

Tom McClintock's Capitol Commentaries

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MESSAGE FROM REP. TOM MCCLINTOCK

We are now entering the eighth year of a presidency that has produced a chronically stagnant economy, the disintegration of our national borders, a growing threat of both domestic and international Islamic terrorism and the unconstitutional seizure of legislative authority by the executive. That means 2016 is going to be a very difficult time for our country.

But it will also be a decisive time – the greatest opportunity in a lifetime for this generation to rise up at the polls and set things right, as Americans always have when they've sensed that their country and its liberty are in danger. As the votes came in on November 6, 2012, I told an election-night gathering there were several rays of hope, one of which being that the American people were about to get a four-year graduate level course in Obamanomics and Obamacare, and at the end of that course they were certain to be a lot sadder and a lot wiser.

Several years from now, I believe we will all remember 2016 the same way we remember 1980 – as a very difficult, frightening and unpleasant year, but at the end, the year that turned our country around and saved it from the radical Left.

Last month, I raised my voice once again in Congress to oppose the administration's attempts to disarm Americans while opening our borders to foreign terrorists, against the omnibus spending bill that once again abandoned Congress' power of the purse, and on many other issues that help define the difference between the authoritarianism of the Left and the restoration of American liberty to which the conservative movement is dedicated.



ARMED AMERICANS ARE THE BEST DEFENSE AGAINST ARMED TERRORISTS

DECEMBER 10, 2015

In this speech on the House floor, I responded to Mr. Obama's call to disarm Americans in the wake of the terrorist attack in San Bernardino.

Mr. Speaker:

Ever since the terrorist attack in San Bernardino, leftist politicians have called for more restrictions on gun ownership for Americans. These are the same politicians who have worked for years to open our nation to unprecedented and indiscriminate immigration from hotbeds of Islamic extremism.

The most effective defense against an armed terrorist is an armed American. If one person in that room in San Bernardino had been able to return fire, many innocent lives could have been saved. But Californians are subject to the most restrictive gun laws in the country, making it very difficult for law abiding citizens to exercise their Second Amendment right to defend themselves. And

in a society denied its right of self-defense, the gunman is king.

I repeat: The most effective defense against an armed terrorist is an armed American. **Yet the President and his followers act to increase the number of terrorists entering through porous borders and lax immigration laws, while at the same time acting to decrease the number of armed Americans.**

The President announced their latest ploy Sunday, which his Congressional allies parroted this week to the point of disrupting the work of the House. In the President's words, "Congress should act to make sure no one on a no-fly list is able to buy a gun." He asked, what could possibly be the argument against that?

While serving in the California State Senate a decade ago, I discovered that suddenly I couldn't check in for a flight. When I asked why, I was told I was on this government list.

The experience was Kafkaesque. My first reaction was to ask, "Why am I on that list?" "We can't tell you that." "What are the criteria you use?" I asked. "That's classified." I said, "How can I get off this list?" The answer was, "You can't." I soon discovered another California state senator had been placed on that list. A few months later, U.S. Senator Edward Kennedy found himself on that list.

I was fortunate to have had the office of the Senate Sergeant at Arms to work through – something a private American citizen would not. Even so, it took months working through that office and repeated petitions to the government to get my name removed from that list. The farce of it all was that I was advised in the meantime just to fly under my middle name, which I did without incident.

In my case, it turned out to be a case of mistaken identity with an IRA activist the British government was mad at.

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AUTO-PILOT OFF A CLIFF

WHY I VOTED NO ON THE OMNIBUS SPENDING BILL

On December 18th, the House voted to suspend our nation's debt limit, break the spending caps that were slowly restoring solvency to our government, and fund the President's misguided priorities for another year. It was a big mistake, as I explained in this analysis:

HR 2029, the so-called Omnibus, is the 2,000-plus page \$1.15 trillion spending act to fund the government through September 30, 2016. A bill of this complexity always has good and bad provisions, and the question comes down to whether in balance it moves the government in the right direction.

