



THE FOUNDATION

“[A] rigid economy of the public contributions and absolute interdiction of all useless expenses will go far towards keeping the government honest and unoppressive.”
--Thomas Jefferson

GOVERNMENT & POLITICS

Medicare Proves to Be Battleground for 2012

The Senate voted this week on the budget proposal submitted by House Budget Committee Chairman Paul Ryan (R-WI), defeating it with a 40-57 vote. Majority Leader Harry Reid (D-NV) was happy to force Republicans into staking out a position on the proposal, though only five of them voted no. Medicare is the biggest part of this debate.

The usual suspects -- Susan Collins and Olympia Snowe of Maine, Lisa Murkowski of Alaska, and Scott Brown of Massachusetts -- all claimed Ryan's budget went “too far.” Rand Paul of Kentucky also opposed it because for him it didn't go far *enough*. As for Brown, who keeps drifting further left as his 2012 re-election bid draws closer, he claimed that Ryan's plan would do more damage than good to Medicare. “We should start by making improvements to the traditional Medicare plan,” Brown explained, refusing to acknowledge that “traditional” Medicare is quickly going away unless significantly altered in the very near term.

Brown and his fellow RINOs clearly have been drinking the same Potomac water as Democrats, who, as usual, have done a fine job of demagoguing the issue. Ryan's budget wouldn't touch benefits for current Medicare recipients or even people within 10 years of retirement. But Medicare for younger citizens would become a market-oriented system, thereby taking some strain off this bankruptcy-bound entitlement. Congressional Democrats flatly refuse to negotiate any budget that touches Medicare, which is an interesting departure from their half-trillion-dollar cut to Medicare in 2009 to help fund ObamaCare.

Democrats, in fact, have provided no alternatives for reducing spending even in the face of a crushing debt crisis. Then again, since they're the ones who originally increased the spending, we aren't holding our breath. As

Ryan noted, “It's been 754 days since the Senate Democrats proposed, let alone passed, a budget.” But Ryan's plan fared far better than Barack Obama's February \$3.7 trillion budget proposal. The Senate also rejected that one this week by a stunning vote of 97-0.

Medicare reform is shaping up to be a rallying cry for both parties over the next 18 months. In New York's 26th congressional district, Democrat Kathy Hochul won a special election Tuesday to fill Republican Chris Lee's seat, which he vacated in the wake of an extramarital scandal. Hochul garnered just 47 percent of the vote, but because of the three-way field, she defeated Republican Jane Corwin and Democrat-turned-“Tea Party” candidate Jack Davis, who siphoned off 9 percent of the vote. The race became a referendum on the Ryan budget proposal and its impact on Medicare, as Democrats linked Corwin to a fictitious plan to “end Medicare as we know it.” Hochul's single-issue campaign was heavily supported by national Democrats and leftist groups that crafted a remarkably tasteless TV spot depicting a Paul Ryan look-a-like pushing a wheelchair-bound senior over a cliff.

Democrats have crowed about the election, claiming it's a sign of things to come in 2012 and that Republicans will face wider defeat due to their stance on Medicare. Such claims are overblown. One special election in a GOP district in a solidly Democrat state more than a year out from the next national election is hardly a trustworthy political referendum. Besides, Republicans have a terrible track record in special elections. Recall that in 2009, in another upstate New York special House race, the Republican was defeated in a three-way contest. That was supposed to be the death knell of the GOP for the next generation, but just one year later, the GOP executed a stunning congressional upset.

It is true that Republicans have to do a better job of defining their stance on Medicare though. Corwin was caught flat-footed early in the race when attacked on the issue. “I have to admit when [Hochul] started making these comments, I thought, ‘These are so outrageous that probably no one would ever believe it,’” she said. “Apparently some people did.” Democrats have the far easier task of scaring voters into believing Republicans want to take away their Medicare and push seniors off cliffs.

Republicans must patiently, consistently and thoroughly explain that it's *Democrats* and their defense of the status quo spelling disaster. Far more frightening than any GOP construct is ObamaCare and its panel of 15 price-controlling bureaucrats determining the health care of seniors.

