



THE FOUNDATION

“[T]he present Constitution is the standard to which we are to cling. Under its banners, bona fide must we combat our political foes -- rejecting all changes but through the channel itself provides for amendments.” --Alexander Hamilton

GOVERNMENT & POLITICS

The Debt Ceiling and the Constitution

“C’mon, man!” Joe Biden exclaimed Monday, “Let’s get real!” On Wednesday, Barack Obama was so upset that he took his ball and went home, shoving his chair away from the table and saying tersely, “I’ll see you tomorrow.” The topic, of course, is the debt ceiling, which Obama and his pals at the Treasury Department insist must be raised by Aug. 2 to prevent default on U.S. debt. But this isn’t your father’s debt ceiling; it’s \$14.3 trillion currently, and Democrats want \$2 trillion more. It’s no wonder that tensions are running high. This is where ideological rubber hits the road and either builds America or tears it down.

The sticking points aren’t new. Democrats want to raise taxes by as much as \$2 trillion in addition to making cuts to various budget items, not least of which is defense. Republicans want cuts with no tax increases. Obama is so insistent on tax increases that, according to a GOP aide in the discussions, he declared, “This may bring my presidency down, but I will not yield on this.” He didn’t yield as he demagogued Social Security, either. “I cannot guarantee that [Social Security] checks go out on August 3rd if we haven’t resolved this issue,” he shamelessly warned. Who’s throwing grandma off the cliff now?

After that snit, he audaciously criticized Republicans’ “my way or the highway” approach.

As for the cuts under discussion, they aren’t genuine cuts like those average Americans are making -- buying less milk and fewer eggs, for example. Called base-line budgeting, Washington’s cuts are merely reductions in projected growth, as in, “We’re still going to buy more milk and eggs than we did last year, but not quite as much as we would have under better political circumstances.”

To put it in perspective, spending over the next decade is

projected to reach about \$46 trillion, including \$13 trillion in new debt. The haggling is over \$2-4 trillion in cuts to that projected increase. Spreading \$2 trillion over 10 years “saves” just \$200 billion a year, or less than the interest payment on the debt, and even by reducing projected growth by that much, we still end up with an *increase* in spending. That, in a nutshell, is Washington-speak.

As for the status of compromise, it has succeeded only in Minnesota, where the Democrat governor and Republican legislature just agreed to end a government shutdown. At the federal level, Republicans have all but given up on a comprehensive reform package. As many as 60 House Republicans might vote against any increase to the debt ceiling, and Democrats control the Senate and the White House, making a deal without their support impossible. What to do?

McConnell’s Plan

Senate Minority Leader Mitch McConnell (R-KY) concluded this week, “[A]fter years of discussions and months of negotiations, I have little question that as long as this president is in the Oval Office, a real solution is unattainable. I was one of those who had hoped we could do something big for the country. But in my view the president has presented us with three choices: smoke and mirrors, tax hikes or default.” McConnell is absolutely correct. However, his solution is questionable.

He outlined a complicated legislative maneuver in which Congress would permit the president to raise the debt ceiling unilaterally in three increments totaling \$2.5 trillion, provided that he offer equivalent spending cuts each time. Each increase would be subject to a resolution of disapproval from Congress. The president would almost certainly veto that, but he would also then “own” the debt increase, and Congress -- particularly Republicans -- could be absolved, in theory, of responsibility for raising the debt ceiling. The plan has caused a split on both sides of the aisle. Senate Majority Leader Harry Reid (D-NV) and Sen. John McCain (R-AZ) both praised the deal, and Reid is working to make it reality. Sen. Jim DeMint (R-SC), not so much. Many House Republicans indicate it’s a non-starter.

The Wall Street Journal asks, “The debt ceiling is going to be increased one way or another, and the only question has been what if anything Republicans could get in return. If Mr. Obama insists on a tax increase, and Republicans won’t vote for one, then what’s the alternative to Mr. McConnell’s maneuver?”

“Ugly and unpleasant as it is,” writes Daniel Foster of National Review, “not all retreats are capitulations. McConnell clearly thinks of this as a *tactical* retreat in the service of his overarching *strategic* objective: to make President Obama a one-term president.”

