



## THE FOUNDATION

“Born in other countries, yet believing you could be happy in this, our laws acknowledge, as they should do, your right to join us in society, conforming, as I doubt not you will do, to our established rules. That these rules shall be as equal as prudential considerations will admit, will certainly be the aim of our legislatures, general and particular.” --Thomas Jefferson

## GOVERNMENT & POLITICS

### Judge Blocks Part of Arizona's Immigration Law

Clinton-appointed District Court Judge Susan Bolton blocked most of Arizona's immigration law this week, ruling that it would “impermissibly burden federal resources.” In other words, enforcing federal law is a violation of federal law. The preliminary injunction, she said, would merely preserve the status quo and be less harmful to immigrants than allowing the law to be enforced in full. The next step for Arizona is an appeal before the Ninth Circuit Court of Appeals, where Bolton said that the Justice Department's suit was “likely to succeed on the merits.”

Bolton blocked the primary provisions of the law -- including those requiring state law enforcement officials to check immigration status when other legitimate contact occurs, as well as the requirement that foreigners carry their papers at all times (federal law already requires this). On the other hand, 12 provisions, including some on human smuggling and transporting illegals, were left intact. All told, though, her ruling went even further than the DoJ had hoped.

The Department of Homeland Security is bound by federal law to “respond to an inquiry by a federal, state, or local government agency, seeking to verify or ascertain the citizenship or immigration status ... for any purpose authorized by law, by providing the requested verification or status information.” Yet Bolton wrote, “An increase in the number of requests for determinations of immigration ... will divert resources from the federal government's other responsibilities and priorities.” Or as National Review put it, “she accepts Justice's implicit argument that it's not the letter of the federal law that matters, but what parts of the law the executive decides to enforce.”

National Review concludes:

The bottom line is that Arizona wants to enforce the law against illegal aliens. It wants them to be cognizant of the fact that the state is serious about the law, and therefore to conclude that it's best to leave or not come in the first place. Arizona did not deem these people illegal aliens. The federal government did, in laws passed by Congress and signed by the president of the United States. Arizona thinks those laws mean something. If the Justice Department's suit -- and Judge Bolton's line of argument -- prevails, then we'll know that they don't. The real law of the land will be our current, de facto amnesty, imposed by executive whim.

For the administration, the bottom line isn't the law, but getting voters from the Hispanic bloc. With the help of their Leftmedia minions, they are succeeding. Meanwhile, America's immigration system remains broken and in desperate need of repair -- preferably by those who value and uphold the Rule of Law.

### News From the Swamp: Rangel Cuts a Deal (or Not)

Corrupt 20-term Rep. Charles Rangel (D-NY) has yet to admit to a series of serious ethical violations, thereby setting the stage for a rare and highly embarrassing public trial this fall, just before the mid-term elections. Rangel's lawyers appear to be working behind the scenes to arrange a sort of plea bargain, though, and his fellow Democrats are begging him to do so, thereby sparing them the additional electoral hardship that a trial would bring. As if the Demo “brand” weren't already damaged goods.

The House ethics committee, which must approve any deal, charged Rangel with 13 counts of breaking House rules, including granting official favors in exchange for money, taking trips to the Caribbean using corporate funds, failing to report income from rental property in the Dominican Republic and misusing rent-controlled apartments in New York City. “Even though there are serious charges,” Rangel said, “I am prepared to prove that the only thing I've ever had in my 50 years of public service is service. That's what I've done. And if I've been overzealous in providing that service, I can't make an excuse for the serious violation but I can have an explanation of my intent.” Oh, well then never mind.

For her part, hypocritical House Speaker Nancy Pelosi (D-CA) says that her 2006 pledge to “drain the swamp” didn’t include getting rid of corrupt Democrats like Rangel, who until recently chaired the powerful House Ways and Means Committee. (Ways and Means, among its other duties, writes the nation’s tax laws -- laws which apparently apply to everyone except their author.) “The swamp was described as a criminal syndicate operating out of the Republican leader’s office,” Pelosi said, referring to former Majority Leader Tom Delay. “This was a terrible place,” she added. “We made a tremendous difference, and I take great pride in that.” The more things change...

