

Editor's Note: Announcing the Freedom Action National Conference - The Forces of Freedom Return to Valley Forge - August 12-14 - Details on Page 8. --TAD



POWERFUL FORCES NOW CALLING FOR A CONSTITUTIONAL CONVENTION

By Tom DeWeese

In December, 2008, my American Policy Center (APC) led a fight to stop Ohio from becoming the 33rd state to call for a Constitutional Convention (Con Con). In the 1980's 32 other states had passed Con Con resolutions for the specific purpose of passing a balanced budget amendment. Had that resolution passed the Ohio legislature, we would have been just one state away from such an event. We argued then that one cannot call a Con Con to discuss just one issue. Once a Con Con is in place, there is no controlling the agenda.

We fought to stop the Con Con because of fear. Today there is massive ignorance among the American people about the Constitution. Worse, there are powerful forces who consider that document to be antiquated and a hindrance to their vision of an all powerful government. These things, and more, make today the worst possible time in our nation's history to mess with the greatest governing document of all time.

We stopped the effort in 2008, but the battle is on again as an even more determined plan is under way to gather support from the nation's governors and state legislatures to pass Con Con resolutions. Again, this is not the work of wild-eyed leftists intending to gut the Bill of Rights. This is an effort by conservative legislators who are alarmed by the growing power of government.

The new plan making its rounds in state capitals is much more ambitious than the 2008 Ohio resolution to simply discuss a balanced budget. Now an entire package

of ten amendments to the Constitution is being proposed and promoted to state legislatures through a powerful and well funded campaign.

The main groups pushing for a Con Con are the *American Legislative Exchange Council* (ALEC), a conservative association of state legislators; and a new group calling itself the *10 Amendments for Freedom, Inc*, chaired by William Fruth, President of POLICOM Corporation, which provides independent economics research.

While ALEC is working behind the scenes to build support for a Con Con among state legislators, Fruth and his *10 Amendments for Freedom* group has moved into the public eye to sell the Con Con idea to mainstream America. In March, Fruth kicked off his campaign by mailing out a slick, expensive package to conservative leaders and to over 7,000 state legislators. The package contained a book written by Fruth entitled "10 Amendments for Freedom."

In the book, Fruth lays out an argument for the need for, not just a balanced budget amendment, but a total package of 10 Amendments to the Constitution including, the balanced budget; repay the national debt in 50 years; government transparency; line item veto; term limits for Congress; control illegal immigration; English-speaking nation; no foreign law shall bind us; government restraint (preventing the Federal Government from growth beyond constitutional powers; and finally, an amendment declaring "in God we trust." Of course, there is no doubt that these amendments have great appeal for most conservatives,

answering their growing frustration and fear of government expansion.

Arguing that Congress “will not likely take any action to cause the 10 Amendments for Freedom to become law of the land,” Fruth calls for all ten amendments to be packaged by state legislatures to be passed in a resolution calling for a Constitutional Convention. His package would include specific instructions to Congress as to how the delegates would be selected and outlining rules that would be enforced to assure only the ten amendments would be voted on.

Arguing the advantages of the Con Con, Fruth says, “Can you imagine the excitement in the nation leading up to the Convention? Schools will have to dust off history books which teach how our nation was founded. Many people for the first time will read the Constitution. The issue will be discussed at length, exposing what happened to our country over the years.”

Fruth then scoffs at our fears of a Con Con and efforts to stop it. He says, “Simply, it is not reasonable to assume there can be enough delegates sent to a convention who will propose amendments which ‘repeal the Bill of Rights’ or ‘legalize socialism.’ Even if they did, the amendments would never be ratified,” concludes Fruth.

Anticipating opposition to his scheme for a Con Con, Fruth says that those who opposed the effort in the 1980’s, to call for a Con Con for a balanced budget amendment, told the American people that the delegates at the convention can “change the Constitution any way they want.” Argues Fruth, “We know that is not true.” He says, “it is both irresponsible and disingenuous for anyone to publicly say that the convention can change the Constitution.” And he says, “any recommended changes must be approved by three-fourths of the states.”

These are the arguments now being presented to every single state legislator and Governor in the nation as Fruth and ALEC put on a full-court-press to call for a Constitutional Convention. While the intention may be an honest desire to reign in the power of government, the fact remains that every one of these arguments for a Con Con is wrong.

The fact is, once 34 states petition Congress to convene a Constitutional Convention, the matter is completely out of the States’ hands. There is absolutely no ability to control what the delegates do in the convention. Attempting to instruct delegates to discuss only a specific issue like a balanced budget – or the whole package offered by the *10 Amendments for Freedom* group -- is absolutely impossible. Instead, once the convention starts, the delegates become super delegates which can take any action they desire concerning the Constitution. In short, at the convention the Constitution can be literally put on an operating table and the delegates can take a “scalpel” (pen) to it and change any section or even the entire document if they desire.

What proof do I offer? Here are the exact words of Article V of the Constitution:

“...on the application of the Legislatures of two thirds of the several States, (Congress) shall call a Convention for proposing Amendments, which...shall be valid to all Intents and Purposes, when ratified by the Legislatures of three fourths of the several States.”