On the other hand, there are constitutional concerns with McConnell’s plan. The Constitution (Article I, Section 8) puts budget responsibility directly in the hands of Congress, not the president. Technically, the deal would leave Congress with the authority to dictate the amount of the increases and to “disapprove” if they choose, but there’s a real sense that one of the three co-equal branches of government is abdicating its constitutional duty for political gain.

Rory Cooper of the Heritage Foundation writes, “Depending on exactly how the legislative language is drafted, it well might violate the Bicameralism and Presentment Clauses for the making of law, the separation of powers regarding Congress’s control over the budget and spending, [and] the legislative Recommendations Clause, and it might also be struck down as an attempt to grant the President the equivalent of a line-item veto. It is also unclear whether the unconstitutional portion would be struck down by the courts and severed from the rest of the statute (which would eliminate Congress’s ability to veto the cuts) or if the entire scheme would be struck down. But, at a minimum, the proposal is highly dubious as a matter of constitutional law.”

Call us crazy, but we think the Constitution trumps political concerns. Regardless of the worthy strategic objective of limiting Obama to one term in office, or of limiting blame in the polls, the ends don’t justify the means. The debt was run up by politicians who have ignored their sacred oaths to support and defend the Constitution. Congress and the president must take their oaths seriously, and solidify the full faith and credit of the United States by cutting excessive and unconstitutional spending. The goal should be to *lower* the debt ceiling, not bicker about how high to raise it. Following the Constitution -- not skirting it -- is the proper path to arrive there.

[\(Comment here.\)](#)

Essential Liberty

“Republicans have been neatly set up to take the fall if a deal is not reached by Aug. 2. Obama is already waving the red flag, warning ominously that Social Security, disabled veterans’ benefits, ‘critical’ medical research, food inspection -- without which agriculture shuts down -- are in jeopardy. The Republicans are being totally outmaneuvered. The House speaker appears disoriented. It’s time to act. Time to call Obama’s bluff. A long-term deal or nothing? The Republican House should immediately pass a short-term debt-ceiling hike of \$500 billion containing \$500 billion in budget cuts. That would give us about five months to work on something larger. ... Will the Democratic Senate or the Democratic president refuse this offer and allow the country to default -- with all the cataclysmic consequences that the Democrats have been warning about for months -- because Obama insists on a deal that is 10 months and seven days longer? That’s indefensible and transparently self-serving. Dare the president to make that case. Dare him to veto -- or the Democratic Senate to block -- a short-term debt-limit increase.” --columnist Charles Krauthammer

This Week’s ‘Alpha Jackass’ Award

“I do not want and I will not accept a deal in which I am asked to do nothing. In fact, I’m able to keep hundreds of thousands of dollars in additional income that I don’t need, while a parent out there who is struggling to figure out how to send their kid to college suddenly finds that they’ve got a couple thousand dollars less in grants or student loans.” --Barack Obama

“If you read between the lines, which doesn’t take much decoding, President Obama effectively believes that any income you have which you don’t ‘need’ belongs to the government.” --author John Steele Gordon

New & Notable Legislation

With talk of the debt ceiling dominating the headlines, both houses of Congress could vote on a balanced budget amendment in the next two weeks. Of course, a constitutional amendment requires the approval of two-thirds of both houses and three-fourths of the states. In the Senate, that means Republicans would need the votes of 20 Democrats, though at least that many have voiced support in the past. Not all balanced budget amendments are equal, but the one under consideration is better than some -- a “Cut, Cap and Balance” structure that would cut spending, cap it at a certain percentage of GDP to prevent tax hikes and “require” balance.

The Better Use of Our Light Bulbs Act, or BULB, failed to pass the House this week. The BULB Act was meant to repeal a nanny-state law that outlaws 100-watt incandescent bulbs as of Jan. 1, 2012. In addition to the well-known problems with alternative CFL bulbs, the federal government has no business telling the American people what kind of light bulbs they can have in their own homes. Republicans acknowledged that by bringing the BULB Act to a vote this week, however it was inexplicably introduced under different parliamentary rules, so it could pass only by a two-thirds vote. The final vote was 233-193. Remind us, again, of who controls the House. Republicans vow to try again, but they will need a much more cooperative Senate (and House GOP leadership) than is currently in place.

