

Costly FAA drone regulations exclude media usage

by: Darryl W. Perry

After nearly four years of delay, the FAA is poised to release regulations for the commercial use of unmanned aircraft systems (UAS/drone). A document, that could be a draft of the proposed regulations, was spotted on a federal website on Friday by a drone user and downloaded before being removed from the website, according to the Wall Street Journalhost. Forbes reports, “The document is dated February 2015 and is captioned ‘Notice of Proposed Rulemaking Regulatory Evaluation, Small Unmanned Aircraft Systems’ authored by George Thurston of the Office of Aviation Policy and Plans, Economic Analysis Division. But, it’s possible this is a leaked early draft that has since been revised or is otherwise incomplete or inaccurate.”

The document states, “If the proposed rule were adopted, operators would be permitted to participate in certain non-recreational activities from which they are currently prohibited. The proposed requirements are intended to enable the opportunity for the private sector to conduct research and development, develop commercial small UAS businesses, and facilitate legal and safe operations.” Adding, “The estimated out-of-pocket cost for a small UAS operator to be FAA-certified is less than \$300.” However, the document also shows that estimated cost of regulatory compliance to be approximately \$6,800 per year.

The proposed regulations would require UAS operators to obtain an FAA license, which would include a written test and the UAS to be flown would need to be inspected and registered with the FAA. The regulations also appear to apply many of the current regulations that exist for recreational use to commercial use of a UAS:

- The aircraft is limited to not more than 55 pounds unless otherwise certified through a design, construction, inspection, flight test, and operational safety program administered by a community-based organization;
- The aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft; and
- When flown within 5 miles of an airport, the operator of the aircraft provides the airport operator and the airport air traffic control tower (when an air traffic facility is located at the airport) with prior notice of the operation.”

Additionally, any use of a UAS is supposed to be “flown within visual line of sight of the person operating the aircraft.” This regulation alone makes use of a UAS impossible for many legitimate media purposes. In fact, the document states, “aerial photography activities such as those flown for pipeline inspections, high voltage power line inspections, commercial photographers covering action events, and wildlife observation of birds and other animals would not be practical by the proposed rule due to the proposed line-of-sight requirements.” And, “The four

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Second Saturday of the month – Concord Porcupines: The Corner View Restaurant – Noon-1:30pm.

DOVER

Last Tuesday of the month – The Dover Liberty Book Club: Kaleo Coffeehouse, 83 Main St. – 7:00pm

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Thursday – NH Seacoast Liberty Meetup: rotates weekly between Dover, Exeter & Portsmouth – 7:00pm
<http://www.meetup.com/nhseacoastliberty>

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Every Sunday – Social Sunday: McCue's Billiards & Sports, 12 Emerald St. – 6:00pm

LEBANON

Last Tuesday of the month – Upper Valley Porcupines: Lebanon Village Pizza, 45 Hanover St. #1 – 6:00-8:00pm

MANCHESTER

First Saturday of the month – Merrimack Valley Porcupines: (location varies, check facebook) – 11:00am

MANCHESTER

Tuesday – Taproom Tuesday: The Quill, Murphy's Taproom, 494 Elm St. – 5:00-7:00pm

MANCHESTER

Sunday – Shire Bitcoin Meetup: Murphy's Diner, 516 Elm St. – 6:00-9:00pm

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Wednesdays – Freedom Forum discussion: Barnes & Noble, 235 Daniel Webster Highway – 7:00-9:00pm

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Sunday – Nashua Liberty Meetup: Martha's Exchange, 185 Main St. – 6:00-8:00pm

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First and Third Thursday of the month – FreeWeare: Weare Town Grille, 840 S Stark Hwy – 6:30-8:30pm

Submit your events to editor@fpp.cc – please send event information by the final Sunday of each month.

