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THE FOUNDATION

“Charity is no part of the legislative duty of the government.” --James Madison

GOVERNMENT & POLITICS

Bypassing Congress to ‘Fix’ the Economy

Barack Obama wants everyone to know that he’s the president, and by golly he’s getting impatient. “We can’t wait for an increasingly dysfunctional Congress to do its job,” he told a Las Vegas crowd Monday. “Where they won’t act, I will.” What does that mean? “I’ve told my administration,” he explained, “to keep looking every single day for actions we can take without Congress, steps that can save consumers money, make government more efficient and responsive, and help heal the economy. And we’re going to be announcing these executive actions on a regular basis.”

Obama, formerly a “senior lecturer” in constitutional law, apparently thinks it’s fine to thumb his nose at the separation of powers and simply enact legislation by executive fiat, on the grounds that “we can’t wait.” No more “yes, we can,” which is *so* 2008. Yet this is the same old arrested development that is endemic on the Left.

There are three overarching areas in which Obama promises to take action: Jobs, mortgages and student loans. We’ve seen this movie before. Obama has been demanding a “jobs” bill since early September, by which he means another half-trillion dollars of so-called “stimulus” spending on various Democrat constituent groups, not least of which is public unions. House Speaker John Boehner (R-OH) agreed that indeed we *can’t* wait -- and that the Democrat-controlled Senate should therefore act on the 17 House measures passed already this year (including part of Obama’s proposed bill) that would, in various ways, enable entrepreneurs to create jobs.

The president proposes an overhaul to an existing government program to help people refinance their government-guaranteed mortgages. The Federal Housing Finance Agency simultaneously released detailed changes to the Home Affordable Refinance Program, known as HARP. Helping people who are “underwater” on their mortgages -- they owe more than their homes are worth -- sounds like a noble goal. In reality, however, the program won’t

help that many people and it won’t mean much for the economy at large. Enrollment requirements include that one’s mortgage must have been owned or guaranteed by Fannie Mae or Freddie Mac since at least May 2009, the current loan-to-value ratio must be greater than 80 percent, and the homeowner must be current on payments. In other words, this will hardly help those facing foreclosure or lift falling home prices.

Besides, foreclosures aren’t caused by underwater mortgages; they’re caused by homeowners not making payments, often because they’re out of work. In other words, they are the symptom, not the disease. Deregulate, lower and stabilize taxes, grow the economy and the number of jobs, and housing problems will be alleviated as a result. (The economy did grow at 2.5 percent in the third quarter, but that’s not even a maintenance level, much less a signal of real recovery.)

Obama’s other proposal is to help students with their education loans, which indeed are astronomical (more on that below). He believes that by adjusting the cap on payments each month and lowering interest rates slightly, graduates will have more money at their disposal, so they will spend more and boost the economy. It’s the same old demand-side theory, and we can expect the same old result. What’s more, the impact would be negligible.

The Atlantic crunched the numbers: “How much would an interest rate reduction of up to 0.5% affect payments? For the average borrower, the impact would be small. In 2011, Bachelor’s degree recipients graduating with debt had an average balance of \$27,204, according to an analysis done by findaid.org, based on Department of Education data. That average has ballooned from just \$17,646 over the past decade. Using these values as the high and low bounds of average student debt over the last ten years, the monthly savings for the average student loan borrower would be between \$4.50 and \$7.75 per month. Clearly, this isn’t going to save the economy.”

That last sentence pretty well sums up the entire Obama presidency.

Nanny State

“The one thing that we absolutely know for sure is that if we don’t work even harder than we did in 2008, then

we're going to have a government that tells the American people, 'you are on your own.' If you get sick, you're on your own. If you can't afford college, you're on your own. If you don't like that some corporation is polluting your air or the air that your child breathes, then you're on your own. That's not the America I believe in. It's not the America you believe in." --Barack Obama, shameless promoter of the nanny state

The Wall Street Journal's James Taranto responded, "[D]o you know what they call people who rely on themselves? Adults."