On the Campaign Trail

As the 2012 presidential race heats up, Republican contenders are now taking shots at each other as well as the Democrat incumbent. Minnesotans Tim Pawlenty and Michele Bachmann ditched the famous “Minnesota nice” when discussing issues of experience for America’s top executive job. Bachmann’s recent rise in the polls in her birth state of Iowa have no doubt been alarming to Pawlenty, who really needs a win in Iowa to secure the nomination. So former governor Pawlenty politely pointed out that Bachmann has virtually no record as an office-holder and stuck to his “results, not rhetoric” script by noting that Rep. Bachmann needs more than just speech skills. “We’re looking for people who can lead a large enterprise in a public setting and drive it to conclusion,” Pawlenty said. “I’ve done that, and she hasn’t.”

Bachmann nibbled but didn’t immediately take the bait, instead defending her House record on standing up to cap-n-tax and ObamaCare. She did note, however, that Pawlenty once supported a health insurance mandate. She later went further, stating that executive experience doesn’t matter if it comes with “more of the same big government as usual.”

It looks as if the two Mormons in the Republican contest will be going after each other as well. Former Utah Gov. Jon Huntsman attacked frontrunner Mitt Romney’s record (or lack thereof) of producing jobs in Massachusetts during Romney’s term as governor. Huntsman pointed to his own record as being first in the nation in creating jobs, while Massachusetts ranked 47th. Romney’s campaign responded that he created nearly 50,000 jobs as governor, one of the best economic turnarounds in the country at that time. So there you have it -- GOP candidates poking

each other for soft spots.

Finally, Barack Obama reported raising more than \$86 million for his re-election effort in the second quarter, a new record. The total, however, is a combination of his campaign itself and that of the Democrat National Committee; \$47 million was for his campaign specifically. He has a long way to go to reach his \$1 billion fundraising target.

NATIONAL SECURITY

Warfront With Jihadistan:

Karzai’s Brother Assassinated; Pakistan Aid Cut

In his last scheduled interview before ending his tour in Afghanistan as supreme commander, General David Petraeus reaffirmed that his plan to hand over security to Afghan forces could be achieved. Within hours, however, that belief was badly shaken when Ahmed Wali Karzai, President Hamid Karzai’s half-brother, was assassinated by a long-time associate. Police commander Sardar Mohammad arrived at a meeting of tribal elders and politicians in Karzai’s fortified home with two weapons, one of which was concealed. Mohammad gave his open gun to a guard so as to appear unarmed, then told Karzai he had some “information” to share, which turned out to be three lethal bullets. Karzai’s guards then gunned him down.

The Taliban claimed responsibility for Karzai’s assassination, but others are skeptical. Karzai, chief of the Kandahar provincial council, had become the local face of Afghanistan’s new, and often corrupt, ruling class, and he had a long list of business and political enemies. Either way, the killing demonstrates how vulnerable Afghan politicians are, even as the U.S. continues its gradual troop withdrawal and turns over security to the Afghans. Further highlighting that uncertainty is the murder via suicide bombing of four people at Karzai’s funeral Thursday.

Central to the security plan that Gen. Petraeus is leaving to his successor is the need to recruit and train male villagers for the local police forces needed to secure local governments. However, of the 30,000 men needed, only 7,000 are currently trained and serving, raising serious doubts as to whether the plan’s timeline is realistic.

Elsewhere in the Long War, the often rocky relations between the U.S. and Pakistan, which were frayed even more after Osama bin Laden was killed just blocks away from a Pakistani military academy, were further strained when the Obama regime said it will suspend \$800 million of the \$2 billion in annual U.S. aid that goes to Pakistan’s

military, allegedly for a recent lack of cooperation from Pakistan's military. Pakistan has threatened to retaliate by pulling its troops from fighting Islamist militants near the Afghan border. No doubt jihadis everywhere are smiling at all of this. Just more reminders of why the Long War will indeed be long.

