



THE HEAVY BURDEN OF OBAMACARE

"Society in every state is a blessing, but government, even in its best state, is but a necessary evil; in its worst state an intolerable one." --Thomas Paine

Now that the reality of Barack Obama's re-election is settling in, the U.S. economy is shifting and making the necessary adjustments to brace for four more agonizing years of Hope 'n' Change™. In the last 10 days, we've seen news of the fallout in everything from the stock market plummeting to jobless claims skyrocketing and the poverty rate spiking. Thanks to Obama's assault on job creators, the [list of businesses](#) announcing layoffs, cuts and closings is growing daily. But not to worry: Obama says the "private sector is doing fine."



There are two policies that bear primary blame: ObamaCare and the fiscal cliff. Markets and business owners are struggling to prepare for these two gut punches. With the fiscal cliff, of course, higher taxes could cripple particularly small businesses' ability to hire or expand. But ObamaCare is doing much the same thing in a way that will only worsen as the tentacles of regulation extend ever further.

There are many more mandates in the law besides the infamous individual mandate to buy health insurance. For example, businesses of 50 or more employees face the potentially crushing burden of providing full, approved benefits to employees that work more than 30 hours -- considered "full-time" employees per the

decree of the new law -- or fines of \$2,000 per employee if they don't comply. The response is entirely predictable: Businesses avoid hiring that 50th employee, they reduce hours for their current employees or they pay the penalty, which is often cheaper than insurance, though it leaves employees on government exchanges.

Darden Restaurants, the chain that owns Olive Garden, Red Lobster, Longhorn Steakhouse and others, falls into the latter category. The chain announced in October that it would begin limiting employee hours in some markets. McDonald's, White Castle and Denny's, among others, are looking to do likewise. Both Darden and McDonald's were recipients of ObamaCare waivers two years ago. So much for that. John Schnatter, CEO of Papa John's, estimates that ObamaCare will cost the company between \$5 million to \$8 million annually, translating to reduced employee hours and higher prices.

These businesses are between the proverbial rock and a hard place. ObamaCare *will* cost them a fortune, but cutting employee hours and benefits and raising prices to account for it leaves them serving as the lightning rod -- by design. On top of that, businesses could very well face retribution from the White House.

Washington, DC, employment law attorney Robert B. Fitzpatrick said as much when he noted that if businesses are "just playing with the numbers, playing with the hours to try to avoid compliance ... there are going to be consequences." By "consequences," of course, Fitzpatrick means lawsuits -- just one more way that ObamaCare was a huge bone thrown to trial lawyers.

Meanwhile, states must setup federally mandated insurance exchanges by Dec. 14, a deadline pushed back twice already. Republican governors stalled on implementation, hoping that Obama would be

defeated and his abomination of a law could be repealed.

Leftists say that because the states are the ones doing the work, this is a great example of federalism, right? Wrong. The federal government has no constitutional authority to dictate to states what they must do. Many states are taking this position and refusing to set up the exchanges. Important decisions will be dictated from Washington anyway, so why provide them cover as faux deputies? This peaceful revolt of sorts could help ObamaCare collapse under its own weight, and, though that won't be pretty, it may provide leverage for undoing the law.

Obama's campaign slogan was [Forward](#), borrowed from his Marxist predecessors in Europe. The American people were Forewarned, but 60 million voters still bought his snake oil, and now many individuals, families and businesses will pay a high price for that decision. Yet those of us who cherish Liberty and Rule of Law must not give up. In fact, we must find our own [path forward](#).

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On Cross-Examination

"If I don't have this [economy turned around] in three years, then this is gonna be a one-term proposition." -- Barack Obama [in February 2009](#)

He was wrong on two counts: He didn't get things turned around, instead making them worse, and he also won a second term. Somebody 'splain that one.

Meanwhile, the euro zone dipped into official recession last quarter. Are we far behind?

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So far we have raised **30 percent** of the funds toward our [2012 Year-End Campaign](#) goal. We must still raise **\$252,000** to keep *The Patriot Post* coming to you.

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Government and Politics News From the Swamp: Fiscal Cliff Ahead

Debate concerning how, or even if, the federal government can avoid careening over the [fiscal cliff](#) is sure to consume Washington for the next several weeks. The informed segment of the public is rightly skeptical that politicians will be able to solve the problem and keep the country from sliding into another recession, yet voters returned to office all the guilty parties who put us in this position in the first place. Barack Obama has presided over four years with the four largest deficits in modern American history, each exceeding \$1 trillion. Fiscal 2012, which finished on Sept. 30, was the smallest among them at \$1.1 trillion. Democrats have (mostly) controlled Congress since 2007, and, notably, the Senate hasn't passed a budget since 2009.