Income Redistribution File: 'Stimulus' Update

The Government Accountability Office reported Tuesday that at least 3,700 government contractors and nonprofit organizations pocketed more than \$24 billion from the stimulus gravy train of 2009. Unfortunately, those same people owed \$757 million in back taxes as of Sept. 30, 2009. In fact, of the 63,000 contractors and grantees, 6 percent of them were tax delinquents. Federal law doesn't prevent tax delinquents from receiving government money, but it doesn't exactly look good for an already widely panned program.

Adding insult to injury, the Congressional Budget Office determined that the stimulus will actually cost \$830 billion, not \$787 billion as originally sold. Most of the funds were distributed in 2010. On the other hand, CBO credits the stimulus with the economic growth, slow as it may be, in recent months. We don't buy that, and one of their own admissions is a key reason why not. CBO says, "a key disadvantage of the model-based approach is the considerable uncertainty about many of the economic relationships that are important in the modeling." In other words, CBO took a shot in the dark. Government spending doesn't generate economic growth; the private sector does, often in spite of government. But that won't stop Barack Obama from spiking the football.

New & Notable Legislation

The Senate voted 72-23 Thursday to extend three key Patriot Act provisions that were due to sunset Friday. The House followed suit with just hours to spare, by a vote of 250-153. The president then used a robo-pen to "sign" the legislation, without actually being present. Seriously. Why? He's roughing it at the French resort of Deauville.

The provisions, which now sunset on June 1, 2015, include the power to set roving wiretaps, seek tangible information on suspects' business or library records, and engage in secret surveillance of non-American suspects not known to be tied to any terrorist group. What is perhaps most interesting is how hard the administration is pushing for renewal. Democrats used to oppose the law vehemently just because George W. Bush backed it. Now that Obama's in the White House, all of the sudden he finds it useful, even if he can't be bothered to attend the signing.

This and the prison at Guantanamo Bay, unlimited detention of enemy combatants, military commissions to try them, drone attacks against terrorists (even in Pakistan) and "democracy" in the Middle East -- it's almost like a third Bush term.

Wisconsin Recount

and the Collective Bargaining Law's Legal Hurdles

For the second time, Wisconsin Justice David Prosser has beaten union-backed challenger JoAnne Kloppenburg by more than 7,000 votes. The senseless recount was finished and certified earlier this week, and though Kloppenburg picked up 310 votes (how does that *always* happen for leftists?), she still fell well short. The recount cost Wisconsin taxpayers a bundle, which is ironic given that the battle was largely over government spending as it related to the law signed by Republican Gov. Scott Walker, which eliminated collective bargaining for public employees. The Left had made the judicial election a referendum on said law.

On that front, they won a different battle Thursday when Dane County Circuit Judge Maryann Sumi struck down the legislation because, she said, GOP lawmakers had violated the state's open meetings law when passing it. In other words, she overturned it based on a technicality -- a technicality that Republicans claim didn't even apply in that situation. The legislature was in special session, which has different rules governing open meetings. That would mean Sumi is not only wrong, but also intruding on the prerogative of the legislative branch, substituting her own rules for the legislature's. Also, Sumi's son was a former field manager for both the AFL-CIO and the Service Employees International Union (SEIU). We're sure this has nothing to do with the case, but we thought we'd mention it anyway.

There is an unfortunate twist that could keep the case from the state Supreme Court, which, as noted above, still features conservative Justice David Prosser. State Republicans asserted legislative immunity and didn't defend the bill initially. *Democrats* took up the defense just so the legal challenge could proceed. They certainly won't appeal their victory, meaning the only way forward may be for Republicans to re-pass the legislation.

From the Left: Obama Takes on Indiana

The Obama administration has announced its intention to reverse a recent Indiana law that cuts state and federal money for Planned Parenthood clinics that provide health care to women on Medicaid. The cost-saving measure

was signed into law by Republican Gov. Mitch Daniels a couple of weeks ago. Daniels, who recently broke some hearts by announcing that he would not run for the presidency in 2012, may be clashing with Obama on a different level now that he's standing firm behind the law. Federal officials by law have 90 days to review and approve such changes made by states, but this battle is likely to widen as legislatures in other states are considering similar funding cuts.