The Oath Accountability Act for Constitutional Integrity

To restore the Constitution's strict enumeration of the central government's "few and defined powers," we must, first and foremost, require that all members of the Executive, Legislative and Judicial branches abide by their oaths "to support and defend" our Constitution -- under penalty of law. At present, there is no legal penalty for Breach of Oath or legal obligation to abide by the plain language of our Constitution.

Please [help us enact](#), through judicial or legislative action, strong penalties obligating all elected and appointed federal officials to abide by their oaths. If the federal judiciary refuses to hear this action, then we will take it to the national legislature for codification into federal law. In the words of Thomas Jefferson, "Bind [them] down from mischief by the chains of the Constitution."

News From the Swamp: Debt Committee Update

The congressional "super committee" tasked with identifying \$1.2 trillion in budget savings over the next 10 years as part of the most recent debt-ceiling deal has been meeting for weeks behind closed doors. The committee's Democrats threw back the curtain this week, though, when they issued a proposal to cut \$3 trillion from the deficit. Of course, to the average headline reader, it appears that Democrats actually want to cut \$3 trillion. Great news, right? Not really. For one thing, roughly half of the savings would come from tax hikes -- above and beyond those already hidden in ObamaCare. Furthermore, entitlements are "off the table" and all the savings are spread out over 10 years, as if this Congress can bind a future one to a spending plan.

On the one hand, we're glad to see Democrats working with multi-trillion-dollar figures. On the other hand, enough with the tax increases already. That's nothing

more than a political ploy to portray Republicans as obstructionist when they don't go along. Class warfare won't fix anything, and tax hikes certainly aren't budget cuts.

This Week's 'Alpha Jackass' Awards

"[L]ast week, we had a separate vote on a part of the jobs bill that would put 400,000 teachers, firefighters and police officers back on the job, paid for by asking people who make more than \$1 million to pay one-half of 1 percent in additional taxes. For somebody making \$1.1 million a year, that's an extra \$500. Five hundred bucks. And with that, we could have saved 400,000 jobs. Most people making more than \$1 million, if you talk to them, they'll say, I'm willing to pay \$500 extra to help the country. They're patriots. They believe we're all in this thing together. But all the Republicans in the Senate said no." --Class-Warrior-in-Chief Barack Obama

"We have lost our ambition, our imagination, and our willingness to do the things that built the Golden Gate Bridge." --Obama, blaming the American people at a fundraiser in San Francisco

New & Notable Legislation

The Senate this week completed work on an appropriations bill to fund the departments of Agriculture, Commerce, Justice, Science, Transportation, and Housing and Urban Development. The package, called the 3-in-1 minibus, combines three separate spending bills and will be voted on when the Senate returns from recess in November. The debate process reportedly went smoothly and stayed on schedule, and Senate Majority Leader Harry Reid (D-NV) waxed nostalgic for the good old days: "This is the way we did things in the past. It is difficult, but it moves legislation."

The minibus concept seems palatable to both Republicans and Democrats. Senate Minority Leader Mitch McConnell likes it because it breaks spending bills into manageable pieces that can be debated and amended. Steve Ellis of Taxpayers for Common Sense notes that the minibus appeals to Reid because it makes the Senate relevant on spending. However, the unusually smooth legislative process that led to the 3-in-1 minibus is unlikely to last. The Senate still has to debate the most controversial spending bills -- those funding health and human services, financial regulation and the environment. There will be more than enough floor fights as Republicans attempt to defund all the obstacles to an economic recovery -- ObamaCare, Dodd-Frank, and the EPA juggernaut.