### **New & Notable Legislation**

The DISCLOSE Act died a much deserved death (or at least went on life support) this week when the traditionally unpredictable Susan Collins and Olympia Snowe, the “Republican” senators from Maine, maintained their support of the filibuster to prevent the legislation from coming to a vote on the floor. The cloture vote failed 57-41. Democrats crafted this thinly veiled attempt to hamstring fundraising for their Republican opponents in response to a recent Supreme Court decision that restored First Amendment rights by reducing restrictions on contributions for political campaigns by corporations and foundations. In the end, the bill was defeated by common sense. As Collins noted, “It carves out certain favored groups, and that’s just not fair. It’s also likely unconstitutional.” Chief among those favored groups were unions, which would have enjoyed a blanket exemption from the bill, despite the hundreds of millions of dollars in campaign contributions they gave to Democrats in the last election cycle.

ObamaCare in its current form doesn’t contain a public insurance option, so Democrats introduced legislation this week that would create just such a creature. The Congressional Budget Office (CBO) has gotten behind the proposal by suggesting that such an option would save \$68 billion by 2020 and offer lower premiums. The CBO claims that premiums would be based on Medicare’s current rates but wouldn’t be subject to future reductions that will be needed to keep Medicare solvent. The CBO stated earlier this year that ObamaCare would save \$100 billion over the next 10 years, but after the bill was signed, the CBO and the White House both admitted (surprise!) that health care “reform” would actually be in the red by 2014, if it isn’t already. Many in the insurance industry, as well as many hospitals and doctors, believe that the public option will cut Medicare reimbursements for health care providers and lower the general quality of care.

The House approved \$33 billion in additional spending for Afghanistan by a vote of 308-114, including 102 Democrats opposed. Those who supported it managed to tack on an additional \$26 billion in “emergency” domestic spending, which became part of the whole package.

Energy legislation in the Senate is still alive, but significantly different from the sweeping “reform” plan that had been touted since Obama took office in January 2009. Senate Majority Leader Harry Reid (D-NV) has changed his focus to a \$15 billion bill that offers \$5 billion in rebates for energy efficient retrofits to homes, \$3.8 billion to push the use of natural gas-operated trucks, and another \$400 million to further study electric cars. Maybe the study will make the new Chevy Volt run for more than 40 miles per charge and cost less than 41 grand. Many Democrats are concerned, however, because they want to see more environmental legislation and more government control over at least the energy producers, if not the entire industrial sector of America.

### **Massachusetts vs. the Electoral College**

“The Massachusetts Legislature has approved a new law intended to bypass the Electoral College system and ensure that the winner of the presidential election is determined by the national popular vote,” reports the Boston Globe. The bill would award all 12 of the Bay State’s electoral votes to the winner of the national popular vote and is part of a larger National Popular Vote Interstate Compact (NPVIC). The goal is to persuade enough states to enact similar legislation to reach 270 electoral votes, ensuring that the winner of the popular vote also wins the Electoral College vote. Hawaii, Illinois, Maryland, New Jersey and Washington -- all blue states -- have already approved the legislation. No doubt the main reason for this effort is lingering bitterness over the 2000 election, in which George W. Bush lost the popular vote to Al Gore, but won the Electoral College, and thus, the presidency.

However, the law would take effect only when enough states have signed on -- and assuming a future legislature doesn’t change the rules again. Indeed, as Wall Street Journal columnist James Taranto, in an outstanding analysis of the constitutionality and political feasibility of the law, writes, “Since the NPVIC would be legally unenforceable, only political pressure could be brought to bear to ensure that state legislatures stand by their commitments to it. Would this be enough? Let’s put the question in starkly partisan terms: If you’re a Republican, do you trust Massachusetts lawmakers to keep their word, *and to*

defy the will of the voters who elected them, if by doing so they would make Sarah Palin president?"

## NATIONAL SECURITY

### Warfront With Jihadistan: The WikiLeaks Case

Last Sunday, the website WikiLeaks published some 92,000 classified documents concerning the Afghan war, covering the period from 2004 to 2009. The military is investigating U.S. Army Pfc. Bradley Manning in connection with the leak. Manning served with the 10th Mountain Division's 2nd Brigade in Baghdad, working on intelligence operations.

The documents were quickly picked up by nearly every military, government and news organization around the world. They cover an extraordinary range of topics, from small unit operational and tactical reports to broad, strategic analysis of political and military relations between the U.S. and Pakistan. While the leak drew justifiable condemnation, at this point it doesn't appear that there are any major revelations -- other than names and hometowns of some Afghan informants.