Article V gives absolutely no guidelines as to how it will be run, how delegates can be selected and who can do the selecting. Once the 34 states make the request,

(Cont'd on Page 4)

DeWeese Report

Vol. 16, No. 5 May 2010

Published by
Freedom21
Communications, LLC

Editor
Tom DeWeese

Copy Editor
Virginia DeWeese

Correspondence/
Fulfillment
Sascha McGuckin
Carolyn DeWeese

Graphics/Layout
Kristy Hook

DeWeese Report
70 Main Street, Suite 23
Warrenton, VA 20186

Phone: (540) 341-8910
Fax: (540) 341-8916

Web Page:
www.deweese.com

© 2009 Freedom21
Communications, LLC
ISSN 1086-7937
All Rights Reserved

Permission to photocopy, reprint and quote articles from the DeWeese Report is hereby granted, provided full acknowledgment is included. All reprinted articles must say: “Written by Tom DeWeese, Editor of DeWeese Report (unless another author is listed). All reprints must carry the DeWeese Report address and phone number. Samples of the reprint must be provided to the DeWeese Report.

OBAMACARE FLATLINES

ObamaCare Taxes Home Sales – Clobbers Middle-Class Americans

“I can make a firm pledge. Under my plan, no family making less than \$250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains taxes, not any of your taxes,” --- President Obama, September 12, 2008

Beginning January 1, 2013, ObamaCare imposes a 3.8% Medicare tax on unearned income, including the sale of single family homes, townhouses, co-ops, condominiums, and even rental income.

In February 2010, 5.02 million homes were sold, according to the National Association of Realtors. On any given day, the sale of a house, townhome, condominium, co-op, or income from a rental property can push middle-income families over the \$250,000 threshold and slam them with a new tax they can't afford.

This new ObamaCare tax is the first time the government will apply a 3.8 percent tax on unearned income. This new tax on home sales and unearned income and other Medicare taxes raise taxes more than \$210 billion to pay for ObamaCare. The National Association of Realtors called this new Medicare tax on unearned income “destructive” and “ill-advised” and warned it would hurt job creation.

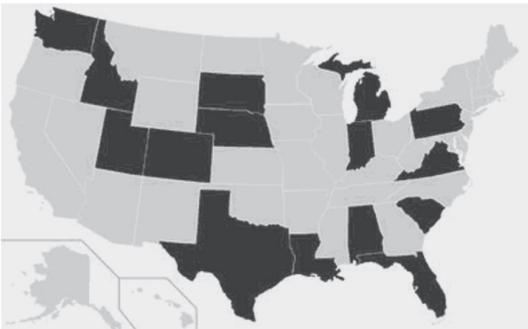
ObamaCare: \$13 Billion Tax Increase on Families With Special Needs

An estimated 30 million families use pre-tax dollars in Flexible Spending Accounts (FSA) to pay for routine medical care and other vital child care services.

Parents with special needs children use their pre-tax FSA dollars to pay for fees at special needs schools, transportation costs associated with their child's education, Braille books, and guide dogs for the visually impaired.

ObamaCare burdens these families with a huge tax increase – the Joint Committee on Taxation says \$13 billion worth – by capping the amount of money in a Flexible Spending Account at \$2,500 per year. The FSA cap also strips away more of the control these families have over their own health care decisions.

15 States and Counting Sue Federal Government Over Obamacare: Represent 37% of the U.S. Population



Attorneys General from Alabama, Colorado, Florida, Idaho, Indiana, Louisiana, Michigan, Nebraska, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Virginia, and Washington have sued the federal government over ObamaCare.

Forcing people to buy health insurance -- a product they may or may not want with benefits they may or may not be able to afford -- is unconstitutional, according to the state attorney generals.

“By imposing such a mandate, the law exceeds the powers of the United States under Article I of the Constitution and violates the Tenth Amendment to the Constitution. Additionally, the tax penalty required under the law constitutes an unlawful direct tax in violation of Article I, sections 2 and 9 of the Constitution,” said the generals.

The combined population of these 15 states represents 37 percent of the United States population based on the latest estimates from the Census Bureau.

While the government will defend the constitutionality of ObamaCare in court, President Obama and the Democrats still can't sell the product to the customers. Opposition to ObamaCare continues to outpace support – despite dominating the news for more than a year. The Real Clear Politics average of all polls conducted from March 10 through March 28 shows that 50 percent of respondents oppose ObamaCare while 40 percent support it.

Con Con... (Cont'd from Page 2)

the entire matter is in the hands of Congress to decide. It does not matter if the states passed resolutions as Fruth proposes, containing absolute guidelines for delegate selection. The Constitution provides no rules – it is up to Congress to decide how delegates are selected and what qualifications they will have. The guidelines proposed by Fruth carry absolutely no weight in the final process – even if every state passes the exact same resolution including those rules. Again, Article V simply says that when 34 states have called for a Con Con the Congress “shall call a Convention...” Period.

And there is more legal proof in support of the argument that delegates are not bound by any instructions or resolutions from the states.