The next government shutdown is scheduled for Nov. 18, leaving little time to hammer out the rest of the budget with minibuses. Reid remains undeterred by the ticking clock, insisting on using valuable floor time to put up piecemeal bills related to Obama's jobs plan. To paraphrase the Majority Leader: This is the way we do things now. (And this from the man who hasn't passed a budget *in more than 900 days.*)

RNC vs. Florida

RNC Chairman Reince Priebus is happy with the Republicans' new primary schedule. Up until this week, several states were battling for early placement in the schedule, instigated by Florida officials moving their primary from early March to Jan. 31. This led to an absurdly front-loaded schedule in which New Hampshire, obsessive about its first-in-the-nation status, threatened to move its primary to this December. Priebus lobbied to get the states back in line, but insists that Florida, along with New Hampshire and South Carolina, will lose half their delegates at the convention as a penalty for moving up their dates. Priebus promises that the punishment will stick, but the convention is taking place in Tampa. It's hard to believe that the RNC would embarrass Florida on its home turf, particularly when the state will figure prominently in the national contest.

Jindal Sweeps to Re-Election

Louisiana Republican Governor Bobby Jindal effectively won a second term last week when he claimed 65.8 percent of the vote in the Louisiana open primary. Under the state's election laws, his strong majority showing against nine other candidates negated the need for a general election in November. Jindal maintains a strong popular appeal in Louisiana for his continued work to clean up corruption, reduce taxes and move government jobs into the private sector. Additionally, unemployment under Jindal is down to about 7 percent, much better than the federal government's numbers. Perhaps that's why the national media has all but ignored his impressive victory. Jindal certainly thinks so. He says his record "runs contrary to the political thinking in Washington, which is about more spending and bigger government."

Gov. Jindal's success has inevitably led to speculation about whether he might appear next year as a vice presidential candidate, or in 2016 or 2020 as a presidential candidate. He's only 40, which leaves him plenty of time to decide what his next political move might be.

NATIONAL SECURITY

Warfront With Jihadistan: Iraq Withdrawal Is Official

Barack Obama has now made official the withdrawal of U.S. troops from Iraq by the end of the year. While the Obama administration portrays this as the fulfillment of a campaign promise, the reality is quite different: A U.S. foreign policy dramatically weakened by a committed socialist. As U.S. and Iraqi negotiators struggled to reach an agreement on a continued U.S. presence in Iraq, Obama ignored the process. In fact, according to logs released by the U.S. Embassy in Baghdad, he never even tried to contact top Iraqi officials to help reach a deal. Given the high priority the U.S. had given to reaching an agreement, and given that even Defense Secretary Leon Panetta and other senior Pentagon officials spoke about the need for a continued presence in the volatile country, this dereliction of duty is inexcusable. Obama didn't even have the guts to vote "present."

Naturally, he's now claiming the withdrawal actually helped locate Osama bin Laden by allowing the military to refocus its assets on the al-Qa'ida leader. Yet according to a report in the May 3 New York Times, the crucial intelligence that allowed the U.S. to locate and kill bin Laden actually came from an al-Qa'ida operative who was captured in 2004 by U.S. forces *in Iraq*. If Obama had had his way, the U.S. would not have even been in Iraq in 2004 to gather this intelligence. To claim that abandoning Iraq is what led to finding bin Laden is preposterous.

Sitting back and watching this debacle is Iran. With many close ties within the Iraqi government, Iran watches and plots for Iraq to fall under its influence. Secretary of State Hillary Clinton warned Iran not to view the U.S. withdrawal as an opportunity to exploit. "No one, most particularly Iran, should miscalculate about our continuing commitment to and with the Iraqis going forward," Clinton said with a straight face. No word yet on whether the Iranians have stopped laughing. This administration certainly hasn't given them reason to.

The French -- er, Arab -- Spring

The so-called "Arab Spring" was supposed to have ushered in a new wave of democracy and "freedom for all." In reality, the results resemble the French Revolution that literally left heads rolling in the street. A brief survey of fallen Arab regimes includes those of Tunisia, Egypt and Libya, with Syria, Yemen, Jordan and perhaps Bahrain teetering. A number of others continue enduring constant

protests as well as pressure from the rest of the Arab Spring movement. With Moammar Gadhafi dead, Libyans rightfully rejoice. Unfortunately, what makes anyone think the “new” Libyan regime will be different from the old one? What within these new regimes gives anyone under their charge hope that “things will be different this time”?