More events can be found online at ShireCalendar.FPP.cc

GOP digs in heels on DHS and immigration funding

by: Darryl W. Perry

Many Republican lawmakers are digging in their heels in the fight to defund implementation of what they see as an executive overreach by President Obama. They're so entrenched in their position that they're acting as though they'll allow the Department of Homeland Security budget to not be adopted. Which in reality wouldn't have much impact on DHS activities, as approximately 200,000 of the 230,000 DHS employees are considered essential. The Chicago Tribune reports, “Most training, hiring, research and purchasing would be suspended. Border security, disaster relief and cybersecurity programs would continue uninterrupted.” In other words, nothing will really change, except that “essential” DHS employees will work without a paycheck until a budget is adopted.

While House Speaker John Boehner is adamant that the Democrats are to blame, and has painted this as a Republican vs Democrats showdown, others disagree. The Chicago Tribune reports, “This isn't a Republican vs. Democrat standoff. It's a Republican vs. Republican standoff. Specifically, it's the grown-up Republicans in the Senate vs. the hold-our-breath-till-we-turn-blue Republicans in the House.” Adding that Senate Majority Leader Mitch McConnell is urging Boehner to send the

Senate a clean DHS funding bill.

The real issue here is positioning. Boehner wants to be seen as standing up to Obama, and seems to be standing solidly behind his bluff of allowing the DHS to go unfunded unless he can defund Obama's immigration plan. McConnell wants to be seen as more moderate, and willing to compromise. So far, both men are playing their parts well.

The problem that both men face, however, is their insistence on preventing funds for an immigration plan they wrongly view as an unconstitutional overreach. First, the US Constitution does not authorize Congress to set immigration policy, only to “establish a uniform rule of naturalization”. Secondly, Article 1 Section 9 and Article V make it clear that the only way Congress could regulate immigration is to amend the Constitution. Thirdly, the 9th Amendment makes clear that the people retain all rights not specifically granted to the US government, this includes the right to migration. Finally, Article II, Section 2 of the US Constitution clearly states, “The President... shall have Power to grant Reprieves and Pardons for

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No direct link between cannabis use and traffic accidents

by: Darryl W. Perry

Last Summer, data came out of Colorado reporting that traffic fatalities were near-historic lows. Now, new studies by the National Highway Transportation Safety Administration (NHTSA) seems to show what some have already known: there doesn't seem to be a link between cannabis use and car accidents.

The Drug and Alcohol Crash Risk Study which looked at 9,000 participants over a 20 month period found that “about 8 percent of drivers during weekend nighttime hours were found to have alcohol in their system, and just over 1 percent were found with 0.08 percent or higher breath alcohol content – the legal limit in every state. This is down by about 30 percent from the previous survey in 2007 and down 80 percent from the first survey in 1973.”

The study confirmed that alcohol use by drivers was clearly associated with elevated risk of crash involvement. A driver with a breath alcohol content (BrAC) above 0.08 was 4 times as likely to have an accident compared to a driver with a lower or no BrAC, and “[d]rivers with alcohol levels at .15 BrAC had 12 times the risk.”

The study found that more drivers tested positive for “illegal drugs,” which includes cannabis, compared to previous studies. A footnote by the NHTSA states, “Despite recent changes in the legal status of marijuana in some States, for simplicity and to allow inter-survey comparisons, this drug remained included within the

‘illegal’ category in the 2013–2014 NRS.” The NHTSA study continues, “Changes in State policy on marijuana use, including medical and recreational use, may have contributed to an increase in marijuana use by drivers. However, the survey does not permit a state-by-state comparison.” The study also does not show the percentage of drivers who only had cannabis in their system, or that the person was actually high at the time they were tested. However, the study found even though drivers “testing positive for THC were overrepresented in the crash-involved (case) population... [W]hen demographic factors (age and gender) and alcohol use were controlled, the study did not find an increase in population based crash risk associated with THC use.” In other words, there is no direct correlation between consuming cannabis and an increased risk of having a traffic accident.

Jeff Michael, NHTSA's associate administrator for research and program development, said, “These findings highlight the importance of research to better understand how marijuana use affects drivers so states and communities can craft the best safety policies.” I'm certain that some will use this quote without looking at the study results, and then lobby state and local governments to make penalties for possession or use of cannabis more severe; while others will attempt to show the study results to the same legislators in an attempt to lessen or remove the penalties that now exist for possessing or consuming a plant.