First, of course, is the famous letter written by former Supreme Court Justice Warren Burger to Phyllis Schlafly, President of Eagle Forum. In the letter Burger writes, “... *there is no effective way to limit or muzzle the actions of a Constitutional Convention. The convention could make its own rules and set its own agenda. Congress might try to limit the convention to one amendment or to one issue, but there is no way to assure that the convention would obey. After a convention is convened, it will be too late to stop the convention if we don't like its agenda. The meeting in 1787 ignored the limit placed by the confederated Congress...*”

And there is more legal documentation proving that Congress or the states can control the agenda of a Con Con. Corpus Juris Secundum is a compilation of State Supreme Court findings. The following is the collection of findings regarding the unlimited power of the delegates attending a Con Con. (From Corpus Juris Secundum 16 C.J.S. 9) “*The members of a Constitutional Convention are the direct representatives of the people (1) and, as such, they may exercise all sovereign powers that are vesting in the people of the state. (2) They derive their powers, not from the legislature, but from the people: (3) And, hence, their power may not in any respect be limited or restrained by the legislature. Under this view, it is a Legislative Body of the Highest Order (4) and may not only frame, but may also enact and promulgate, Constitution. (5)*” The footnote numbers after the citation quoted reference the particular cases from which the citations were made. (1) Mississippi (1892) Sproule v Fredericks (11 So. 472); (2) Iowa (1883) Koehler v Hill (14N.W. 738); (3) West Virginia (1873) Loomis v Jackson (6 W. Va. 613); (4) Oklahoma (1907) Frantz v Autry (91 p. 193); (5) Texas (1912) Cox v Robison (150 S.W. 1149).

Clearly, the position put forth by Fruth, and ALEC, that state legislatures can pass a resolution dictating the rules of the Con Con is simply wrong.

Delegate selection is another dangerous trap waiting to spring. Again, Article V provides no guidelines. The process is left for Congress to decide. That means the current Congress could control the entire delegate selection. Under the rules that Congress could set, States may not even be represented. If the states are *allowed* to choose delegates, then what would be the method? Again, Congress will decide. Will the governor or the state legislature appoint delegates? Or could it be a bicameral panel or blue ribbon commission?

Or could it be a plebiscite – a vote of the people? If so, then who would be eligible to vote? Would it be all eligible voters? Or taxpayers only? Or would we possibly, in the interest of “enfranchisement,” allow all citizens, and potentially foreign nationals (illegal immigrants) to vote for this “special election?” There are no guidelines and anything is possible.

And what would be the qualifications to be a delegate? Would it be exclusively lawyers? A mix of professionals? So-called “proportional representation” of all special interest groups – NGO’s? Will some be excluded because of “extreme” convictions? Of course, according to the Federal Department of Homeland Security, “extreme convictions” includes those who want to protect the Constitution. So, what will the criteria for eligible delegates be? All of these choices would be made by Congress – that same one now controlled by Nancy Pelosi and Harry Reid.

But again, none of that will matter, according to those calling for the Con Con. William Fruth argues that no matter what such a convention does, it still must be ratified by two-thirds of the states, making it very difficult to do bad things against the will of the people. A history lesson is in order.

There has been only one Constitutional Convention in the history of the nation – that was in 1787. At the time, the nation was held together by the Articles of Confederation. The states were having a difficult time performing commerce among themselves. So it was decided to hold a Constitutional Convention to simply discuss how interstate commerce might be better organized. As the delegates were selected, some delegations were given specific orders by their states to discuss nothing else beyond the commerce issue.

(Cont'd on Page 9)

“Meatless Mondays” Campaign Relies on Hazy Climate Claims

With the announcement this week that Quebec will soon begin promoting “Meatless Mondays,” anti-meat activism got a significant boost. As usual, news stories about the campaign cited sketchy figures from a 2006 United Nations report claiming that livestock producers are responsible for 18 percent of global greenhouse gas emissions. But these pendulums tend to swing back toward sanity eventually. Reporters today are covering new research from University of California–Davis expert Dr. Frank Mitloehner. His message: It’s time to clear the air about meat and global warming.

Mitloehner’s new research shows that while the U.N.’s report shows animal agriculture contributing 18 percent of greenhouse gases (GHGs), here in the U.S. the Environmental Protection Agency’s domestic inventory shows all agriculture contributes 5.8 percent of GHGs. (And California is even lower than that average, with a 2005 state inventory finding the ag sector contributes just 5.4 percent of totals GHGs.) As for the veggie-activist claim that livestock farmers are sowing climate doom, the EPA found that the livestock portion of the pie accounts for less than 3 percent of domestic emissions.

And the U.N.’s report did not make a compelling analysis, says Mitloehner, who calls it “a classical apples-and-oranges analogy that truly confused the issue.” While it provided a detailed farm-to-fork analysis of livestock-related emissions, the U.N.’s analysis of transportation sources was nowhere near as thorough. This likely led to an overstatement of agriculture’s impact on the climate.

So what’s a better solution than calling for widespread tofu conversion? The answer: Helping underdeveloped countries to become more energy-efficient with their livestock production. This is especially important considering that global demand for meat is expected to double by 2050. (Sorry, PETA and HSUS.)

How efficient are U.S. livestock producers? As Mitloehner details elsewhere, America’s beef production in 2008 needed 37 million fewer cattle to produce the same amount of meat as in 1975. This increase in efficiency (more meat per head of cattle) has led to waste and required less feed. And a 2007 study published in the *Journal of Animal Sciences* found that modern dairy producers require significantly fewer resources than their counterparts six decades ago.

There’s little doubt that the anti-meat Humane Society of the United States, the “Supreme Master” Ching Hai, Paul McCartney, and other vegetarian activists will keep pushing their “go veg” climate campaigns. But if they really care about global warming, they’d do more good by policing the supermarket for “Made in the USA” labels.