Without Rule of Law -- the concept that laws apply *equally* across the board to everyone, from the nation’s leader to the lowliest citizen -- freedom is a dead letter. The American Founders understood this. They instituted a representative republic -- *not* a democracy -- wherein political power is vested in the people, and secured there by diffusing power throughout the government by applying the separation of powers doctrine: separating legislative, executive and judicial governmental functions. The Rule of Law issue returns us to the original question: What evidence exists that despotism is really dead in these new “Arab Spring” regimes? Has anyone evidenced any intent to implement time-tested Rule of Law principles among the ashes of *any* of these failed systems? Pardon our pessimism, but we have seen nothing to indicate progress toward civil government.

Perhaps a better question is, to what degree, if any, should the U.S. intervene in these restless cauldrons? While it’s true we don’t want to sit idly by while potential terrorist threats stake out turf from which to attack U.S. interests, we must also be careful in being the “world’s policeman.” Obama’s intervention in a growing list of African nations hardly meets our nation’s fundamental criterion of “vital interest.”

From a Patriot’s perspective the answer to most of these issues is straightforward. First, protect vital U.S. national interests. Second, do not intervene in civil wars unless those interests are genuinely at stake. Third, encourage development of Rule of Law representative governments. Fourth, keep the military out of the nation-building business. The military’s job is to kill people and break things, so send them in only when State Department efforts fail. No one fully understands yet what “Arab Spring” means, but other than those populating much of our Executive and Legislative branches, most Americans understand “vital national interest.”

BUSINESS & ECONOMY

Around the Nation:

States Could Be in \$4 Trillion Hole

Almost every state in the nation is required by law to balance its budget every year, Vermont being the lone exception. Yet according to figures compiled by the group State

Budget Solutions, all 50 states are in debt, with California leading the way. The Golden State might be in the red by over \$600 billion long-term if the most pessimistic pension liability calculations used by SBS are true. Interestingly, Vermont has the least debt, with only \$6 billion in accrued liabilities.

In the case of many states, part of the problem stems from using Uncle Sam as a financial crutch during this last recession. Borrowers from a federal fund to ease the burden of spiraling unemployment benefits are again liable for both interest and repayment to the federal government, with California again leading the way by owing \$8.6 billion. This payback most affects their short-term bottom lines.

Meanwhile, bean counters in some states are trying to limit the damage by trimming services, with Medicaid a prime target. Next April, Hawaii will limit Medicaid recipients to 10 hospital days a year in an effort to reduce costs. Other states have similar, but somewhat more generous, yearly limits on hospital stays, as health care funding gobbles up an increasing percentage of their budgets and competes with other outstanding obligations, such as those unfunded pension mandates for state retirees. Unfortunately, many states are considering the same old job-killing “solution” of raising taxes; the only question being which groups will be targeted.

Student Loan Debt Reaches \$1 Trillion

We know the story well, thanks to Occupy Wall Street: A young person goes deeply into debt to attend a college, only to find upon graduation that the anticipated jobs aren’t there. Many grads expected to walk from college right into a specific position, never considering the state of the economy. Many will accept nothing less than a dream job -- but their loans still need to be repaid. Multiply that story by millions of graduates and that’s why, collectively, they owe about \$1 trillion in loans, a sum that is now greater than the aggregate total of credit card debt. Moreover, federal law says student loans can’t be discharged in bankruptcy proceedings.

The consequences are much more than monetary, although that albatross of debt around a graduate’s neck is a hefty burden. New graduates are forced to wait longer to buy a car or a home, and they often must delay even such life choices as getting married or having children. That’s one reason these adult children are staying in the parental nest for a much longer period of time -- at least when they’re not sleeping in a park in a major city.

