannot efficiently allocate for all.

Note: The views expressed in Daily Articles on Mises.org are not necessarily those of the Mises Institute.

Jim Fedako, a business analyst and homeschooling father of seven, lives in the wilds of suburban Columbus.

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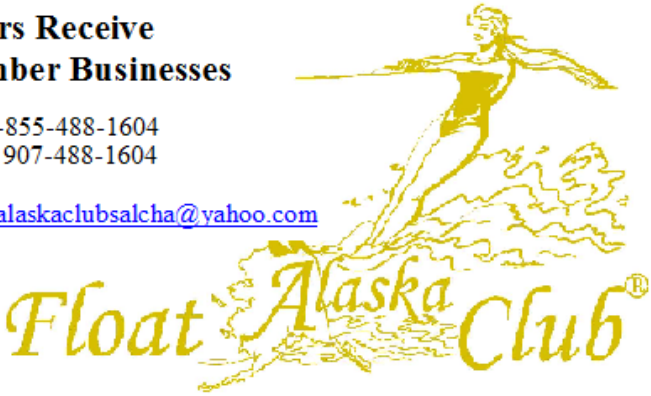

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No dictionary has ever been able to define the difference between "complete" and "finished." However, in a linguistic conference, held in London England, and attended by some of the best linguistics in the world, Samsundar Balgobin, a Guyanese was the clever winner.

His final challenge was this. Some say there is no difference between "complete" and "finished." Please explain the difference in a way that is easy to understand. His response was:

When you marry the right woman, you are "complete." If you marry the wrong woman, you are "finished." And, when the right one catches you with the wrong one, you are "completely finished."

His answer received a five minute standing ovation.

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