What if Menu Labeling Doesn’t Work?

We’re not going to wade into the general healthcare kerfuffle that’s dominating the news. But it’s worth noting that, since President Obama has signed the 2,000 page bill, menu labeling is now the law of the land. As we (and the *Los Angeles Times*) recounted last month, menu-labeling studies after the passage of New York City’s law have been, at best, a mixed bag of results. There’s no compelling evidence that labeling calorie counts and fat grams on restaurant menus and menu boards is having a positive effect on obesity.

So we have to ask: What if it doesn’t work?

To begin with, anti-obesity crusaders will start looking for the next (and the next, and the next) heavy-handed policy. If national menu labeling mandates can be passed under the name of “healthcare,” a whole lot of supposedly anti-obesity initiatives could see the light of legislation. The feds could even keep looking to the Big Apple for ideas, and start a nationwide gross-out advertising campaign against soft drinks.

And you can bet former New York City Health Commissioner (and current Centers for Disease Control and Prevention head) Thomas Frieden is already looking for ways to get his finger in the pie. For one, he’s called for a national soda tax. While that’s standard food-cop fare, the creative impulse of anti-obesity crusaders could bring us far more wacky policies.

Perhaps overweight people will be banned from eating out (or ordering anything but a salad). Kids might start receiving classroom grades based on their weight. (If they fail, off to fat camp they go!) You could owe the IRS an income tax *and* a flab tax. Salt and sugar shakers may be banned from restaurant tables. And cookies and hamburgers might be for “adults only”—if they’re not considered “controlled substances,” that is.

The possibilities are endless. Our take on “Soup Nazis” and restaurant weigh-ins is looking quite modest.

You’d think we’re exaggerating. But one scold at the Center for Science in the Public Interest recently called a proposal to ban toys in kids’ meals a “promising” policy.

When ideas that nutty get traction, what’s *not* on the table?

Fight Agenda 21 or Lose Your Freedom *Randall O'Toole Misses the Fine Print!*

By Tom DeWeese

At a recent property rights conference in Bozeman, Montana, anti-Smart Growth spokesman Randall O'Toole was taking part in a panel discussion when he was asked a question concerning my opposition to Agenda 21 and Sustainable Development. Said the questioner, "DeWeese calls the sustainability doctrine 'a complete agenda of control,' that has been largely embraced by most aspects of the government." O'Toole was asked to comment on that.

O'Toole responded by downplaying the significance of the UN and Agenda 21. Whether it is true or not, he said, it is not relevant in the process of addressing the issues, and in fact, will most likely diminish credibility because it starts sounding like a "black helicopter" conspiracy. Instead, O'Toole said, the focus should be that "they are taking away our rights." He then said, "it really isn't the UN. It is our own urban planning profession and the American Planning Association."

O'Toole's comments have actually enlightened me to an issue that has been a puzzle for years. Why do so many in the Washington, D.C. conservative/libertarian movement ignore Agenda 21 and Sustainable Development? I've witnessed their passion to oppose the combined scams dealing with global warming and Cap and Trade. Sustainable Development is totally based on the premise that global warming is destroying the earth and that reducing green house gases through sustainable policy is the only way to prevent it.

Of course, O'Toole, with his ties to the CATO Institute and the Reason Foundation, aggressively opposes Smart Growth policy, which is one-fourth of Sustainable Development policy – yet he never mentions it. How can he be so involved in parts of the puzzle and yet leave out the major pieces? Now he tells us – to do otherwise would make him and his cohorts seem "silly" to the powers in government. We wouldn't want that. O'Toole wants to be taken "seriously!" So, he will just deal with the immediate policy in front of him and ignore its roots. Got it.

Well, I beg to disagree with Randall O'Toole on so many levels. Agenda 21 and Sustainable Development are about much more than planning commissions and development. It is an entire philosophy that encompasses every aspect of our lives.

To ignore Agenda 21 and Sustainable Development is to disregard the REASONS behind and the EFFECTS of the policy in our daily lives. For example, O'Toole says we should just "focus on explaining the importance of our property rights."

Here's one problem with that "simple" approach. Today's public school education curriculum no longer teaches the importance and virtues of property rights. So chances are we will find ourselves dealing with planning commissions, city councils and even congressmen who have absolutely no concept of property rights. So simply arguing property rights in a council meeting will label you as a "tin hat" just as fast as bringing up the UN – in fact, I've seen it happen.

To simply focus on development policy without the reasons behind it leaves one puzzled as to why government would want to implement policy that makes no economic sense. In deed O'Toole's remarks reveal his failure to grasp the root of such policy. In a recent interview, O'Toole said, "The big problem is political. We've had this huge anti-automobile, anti-sprawl movement for the past several decades, and it has just been building up. The Obama Administration has bought into it."

Those comments show a complete lack of understanding by O'Toole about where such dangerous policies come from. What is this anti-sprawl "movement" that has been building up? Ignore the UN and you miss the thousands of non-governmental organizations (NGO's) that operate within its structure that are the root of that "movement." That is where the policies are conceived and written. It isn't just some magical ignorance on the part of planners. The NGO's don't think the UN is a far-out conspiracy – it's their bread and butter to enforce this outrageous policy.