The documents confirm the general consensus about the Afghan war, especially the suspected links between Pakistani intelligence and the Taliban. Pakistani spy services meet directly with the Taliban in order to organize the fight against American forces and to develop assassination plots against Afghan leaders. The reports also indicate that American soldiers know about a Pakistani-run network that assists the insurgents and that runs from the Afghan border to southern Afghanistan and on into Kabul. While U.S. officials won't verify these details, they confirm that the alleged Pakistani collaboration is consistent with other classified sources. Combined with first-hand accounts of American soldiers' anger at Pakistan's unwillingness to fight insurgents attacking Pakistani border posts, the documents contrast sharply with U.S. pronouncements that Pakistan is a loyal ally in the Afghan war. Then again, they do comport with then-candidate Obama's pledge to bomb Pakistan.

Unfortunately, the documents also suggest that the current U.S. strategy won't win the war because an insufficient U.S. ground force is fighting a determined enemy on his home turf with time on his side. If Pakistan believes this to be the case, then when (not if) the U.S. leaves Afghanistan, the Taliban will be back in control. Therefore, it makes sense for Pakistanis to lend support surreptitiously to the Taliban, who will be living on their border and who would seek retribution against an unfriendly neighbor.

This also means that long-term U.S. goals in Afghanistan (not to mention the lives of our soldiers) are in greater jeopardy given the current strategy.

Perhaps most disturbing, the documents reveal much about our military's tactics, methods, sources and communication. Such details will be all too useful to our enemies. "If I had gotten this trove on the Taliban or al Qaeda, I would have called this priceless," said former CIA director Michael Hayden. "If I'm head of the Russian intelligence, I'm getting my best English speakers and saying: 'Read every document, and I want you to tell me, how good are these guys? What are their approaches, their strengths, their weaknesses and their blind spots?'"

The Obama regime has some serious soul searching to do regarding the Afghan war effort. If the U.S. is unsuccessful there, our jihadist foes will no doubt redouble their efforts against us.

### Non-STARTer

Barack Obama's cherished arms-control achievement, the new Strategic Arms Reduction Treaty with Russia that was signed in April, appears to be in danger of failing to win Senate approval. That's just fine with us, as the real danger to U.S. national security is the new START treaty itself. In addition to reducing the U.S. nuclear arsenal for no reason except to appease Russia, the treaty is also a backdoor means of re-instituting the limits of the Anti-Ballistic Missile Treaty that the U.S. withdrew from under President George W. Bush. Russia cannot afford to maintain a larger arsenal anyway and has always hated U.S. missile defense efforts, including the modest system that would have been deployed in Poland to defend against Iranian missiles.

Administration officials have claimed that Russia has a strong interest in complying with the treaty, an opinion that probably surprises many in the State Department. Its just-released report on Russian compliance with the original 1991 treaty stated that Russia cheated from the time it was signed until it expired last December. No surprise there -- Russia was never in compliance with the ABM Treaty either, from 1972 through 2002. But not to worry, said Air Force General Kevin Chilton, Commander of U.S. Strategic Command. When asked by Sen. John McCain (R-AZ) if Russian cheating mattered, Gen. Chilton actually said out loud for the record that, no, it didn't matter, leading McCain to ask what good such a treaty would be in the first place. Perhaps based on this exchange, and other emerging facts about Russia's record, Foreign Rela-

tions Committee chairman John Kerry (D-vorced from reality) indicated that he might not call for a vote on the new treaty before the upcoming August recess.

To punctuate the effect of Obama's neophyte approach to nuclear policy, there are ominous rumblings that Turkey may be on the verge of a decision to go nuclear. Who can blame them? The U.S. nuclear umbrella that protected Turkey for the last half-century must not appear terribly reliable these days as that country eyes neighbors like Russia, Israel, Iran and Syria -- all of whom have or are pursuing nuclear arms. If Turkey goes nuclear, and if Greece follows, the Non-Proliferation Treaty will go up in smoke, NATO will fracture, and a new Middle East competition among nuclear states from Algeria to Pakistan will begin.

