

LETTERS TO THE EDITOR

The price of our dysfunctional government

Rep. Steny Hoyer, D-Md., is quoted as saying the following about the Republican Party:

"They have a responsibility to the country. They have a responsibility to their constituents and their children. They are damaging the country, and the public ought to make them pay a price."

If you were speaking of Congress and the administration, we the American people would absolutely agree.

Since Hoyer criticizes the Republican Party, let me tell you that we the people are beyond any further tolerance of partisan politics.

For the president to continually say he will not negotiate is tantamount to his typical position of "my way or the highway."

For Congress to continue to allow major fiscal decisions to reach crisis points denotes incompetence and a complete absence of accountability.

Our nation is void of leadership – a travesty in American history. Congress, please set your politics aside. Objectively communicate and compromise for the good of our nation.

John Rette
Mission Viejo



Hoyer

Fraud buried in programs

After witnessing the recent WalMart food stamp "theft" in Louisiana after the public-benefits Electronic Benefits Transfer card system failed on Saturday and the Obamacare sign-up fiasco, one has to wonder what will eventually be the total fraud bill for Affordable Health Care coverage? Let's face it, our government is famous for handing out free stuff to anyone who wants it, and they're legendary when it comes to being fleeced.

Every day the media reports abuse stories about Medicare, disability, Unemployment Insurance, Medical, housing, student loans, farm subsidies, school lunches, Supplemental Security Income, Children's Health Insurance, child care programs and Temporary Assistance for Needy Families, which encompass only a few of our government programs.

In 2008 the Government Accountability Office found \$72 billion of improper federal-subsidy program payments but that did not include all federal programs, and they may have "low-balled" the actual losses in various ways.

My fear is that 10 years down the road we won't even know what hit us and the great grand farcical experiment will be laid bare for everyone to see. This will most likely be a disaster of biblical proportions and, once again, American taxpayers will foot the bill.

Dan Johancsik
Huntington Beach

ACA's shoddy website

The Affordable Care Act, also known as Obamacare, is now operating with a website that appears to be broken.

Frustrated Americans find themselves in front of a website that indicates it is temporarily out of service. Will the website be fixed in time, so that 35 million Americans without health care can receive service? Most important, is there a possibility that the site will not be fixed by Jan. 1, 2014, and Americans will pay billions of dollars in taxes – taxes that could be avoided if the Obama administration delays the individual mandate.

This tax would be unfair and the penalty not deserved due to a broken government computer program. Drop the ACA mandate until it is fully functional.

Jeff Heller
Irvine

Default is frightening

It is a frightening situation seeing the Tea Party wing of the Republican Party in the House of Representatives driving the shutdown of the government. Now they are pushing for a debt default. Some of these representatives even have said that the default would actually be a positive event.

If there is a debt default, these Tea Party faux patriotic representatives will hurt the economy more than anything that enemy fanatics could ever dream of doing. Even the Tea Party idol, President Ronald Reagan, forced his Republican colleagues to increase the debt limit, not once but several times. He knew what would happen if it wasn't raised.

We hope and pray that sane people in Congress will reevaluate their rhetoric and prevent this disaster from happening.

Bob Machado
Tustin

Nonsensical barricades

I was at the World War II Memorial in 2011. There was no staff, no guides, no entrance gate, no exit gate, no entrance fee, no fences or barricades of any type to control the flow of visitors or direct them to a particular area. There were no signs posting the hours of the memorial.

Someone issued a directive to "close" the memorial and keep people out of this open area. I wish the media or some politician would find out who gave this directive. I want that person to explain to the American public why he or she ordered the memorial "closed." That person should explain it to American veterans.

Paul McNerny
Dana Point
U.S. Army 1969-1972

Respect for religions

While it's appropriate to look forward to the religious holidays of any religion, one can do so without dismissing other faiths. This is the error that Mona Shadia makes in her column, "A holiday, a sheep and a happy duty" [Faith & Values, Oct. 14]. All faiths have their own holy sites where pilgrims from come together to worship. Shadia looks forward to her special holiday marking the end of Hajj but in the same breath discounts Christmas and Thanksgiving.