John Edwards to Be Prosecuted

"The United States Department of Justice has green-lighted the prosecution of former presidential candidate John Edwards for alleged violations of campaign laws while he tried to cover up an extra-marital affair," ABC News reports. In other words, much like his pal Bill Clinton, Edwards' trial won't be because of his infidelity per se, but because of the ensuing cover-up. Edwards is accused of using campaign funds to support and hide his mistress/campaign videographer, Rielle Hunter, with whom he had a daughter while his wife was dying of cancer.

According to ABC, "The government's case against Edwards is expected to rely heavily on Andrew Young, a former close aide to Edwards who falsely claimed paternity of Hunter's child three weeks before the Iowa caucuses. Young testified before a grand jury for nine hours in 2009, and also wrote a tell-all book that alleged Edwards was the mastermind of a well-funded, well-orchestrated plan to keep the affair from becoming public."

While we warned way back during the 2004 presidential campaign to "Flush the Johns," not even we could have imagined just what a loathsome character John Kerry's former running mate really is.

NATIONAL SECURITY

Throwing Bibi Under the Bus

In the wake of Barack Obama's "welcome speech" to visiting Israeli Prime Minister Benjamin Netanyahu, we would like to put to bed any rash notions that the U.S. couldn't possibly sink any lower in international stature than it already has under the current administration. Each new day brings new opportunities to harpoon U.S. esteem and credibility -- if it's not kicking the Dalai Lama to the curb with the trash, it's throwing "Bibi," as Netanyahu is irreverently-but-affectionately called, under the bus.

Marking yet another disgraceful "first," Obama is the first U.S. president to openly endorse resetting Israel's borders to their pre-1967 limits. Netanyahu noted that such a

move would spell disaster for one of America's staunchest allies and our only consistent ally in the Middle East. Of course Hamas, Fatah and the rest of the Palestinian "right of return" crowd immediately welcomed the move as a good "first step" toward resetting the borders to their pre-1948 positions (i.e., wiping out Israel).

The reason the post-1967 borders exist is that Egypt, Jordan and Syria planned to attack Israel, which interdicted with a preemptive attack to prevent being wiped off the map. Recall also that Israel gave back the majority of land gained through its victory -- that is, it eventually returned the Sinai Peninsula to Egypt -- but it reserved the right to retain certain territories as buffers between it and its clearly hostile neighbors. Most Americans see this as a self-preservation, but then again, this administration has never been truly in touch with most Americans.

In his warmly received speech before a joint session of Congress, Netanyahu put a fine point on the problem with the well-worn "land-for-peace" proposition Obama trotted out. The issue *isn't* that Israel is unwilling to accept a Palestinian state; rather it's that one of those speaking for a would-be Palestinian state -- the terrorist organization known as Hamas -- holds as its central tenet the destruction of Israel. In our minds, at least, that would put a damper on Israel's willingness to unilaterally cede territory before engaging in peace talks. Yet this is exactly what Team Obama is advocating.

The ultimate problem has nothing to do with land-swaps or "rights of return." Rather, the real problem is within the Muslim mind. Until that problem is settled, don't look for land, or any other panacea, to cure what ails that troubled land.

Obama Finally Asks Congress to Bless Libya Action

As Barack Obama's "kinetic military action" in Libya intensified this week, so did criticism of the commander in chief for ignoring Congress and the 1973 War Powers Act, which should have kicked in last Friday after 60 days of conflict in Libya. But that day was going to pass without a peep from this lawless regime, and a spineless Congress appeared ready to watch its constitutional powers further erode. Several congressional members finally found their voice on the matter. Rep. Dennis Kucinich, the loony leftist from Ohio, said that he would seek "to force a vote on our adventure in Libya and to attempt to bring Congress to a realization of the serious erosion of constitutional authority." Which just goes to show that even a blind squirrel finds a nut every once in a while. Six

Republican senators also sent a letter to Obama asking him if he had any interest in complying with the law.

Late last Friday, Obama finally asked congressional leaders for a resolution supporting continued military involvement in Libya although he pointedly did not say that he required this support. The House on Thursday finally passed that resolution, but added a prohibition on ground troops in Libya by a vote of 416-5.

Meanwhile in Libya, NATO launched its largest air strike to date on Moammar Gadhafi's regime, targeting military reserve headquarters and the Gadhafi compound in Tripoli. The strike came hours after France and Britain said they planned to deploy attack helicopters to Libya, which would allow rapid military action within cities but would put NATO troops at much higher risk. NATO officials have recently expressed worry that Libya could become a stalemate, with Gadhafi remaining in power in the west, the rebels controlling the east, and war in between. Such is the situation in this ill-advised, poorly planned and executed operation.

