

March Action Report

Congress: Just Vote the Constitution!

House approves dramatic cuts in federal spending in 235-189 vote.

— *Washington Post*, 2-19-2011

In the early morning hours of Saturday, February 19, the House passed H.R. 1 — a measure to fund the federal government through the rest of fiscal year 2011, which ends September 30. Sponsored by Harold Rogers, Chairman of the House Appropriations Committee, H.R. 1 would eliminate the blatantly unconstitutional Corporation for National and Community Service, which runs the Americorps program, and terminate federal funding for the Corporation for Public Broadcasting. Budget cuts for many departments and programs were heralded as reducing the deficit by more than \$60 billion.

Upon reaching the floor, the bill was augmented by 67 amendments, adopted during 90 hours of debate. Among the approved amendments was a prohibition of funds for Planned Parenthood, the curtailing of several EPA programs, and amendments seeking to strangle Obamacare.

But don't run up the victory flag! Our troubled economy, coupled with Obama radicalism, may have alarmed many Americans and influenced several dozen House seats in November. But Insider domination of the two national parties (and the media) has not changed.

So don't expect that the House GOP leadership is out to conform federal spending to the Constitution, particularly since it has never even



Newscom

Butchering babies: For decades, federal funds have been used to promote abortion. It's high time we organize *effective* pressure to stop *all* unconstitutional programs. Here, pro-life activists stage an *ineffective* sit-in (leading to arrests) outside the office of Speaker John Boehner. Several days *earlier*, an amendment to prohibit the use of funds for Planned Parenthood was adopted by the House on a 204-185 vote.

advocated such a goal. On February 14th, the day President Obama unveiled his FY 2012 budget, GOP Majority Leader Eric Cantor boasted: "We're changing the culture here. You're either for spending cuts, or you're not." But his tough talk was only about slowing the pace of federal growth, not about altering *the character* of federal activity.

Certainly, the House GOP leadership knows it must *appear* to be fighting hard to trim federal spending or else lose its public support. And with media cooperation, the House GOP is putting on a good show. But it's a show intended for an uninformed public, a show akin to a professional wrestling match. Let's compare the charade with the reality:

- At this point in our history, austerity is simply not enough. The government needs major surgery, now! Merely reducing federal spending, as promised, to already bloated 2008 levels would leave unconstitutional government intact and well positioned to explode again as soon as public attention is diverted.
- The GOP's proposed "dramatic cuts" are not even austere. House Republicans claim that their cuts were needed to address a soaring

In This Report

- 1 **Just Vote the Constitution**
- 3 **Nullification — Foolish Recourse**
- 4 **Action Summary**



annual deficit of \$1.6 trillion. Yet their projected savings (\$61 billion) for the remaining FY 2011 is less than 4 percent of the deficit.

According to Congress.org (“Cuts allow GOP to avoid floor fight,” 2-15-2011), when House GOP leaders revised their planned spending cuts *upward* (to \$61 billion in the bill sent to the floor), they largely satisfied the rank and file: “[I]t now appears that even conservative Republicans are largely satisfied with the spending reductions outlined in the measure and do not plan to seek major changes.”

As an example that the GOP is not really serious, consider amendment #196, which would eliminate \$20.5 million from the unconstitutional and culturally subversive National Endowment for the Arts. This amounts to only 13 percent of President Obama’s FY 2010 budget request (\$161.3 million) for the agency!

If the GOP has truly turned over a new leaf, why not make good on its 1995 pledge to abolish the Endowment entirely, as well as three Cabinet-level departments — Energy, Commerce, and Education?

- The liberals are supporting the charade by acting as though the proposed cuts would be catastrophic. Senate Majority Leader Harry Reid described the House bill as “draconian.” Secretary of State Hillary Clinton wrote House Appropriations Chairman Harold Rogers “expressing concern that the bill represented a 16 percent cut [in diplomatic and foreign aid] compared with fiscal year 2010 funding levels, which she said ‘will be devastating to our national security.’” (“Proposed Aid Cuts Cause Concern,” Congress.org, 2/16/2011)

- But even the *proposed* cuts are largely posturing. Sure, the House voted, but nothing has been cut. Principled cuts are often approved one day and then reversed under pressure the next or compromised out of



Newscom

Party posturing supports charade: Senate Majority Leader Harry Reid stops before cameras (2/17/11) to blast Boehner for threatening a government shutdown without negotiating first. “We’re terribly disappointed that Speaker Boehner can’t control the votes in his caucus to prevent a shutdown of government,” Reid said.

existence. For example, on February 8, the House leadership failed to muster a necessary two-thirds majority to extend temporary provisions of the Patriot Act — provisions objected to by conservatives and liberals alike as allowing government to spy on everyone. But Big Brother did not need to worry. Nine days later, the House reversed itself before the temporary authorization could expire and gave President Obama a new 90-day extension.