On the plus side:

- It stops bailouts of insurance companies required by Obamacare.
- It ends the oil-export ban on American petroleum. (Although it should be noted that the president has the authority to do so on his own, and in 13 months we are likely to have a president who will anyway).
- It blocks the proposed IRS rule that would formalize the harassment of Americans because of their political views.
- It extends the victims compensation fund for 9/11 responders.
- It provides major increases in defense spending.
- It requires all travelers entering the United States who recently visited such rogue states as Syria and Iran

to obtain visas, notwithstanding the Visa Waiver Program.

These features, though, have to be balanced against some decidedly negative features including:

- It funds a wide variety of highly objectionable Obama policies, including the EPA's Waters of the U.S. initiative that asserts EPA control over all waters in the United States; the illegal Obama executive orders on amnesty; the terrorist-friendly admission of poorly vetted Syrian refugees and support of Planned Parenthood's barbaric practices.
- It QUADRUPLES the H-2B visas for foreign workers from 66,000 to 250,000, taking American jobs and depressing American wages.
- It funds the administration's war on coal, making it virtually impossible for coal-generated electricity to continue.
- It reauthorizes the Land and Water Conservation Fund, which is used to increase federal land holdings.
- It increases taxpayer support of the International Monetary Fund which bails out irresponsible foreign governments like Greece.
- It provides for massive increases in solar and wind tax subsidies.
- It delays the Obamacare "Cadillac Tax," which primarily benefits labor

unions – reducing Obamacare revenues without reducing Obamacare costs and in essence shifting funding of the program from the unions to the taxpayers.

But for me, the real issue involves the damage "the Omnibus" does to the overall spending trajectory of the federal budget. The Congressional Budget Office projects that **within eight years, interest on the federal debt will exceed the entire defense budget. At that point, the ability of the federal government to meet its basic functions comes into grave doubt. Shortly thereafter, Medicare (in 2030) and then Social Security (in 2033) collapse.**

In May, after many years of trying, Congress finally enacted a budget that changes that trajectory to one that balances within ten years. But instead of following through on that plan, in October Congress replaced it with one that restores the disastrous spending trajectory that will bankrupt this country within the decade. "The Omnibus" fulfills that bleak destiny.

It increases overall federal spending by \$50 billion from the May budget in the first year alone (or about \$400 for an average family). In fact, this bill puts spending perilously above the trajectory set in the budget adopted by Congress in May. It takes us that much farther down a steadily more dangerous road that leads toward a steadily darkening future. □

continued, Armed Americans

This could happen to any American. And the fine point of it is this. During this administration, the IRS has been used extensively to harass and intimidate ordinary Americans for exercising their First Amendment rights. **What the President proposes is that on the whim of a federal bureaucrat, Americans can be denied their Second Amendment rights as well, with no opportunity to confront their accuser, contest the evidence, or avail themselves of any of their other due process rights under the Constitution.**

The concept that the Left is seeking to instill in our law is that mere suspicion by a bureaucrat is sufficient to deny law-abiding American citizens their constitutional rights. And given the Left's demonstrated hostility to

freedom of speech and due process of law, it's not hard to see where this is leading us.

I would support the President's proposal IF it established a judicial process where an individual could only be placed on such a list once he was accorded all of his constitutional rights to be informed of the charges, given his day in court, accorded the rights to confront his accuser, contest the evidence against him and submit himself to a decision by a jury of his peers. But that is the farthest thing from the Left's agenda.

The President's proposal would have done nothing to stop the carnage in San Bernardino, where the terrorists were not on any watch list. Indeed, one was admitted from Saudi Arabia after vetting that the President has assured us is rigorous and

thorough. And several of the guns used in this massacre weren't even acquired directly, but rather through a third party.

Of course the American people don't want terrorists to have guns! They don't want terrorists in our country at all! But the President's policies have left our nation's gates wide open – while he seeks to take from Americans their means of self-defense.

So I leave off as I began: the best defense against an armed terrorist is an armed American. That's what the Second Amendment is all about. It is an absolutely essential pillar of our security.