Are you an activist?

by: Sandy Pierre

I have long considered myself to be a liberty activist. And as someone who lives in New Hampshire and interacts with other Free State Project early movers on a regular basis, many of the people in my social circle consider themselves to be activists as well. But are they really? Am I? What constitutes “activism”?

Activism – the doctrine or practice of vigorous action or involvement as a means of **achieving political or other goals**, sometimes by demonstrations, protests, etc. – source: Dictionary.reference.com (emphasis added)

Activism

Implementing legislative change on the local level is activism. I say this because, while philosophically I consider myself an anarchist, in the real world we find ourselves in right now, anything that makes it less likely to get fined or arrested for a victimless crime is a good thing.

Writing a pro-liberty bill that gets passed (or that has a good shot at passing) counts. So does shooting down an anti-liberty bill. Working to get such a bill passed by speaking to a committee, writing to/calling local legislators, writing effective Letters to the Editor that get published and read... these all count as activism. Running for local office, winning, and then actually showing up, counts too.

Changing someone's mind in a pro-liberty direction is activism. This can be done via face-to-face conversation, writing a book, blogging, podcasting, writing music, handing out flyers. However, the number of books, blogs, podcasts, songs and conversations that actually achieve this (i.e. change someone's mind in a pro-liberty direction)

is a small fraction of the total. In activism, unlike gift-giving, it's NOT the thought that counts! It's the effective communication of an idea that counts.

Not Activism

In my opinion, trying to reform the federal government is not activism. Such endeavors are worse than useless, because they consume time, energy and money on things that might actually make a difference! The same goes for voting in federal elections (note: I actually still do this myself... but I'm not sure why. Tradition?).

Running for office when there's not a snowball's chance in Hell that you'll win – That's just stroking your own ego and/or trying to prove a point which eludes me. Now, some people do seem to run for offices they know they have no chance of winning on the grounds that it gives them a platform from which to promote the principles of liberty. If a campaign actually does give them an opportunity to participate in a debate with the other candidates, get significant media coverage, etc., then perhaps there is some value there.

Starting a blog, a podcast, a cable access TV show, etc. – These activities, in and of themselves, do not count as activism. They may count, if they successfully perform one of the activities in the Activism section above. I don't consider my personal blog to be activism; it's just an outlet for creative expression and a way to amuse myself and my friends.

Publicity – Some claim “any publicity is good publicity”. I respectfully disagree, and will stoop to using a distasteful

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FAA drone regulations

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potential small UAS markets are: Aerial photography, Precision agriculture, Search and rescue/law enforcement, and Bridge inspection.”

Notice what area is not present: media/journalism. Is it possible that the FAA is intentionally preventing media from being covered under the regulations? Is it possible that the FAA would rather journalists be in harms way, than to allow safe news coverage of potentially dangerous events? Media covering the Ferguson riots, in which many members of the media were arrested, shot with tear gas and bean bags, and/or threatened with arrest or death for daring to report on the police abuses, would have benefited greatly from the use of UASs. However, the no-fly zone that was created around Ferguson would likely have been construed as to prevent any media use of a UAS to cover the riots.

Regardless of the implications of these regulations on the media; in the end, as with all regulations, small business will be harmed by the implementation of these new regulations, as they are less likely to be able to justify cost of regulatory compliance.

GOP, DHS & immigration

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Offences against the United States, except in Cases of Impeachment.” Meaning that not only does the Congress not have authority to regulate immigration, but the President has the authority to pardon or reprieve a person who has violated a federal law. This includes the authority to delay punishment, which is essentially what President Obama has proposed with his Executive Order on immigration that would spare approximately 4 million undocumented immigrants from deportation.