### **Did the White House Lobby for Lockerbie Bomber's Release?**

The U.S. government appears to be complicit in the early release of convicted Lockerbie bomber Abdel Baset Ali Mohamed al-Megrahi, who in 2001 had been sentenced to spend the rest of his natural life in a Scottish prison. However, Megrahi was released and allowed to return to Libya last year when it was made public that he was allegedly terminally ill with cancer and expected to live only three months. Megrahi is still alive in Libya, and some experts maintain that he could live another decade in his native country.

Documents surrounding the matter that were recently made public reveal that the U.S. government considered "compassionate release" in Scotland -- where Megrahi was imprisoned -- more acceptable than a transfer to Libya, where he remains a free man. Not surprisingly, Attorney General Eric Holder was involved in this correspondence. What is surprising is why compassion had to be considered at all for the terrorist who was responsible for the murder of 270 people. Perhaps it's just another example of Barack Obama's outreach to the Muslim world to help them understand their "contributions" to society.

## **BUSINESS & ECONOMY**

### **British Health System to Shift Costs, Ration Care**

Looking for "efficiency savings" in its socialized health care system, Britain is poised to play musical chairs with billions in funding while rationing services. Neither is surprising. The government aims to shift up to \$125 billion of its annual \$160 billion health budget from centralized control to local doctors, who will have to purchase health care services from hospitals and providers. The

government says patient care won't suffer, but a Sunday Telegraph investigation found that "some of the most basic and common operations, including hip and knee replacements, cataract surgery and orthodontic procedures" will be rationed. Additionally, nursing homes will close, hospital bed capacity will shrink, and terminally ill patients will either be sent home to die or not be admitted to the hospital in the first place.

The inevitable ends of government-run health care -- cost shifting, service rationing and compromised care -- caught up with Britain long ago; this is only the latest episode of this wasting disease. If we continue to follow the path to socialized health care, we too will contract the affliction.

### **Income Redistribution: Health Care Tax on Gold**

All that glitters is not gold. But if it *is* gold, get ready to pay a tax on it. ABC News reports, "Starting Jan. 1, 2012, Form 1099s will become a means of reporting to the Internal Revenue Service the purchases of all goods and services by small businesses and self-employed people that exceed \$600 during a calendar year. Precious metals such as coins and bullion fall into this category and coin dealers have been among those most rankled by the change." This nugget falls under Section 9006 of ObamaCare -- undoubtedly one of the many sections unread by those who voted to pass the behemoth bill.

According to Diane Piret of the Industry Council for Tangible Assets, which represents approximately 5,000 coin and bullion dealers nationwide, "Coin dealers not only buy for their inventory from other dealers, but also with great frequency from the public." Now every time someone sells more than \$600 in gold to a dealer, the dealer will have to report the purchase to the government. With gold at nearly \$1,200 an ounce, one Michigan business owner who runs a coin service company estimates that he will have to file 10,000 to 20,000 tax forms each year. "I'll have to hire two full-time people just to track all this stuff, which cuts into my profitability," he said.

The Joint Committee on Taxation says the tax will raise \$17 billion for Uncle Sam over the next 10 years. But money isn't all that's at stake. Gold buying has become popular among conservatives and those wary of the economic impact of this administration's policies. What better way to target -- and track -- these gold investors than to sic the IRS on them?

The IRS office of the National Taxpayer Advocate says the tax "may present significant administrative challenges

to taxpayers and the IRS.” We think “administrative challenges” are the least of our worries.

### **From the Left: Kerry Attempts to Sink Controversy Over New Yacht**

We all recall the swift boat controversy that contributed to John “I served in Vietnam” Kerry’s defeat in the 2004 presidential election, but a more recent rift, coupled with the usual flip-flop on his part, has put Kerry in rough seas with the Commonwealth of Massachusetts and one of its key industries. Kerry recently christened a new \$7 million yacht, dubbed Isabel. While the Massachusetts senator claimed it would be docked in adjacent Newport, Rhode Island, for “maintenance, upkeep and charter” purposes, the dodge also would have allowed him to avoid more than \$500,000 in Massachusetts sales and excise taxes. Rhode Island repealed a boat sales and use tax in 2003 and has become something of a haven for pricey watercraft.