The slight downturn in last year's deficit was due to a combination of factors. Defense spending, jobless benefits and Medicaid spending all dropped a few points, while tax revenues were up 6.4 percent to \$2.45 trillion, which came close to pre-recession

levels. We'd point out that the much-maligned Bush tax rates were in full effect at that time of historically high revenue. Now, Obama seeks to raise the current tax rates on individuals and small businesses, insisting that he will be able to squeeze even more revenue out of the private sector to pay for the ever-swelling public sector. However, an increase in taxes at this point -- especially on the job creators in the top tax brackets -- will shatter the fragile recovery.

Obama is hearing none of that, though. He has taken an impossibly hard line in the upcoming fiscal negotiations by calling for \$1.6 trillion in higher taxes, *double* the amount he put forward last year. True to his socialist nature, Obama made no substantive suggestions about where to cut spending because he has no intention of doing so. Federal baseline spending has risen about \$800 billion since he took office, an amount strikingly similar to the 2009 "stimulus" package, the supposed one-time "emergency-spending" package that we then warned would become the new normal. With ObamaCare now set to roll full steam ahead and his having a number of special interest groups to pay back for re-electing him, Obama can't tighten the screws on spending now even if he wanted to. His plan is to use political capital earned from the election and to rely on his outsized ego to push the Republicans to succumb to his will.

This Week's 'Alpha Jackass' Award

"Maybe peace would have broken out with a different kind of White House, one less committed to waging a perpetual campaign -- a White House that would see a 51-48 victory as a call to humility and compromise rather than an irrefutable mandate." --Perpetual Campaigner Barack Obama on George W. Bush's defeat of John Kerry in 2004



From the 'Non Compos Mentis' File

"Well, maybe, I'm with the Eleventh Amendment so, ah, er, is it the Eleventh Amendment that, uh? Ha ha! Fourteenth is it? But whatever it is, I'm with the Constitution of the United States." --Nancy Pelosi, attempting to answer a question about taxing and spending

From the Left: Election Day Voter Fraud

In last week's election, politicians and political action committees spent \$6 billion and the result was to keep the status quo. The biggest part, of course, was Barack Obama's re-election, which is again tainted by voter fraud. For example, in 59 Philadelphia precincts, his minions managed to count *not a single vote* for Mitt Romney in tabulating a 19,605-0 win for Obama. Of course, this was after a Democrat poll watcher kicked out GOP poll inspectors. Suspiciously similar circumstances conspired to prevent Romney from garnering votes in Cuyahoga County, Ohio.

Elsewhere in Wood County, Ohio, Obama's ground game "eked out" a majority of votes -- with a record 108 percent of the vote cast in his favor. To the Left, questioning how Romney failed to garner a single vote is both unpatriotic and racist rather than being a mathematical query. Floridians may have also experienced some irregularities, but it's unclear whether that was from a failure to realize ballots in St. Lucie County had two pages, resulting in a misreported 141.1 percent voter turnout. Trouble there also has Rep. Allen West (R-FL) fighting back with a

recount. Financial and electoral math is hard in the Obama era.

It's certainly no wonder that Democrats so vociferously oppose voter ID laws. But even leftist UN inspectors were shocked that voter ID isn't uniformly required as it is in many other countries. Recall that in Pennsylvania, the legislature actually passed a voter ID law, but after "civil rights" organizations sued, a judge delayed it until after the 2012 election. Voter ID is critical if fraud is to be stopped.

Rep. Jackson Working on Plea Deal

Rep. Jesse Jackson Jr. (D-IL) is currently negotiating a plea deal that may see him shipped off to prison for misuse of campaign funds. Jackson was handily re-elected to Congress last week while convalescing in Minnesota's Mayo Clinic, where he is reportedly being treated for depression and a bipolar disorder. The deal on the table calls for Jackson's resignation from Congress and repayment of the contributions he used to buy gifts and decorate his home. Some brief period behind bars is expected, but no details have been worked out yet. Jackson's congressional pension is also being discussed, but reports say that he won't consent to resigning unless he also gets disability pay.

Economy

Income Redistribution: The Expansion of Welfare

The welfare state is alive and expanding according to a [new study](#) by American Enterprise Institute scholar Nicholas Eberstadt. His report uses a rich supply of data to prove that federal entitlements have expanded to such a degree in the last several years that they threaten to overtake the government's fiscal resources and leave America a lazy, uninspired nation.