Yet the blame can't be placed solely on the colleges, the lenders, or even the government, which now controls the student-loan industry. In some respects, those who told our youth a college degree is the price of admission into the middle class -- regardless of how useful the degree is in the real world -- may have sold everyone a bill of goods. Obviously those in the ivory tower of academia weren't going to kill the golden goose of "free" money that's built a series of educational empires from coast to coast.

Furthermore, lost in all the hype about jobless graduates occupying Wall Street is a simple fact: The world still needs tradesman such as plumbers, electricians and other people who know how to make stuff and make it work. Those who made the choice for a less glamorous livelihood don't have the fancy trappings -- but they aren't saddled with the debt either. Call them the proud graduates of the school of hard knocks, where the tuition is paid with sweat equity but the experience they gain is priceless.

Dealing With USAJobs.gov: A Job in Itself?

In 2003, the website USAjobs.gov was created as a means to allow those who wanted to explore working for the government to search for jobs in various fields and post their resumés. Shrewdly, those in charge back then allowed a private contractor to set up the site, using a contractor that was already in the field of matching job seekers and employers. Overall, the site worked relatively well.

However, in 2010, the Obama administration decided to put the government back in charge. Imagine that. Eighteen months and \$6 million later, the "new" USAjobs.gov debuted -- and promptly went down thanks to overwhelmed servers. That inauspicious debut only began a tide of complaints mainly revolving around the user-unfriendliness of the site and poor response from those government workers who deal with the customers. "Over one week now and I still haven't received my password reset email!" cried a user on the website's Facebook page. Presumably that user isn't finding any shovel-ready jobs in the meantime.

The old system worked fine, but someone, inspired by "change he could believe in," had the bright idea of wresting the website from the private sector and having the government run it, spending millions of borrowed dollars in the process. What could possibly go wrong with that?

Europe Dealing With Debt Crisis

"European leaders said they secured a deal to reduce Greece's debt after they labored overnight and into Thursday morning to find agreement on what they had billed as

a blockbuster package to stem the Continent's debt crisis," reports The Wall Street Journal. "French President Nicolas Sarkozy said after the marathon negotiating session that the leaders had reached agreement with private banks on a 'voluntary' 50% reduction of Greece's debt in the hands of private investors." The nations further agreed to expand the European Financial Stability Facility, a bailout vehicle for the European Union, to roughly one trillion euros.

Greece, of course, is the lightning rod of Europe's overarching debt crisis -- a situation brought on by the same policies Barack Obama and his Democrat lemmings are enacting here in the U.S. European Union nations are now trying to rescue Greece in a desperate attempt to prevent the fall of more dominos. Obviously, the solution to Europe's -- or our own -- debt crisis is not to merely tax the rich or throw out debt, it's for nations to live within their means and expand economic freedom. Perhaps it will take collapse for some to learn that lesson. Sadly, though, any suggestion that we allow the free market free rein, such as not intervening in foreclosures as Mitt Romney suggested this week, results in a firestorm of protest from all the usual suspects.

The Vatican's Pontifical Council for Justice and Peace certainly hasn't learned. Long a source of Marxist teaching in the Catholic Church, the Council issued a statement, "Towards Reforming the International Financial and Monetary Systems In The Context Of Global Public," calling for, in essence, the end of economic freedom in the world. According to Richard Viguerie of ConservativeHQ, "The plan, while couched in terms of a voluntary change for greater world good, would actually require that nations surrender their sovereignty to a new world body endowed with the authority to tax and manage all movement of capital between countries." It is tragic to watch as one of the very institutions that helped to bring down Soviet communism is now pushing globalist Marxism a scant 20 years later.