- The House leadership could make the H.R. 1 cuts stick, if it really wanted to. The Constitution puts the House in the driver’s seat regarding spending. The House does not need the agreement of the president and Senate to cut spending. Inaction ends funding. However, the media is providing the GOP with the cover it needs to blow the fight:

The Senate is expected to take up its version of the spending

measure the first week of March, just before the March 4 deadline for when the current funding resolution expires.... The threat of a government shutdown looms if the sides cannot agree on funding levels by then....

— *Washington Post*, 2-19-2011

Senate Democrats have conceded that some cuts to current spending levels are a given, but they are not willing to go anywhere near as far as the reductions sought by the GOP-led House.

— *Washington Post*, 2-19-2011

The Establishment line is that the House must compromise to avoid adverse public reaction to a government shutdown. However, the House can make deep cuts and still provide temporary funding for politically sensitive programs — it just needs to separate the measures. Indeed, there is a precedent for splitting

continuing appropriations resolutions into pieces — not that a precedent is needed. During the Gerald Ford administration (FY 1977), Congress approved two continuing resolutions that funded only selected activities.

- The consequences of a “government shutdown” are greatly exaggerated. According to Yahoo! News (“Psst. No shutdown during a ‘government shutdown,’” 2-24-2011): “Social Security checks would still go out. Troops would remain at their posts. Furloughed federal workers probably would get paid, though not until later. And virtually every essential government agency, like the FBI, the Border Patrol and the Coast Guard, would remain open.”

Recommended Action:

- Communicate with your representative. Tell him or her that modest spending cuts are not enough. The House must begin the process of eliminating entire unconstitutional departments and programs. Your representative should set the standard for what needs to be done, even without current majority support.
- Share this message with others, and invite them to join us in this fight.

Nullification — A Foolish Recourse

A multitude of nullification acts already are in the works across the nation on issues ranging from firearms freedom acts that reject some federal gun laws, a rejection of Washington’s mandates on cannabis laws and even Obamacare.

- “States to become referees of feds’ constitutionality,”
World Net Daily, 2/19/2011

World Net Daily further reports that two states [Montana and Arizona] have introduced legislative plans that “would set up commissions whose members would be tasked with reviewing ‘all existing federal statutes, mandates, and executive orders’ to

determine their constitutionality, then recommending to lawmakers whether that state should ‘nullify’ any federal law or regulation ‘that is outside the scope of the powers delegated ... to the federal government.’ And 28 more states are considering the move.”

The Montana bill (HB 382) provides: “The legislature shall enact all measures necessary to prevent the enforcement of federal laws or regulations nullified within the boundaries of this state.” The Arizona bill (SB 1433) contains similar language.

If it were only that simple!

On January 12, a joint resolution, claiming more than 50 patrons, was introduced in the Virginia House. HJR No. 542 makes “application to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures.”

Although the Virginia resolution prohibits its use to call a convention for any other purpose, constitutional scholars recognize that such language has no force once a convention is called. The Insiders who wish to get their hands on the Constitution have welcomed, even supported, Article V calls in state legislatures. Virtually all of these con-con calls have been driven by conservative grievances.

We would certainly expect the Insiders to support the nullification movement as an opportunity to persuade more state legislators to follow the example introduced in Virginia. And also as an opportunity to take good patriots off track.

For decades, a multitude of promised “quick fixes” — the Posse Comitatus, the income tax rebellion, the sovereign citizen movement, the re-founding amendment, to name a few — has plagued the freedom fight, diverting valuable resources from exposing the Conspiracy and enforcing the Constitution. At this late hour in the battle, we can ill afford



False leadership: The nullification legislation in Montana and Arizona was developed by the United States Patriots Union (USPU). (See USPU “Coat of Arms,” above.) The USPU website featured a video clip of invective by the history editor for the *Executive Intelligence Review*, a publication spawned by disguised-socialist Lyndon LaRouche, one-time leader of the SDS Labor Committee.



such neutralizers. That is why Don Fotheringham wrote *Tangents and Traps*. State nullification fits in both categories.