Administration Changes Tune on Syria

Better late than never, we suppose. This week the Obama administration finally decided that Syrian president Bashar al-Assad, whom Secretary of State Hillary Clinton recently called "a reformer," has now "lost legitimacy." Was it the brutal repression of his own people, which in just the last two months has seen more than 1,600 Syrians murdered by regime goons? Nope. Was it inheriting his father's family business, and with it the guilt for as many as 100,000 Syrian and Lebanese lives lost to terrorism, torture and war? Nope. Was it Syria's covert pursuit of nuclear weapons, or its continued sponsorship of the terrorist mafia known as Hezbollah? Nope. None of these was worth calling Assad out for what he is -- an iron-fisted dictator with a regime propped up by brute force and fear, a leader hated by his own people, and an international pariah. But when you attack the U.S. embassy, even the Obama administration must take notice.

On Monday, Assad's security forces and their underlings orchestrated and carried out attack on the U.S. and French embassies in Damascus. The absence of Syrian police, which required the Marine security unit to eject the attackers forcibly, is an unmistakable indication the regime was behind the attack. It may seem easy to dismiss an action in which no Americans were harmed and which did no significant damage to U.S. property, but the fact that Assad felt he could safely attack the embassy of the United States without fear of serious repercussion speaks volumes.

Assad watched as the Obama administration did nothing during the 2009 Iranian protests. He watched as the Obama administration dithered for weeks before finally launching a half-hearted "kinetic military action" against Libya's lunatic dictator, Moammar Gadhafi. He then watched as Obama promptly stepped back and handed the Libyan tar baby to NATO, which appears no closer to finishing the job -- whatever it is -- than it was on March 23. What does Assad have to fear from an America that will not lead, or a NATO that cannot fight? Why not attack the U.S. embassy, and gain support from all those in the Middle East (and there are still many) who side with the dictators over democracy? So far, Assad's risk calculus has been proven correct.

Profiles of Valor: U.S. Army Sgt. Leroy Petry

On Tuesday, an Army Ranger became just the second living service member to be awarded the Medal of Honor for actions taken in the War on Terror. (Pictures and video are available [here](#).) On May 26, 2008, in Paktya, Afghanistan, Sgt. 1st Class Leroy Arthur Petry and his unit, Company A, 2nd Battalion, 75th Ranger Regiment, were conducting a rare daytime raid against a high-value target. While clearing a building, Petry took an AK-47 round through both legs but was able to take cover and return fire along with Pfc. Lucas Robinson. As the unit fought back, the enemy threw two grenades at their position. The first one wounded two soldiers; the second one landed even closer, so Petry picked it up and threw it away from his fellow soldiers. He lost his right hand and sustained shrapnel wounds when the grenade exploded, but he was able to put a tourniquet on his own arm and continue fighting. In the firefight, Spc. Christopher Gathercole was killed by enemy fire, but the unit succeeded in their mission.

Petry joined the Army in 1999 and has deployed eight times -- twice to Iraq and six times to Afghanistan. He is currently assigned to the 75th Ranger Regiment and attached to Special Operations Command. He serves as a liaison at Joint Base Lewis-McChord for incoming wounded Rangers.

BUSINESS & ECONOMY

Veterans Struggle to Find Jobs

Over the last several months, the unemployment rate has edged back over 9 percent, and recent Labor Department numbers showed puny workforce increases in both May and June. But numbers don't tell the whole story. Imagine the plight of a soldier sent home from Iraq or Afghanistan. That soldier isn't alone, as over 150,000 troops have been (or are soon to be) pulled out of Iraq, and 33,000 Afghanistan veterans are expected to come home in the next year. Certainly soldiers have learned the skills needed for the military -- many are applicable to civilian jobs -- but most lack the college degree expected for entry into many state-side positions. Uncle Sam has been willing to place these warriors in harm's way in Jihadistan, but he hasn't created the economic climate at home to accommodate this vast cadre of soon-to-be job-seekers.

Moreover, this influx of veterans comes at a bad time, as nearly two-thirds of small businesses don't anticipate hiring any new employees this year. About one in eight plan to cut jobs. Obviously, Democrats say, that means its time to raise taxes on those small businesses.