Further, ignore the UN and its Agenda 21 policy and you miss events like the UN's 2005 World

Environment Day in San Francisco, where Mayors from around the world were hosted and recruited to impose Sustainable Development in their communities. The Mayors were asked to sign two documents to pledge their commitment to sustainable policies, to be implemented on a specific time table. These Mayors didn't think this was some kind of black-helicopter conspiracy – they signed the documents and are now implementing the policies.

Right behind them was the U.S. Conference of Mayors, which met in Chicago just one week after the UN San Francisco meeting, focusing on the same Agenda 21/Sustainable Development policies. Unlike Randall O'Toole, the largest and most official organization in the nation representing Mayors had no trouble supporting the "conspiracy" of the UN.

And then there is ICLEI – the International Council for Local Environmental Initiatives. ICLEI helped write Agenda 21 and now works to implement the policy on the local level. At least 544 American cities now pay dues to ICLEI for it to help implement Agenda 21 in their cities. ICLEI is quite proud of its UN connection and to Agenda 21 and says so clearly on its website at www.iclei.org. If you want to fight Smart Growth in those 544 American cities then it is quite necessary to take on ICLEI and that means exposing its ties to the UN. How, then, Mr. O'Toole is it helpful to just tell them they are violating property rights?

Finally, the full concept of Sustainable Development is rooted in what we call the three E's – Social Equity, Economic Prosperity, and Ecological Integrity. To simply focus on the planning aspects of Sustainable Development is to miss the entire social aspect of it.

Another term for social equity is the "Third Way." The term is used to explain Sustainable Development as an economic scheme different from Capitalism and Socialism. In the comparison, Sustainable Development is defined in near utopian terms as Capitalism is dismissed as ownership by the wealthy elite which care nothing for protecting the environment; and Socialism, according to the Sustainablists, is inefficient and run by a political elite.

Instead, say the Sustainablists, the third approach is "anticipatory," which controls problems today to avoid them tomorrow. That, they say, is accomplished through strict environmental regulations, financing "green" industries, and planning for future generations. And that doesn't simply entail local development, but a comprehensive plan to control every aspect of our lives, from population control to food intake, to health care.

Sustainable Development's Social Equity plank is based on a demand for something called "social justice," a phrase first coined by Karl Marx. Social Equity means that individuals must give up selfish wants for the needs of the common good or the "community." Through such a policy, everyone has the right to a job with a good wage, a right to health care and a right to housing. To assure those rights, wealth must be redistributed. Property ownership is a social injustice which brings wealth to some. Business and property are to be controlled by all of society. How can a self-proclaimed property rights advocate like Randall O'Toole simply dismiss or ignore such policy, especially when it is now entrenched in every government planning decision?

The third plank of Sustainable Development is Economic Prosperity – implemented through the creation of Public/Private Partnerships (PPPs). I call PPPs government-sanctioned monopolies because they create an elite of specially chosen businesses that are granted "non-compete" clauses and Comprehensive Development Agreements to guarantee profits. That is not free enterprise. Incidentally, two of the most powerful forces in the nation working to implement PPPs are Randal O'Toole's CATO Institute and the Reason Foundation, both heavily funded by corporations which are the direct beneficiaries of PPPs. Could that be the reason he refuses to use the term Sustainable Development in a derogatory way?

All of these issues are equal parts of the UN's Agenda 21 and its policy called Sustainable Development. Leave out one part and you cause confusion and lack of understanding. Yet, O'Toole says discussing Agenda 21 and Sustainable Development "is not relevant." And that is why we are losing the fight against top-down government control - lack of understanding of where the policy is coming from. If O'Toole and his partners at CATO and Reason would join our forces to expose Agenda 21 and the evils that come out of the UN, local civic officials would stop laughing about black-helicopter conspiracies and unite to stop it.

If you don't know who or what you are fighting, you are already at a disadvantage. Mr. O'Toole, you said you don't care if you are right – just that you win. Well, I don't want to just win a skirmish; I want to completely defeat them.

The Freedom Action National Conference

The Forces of Freedom Return to Valley Forge!

In the winter of 1777, George Washington's tired, starving, defeated army escaped to Valley Forge, Pennsylvania to regroup and train for the fight ahead.

On August 12, 13, 14, 2010, the new forces of freedom will return to Valley Forge to meet, network, learn, train and prepare to stand against the growing American government threat that is destroying our economy, our currency, our free enterprise system and our ability to be free in our personal lives.

How to fight back! The 10th Amendment movement is catching fire as states begin to demand their sovereignty from the tyranny of the Federal government; Sheriff Richard Mack is teaching local sheriffs that they have the power to say no to federal agents; local communities are learning how to expel international organizations like ICLEI that are enforcing top-down unelected control from the UN's Agenda 21 blueprint; a new approach to federal and state intrusion called "Coordination" is being used to regain local control. All of these processes lead to diminishing the power of the Federal Government over our lives – and all are based on local power of the people – just like the Constitution intends.

There's one place where Americans can learn about all of these efforts. There's one place where Americans can start the process to diminish the growing tyranny of government – the Freedom Action National Conference.