The Wrong Medicine

Our objection has nothing to do with whether states have the *right* to nullify federal laws, propose a constitutional amendment, or even call for a constitutional convention. The issue is whether those are the *right things* to do. Unfortunately, the arguments supporting any of those steps rely on faulty assumptions regarding the *source* of our problems.

The situation facing us today is quite different from what confronted the American colonies under King George's growing oppression. At that time, the people and their leaders understood the threat and decided

that independence from Great Britain, supported by force of arms if necessary, was the best recourse.

However, we have the recourse our Founding Fathers gave us. Using normal constitutional processes, the people have the *power* peacefully to rein in the federal government and force it to conform to the Constitution.

Of course, the people have made poor *use* of their power in allowing the federal government to ignore constitutional limits. Why? Because they are constantly misled and confused by the Conspiracy, which dominates the media, the political parties, and so much of education.

The American people don't understand the Conspiracy's influence and deceptions, and so they have sat by, while the Conspiracy has centralized power in Washington and weakened the brilliant checks and balances crafted into our constitutional system.

But a movement focused on state nullification of federal laws would leave the Conspiracy's influence intact. Even worse, consider:

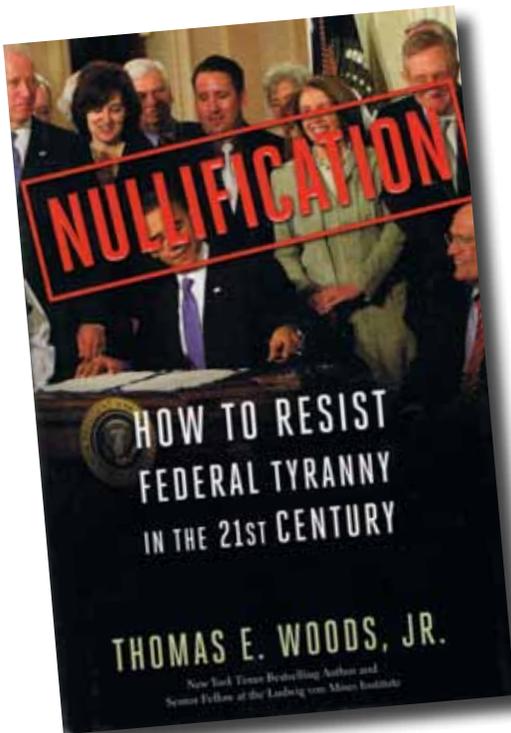
- State nullification is a revolutionary step that circumvents the principle of federalism and sets the stage for a severe federal reaction. Nullification advocates either overlook, or do not know, that the Conspiracy loves faction and confrontation — and that a state-nullified law might serve as a pretext for dispatching federal troops to enforce the law.
- Force of arms is not the only means the federal government has to obtain state compliance. In the past, the federal government has threatened to withhold highway, welfare, and education funds from non-compliant states. Would a nullifying state be willing to forego those amenities? And would the citizens continue to pay federal taxes that support what the state rejects? These are serious complications that could lead to the

breakup of the Union, or despotic, or violent confrontation. Wouldn't the enemy love that?

The states gave up a very important check on federal power when they were fooled by the Conspiracy into ratifying the 17th Amendment (providing for the direct election of U.S. senators). Nevertheless, an informed electorate still has the power to restore good government through the House of Representatives.

So let's use the freedoms we still enjoy and build that informed electorate. Then we can return the source of the bad federal laws — Congress — to the side of freedom.

There is no easy way — we build an informed electorate, or we live in a dictatorship!



Best-selling author takes patriots off course: Woods' nullification prescription overlooks why the Constitution has been ignored. His solution fails to recognize the workings of the Conspiracy or the necessity for an informed electorate.

Action Summary

Note: Some requests below are ongoing from previous *Action Reports*.

1. Tell your representative to hang tough against appropriations for unconstitutional programs.
2. Write a letter to the editor in support of our campaign.
3. Enlist your prospects in contacting Congress regarding spending.
4. Develop prospects by sharing the "Voter Betrayal" handout and the *Marxist Attack* and *Tangents and Traps* booklets.
5. When you have prospects, contact your state coordinator or headquarters to schedule a presentation meeting.
6. Follow up to recruit prospects and build the nucleus for a Chapter.
7. Compete for congressional attention. Get others to write your representative asking for a resolution limiting the appellate jurisdiction of the Supreme Court.