Yet Thanksgiving is celebrated by millions of people who thank God for their countless blessings. Moreover, Christmas is a special time for the 2.4 billion adherents of Christianity. Christmas is a priceless time for routine acts of selflessness, just as Jesus the Redeemer came into the world to save humanity.

Shadia waxes eloquent about the Hajj, yet she mentions that she has never made the journey. She sings its praises, but ignores the tight security in Mecca due to prior terrorist attacks at various sites and the trampling of thousands of pilgrims over the years. If it's so fantastic, why hasn't she made the trip?

While it's fine to cherish the symbols and tenets of one's faith, it can be done without denigrating the ageless symbols and values of Christianity.

Christian Milord
Fullerton

Why media is failing

How is it that we seem to know more about Sen. Ted Cruz and his father than we do about President Barack Obama and his father? I guess it is the same reason we needed to know so much more about former Alaska governor and vice presidential nominee Sarah Palin's background than presidential candidate Barack Obama's.

Print media is dying, and it is not just because of advertising dollars drying up. The lack of investigative reporting will be the final nail in its coffin. They have gone the way of the big three TV networks, political snake-oil salesmen with a political twist.

Shirley Jameson
Laguna Niguel

Graham kept the faith

So a bunch of evangelical scholars got together to dissect and analyze why Billy Graham's ministry was successful ["Evangelist's legacy as fragile as he is," Faith & Values, Oct. 14]? I can answer that in a sentence.

Years ago, Graham said, referring to a national news magazine announcing the Death of God, "I spoke with Him this morning and He said that He's feeling just fine."

Greg Smith
Costa Mesa

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COLUMNS

CAN'T CUT CONGRESS OUT OF DEBT DEBATE

Current crisis could have been so easily avoided.

By ERWIN CHEMERINSKY
FOR THE REGISTER

OPTIONS

At least two scholars, Neil Buchanan of George Washington University Law School and Michael C. Dorf of Cornell Law School, indicated that President Obama does have a *deus ex machina* option, where Section 4 of the Fourteenth Amendment provides an out for the debt crisis. They acknowledge, however, that the option is least protective of the Constitution. Source: Columbia Law Review, Oct. 2012



GETTY IMAGES

A biker rides past the U.S. Capitol on Monday. Democrats and Republicans were still at a stalemate on a budget.

Can President Barack Obama save the economy? For the past two weeks, I have been constantly asked whether Obama can end the government shutdown and prevent the possibility of default. Unfortunately, the answer is no; only Congress and the president together can pass a budget or increase the debt ceiling.

On Oct. 17, the authority of the United States to borrow money to pay its debts will expire. Within several days, the United States will run out of money and go into default. If this occurs, it will be the first time in American history. The economic effects will be devastating; some predict it could trigger a depression.

As the country is again on the brink of a financial disaster if the debt ceiling is not increased, attention is increasingly turning to the possibility of the president acting on his own to do this. In the last week, some prominent political scientists and law professors have said that the president can do this based on an obscure constitutional provision, Section 4 of the Fourteenth Amendment, which says: "The validity of the public debt of the United States, authorized by law, including debts incurred for payments of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned."

Unfortunately, there is no plausible way to read this provision as providing the president the ability to increase the debt ceiling without congressional action. The provision says nothing about the president's ability to increase the debt ceiling.

Article I, Section 8 of the Constitution says that it is Congress that has the power "to borrow money on the credit of the United States." The Constitution thus could not be clearer that borrowing money requires congressional action. Section 4 of the Fourteenth Amendment says only that the debt of the U.S. shall not be questioned; it says nothing about who gets to determine the size of the debt or in any way shifts this power from the leg-

islature to the executive.

The power of the purse – including the authority to tax, spend and borrow – is quintessentially legislative. Not even a dire financial emergency would allow the president to take this over. The Constitution, thankfully, has no provision which allows for its suspension even in times of crisis.

Moreover, the debt ceiling is set by statute. Unless this law is unconstitutional, which it obviously isn't, the president cannot unilaterally repeal it and replace it with another law by executive fiat which would set a higher debt ceiling.