Elsewhere, Egypt's Hosni Mubarak was ordered to stand trial for the murder of protesters during the recent "Arab Spring" demonstrations, and he could face the death penalty. Mubarak is currently detained in a hospital in the Red Sea resort of Sharm el-Sheikh where he now awaits his fate at the hands of his radical Islamic countrymen.

Immigration Front:

SCOTUS Upholds Arizona Law -- Just Not *That One*

The U.S. Supreme Court ruled 5-3 Thursday that Arizona and other states do have some authority to tackle illegal immigration. In this particular case, the Court upheld the Legal Arizona Workers Act of 2007, which requires employers to check the federal E-Verify system when hiring workers. The law, signed by then-Gov. Janet Napolitano (D), also imposes a so-called "death penalty" for employers that are repeat offenders. Arizona's law allowing law enforcement officers to question the status of suspected illegals when making traffic stops and the like was not part of this case. Napolitano, now the Secretary of the Department of Homeland Security, opposes the latter, which is on appeal to the Supreme Court.

The Obama administration and the U.S. Chamber of Commerce opposed the Legal Arizona Workers Act by arguing that federal law prohibits states from imposing "civil or criminal sanctions" on employers. Chief Justice John Roberts, however, pointed out that the same fed-

eral law permits states to use "licensing" laws to punish employers. Roberts, along with Justices Samuel Alito, Anthony Kennedy, Antonin Scalia and Clarence Thomas, made up the majority. Justice Elena Kagan sat out the case.

Disney Abandons 'SEAL Team 6' Trademark Request

Two days after Osama bin Laden's demise, Walt Disney Co. applied with the U.S. Patent and Trademark Office seeking exclusive rights to use the term "SEAL Team 6." We can only imagine the Chinese-made junk that would be sporting the name -- toys and games, shirts, movies, ad nauseum. On Wednesday, however, Disney withdrew the application, claiming it was "out of deference to the Navy."

On May 13, the Navy filed its own trademark requests on the phrases "SEAL Team" and "Navy SEALs." According to the Navy, those terms denote "membership in an organization of the Department of the Navy that develops and executes military missions involving special operations strategy, doctrine, and tactics." The Navy did not, however, file a counter request for "SEAL Team Six." "We certainly would not request a trademark on a SEAL team that doesn't exist, like SEAL Team 6," said a Navy official, reportedly with a wink.

In Honor of Fallen Patriots

Don't miss Mark Alexander's essay on [Memorial Day](#) and what it really means.

Also, please view our Patriot [Memorial Day Tributes](#).

BUSINESS & ECONOMY

Regulatory Commissars:

Blame Obama for High Energy Prices

While detractors call it politically motivated, the House Committee on Oversight and Government Reform released a study this week blaming the current occupant of the Oval Office for "pursuing an agenda to raise the price Americans pay for energy." If that is Barack Obama's aim, he's succeeding handsomely, notwithstanding the recent small drop in pump prices.

The House report found a number of factors contributing to the rise in energy prices, but two stood above the rest: a wish to promote so-called "green" energy at the expense of more traditional sources like coal, natural gas, and oil; and leftist abuse of regulation and taxation to browbeat companies into developing energy already found elsewhere.

Of course, the House report is only recounting what anyone with a lick of sense already knows: Obama wants energy prices to rise. That's the only way to achieve the environmentalist utopia that his far-left allies seek and that he openly warned during the 2008 campaign. He said, "Under my plan of a cap and trade system, electricity rates would necessarily skyrocket." As Americans have learned, those price increases aren't limited to electricity.

Chrysler Repays Some of Government Loan -- But What About the Rest?

Chrysler, the little sister in the 2008 auto bailout, has grown up enough to "pay back" the United States and Canadian governments the \$7.5 billion it owed by securing a combination of private loans and bonds. It's considered the end of the bailout, but the U.S. government still owns a 6.6 percent share of Chrysler's equity and probably will never see the \$1.9 billion lent to Chrysler before that debt was discharged with their bankruptcy package.