CULTURE & POLICY

Second Amendment:

A Win for Gun Rights in Canada

Canada has finally learned a lesson in liberty. This week, conservative Members of Parliament (MPs) introduced a bill to end Canada's long-gun registry and to destroy all the records that have amassed during the registry's history. National Post reports, "Since the long-gun registry came into force, lawful gun owners have faced increasing scrutiny from police authorities. The surveillance has increased particularly since the Firearms Registry database went online. In the second quarter of 2003, the database

was searched 95,503 times by police. By the first quarter of 2011, the number of searches had reached nearly 1.3 million.” The results have been harassment, arrest and even imprisonment.

One Toronto man recalls that police came to his home one night, led him into the street in his underwear, seized his properly licensed guns, and leveled 14 criminal offenses against him. It seems a prospective buyer touring the man’s apartment had seen the guns and reported them to police. Also, a New Brunswick man brought his legally owned *unloaded* gun to a neighbor’s house when drunken teenagers created a disturbance. The gun owner made a citizen’s arrest of the teens, but soon after, he himself was arrested and jailed.

Tony Bernardo, executive director of the Canadian Sports Shooting Association, notes that the 144-page legislation at the root of the registry focuses on law-abiding citizens while not even mentioning criminal firearms use. According to MP Candice Hoepfner, who has championed the repeal, the registry has cost almost \$2 billion -- money that should have gone toward targeting criminals. Should the repeal pass, law-abiding gun owners will be able to rest a bit easier north of the border, and Canadian police will be free to turn their attention to the real criminals.

Faith and Family: Planned Parenthood and the Shredded Documents

It seems there’s no end to the underhanded activities of Planned Parenthood. Not too long ago, its staffers were caught advising people they believed to be pimps and sex traffickers on how to circumvent the law. Now, Planned Parenthood of Kansas and Mid-Missouri is on trial for 23 felonious counts of “false writing.” Specifically, the abortion provider is accused of falsifying the records of patients who have had late-term abortions. Prosecutors have revealed that the Kansas Department of Health and Environment shredded documents critical to the case. Coincidentally, at the time these crimes were committed, the governor of Kansas was none other than Barack Obama’s Health and Human Services Secretary, Kathleen Sebelius.

The case began in 2003, when at the behest of pro-life groups the state investigated Planned Parenthood and other abortion providers for not reporting child rape. These providers are bound by state law to follow certain protocols: In addition to reporting child rape, they must keep detailed

patient records and determine the viability of late-term fetuses to be aborted. They must also give these files to the health department. But when the state requested documents critical to their failure-to-report case, both the health department and Planned Parenthood dragged their heels. The health department caved in 2004, as did Planned Parenthood in 2006. However, this opened up an entirely different can of worms, for the files didn’t match.

The state later learned that the original health department records had been shredded years earlier. The Kansas Department of Health and Environment neglected to mention this fact when it was refusing to comply with the state’s demand. The agency claims it was a “routine shredding,” but its long history of subterfuge says otherwise. The state now has until Nov. 9 to show that -- as the judge so eloquently put it -- Planned Parenthood “committed felonies to cover up misdemeanors.” We think they have a good case.

And Last...

Democrats are finally coming to realize that the Obama “brand” is badly damaged. As Roll Call reports, “In the latest battle in the Congressional franking wars, Democrats have been vetoing use of the word ‘Obamacare’ in taxpayer-financed mass mailings, saying it violates rules against using the franking privilege for ‘personal, partisan or political reasons.’” The truth is, Democrats are concerned that Republicans’ use of the word as a pejorative to refer to the “Affordable Care Act” is harmful to their 2012 election prospects. At least congressional Democrats are concerned; Obama himself embraced the term on the campaign trail in August, saying, “I have no problem with folks saying, ‘Obama cares.’” Funny, but that’s not what they’re saying at all. Not using the shorthand presents another problem, as well: How in the world are they going to fit “The Affordable You-Have-To-Pass-It-To-Know-What’s-In-It-And-If-You-Don’t-Like-It-Here’s-a-Waiver-Because-We-Care Act” on the stationery?

Semper Vigilo, Fortis, Paratus et Fidelis! Nate Jackson for *The Patriot Post* Editorial Team. 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.)