Additionally, Republican outrage over “unconstitutional executive overreach” only applies to Democrats, and not to their fellow Republicans. The American Immigration Council reports, “Since at least 1956, every US president has granted temporary immigration relief to one or more groups in need of assistance.” Adding, “Some presidents announced programs while legislation was pending. Other presidents responded to humanitarian crises. Still others made compelling choices to assist individuals in need when the law failed to address their needs or changes in circumstance.”

The latest Executive Action by Obama is in the latter category. Despite the fact that one poll shows that half of Americans “disapprove of Obama taking immigration matters into his own hands.” Another poll shows “73 percent of Americans said Congress should focus on passing a comprehensive immigration reform package.”

Unfortunately, if/when the Congress does pass comprehensive immigration reform, it will most likely not be a policy that allows for maximum freedom in regards to human migration.

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recent example to make my point. A liberty activist (not in New Hampshire, thankfully) recently admitted to molesting a young girl on his Facebook wall. His post has garnered over 100 shares, over 2000 comments, and presumably thousands of views. That is a lot of publicity! This man is (or was) associated with pro-liberty organizations such as CopBlock and C4SS. Do you think that either of these organizations are grateful for the spotlight this self-confessed child molester has shone on them this week via his association with them? Um, yeah....

Running an “agorist” business – As far as I can tell, the definition of an agorist business seems to be refusing to comply with laws regarding business licensure and taxes. While it may be laudable to refuse to “feed the beast” by refusing to pay taxes, this is not promoting or expanding liberty any more than simply being unemployed would be. Please don’t misunderstand: I’m not saying that there is no value in running an agorist business! I’ve made use of several myself over the past few years and am grateful for their existence. But it’s not “activism”.

Anti-Activism

A minority of self-described activists do things that

Time to end the election duopoly

by: Thomas L. Knapp

California’s elections system is making news again (“Top-two primary system survives challenge,” by Thomas Elias, Salinas Californian, February 17). “Top two,” in California and elsewhere, is the latest effort to strengthen the Republican and Democratic parties’ monopoly — “duopoly” — over American politics.

Supporters’ justifications for “top two” laws are that too much choice on the November ballot “confuses” voters, and that permitting only two candidates avoids run-offs and plurality rather than majority winners. So while those pesky third party (Libertarian, Green, etc.) and independent candidates can run in the earlier primary elections if they jump through enough hoops, in November voters must choose between the “top two” primary vote-getters — almost always a Republican and a Democrat.

The single largest voter identification in the United States, exceeding any party’s, is “independent.” Polling consistently shows that pluralities or majorities of Americans support the idea of a “third major party” and would consider voting for non-duopoly candidates for political office.

Yet every other November, the vast majority of non-duopoly candidates go down to defeat. A few win local office. Even fewer become state legislators. Bona fide independent or third party governors, US Representatives and US Senators are rarities. And the next US president who isn’t a Republican or Democrat will be the first since those two parties coalesced into their current forms in the mid-19th century.

Why? Well, for one thing, those two major parties control access to election ballots. And they use that control to make it as difficult and expensive as possible for third party and independent candidates to even offer themselves

Are you an activist?

actually drive potential converts away from the ideas of liberty. If you engage in any of these pastimes, please, stop!

Insulting/namecalling/engaging in flame wars – You may be right. You may be smarter than the other person. But if you call him names, or put him down, or act condescending, you are not doing positive activism. On the contrary, you’re doing negative activism. Calling people names, or cursing at them, will not convince them that you are right and they are wrong. It will anger them and put them on the defensive, which makes them much less likely to actually hear any valid points you might have been trying to make.

Being a deadbeat/mooch – Self-ownership is one of the foundational principles of libertarianism. Owning yourself includes being responsible for yourself, taking care of yourself. It boggles my mind how many self-described activists are seemingly unable to feed and house themselves and their children without relying upon the charity of others. Some even go so far as to renege on contracts they’ve voluntarily entered into for housing or basic services. Please, if you haven’t got the bare minimum self-supporting aspects of being an adult down yet, stop calling yourself an activist.

as alternatives.