Ironically, buoyed by the sale of gas-guzzling sport utility vehicles, Chrysler has rebounded from its depths and will go forward unburdened by the \$300 million per year in interest charged by Uncle Sam. Yet unlike the Chrysler that survived the Carter-era bailout through Lee Iacocca's leadership and the introduction of popular models ranging from the subcompact Omni/Horizon to the first Caravan/Voyager minivans, this version will depend on products from Italian automaker Fiat to appeal to the small-car market. The Mexican-built Fiat 500 subcompact went on sale domestically in March and through April had sold 1,382 units from a steadily growing dealership roster.

Obviously, Barack Obama will consider this payback an achievement, but the real measure of success will be whether Chrysler has indeed righted its ship, or comes back begging for yet another government bailout in a few years.

Around the Nation: Tennessee Volunteers to Fight Unions

Hats off to the Tennessee legislature for having the courage to fight for a better educational system. The Tennessee General Assembly passed a bill that limits collective bargaining for teachers by instituting what Republican architects call "collaborative conferencing." In other words, according to the Chattanooga Times Free-Press, "It would allow school boards and approved teacher representatives to meet and discuss wage, limited benefit and working condition issues and enter into legally binding memoranda of understanding." The bill awaits Republican Governor

Bill Haslam's expected signature.

Teachers' unions have had a stranglehold on public education for decades. If private school teachers are not doing their job, they are fired; indeed, 10 percent are dismissed every year. In Tennessee's *public* schools, however, only 1 percent of teachers are fired each year. The difference is that public school "educators" are given tenure after only three years. At that point, they're all but untouchable.

Under the House bill, teachers would no longer be able to bargain collectively over performance pay or school assignment, which includes the money issues (pun intended) such as teacher compensation and layoffs. It seems, however, that all issues are money issues; money and politics, that is. For example, of the \$90 million it received in 2008 union dues, the Tennessee Education Association gave \$12 million to leftist causes and candidates. This takes the expression "one hand washes the other" to a whole new grade.

CULTURE & POLICY

Judicial Benchmarks: Court Opens Prison Gates

It looks like "catch and release" doesn't apply only to our borders. On Monday, the U.S. Supreme Court ordered California to release almost a third of its prison population, citing overcrowding and resultant "needless suffering and death." Never mind that the inmates who brought suit provided no specific instances of harm, only "systemic" conditions that might prove unconstitutional; the High Court still chose to strip the Golden State of its penal keys to unlock its prison doors for some 46,000 inmates.

According to Justice Anthony Kennedy, who spoke for the majority, conditions in California's prisons have "fallen short of minimum constitutional requirements." In its 5-4 decision, the Court even claimed crowded conditions had hampered health care for prisoners, thus violating their Eighth Amendment protection against "cruel and unusual punishment."

Of course, the two things the Court majority chose to ignore were the law-abiding public and the constitutional separation of powers. In a harsh dissent, Justice Antonin Scalia pointed to "the inevitable murders, robberies, and rapes to be committed by released inmates," and he called the decision "staggering" and "absurd" and "perhaps the most radical injunction issued by a court in our nation's history." Additionally, as The Wall Street Journal reports, "Justice Scalia notes that the Justices are now decreeing how the political branches of government must be run,

disregarding the Constitution's core Article III checks on judicial authority." In a separate dissent, Chief Justice John Roberts and Justice Samuel Alito wrote, "The Constitution does not give federal judges the authority to run state penal systems."

For the High Court's leftist majority, public safety and the Constitution be hanged. If that's not cruel and unusual punishment, we don't know what is.

In related -- and positive -- news, the FBI released its annual violent crime statistics. Such crimes were down in 2010 by 5.5 percent. Property crimes were down 2.8 percent. Californians can only hope...

Second Amendment: DEA Finds ATF Guns

CBS News reports that in April, the Drug Enforcement Administration (DEA) stumbled upon a stash of rifles connected to the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Operations Fast and Furious and Project Gunrunner. According to CBS, "Sources say DEA accidentally came upon the guns while stopping suspects in an unrelated case in the Phoenix area on April 13th. When agents stopped at least two suspects, they found two giant garbage cans full of dozens of AK-47 type weapons wrapped in cellophane. Sources tell CBS News that a trace on the first weapon showed it was purchased in Nov. 2009 by a suspect in ATF's Fast and Furious case."