Our best defense of all is the Constitution itself, and it, in turn, must be defended against all enemies – foreign and domestic. □

VETERANS DAY 2015

Veteran's Day is an opportunity to take stock of what we owe our veterans and to draw inspiration from them. But most important, it is a time to consider OUR responsibility to maintain the same liberties at home that they fought abroad to preserve.

In his Gettysburg Address, Abraham Lincoln defined the two days our nation would later set aside to honor those who protect us. In one passage, he speaks of "those who here gave their lives that that nation might live." We set aside Memorial Day in May to honor and mourn them.

In another passage, he speaks of "the brave men, living AND dead, who struggled here," for whom we set aside this day, the eleventh day of the eleventh month.

The armistice declared on that day in 1918 ended what was then called "The Great War." Indeed, so great had been its horror and carnage, it was expected to be the last war in the history of mankind.

But it wasn't. So Armistice Day become Veterans' Day, which we set aside to reflect upon and to honor the patriotism of ALL those who step forward when their country calls – the heroism of ALL those who place themselves in harm's way in defense of our Constitution and the freedom it protects.

We come here today to take measure of what we owe them. And we ask ourselves, how can we possibly repay them?

First, we owe it to them to assure the time they lost, the careers they postponed, the family lives they sacrificed, the wounds they sustained – all on behalf of our nation – are fully compensated as they return to civilian life. And that begins with the help they need to resume those careers and secure for their families the prosperity and security that they

had foregone in service to our nation.

Many have come home with life-changing injuries with which they will do battle every waking moment for the rest of their lives. And once the parades are over and the speeches are done and we all go home to our own lives – these wounded warriors will go home to struggle nobly and often alone to do even the most basic tasks we take for granted. In a sense, they never leave the field of combat, and they need to know that their countrymen will never forget that.

Let us also remember that our fallen veterans left behind grieving families that will never recover from their loss. For these Gold Star families, every day is Memorial Day and the pain you see in their eyes is the same pain first seen by those who delivered them the terrible news years ago. Every member of these Gold Star families is a veteran, too, whose enlistment never ends and whose wounds never heal.

We have a solemn obligation, as Lincoln said in his second inaugural, "to care for him who shall have borne the battle, and his widow and his orphan."

What else do we owe the men and women we honor today? More important than having their backs when they leave service is having their backs while they are in service. In order to commit this nation to war and to place our soldiers, sailors, airmen and marines in harm's way, the Constitution requires an act by the representatives of ALL the people – and not the whim of one person. And when that terrible decision is forced upon us, this nation owes those who defend us its undivided and total commitment – its will, its might and all of its resources -- and to apply every ounce of fortitude to win through to absolute victory.

We owe the recent generations who served in Korea, Vietnam and the Middle East an extra measure of gratitude for the unique challenges they have had to confront. They willingly answered our nation's call without our nation's total commitment. They operated under rules of engagement that often prevented them from fighting back. They often found themselves with inadequate equipment and hamstrung with inept policies imposed by distant and often disengaged politicians. MacArthur was right, "In war, there is no substitute for victory."

But the most important way we can repay our veterans is to assure that the Constitution they protected from foreign enemies is honored, respected, and obeyed by those who exercise its powers here at home. This we do through our votes. For if the American people ever cease to insist that their Constitution be obeyed by our public officials, that Constitution will cease to exist and all the sacrifices made by all the veterans in all the wars down through history will have been for naught.

We owe it to them to defend at home the freedoms they defended abroad. That is the most fundamental responsibility of a citizen, and we dishonor those who sacrificed so much for us if we fail to meet that responsibility.

But if we meet it and secure the blessings of liberty at home as they did abroad, we assure that their sacrifices were not in vain. We owe them much, but they don't ask for much -- for themselves. What they do ask for – and have every right to expect – is that their sacrifice means something, as Lincoln said, "That that nation, under God, shall have a new birth of freedom, and that government of the people, by the people and for the people shall not perish from the earth." □

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STATEMENT ON THE CALIFORNIA WATER NEGOTIATIONS CAPITOL PRESS ROOM

For five years, the House of Representatives has enacted comprehensive water bills to increase the supply of water available to the people of California – and every year these bills have been stopped in the Senate by the opposition of the environmental Left and our two California senators.