The numbers are staggering. Transfers from healthy working-age Americans to those in need accounted for just 3 percent of the economy in 1935. Today those transfers amount to 20 percent. In 2011, welfare spending, including health care, accounted for 65 percent of federal spending, up from 21 percent in 1955. Most recently, we have seen an explosion in the food stamp program. A record 47.1 million

Americans now receive food stamps, close to double the number of people enrolled just five years ago. This growth has taken place for a number of reasons, the principle one being that the welfare state never shrinks of its own accord. People get used to receiving free money, and some of them will go to any lengths, including fraud, to keep the tap running.

Additionally, the Obama White House recently loosened requirements so that more people will enroll for food stamps and other welfare programs. The more people who rely on the central government for sustenance, the more powerful the central government becomes. This will be a hard cycle to break, but it is the essence of Obama's promise to begin "fundamentally transforming the United States of America."

On the Verge of an Oil Boom

The Obama administration is finalizing plans to begrudgingly open a portion of what was supposed to be nearly 2.5 million acres of Western land to oil shale development. While 1.6 million acres of this reserve will be placed off limits for dubious reasons, the fact that the Department of the Interior is opening over 800,000 federally controlled acres in Colorado, Utah and Wyoming can be considered as a tacit admission from the Obama camp that the best, most effective part of an "all of the above" energy strategy is taking advantage of rapidly advancing technology in the extraction and processing of oil from heretofore untapped sources.

With that new information, the International Energy Agency revised its previous estimate that Russia and Saudi Arabia would be duking it out in a decade to lead the world in oil production. That new champion could be the United States. Furthermore, the IEA believes that North America could be a net oil exporter by 2030. Even OPEC is now convinced that shale oil would diminish its share of the U.S. market. We can't say that organization would be missed.

Of course, that route to energy freedom is imperiled by a motley crew of environmental groups hell-bent on derailing carbon-based energy production, no

matter the cost in jobs or to our wallets. Energy prices must "necessarily skyrocket," as a recently re-elected U.S. president once said. Demonizing coal was a start, and leftist groups are working on their scare tactics for fracking and other technological advancements that have reduced the cost of oil. Yet the challenge to those Luddites is one of job creation, since oil exploration and production have created thousands of jobs nationwide and brought economic growth to places like North Dakota and Pennsylvania.

Around the Nation: Blaming the Market

It's been nearly three weeks since Hurricane Sandy whacked the mid-Atlantic region. A few thousand people in New York are still without electricity, while many more thousands of drivers in New York and New Jersey are stuck with gasoline rationing based on the old odd/even plate number scheme common during gas shortages 35 years ago.

Yet rather than working to return the supply chain to normal, the state of New Jersey is suing gasoline station owners for alleged price gouging. Indeed, charging \$5 to \$6 a gallon may seem to be taking advantage of consumers who have nowhere else to go, but it also gives suppliers an incentive to bring in more product. And it dissuades those who don't absolutely need the product from buying it at an artificially low price. Once supply and demand level out, prices can return to normal. Unfortunately, politicians in New Jersey can't or don't want to understand these facts -- they're simply listening to the wailing of those who still have to wait hours to fill their tanks because demand is high and few gas stations have been able to reopen.

While gas station owners are taking the brunt of criticism for being heartless, another lobby isn't letting this crisis go to waste, believing they have a chance to corner more of the market. The Iowa Renewable Fuels Association (read: ethanol lobby) sent a letter to Barack Obama last week, urging him to temporarily allow an E-20 blend to be used in the affected areas. Never mind that cars not already damaged by the storm could be irreparably ruined by such a mixture, the corn growers smell an opportunity and are willing

to take full advantage. It's only gouging if done by the politically incorrect.

Security The Petraeus Affair

CIA Director David Petraeus resigned last Friday after a months-long FBI investigation uncovered an extramarital affair with his biographer, Paula Broadwell. Gen. John Allen, commander of American forces in Afghanistan, was also ensnared in the investigation, as was an FBI investigator. We'll leave the sordid details to cable news channels, but there are critical elements of this story that shouldn't get lost amid the fluff.