Join us on the hallowed ground of Valley Forge, and begin the drive to Take America Back! Speakers who have already confirmed include:

- **Michael Badnarik** – Keynote Speaker, Libertarian Party Presidential Candidate and Constitutional Scholar
- **Sheriff Richard Mack**, former sheriff of Graham County, Arizona, author of "The County Sheriff, America's Last Hope," and "The Proper Role of Law Enforcement."
- **Tom DeWeese**, President, American Policy Center, author of "Sustainable Development, the Wrenching Transformation of America - How We Are Losing Our Liberties."
- **Mark Mix**, President, National Right to Work Committee, How union dues are used to fill the war chests of those who oppose Constitutional government.
- **Rep. Matt Shea**, State Legislator from Washington's 4th District and a leader in the 10th Amendment movement, "Resist DC: A Step-by-Step Plan for Freedom."
- **Catherine Bleish**, Executive Director, Liberty Restoration Project, rising young activist, in the forefront of the battle to expose the threat of Fusion Centers and the growing surveillance society.
- **John Bush**, Executive Director, Texans for Accountable Government (TAG), rising freedom movement leader, TAG focuses on local action to reign in the power of government.
- **Jeff Lewis**, Executive Director, FIRE Coalition, will present the film "Drug Wars," dramatically showing the growing threat by Mexican drug cartels to US freedom.
- **Larry Pratt**, Executive Director, Gun owners of America, "No feds beyond this point," how gun rights are a major part of the Tenth Amendment Movement.
- **Scott Tips**, President, National Health Federation, fighting Codex Alimentarius and protecting our rights to natural supplements and cures.
- **Dr. Jane Orient**, President, American Association of Physicians and Surgeons. Leading doctors in the fight against Obamacare.
- **Dr. Jeffrey Marrongelle**, natural healing and how the feds are moving to ban it.
- **Michael Shaw**, Freedom Advocates. The nation's leading activist working to expose the threat of Agenda 21 and Sustainable Development, "ICLEI Primer: Your Town and Freedom Threatened."
- **Mark Lerner**, Constitutional Alliance. One of the nation's most effective leaders in the battle to stop the growing "total surveillance society."

For more information: www.freedomactionconference.com or call the American Policy Center 540-341-8911.

Con Con... (Cont'd from Page 4)

However, as soon as the delegates arrived at Independence Hall in Philadelphia, they closed and locked the door, pulled down the shades and met in secret for a month. When they were finished, they had created an entirely new nation. We were very lucky that the convention was attended by men like Ben Franklin and James Madison. They produced the most magnificent document ever devised for the governance of man.

Today, we have Nancy Pelosi and Harry Reid. These are the people who will decide the rules for the convention, including delegate selection. Keep in mind, these are the people who just managed to ram through a health "reform" bill that the overwhelming majority of Americans opposed. These are the same people who managed to pass the bailout package opposed (according to polls) by almost 80% of the American people.

Do you trust them to follow the rules dictated by state legislatures? Do you think Pelosi and Reid would pass up an opportunity to set their own rules to guarantee a Constitution to their liking? Do you think for one minute that they would take any steps to protect our Constitution? We live in an era when the Supreme Court looks to foreign laws to assure our own laws are worthy. We live in an era when many believe that the Constitution is out of date for our times. Barack Obama has expressed his belief that the U.S. Constitution needs to be interpreted through the lens of current events. Pelosi and her cohorts are itching to get their hands on the old parchment. And as history has shown, once a Con Con is called, delegates (picked though a Pelosi process) can do anything they want to it, including writing a completely new document.

And there is more. Concerning the argument that no matter what the delegates produce, the states still must ratify it – thus serving as a safeguard to tomfoolery, consider this fact: The Articles of Confederation required that any changes be ratified by 100% of the states. That was the document that was the law of the land – until something else was put into place. But, when the new Constitution was put to the states for a vote of ratification, suddenly they needed only two-thirds to approve it. Why? The fact is, Article V of the new Constitution was used

– even before the Constitution which contained it was approved. Now, what do you think Reid and Pelosi and company would do with that precedent? What if the new document produced by the Con Con said ratification only required a vote of Congress – or some special commission? The precedent of 1787 says that could happen. So much for protection by the states.

And rather than an excitement in the nation with a rebirth of study of the Constitution, as Furth envisions, there would in fact be a long, hard, ugly and expensive battle over the process, guaranteed to leave the nation split along ideological lines. It's not difficult to envision civil unrest, riots or even civil war as a result of any re-writing of the current Constitution.

These are the reasons why I, and many others around the nation, adamantly oppose a Constitutional Convention at this time. We fear a Con Con because the subject matter cannot be controlled. And if the worst happens, there is no guarantee that we can stop ratification. There has never been a worse time in the nation's history to consider changing this

grand document. The Con Con delegates could literally put the Constitution on an operating table and use their scalpels to slice it up, creating an entirely new form of government. That new document, as precedence has shown, could be enforced without ratification by the states. Remember, our current Constitution was not ratified by the rules set forth in the Articles of Confederation, but by an Article V that wasn't yet law of the land. Now that the precedence is there, it can happen again. The Pelosi's of the nation, proven to have the power and the will to twist any issue or initiative as they desire, are rubbing their hands together at the prospect of a Con Con.

No doubt there is great need for several of the amendments Fruth and his group propose. But he seems to ignore the fact that there is a powerful, organized opposition. Again, I call your attention to the continuing battle over health care. That's child's play compared to what will happen in a Con Con. Do Americans really want to risk that in these uncertain times? Every freedom-loving American must stand up against this misguided call for a Con Con. Tell your state legislators NO.