Prior to 1884, printed ballots were provided to voters by political parties and candidates. Those voters were also free to write out their own ballots by hand if they didn’t vote “straight party ticket.” Between 1884 and 1991, the states adopted the “Australian ballot” — a uniform ballot printed at government expense.

Standardized, one-size-fits all ballots, of course, have to come with rules. And guess who gets to make those rules? The two ruling parties, of course. Over time they have sewn up their “duopoly” with increasingly draconian restrictions.

In most states, Democratic and Republican nominees for office appear on the ballot automatically or nearly automatically. Third party and independent candidates might be allowed to run as well, if they spend lots of money collecting petition signatures — money which then becomes unavailable for their actual campaigns.

“Top two” proponents seek to tighten the screws even further and eliminate any chance whatsoever that a third party or independent candidate without, say, the personal wealth of a Ross Perot, might “spoil” the election of one of the establishment candidates, or even surge to victory.

They refer to their systematic diminution of voter choice, with straight faces, as “democracy.”

The rest of us refer to it as “rigging America’s elections.”

If voters want real political choice, it’s time to start voting for candidates who support free and fair elections ... while the duopolists still allow us to.

Thomas L. Knapp is director and senior news analyst at the William Lloyd Garrison Center for Libertarian Advocacy Journalism. He lives and works in north central Florida.

Metrics

Action that doesn’t achieve the desired outcome is a waste of your precious limited time (and money, if you’re spending any on your project). It’s not enough to just “do something”; you need to do something that achieves your goal, or at least gets you part of the way there. Ideally, you need to do it efficiently. As an example, spending a million dollars on a futile political campaign may result in turning X number of people on to the ideas of liberty. But was that the most effective use of that million dollars? If the money had been spent another way, might X have wound up being a larger number?

Good feedback – People writing or speaking to you, saying they got something out of your article/video/podcast/etc. They may write to say they agree with you. They may disagree. But if you can maintain a respectful dialog with those who disagree, you may accomplish something. Even if you don’t succeed in changing their mind, if you can end the debate in a civil manner, with mutual respect, then at least you’ve left that reader with positive thoughts about you and your position.

Indeterminate feedback – Number of social media friends/followers. People who follow you on social media and/or read your articles because you’re so outrageous they just want to see what you’ll say or do next are not a valid measure of how well you’re promoting liberty. I’m not going to name names here, but I have been told by a number of friends that certain high-profile “celebritarians” are followed/read for just such a reason. They are the human equivalent of a gory highway accident. Not all of your followers may be fans or supporters; some of them are simply rubber-neckers. Others are just people who, for whatever reason, will follow/link to anyone who follows/links to them first.

I’ve noticed this myself on Twitter, which I only started making use of in the last several months for purposes of promoting Shire Liberty News. I’ve been systematically following people who identify themselves as “libertarian”, and many of them have followed me back. But I can tell by some of their tweets that, well... to paraphrase the immortal words of Inigo Montoya: “I do not think that word means what they think it means”.

If many of them actually took the time to read what we publish in this newsletter, they’d probably disagree, some of them angrily. This is not to say that linking to them on Twitter serves no positive purpose at all. Due to Twitter’s rules, you need to have X number of followers in order to be allowed to follow Y users yourself. So in that sense, every single follower does help, albeit indirectly. But I have no illusions that, because SLN has over a thousand followers on Twitter, that equates to a thousand Twitter FANS, or even readers.

Negative feedback – If you’re so abrasive or obnoxious that even your allies unfriend/unfollow you, block you, ban you from their events... you might want to take a moment of quiet reflection and assess the efficacy of your activism.

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Sandy Pierre has 15 years of experience writing and managing projects for libertarian organizations. She relocated to New Hampshire as a participant in the Free State Project in 2005 and has held leadership roles in a number of New Hampshire-based groups, including the Free State Project, the Merrimack Valley Porcupines, the Libertarian Party of New Hampshire, and the New Hampshire Liberty Alliance. Sandy has appeared on the TV show the Libertarian Alternative and spoke at the Middlebury Institute’s First North American Secessionist Convention.