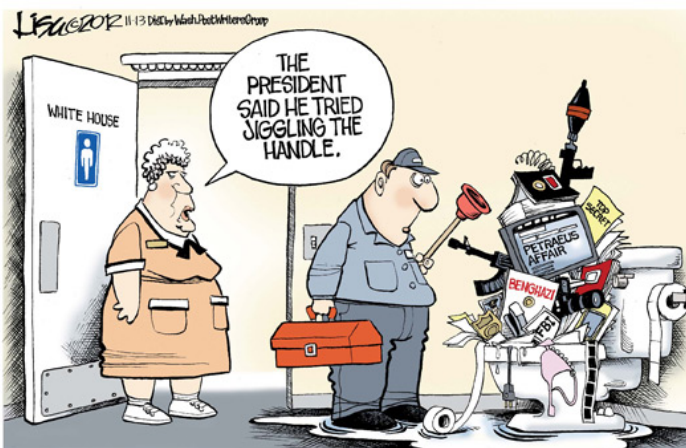
Petraeus was a key figure in the investigation of the jihadi 9/11 attack on the U.S. consulate in Benghazi, Libya. In fact, the CIA was running an operation -- possibly a jihadi holding center -- out of the consulate and a nearby annex building. But Petraeus also serves as a scapegoat for the administration and, specifically, the president, to avoid responsibility for the failure to adequately prepare for, respond to, investigate and provide an honest accounting of that attack. The Petraeus resignation certainly comes at a highly convenient time for the president: after the election and before Petraeus' testimony to Congress.

Meanwhile, the CIA issued its own timeline of events at Benghazi, including denying having issued a stand-down order during the attack. That leaves unanswered the question of who is responsible for leaving four brave Americans to die. We do know that the administration is desperate to maintain the narrative that al-Qa'ida is defeated merely because Barack Obama killed Osama bin Laden. But, to the contrary, the terrorist group has taken root in Libya following Moammar Gadhafi's ouster and death last year, and it is responsible for a coordinated attack against U.S. assets. We also know that Obama has long postured against indefinite detention, so if the CIA annex in Benghazi was in fact a holding center that would also prove inconvenient. The White House is no doubt pleased to see these unfortunate details get lost in a suspiciously timed sex scandal.

Congressional hearings began yesterday, and Petraeus agreed to testify today in a closed-door session. We wonder if his new testimony will be compromised, as it seems clear it was on Sept. 13. He at that time repeated the administration's phony tale of an obscure video as proximate cause of the murderously sustained and coordinated attack despite knowing of al-Qa'ida activity. Certainly, he faced at least implied pressure to maintain the party line. (Nice reputation you have there, General; shame if anything happened to it.)

It's possible that Petraeus was forced out after the CIA issued its timeline. After spending two weeks blaming a YouTube video for the attack, the administration then blamed the intelligence community, an account undercut by the timeline, leading to Petraeus' ouster with the affair as the stated reason. As an aside, keeping this alive now helps Republicans gain political leverage against the president for fiscal cliff negotiations, because it keeps Obama on his heels.

In the end, the most important fact is that four Americans are dead. More than two months later, all we know is that there were gross failures at numerous points before, during and after the attack, and that Team Obama's story keeps changing. So much for the "most transparent administration in history."



The Future Cabinet

The Obama regime wasted little time after the election in naming people for key cabinet positions, particularly the secretaries of State and Defense and

the U.S. attorney general. Naturally, good Americans should be concerned about each expected pick.

Obama showed utter contempt for the American (and, we might add, Mexican) people by asking Attorney General Eric Holder to remain at the Justice Department. Holder's department ran that fabulous failure known as Operation Fast and Furious, which caused two American and hundreds of Mexican deaths. Holder shouldn't serve again, unless it's serving time.

Meanwhile, at State, Obama appears to have settled on UN Ambassador Susan Rice to replace the exiting Hillary Clinton. Rice came under tremendous criticism for her dogged defense of the White House's initial excuse for the Benghazi attack as an unplanned riot over an anti-Islam YouTube video. The White House knew within hours, if not minutes, that the Benghazi consulate was attacked by terrorists, so Rice is a liar or was lied to and repeated it to the American people or is utterly incompetent. While in the State Department, she was also instrumental in scuttling a deal with Sudan to get Osama bin Laden in the late 1990s. She is absolutely unfit to serve as secretary of state.

During a news conference on Wednesday, Obama reacted angrily when asked about Senators John McCain and Lindsey Graham pledging to block her nomination. "They should go after me," he fumed with faux indignation, apparently because he was the one who had sent her out with the phony video story.

And at Defense, Obama, in another openly contemptuous and near-treasonous move, is considering Sen. John Kerry (D-Cambodia) as the new secretary. Kerry, who by the way served in Vietnam, is famous for returning from service and slandering his brothers-in-arms, [testifying before the House Armed Services Committee in 1971](#):

"[Servicemen] told stories that, at times, they had personally raped, cut off ears, cut off heads, taped wires from portable telephones to human genitals and turned up the power,

cut off limbs, blown up bodies, randomly shot at civilians, razed villages in fashion reminiscent of Ghengis Khan, shot cattle and dogs for fun, poisoned food stocks, and generally ravaged the countryside of South Vietnam, in addition to the normal ravage of war and the normal and very particular ravaging which is done by the applied bombing power of this country."