Perhaps these veterans could ask a noted draft-dodger about finding work. Former President Bill Clinton has pulled in a cool \$75 million in appearance fees since leaving office, including \$10.7 million in last year's poor economy. Being a former commander in chief certainly has its perks, but those people who paid thousands to hear Clinton speak may have been better served investing in their communities and creating jobs which could be filled by newly discharged military veterans.

Hope 'n' Change: Creating Dependency, Just as Planned

The headline was stark: "Government Benefits Account for \$2 of Every \$10 Americans Receive." That's 25 percent higher than before Obama took office. All the same, the headline is misleading, as millions of Americans don't yet receive Social Security, Medicaid, unemployment insurance benefits or any government largesse -- all 10 of their dollars were hard earned by their own labors.

However, that population is shrinking as baby boomers age and employers cut jobs, making health insurance unaffordable and forcing people onto the unemployment rolls. It's not necessarily that benefits are that much greater than before -- and they certainly won't lift anyone out of poverty -- but the long-term jobless are perfect candidates for an expanded welfare state. Further dependence on benefits also means that scare tactics against Republicans will work better.

Another problem is that it's never enough for some statist. Ethan Pollack, a senior policy analyst at the Economic Policy Institute, argues that the "stimulus" should continue for several more years. "I think the economy is far from having been recovered enough," Pollack said. "We think there should be six months of six percent unemployment. Then we should start deficit reduction." If major budget cuts happen now (even of the "slower growth" variety), it would be a "very huge hit to economic growth." He concludes, "If you were to design a perfect plan it would reduce the deficit over the next 10 to 20 years but would invest over the next two to three."

Typical for a Leftist, Pollack's definition of "invest" doesn't mean using private money to build an enterprise that provides jobs and economic growth. These days, the Left uses the word to mean continuing the reckless spending of the Obama administration. It's amazing that so many still bitterly cling to what should be the utterly discredited school of Keynesian economics.

This Week's 'Braying Jackass' Award

"Our biggest priority of this administration is getting the economy back on track and putting people back to work. Now, without re-litigating the past, I am absolutely convinced and the vast majority of economists are convinced that the steps we took in the Recovery Act saved millions of people their jobs, or created a whole bunch of jobs. And, part of the evidence of that, as you see instances of the recovery act phasing out." --Barack Obama, arguing that job losses prove how successful the "stimulus" was

Regulatory Commissars: Ethanol Under Fire

The ethanol lobby is fighting to save its beloved subsidy in the face of growing opposition to the corn-based fuel. Rep. James Sensenbrenner (R-WI) recently solicited views from 14 automakers about the effect of E15, a gas blend with 15 percent ethanol, that the EPA recently endorsed for vehicles manufactured after 2001. The 14 automakers, including Ford, Chrysler, Mazda, Toyota, and others, unanimously rejected E15, noting that it would harm engines, reduce fuel efficiency, and cause damage that would not be protected under warranty because the use of E15 would be considered misfueling.

The EPA, however, is stubbornly sticking to its endorsement of E15 in a recent House Science, Space and Technology subcommittee hearing. Margo Oge, director of the EPA's Office of Transportation and Air Quality, rejected the automakers' knowledge of their own products, and insisted the fuel was safe, saying the EPA had a "strong technical basis" for its decision. Other witnesses flatly rejected her take on the matter, and some claimed that the EPA improperly manipulated its data to fit its stance. (The ends always justify the means with leftists.) An interesting side note: GM was not among the 14 automakers that rejected E15. They're just fine with the mandate, but we suppose that's what one should expect from Government Motors.

CULTURE & POLICY

Second Amendment: Illinois Sued Over Carry Ban

Illinois has come under fire for refusing to repeal its ban on carrying concealed firearms, and the shootout has hit the courts. Last week, the National Rifle Association (NRA) sued Illinois, charging that the prohibition -- which bars residents from carrying a gun outside their homes or businesses -- is unconstitutional. This isn't the first time Second Amendment advocates have pushed to have the ban lifted, but previous attempts to convince the state legislature have been futile. Gun-rights supporters have reason to hope the suit will succeed, however. Not only is Illinois the *only state in the union* to prohibit any kind of carrying

of firearms, but also this week, the U.S. Court of Appeals in Chicago struck down the part of that city's anti-gun law that banned public shooting ranges. In addition, there's last year's Supreme Court decision, ruling that state and local gun laws are subject to the Second Amendment.