This year, in the fourth year of the worst drought in the recorded history of our state, I had fervently hoped that we could finally negotiate a measure that would protect Californians from the regulatory edicts that unnecessarily magnified its effects. Yet as the 2015 session approached its end, it became tragically clear that Senators Feinstein and Boxer were not negotiating in good faith. On December 11th, the California Republican congressional delegation held a press conference at which I made the following statement. (On the same day, Sen. Feinstein promised to introduce her own bill within the week. As of this writing, we are still waiting.)

Thank you all for coming.

The factual record of the many months of discussions between House Republicans and Senator Feinstein and the Democrats is very different than the story they have recently spun to the press.

Fully half of the provisions of this measure were taken from Senator Feinstein verbatim – including massive public subsidies for recycling and desalinization that I, and many Republicans, oppose because of their extreme cost and relatively small water yield.

The other half were Republican proposals that had been greatly weakened from what we had originally proposed, including using fish hatcheries to meet ESA requirements, placing time limits on CalFed studies and strengthening Northern California senior water rights. The Democrats categorically rejected any modification of the San Joaquin River Settlement, and removed any guarantee that additional water could be moved to the San Joaquin Valley even in wet years.

In our first meeting, that included Senators Boxer and Feinstein, I said at least we should be able to agree that while we are

in the worst drought on record, we should temporarily halt massive water releases to adjust water temperatures for fish. This was rejected out of hand.

In a Congress with the largest Republican majorities since 1928, the many months of staff discussions on California provisions took place among 8 Democrats and just 3 Republicans.

Senator Feinstein's sudden insistence that the bill should go through regular order and not be part of the omnibus bill is bizarre, since she has a long history of inserting water language in other omnibus bills, including provisions that are blocking the Cadiz pipeline that would deliver up to 50,000 acre feet of water to southern California – enough to meet the annual residential needs of a half million people.

These are the facts, and as Adams said, "Facts are stubborn things." □

REMARKS TO ORGANIZATION OF IRANIAN-AMERICAN COMMUNITIES

During the George W. Bush Administration, exiled freedom fighters from Iran (known by the acronym MEK) were promised American protection and sanctuary at Camp Ashraff in Iraq if they would voluntarily disarm, which they did. They were subsequently transferred to Camp Liberty, and have been under constant attack with the duplicity of the increasingly pro-Iranian Iraqi government, with not so much as a whimper from the United States government. In November, the Iranian expatriate community gathered in Washington, which I addressed with these words:

The atrocities now rained upon Camp Liberty are a stain on American honor and cannot be allowed to continue.

MEK's freedom fighters relied on explicit promises of protection from our

government when they disarmed themselves and placed their safety in our hands. Four years ago, this administration walked away from those promises and turned over the fate of the people of Camp Liberty to the corrupt Iraqi government. That government, which was created with the blood of thousands of American soldiers, has repeatedly allowed attacks on the camp by Iranian forces while the United States government has simply looked on.

The attack last week on Camp Liberty should surprise no one. Previous attacks went unaddressed and unanswered which led directly and predictably to the attack last week. Unless concrete steps are taken by this administration to rescue the heroes of Camp Liberty, we can expect continuing and escalating violence.

The Iranian dictatorship, which this

administration revived and rewarded by lifting international sanctions, has made no secret of its intention to exterminate the 2,200 refugees who remain at Camp Liberty and the Iraqi government has made crystal clear it will stand by idly while they do. Only action by the United States can prevent this unfolding tragedy and injustice -- and time is fleeting.

History will look back on the coming days either as America's finest hour – when we rose to redeem the promises made to the Camp Liberty freedom fighters – or as its most shameful hour, when we turned our backs and allowed the slaughter of 2,200 souls who voluntarily disarmed at our request and who placed their trust in us for their protection.

History is watching. And history will not forget what happens there. □