Under Fast and Furious along with Gunrunner, the ATF knowingly allowed semi-automatic rifles and other firearms to be sold to supposed-straw purchasers and taken into Mexico. The goal was supposedly to track the guns and gain enough intelligence to take out drug cartels. Unfortunately, one consequence was that two federal agents, Border Patrol Agent Brian Terry and Immigrations and Customs Enforcement Agent Jaime Zapata, were killed by drug runners using guns from these ATF operations.

This Week's 'Alpha Jackass' Award

"I just want you to know that we are working on [gun control]. We have to go through a few processes, but under the radar." --Barack Obama earlier this year, as reported by Fox News this week

Tucson Shooter Ruled Incompetent to Stand Trial

In what comes as no surprise at all, Jared Lee Loughner, who shot 19 people and killed six in Tucson in January, was found incompetent to stand trial this week. He was also removed from the court for an outburst. Loughner will be sent back to a federal facility for up to four

months, where doctors will attempt to restore his competency. He has pleaded not guilty to 49 federal charges, including shooting and wounding Rep. Gabrielle Giffords and 12 others, and killing a federal judge, a nine-year-old girl and four others.

The federal standard for insanity is whether "the defendant, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of his acts." Given that Loughner used the word "assassinate" when writing about the shooting before it happened, as well as the national prominence of the case, it's hard to see him being acquitted on insanity grounds. He can be detained four months at a time indefinitely. Besides, Arizona plans to try him as well, and its standard is "guilty but insane." Anyone who goes on a shooting rampage as Loughner did is bound to have at least a few screws loose, but there's no question he did the shooting, and he should pay for his crimes.

Indiana Rules That Residents Can't Resist Illegal Police Invasion

The Indiana Supreme Court recently overturned settled jurisprudence dating back to the Magna Carta in 1215 and ruled that Hoosiers can't legally resist illegal home invasions by police. Justice Stephen David, appointed by Republican Governor Mitch Daniels, wrote, "We believe ... a right to resist an unlawful police entry into a home is against public policy and is incompatible with modern Fourth Amendment jurisprudence. We also find that allowing resistance unnecessarily escalates the level of violence and therefore the risk of injuries to all parties involved without preventing the arrest."

A case in Vanderburgh County prompted the ruling. Police were called to investigate a domestic dispute, and when the husband blocked the door and told officers they weren't needed, they entered anyway. After the husband shoved an officer, a second officer used a stun gun to subdue and arrest him.

Justices Robert Rucker and Brent Dickson dissented, pointing to the Fourth Amendment of the U.S. Constitution. Rucker wrote, "In my view the majority sweeps with far too broad a brush by essentially telling Indiana citizens that government agents may now enter their homes illegally -- that is, without the necessity of a warrant, consent or exigent circumstances. I disagree."

And Last...

Barack Obama's trip to the British Isles this week showed

him to be in over his head. While visiting Buckingham Palace, the president began delivering a toast to Queen Elizabeth. "Ladies and gentlemen please stand with me and raise your glasses as I propose a toast," he said. "To her majesty the Queen." However, when he then paused, the orchestra took his typical fits and starts as the cue to start the music. But he wasn't done droning. As the orchestra began playing "God Save the Queen" (known hereabouts as "My Country 'Tis of Thee"), he continued his toast while the awkward moment unfolded.

Earlier in his trip, as the president's EPA-exempt gas-guzzling limo, lovingly (mockingly?) known as "The Beast," attempted to exit the U.S. embassy in Ireland, it bottomed out and got stuck. A Secret Service vehicle then blocked the view for those watching from across the street as agents unloaded all the Guinness from the trunk.

It's no wonder Obama signed the guestbook at Westminster Abbey and dated it "24 May 2008." That was a better year for him.

Semper Vigilo, Fortis, Paratus et Fidelis! *The Patriot Post* Editorial Team

Veritas vos Liberabit -- Semper Vigilo, Fortis, Paratus, et Fidelis! Mark Alexander, Publisher, for *The Patriot Post's* editors and staff. Read online at <http://patriotpost.us>

(Please pray for our Armed Forces standing in harm's way around the world, and for their families -- especially families of those fallen Soldiers, Sailors, Airmen, Marines and Coast Guardsmen, who granted their lives in defense of American liberty.)