**Every freedom-loving American
must stand up against this
misguided call for a Con Con.**

TELL YOUR STATE LEGISLATORS NO!

U.S. Senate Poised to Pass “Food Safety” Bill That Could Drive Local Food Producers Out of Business

Act Now to Stop It!

TALKING POINTS

1. **The major foodborne illness outbreaks and recalls have all been caused by the large, industrial food system.** *Small, local food producers have not contributed to the highly publicized outbreaks.* Yet S. 510 subjects the small, local food system to the same, broad federal regulatory oversight that would apply to the industrial food system.
2. **Increased regulations and record-keeping obligations could destroy small businesses that bring food to local communities.** In particular, the reliance on hazard analysis and risk-based preventative controls, a concept similar to “HACCP”, will harm small food producers. HACCP has already proven to be an overwhelming burden for a significant number of small, regional meat processors across the country. Applying a HACCP-type system to small, local foods processors could drive them out of business, reducing consumers’ options to buy fresh, local foods.
3. **FDA does not belong on the farm.** S. 510 calls for FDA regulation of how farms grow and harvest produce. Given the agency’s track record, it is likely that the regulations will discriminate against small, organic, and diversified farms. The House version of the bill directs FDA to consider the impact of its rulemaking on small-scale and diversified farms, but there are no enforceable limits or protections for small diversified and organic farms from inappropriate and burdensome federal rules.
4. **Food safety and security both come from a diversified, vibrant local food system.** Local foods give consumers the choice to buy from producers they know, creating a transparent, accountable food system without federal government oversight. State and local laws, which are often size-specific rather than one-size-fits-all, are more appropriate for local food producers.

ACTION ALERT ON SENATE FOOD SAFETY BILL

The U.S. Senate is expected to vote on a sweeping overhaul of the food safety laws, very soon. As it is currently written, the bill, S. 510, will actually make our food **less** safe. S. 510 will strengthen the forces that have led to the consolidation of our food supply in the hands of a few industrial food producers, while harming small producers who give consumers the choice to buy fresh, healthy, local foods.

Please contact your Senators NOW to urge them to amend or oppose the bill! Contact information and talking points are below.

Congress needs to solve the real problems – the centralized food distribution system and imported foods – and not regulate our local food sources out of business. S. 510 is a “one-size-fits-all” approach that will unnecessarily burden both farmers and small-scale food processors, ultimately depriving consumers of the choice to buy from producers they know and trust.

TAKE ACTION:

Call both of your Senators. You can find their contact information at www.senate.gov, or call the Capitol Switchboard at 202-224-3121 or toll-free at 877-210-5351. Ask to speak with the staffer who handles food safety issues.

Tell the staffer that you want the Senator to amend or oppose S. 510. If you get their voicemail instead of the staff, leave the following message:

“Hi, my name is _____ and I live in _____. I’m very concerned that S. 510, the FDA Food Safety Modernization Act, imposes unfair and burdensome regulations on local food sources, which are very important to me. The Committee version of the bill does not address my concerns, and I urge the Senator to support the Tester Amendment to exclude small facilities and direct marketing farms from the most burdensome provisions of the bill. Please call me back at _____.”

VIABLE SOLUTION TO AIRPORT BODY SCANNERS

Here's a solution to all of the controversy over the full-body scanners now being introduced at major airports.

What is needed is a reinforced booth that you can step into that will not X-ray you, but will detonate any explosive device that you may have on you.

It would be a win-win for everyone - there would be none of this crap about racial profiling and this method would eliminate a long and expensive trial. Justice would be quick and swift. Case closed!

This is so simple that it's brilliant.

I can see it now: you're in the airport terminal and you hear a muffled explosion. Shortly thereafter an announcement comes over the PA system, "Attention standby passengers, we now have a seat available on flight number..." Works for me.

McCarthyism... (Cont'd from Page 12)

Articles of Freedom that were the product of the Congress. The Articles are now being presented to every member of Congress and every state legislature. However, the fact is, to date, most in the freedom movement have never heard of the Continental Congress and, so far, have felt little impact from its efforts.

There was absolutely no connection to militant militias and never were there words uttered indicating violence as a plan of action. To the contrary, Schulz is a lawyer and the purpose of the Congress was basically to state what we believed to be violations to the Constitution to be presented to our elected leaders. That was it. Now, he plans legal action in the courts of the United States to address the problem. That's what lawyers do. But, according to SPLC, that is the act of an extremist.

A comical side-note in the SPLC report was an attempt to link me to the militias, something I've never engaged, in fact, I've never even talked to a militia member. But there was the attempt in the report. The exact quote was, "...Tom DeWeese, a co-founder in 1997 of *United Truckers Defending the Constitution and an angry critic, like most on the radical right, of the United Nations...*" The reference to the "United Truckers" dates back to an effort I made in 1997 to create a nation-wide protest against the Kyoto Climate Change Accord. I called the effort the "Strike For Liberty," and asked Americans across the nation to take an hour that day at noon to protest the signing by the Clinton Administration of the global warming treaty. To help spread the word of the strike, I enlisted a character named the Desert Owl, a trucker who was the head of his own creation called the United Truckers Defending the Constitution. He didn't do a very good job and I soon broke off contact with him. At no time was I the "co-founder" and the group was a truckers association - not a militia! Such is the comical inaccuracies of the SPLC. Any wonder why

these paranoid clowns think we are all terrorists? I do take full credit for being "angry" about the UN, however.