Unilateral presidential action to raise the debt ceiling also would not solve the financial mess caused by congressional inaction. If the president acted on his own to increase the debt ceiling, the bonds which would then be issued would certainly be questioned and challenged in court. It is unlikely that questionable borrowing would satisfy credit markets or rating agencies. It is estimated that decreasing the credit rating of the U.S. from AAA to AA would cost the federal treasury \$100 billion a year in additional interest payments, to say nothing of the higher interest rates everyone in the country would pay on loans. It is highly doubtful that presidential unilateral action would provide sufficient confidence to rating agencies to avoid this dire consequence.

I wish it were otherwise and that the president could simply increase the debt ceiling and make this issue go away. It is a financial crisis that could so easily be avoided, as it always has been in the past, by Congress routinely increasing the debt ceiling. But there is no reasonable way to interpret the Constitution for the president to do this on his own.

This whole mess is so silly and so unnecessary that it makes one despair of democracy as a form of government. But as Winston Churchill said, "No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time." Hopefully, our democratically elected government will act and avoid financial disaster. But there is no way to avoid it requiring congressional action.

Erwin Chemerinsky is dean of the UC Irvine School of Law.

A Republican letdown

By JAY AMBROSE
SCRIPPS HOWARD NEWS SERVICE

Call it the Republican betrayal.

But understand that, for all the faults that inevitably accompany politics, people in that party have stood for many good things. They like the Constitution. They believe in limits to government that otherwise is sure to inflict oppression and unintended penalties on people. They get it that some things are worth preserving.

So Republicans graciously fought back against the worst of the office-holding Democrats, officials who once called themselves "liberals" until they began calling themselves "progressives" instead. "Liberalism" once indicated something noble. It has as its root the Latin word "liber," meaning free, and the liberals who emerged from the Enlightenment put the principle of freedom first as they simultaneously struggled for principled rationality.

Timothy Ferris, in an outstanding 2010 book, "The Science of Liberty," says the scientific revolution from that 17th- and 18th-century era had a mate – political revolution – and the result was spreading freedom and rights and the ultimate rescue of "billions from poverty, ignorance, fear and an early grave." He is all for liberalism in the old sense, but not for progressivism and leftism that "put the force of government behind efforts to create greater political and economic equality even if personal freedoms are abridged in the process."

Ferris, who has his complaints about conservatives, too, grasps the worst of progressivism. He sees how it wrecks equality of opportunity as it tries to coerce equality of outcome and fosters presumptuous governmental intrusiveness made unending by a discomforting fact: Electoral turnovers often leave costly, currently useless old programs in place.

As we saw how many of President Barack Obama's programs were destructive from the start, many of us

imagined something different. We hoped Republicans could work their way to more power in the 2014 elections and then prudently, intelligently turn things around, refusing to let the bad sit there sneering at us.

Prudence be damned, said some congressional Republicans, and off they were with overreaching maneuvers on Obamacare funding and then on debt. And it is true that the other side has reacted with huffing, puffing, blow-your-house-down retaliation, instead of anything halfway adult. Still, anyone with any sense would know how this would be portrayed, what the public reaction would be and what the consequences would be. An Oct. 12 New York Times story tells the tale.

It notes that Republicans had a real chance in 2014 to take control of the Senate in addition to keeping control of the House, but that the government shutdown has hurt their prospects.

The same front page has a next-door story underlining what the Republicans otherwise had going for them. The overly complicated, bureaucratic Obamacare mishmash is such a horror that people have been unable to use a malfunctioning \$400 million online system to sign up for insurance, portending fiscal mayhem in the months to come.

In other words, the GOP members of Congress could have let the program make its own case that it was outlandish and the overreaching crowd among the rank-and-file could have relaxed. The Senate could maybe have been won, and then there would have been golden chances for meaningful reforms.

The worst of it is when you turn on the radio and hear a Republican House member saying he is not worried about people blaming the GOP for an irresponsible shutdown because his district is safe. He's OK. Well, maybe he is, but the country is not. Some of us were counting on the Republicans as our most likely salvation, and they have let us down even if some are serving their own careers well.