In Federalist No. 78, Alexander Hamilton wrote, "[T]he courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority." By concocting an unconstitutional infringement on the right of the people to keep and bear arms, the Illinois legislature has exceeded the limits of its authority, and the courts would do well to rein in the rogue body and restore recognition of the sovereignty of the U.S. Constitution.

(Don't miss Mark Alexander's essay, [Guns Gone Wild -- ATF's Good Intentions Gone Bad.](#))

Faith and Family: Polygamists Sue for Rights

Many reality TV shows are based on crossing cultural and social boundaries, as is the case with TLC's "Sister Wives." The show chronicles the lives of polygamist Kody Brown and his four wives and 16 children. When the show premiered, many people wondered why people whose very lifestyle is in violation of the law would allow cameras to follow them around. Well, that question has been answered. Brown and his family, who have been under investigation for some time, have filed a lawsuit that challenges Utah's anti-polygamy statute.

This may appear to be a simple "slippery slope" situation, given the growing legal acceptance of same-sex marriage. However, there are important legal and philosophical distinctions.

Unlike same-sex couples, Brown is not fighting for legal marriage rights; in fact, he's legally married to only one wife. He does, however, want the right to live with all four women as his "wives" based on *Lawrence v. Texas*, the 2003 SCOTUS case that tossed out a sodomy law on the grounds that it violated the rights of consenting adults to act as they wish in their own homes. The problem with Brown's argument is that his lifestyle isn't limited to himself and the other "consenting adults," but also the many children who have no say in their circumstances.

As University of California law professor and sexual-orientation law expert Jennifer C. Pizer points out, same-sex couples want to be part of the existing marital structure, while "you'd have to restructure the family law system in

a pretty fundamental way" to recognize polygamy. Brown and his wives -- who put on a happy face about their arrangement -- argue that the government has no place in their relationship. In this day and age, it wouldn't be a surprise if they win.

Around the Nation: Abortion Ban Passes Ohio House

The Ohio legislature this week joined five other states and passed a bill to ban abortions beyond the point at which the baby is considered "viable," or can live outside the womb. That usually occurs between 22 and 24 weeks, and doctors would be required to test viability at 20 weeks. It now heads to Republican Gov. John Kasich for his signature. The bill has unsurprisingly aroused the ire of Planned Parenthood and the rest of the pro-abortion crowd, though they were even angrier at another bill that passed the state house but isn't expected to go anywhere in the senate. The second bill would make abortion illegal after a baby's heartbeat is detected, which occurs at five to six weeks.

"Ohio is quickly becoming the most dangerous state for pregnant women," said the terribly misnamed Jaime Miracle, policy director for NARAL Pro-Choice Ohio. "Ohio's definitely trying to take the lead on this war on women." It's ironic that she uses words such as "dangerous" and "war" to describe the supposed plight of women when they aren't the ones being killed.

And Last...

First Lady Michelle Obama has made it her mission with the "Let's Move" campaign to fight childhood obesity. She spent millions to scrap the Food Pyramid in favor of the "dinner plate," a new model for healthy food choices that, unlike the pyramid, leaves out "fats, oils and sweets" altogether. She's the first public figure in half a century to grace the cover of *Better Homes and Gardens* magazine, again touting health eating.

So you might be shocked -- or maybe not -- to learn that the First Lady was spotted at Shake Shack in Washington, having a big burger, fries and chocolate shake for lunch. Oh well, at least she ordered a Diet Coke to go with the rest. Her tasty meal amounted to 1,700 calories, or 85 percent of the standard 2,000-calorie diet -- all in just one sitting. While the Leftmedia rushed to defend her choice of the "occasional treat," we know that a Republican First Lady heading up such healthy initiatives wouldn't be given that kind of pass. And this isn't exactly the first time she's been spotted loading up and chowing down. We suppose she just needs to join her husband for a nice round of golf. That should burn a few calories.