The Southern Poverty Law Center is nothing but a mouth piece of the far left. It attacks honest people who are expressing concerns about the issues of our day - just as free Americans have done since George Washington and Thomas Jefferson. In all of my participation with the so-called freedom movement, never have I heard any legitimate leaders express a need for violence against the government. To the contrary, activists like Bob Schulz had prepared items like the *Articles of Freedom*, precisely to be used as tools for legal, peaceful action.

Nor have I ever heard a single person express racist attitudes against Barack Obama. It's the policies we oppose - just as we did against Bill and Hillary Clinton, Jimmy Carter and Lyndon Johnson. And for that matter, we also opposed big government policies perpetrated by George Bush and Richard Nixon.

Americans are growing more frustrated and angry by the day for one simple reason - **our elected officials are not listening**. More than 80% of Americans oppose illegal immigration, but Congress continues to try to force amnesty. More than 80% of Americans opposed the bailouts - but Congress did it anyway. More than 65% of Americans opposed the health care bill - but Obama and Pelosi played the dirtiest, rawest political power games in the history of Congress to get it passed anyway. As a result, many Americans rightly feel that our government is no longer representing the people and so they are fighting back through rallies and radio call in shows.

Yet, when we try to speak out, as is our Constitutional right, the Southern Poverty Law Center calls us extremists? It's nothing more than left-wing McCarthyism. The Southern Poverty Law Center is not about protecting civil rights, rather it's a corrupt bully that fosters hate and fear mongering in its purist form.

Left-Wing McCarthyism

By Tom DeWeese

The Southern Poverty Law Center (SPLC) hates us. Who? According to several reports they have released over the past year, "us" is the following: One concerned over the economy; loss of jobs; foreclosures; antagonism toward the Obama Administration (that it's racist); criticism of free trade programs like NAFTA and the Security and Prosperity Partnership; anti-abortion; oppose same-sex marriage; believe in the "end times;" stock pile food, ammunition and weapons; oppose illegal immigration; opposition to the new world order; opposition to the United Nations; opposition to global governance; fear of Communist regimes; opposition to loss of US manufacturing to overseas nations; opposition to loss of US prestige; use of the Internet (or alternative media) to express these ideas. Did this list miss anyone reading it? You are all haters and potential terrorists.

The above list was published in a report issued last year by the Department of Homeland Security (DHS) entitled, *"Right-wing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment."* The report, while issued by the DHS, was in fact, written by the Southern Poverty Law Center, which labels itself as a civil rights organization which "tracks the hate movement." Ironically, SPLC is becoming one of the biggest purveyors of hate and discord in the nation. Worse, SPLC's reports are often so inaccurate and misleading that they would be simply laughable if they didn't have the support of the Federal government.

Now, SPLC has issued two new reports aimed at the growing freedom movement and last November's Continental Congress 2009, for which I was a delegate.

In its latest report entitled, "Rage on the Right: The Year in Hate and Extremism," issued March 2, 2010, SPLC sounds the alarm that the "patriot" movement is growing. They, of course, are alarmed about this. Again, SPLC lumps groups fighting such issues as healthcare with groups like the National Socialist Movement – the white supremacist group. The connecting issue between the true freedom movement and skin heads is opposition to illegal immigration. That's enough, according to SPLC, to get anyone opposed to illegal immigration labeled as a white supremacist. You see, in their view, the reason we want the borders closed and the flood

of illegals stopped is because they have brown skin – we're racists, of course.

Also, according to the SPLC, 2009 saw a dramatic rise in the growth of hate groups, from 926 to 932. Of course, they are the ones picking who the hate groups are. And what do they base the selection on? The growth was "driven largely by an angry backlash against non-white immigration and, starting in the last year of that period (2009) the economic meltdown and the climb to power of an African-American president."

Fear and frustration were the fuel for the rise in hatred, according to SPLC. "The anger seething across the American political landscape... goes beyond the radical right," the report said, adding that the rage was fed by "radical changes in the population, soaring public debt and the terrible economy, the bailouts of bankers and other elites, and an array of initiatives by the RELATIVELY LIBERAL Obama administration that are seen as 'socialist' or even fascist." The report went on to say, "The 'tea parties' and similar groups that have sprung up in recent months cannot fairly be considered extremist groups, but they are shot through with rich veins of radical ideas, conspiracy theories and racism." This, says SPLC, is giving rise to militant militia groups.

Obviously, according to the Southern Poverty Law Center, it is extremism to oppose any policy coming out of Washington, and only a hater of blacks would oppose Barack Obama.

The most comical report yet to come out of SPLC is one entitled *"Midwifing the Militias."* That report attempts to reveal the root of the growing anti-government sentiment and places it on the Continental Congress 2009 that convened in St. Charles, Illinois last November. Said the report, *"Convened by long-time radical tax protester Bob Schulz, who had been attacking the Fed and the Internal Revenue Service for decades, this remarkable gathering appears to have played a key role in launching the current resurgence of militias and the larger anti-government 'Patriot' movement."*

I was a delegate to that Congress, representing Virginia. There were 115 delegates from 48 states. I certainly don't want to downplay what I consider to be important work, specifically the creation of the

(Cont'd on Page 11)