Make *this* miscreant secretary of defense? We should note that in 2004, *The Patriot Post* collected some 214,445 signatures on a [petition to indict Kerry for acts of treason](#). The utter shamelessness of this regime knows no bounds.

Warfront With Jihadistan: Israel and Hamas

Hamas jihadis in Gaza launched rockets into Israel this week, killing three Israelis and provoking a swift and heavy response from the Jewish state. The attack broke four years of relative quiet on the Gaza border. Israeli jets and artillery fired back on the Gaza Strip while the military mobilized 16,000 reservists to prepare for a possible ground invasion. An Israeli strike Wednesday killed Ahmed Jabari, commander of Ezzedin al-Qassam Brigades, the armed wing of Hamas.

Hamas recently broke from Bashar Assad's regime in Syria, deciding to back rebels there, so if Assad's regime falls, coupled with Egypt controlled by the Muslim Brotherhood, Israel will once again find itself surrounded by aggressively hostile enemies. Egypt recalled its ambassador to Israel this week, and sent its prime minister to meet with Hamas. Meanwhile, the biggest state sponsor of Hamas, Iran, fired on a U.S. drone two weeks ago and continues to proceed with its nuclear weapons program. The Obama White House has proven itself weak and feckless at foreign policy, and this episode provides another test.

Culture

Village Academic Curriculum: Man in Girls' Locker Room

In a case that is astounding for its depths of ludicrousness, Evergreen State College in Washington

has [refused to stop](#) a 45-year-old man from exposing himself to girls as young as six -- all because "he" identifies himself as a "she." The girls' locker room at the college is used by a duo of high schools as well as a swim club with students as young as kindergarten age. Yet, when a concerned parent and a coach contacted the police after children witnessed the man naked in the locker room, Evergreen State's reply was that it would not prevent the man from being on the premises because it condones his sexual disorientation. Worse still, the county prosecutor's office indicated it is unlikely to prosecute the man for indecent exposure. And the depths of politically correct degradation extend even deeper in that the [police report](#) lists the gender of the man in question as female.

Coming to the defense of these children and young people is the Alliance Defending Freedom (ADF, formerly the Alliance Defense Fund), whose senior legal counsel David Hacker accurately noted, "Little girls should not be exposed to naked men, period. A college's notions about 'non-discrimination' don't change that." Furthermore, in a [letter to the college](#), Hacker wrote, "Clearly, allowing a person who is biologically a man to undress and expose himself to young girls places those girls at risk for emotional distress and harm. Any reasonable person would view this as dangerous to the young girls involved." Indeed! Unfortunately, Evergreen State College has subjugated reason to political correctness at the expense of innocent children.

Judicial Benchmarks: Michigan Affirmative Action

On Thursday, the U.S. Court of Appeals for the Sixth Circuit struck down a 2006 Michigan constitutional amendment that bans affirmative action for public university admissions. In other words, the Court held that banning discrimination is unconstitutional because it harms minorities. We don't follow.

The U.S. Supreme Court heard arguments recently in a similar case involving the University of Texas. A young white woman who was denied admission sued,

saying the university was discriminating by favoring minorities in its admissions process.

Second Amendment: Gun Salesman of the Year

In the months leading up to Barack Obama's first election in 2008, gun sales surged as concerns mounted about stricter gun control under Obama's watch. The number of [background checks](#) that year was 12.7 million -- 1.5 million more than 2007. Predictably, gun sales have once again surged, increasing 18.4 percent in October as Obama hinted at another "assault weapons" ban. In fact, Sen. Dianne Feinstein (D-CA) -- one of the most outspoken members of Congress on gun control and co-author of the 1994 ban -- is already leading the way in attempting to create more gun control legislation.

Many on the Left have joined Obama's chorus in characterizing this surge as "bitter" voters clinging to their guns. It's not uncommon for gun sales to surge during election season, but there's never been a more valid reason for it, either. The saving grace at the

moment is that getting another ban on semi-automatic rifles through the Republican-led House would be nothing short of impossible. But with a dubious economic "recovery," fear of bigger government and the realization that Obama has nothing to lose in his second term, it's no wonder citizens fear the erosion of the Second Amendment.

And Last...

Gun sales may be up, but some gun sellers are making a statement against the gun-grabbing Left. One Arizona gun dealer won't even allow Obama voters into his store. He posted a sign on the front door that reads, "If you voted for Barack Obama your business is not welcome at Southwest Shooting Authority. You have proven you are not responsible enough to own a Firearm." Well said. We've all heard of businesses banning gun owners, but this time, it's the gun owners banning the banners.

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