Kerry sought to quash the controversy by announcing that he would pay the Bay State the tax bill anyway. “As we’ve said from the beginning, we have always complied with tax laws and we always will,” he said. “The payment is being made promptly.” As the Boston Herald reports, however, he may be required to pay the tax anyway. “[A]ccording to state law, if Kerry brings that boat into Massachusetts waters in the first six months of owning it, there is a ‘presumption of use’ and he would have to pony up some \$437,500 to the state. When asked ... if he had brought the Isabel into Bay State waters, Kerry replied, ‘It depends on who owns it.’ As the press pressed for more, Kerry added, ‘Can I get out of here, please?’”

Meanwhile, local shipbuilders are upset that the Isabel wasn’t built in Massachusetts or even on our home shores; a New Zealand shipbuilder crafted the multi-million-dollar yacht. It’s even designed in such a manner that a crew need not pilot the ship, saving Kerry the expense of hiring experienced seamen. In other words, no Massachusetts jobs were created or saved by John Kerry’s yacht.

## **CULTURE & POLICY**

### **Around the Nation:**

#### **Ground Zero Mosque Fight Continues**

A conservative civil liberties group has an interesting plan to fight the construction of Cordoba House, a 13-story mosque and Muslim cultural center just two blocks from Ground Zero. The American Center for Law and Justice (ACLJ) has petitioned for landmark status for the building currently on the site. Ironically, that same building -- a 152-year-old warehouse -- was clipped by one of the

planes Muslim terrorists flew into the Twin Towers on 9/11.

The ACLJ argues that, in addition to its architectural value, the warehouse is worthy of the status because it was directly affected by the attacks. But now, the organization claims, it’s running smack into New York City politics. The New York Landmark Preservation Commission, according to ACLJ lawyer Jordan Sekulow, is “trying to fast-track and sidestep a well documented process in order to clear the way for this sacred site to be used as a location to build this mosque.”

Coincidentally, New York City Mayor Michael Bloomberg supports the Cordoba project, which will feature not only a prayer center, but also a theater, cooking school, swimming pool and restaurant. Banning the mosque, Bloomberg stated, is tantamount to banning religious freedom. “That’s not what America was founded on,” he added, “nor is it what America should become.”

Some may claim that this is a simple case of discrimination against Muslims, but one could argue this approach has many flaws -- perhaps the largest being the citing of the First Amendment. Cordoba, like any other house of worship, would be protected against discriminatory *congressional* laws; it says nothing of American citizens objecting to a mosque being built on the doorstep of the World Trade Center.

Proponents claim the mosque will be a symbol of healing. But historically, Muslims have built mosques on sacred ground as a symbol only of their dominance. A mosque at Ground Zero would thus be nothing more than a celebration of the murder of thousands of Americans, and the only thing more disturbing would be our acceptance of it.

#### **Village Academic Curriculum: Student Expelled for Beliefs on Homosexuality**

The expulsion of one graduate student and the threatened expulsion of another have sparked a debate about religious freedom at our nation’s public universities. Julea Ward was expelled from Eastern Michigan University’s graduate program in school counseling after refusing to counsel homosexual clients. Ward, a Christian, believes that homosexuality is morally wrong. The school contended that Ward’s behavior violated not only school policy but also the American Counseling Association’s Code of Ethics. Clinton-appointed U.S. District Judge George Caram Steeh agreed, upholding Ward’s expulsion and finding that the school was proper in adopting the ACA’s

code. Ward's suit, claiming that the school demanded that she either change her views about homosexuality or be kicked out of the program, has been dismissed. We have to wonder if she would be expelled if she were Muslim. To ask the question is to answer it.

The conservative Alliance Defense Fund has issued a caveat to Christian students across the country, stating that the judge has declared open season on religious freedom. "Public universities are imposing the ideological stances of private groups on their students," stated ADF's legal counsel. "If you don't comply, you will be kicked out. It's scary stuff and it's not a difficult thing to see what's coming down the pike."

Indeed, Ward's case is not unique. Jennifer Keeton has brought a suit against Augusta University in Georgia for the same issue. Keeton, a 24-year-old working toward her masters in school counseling, openly expressed her view that homosexuals and transgendered persons are making a lifestyle choice rather than simply living in a "state of being." The university has since informed her that she will have to leave the program unless she changes her "central religious beliefs on human nature and conduct." Both schools have issued generic statements that they do not discriminate based on a person's religion -- at least if that religion is acceptable to the benevolent despots in charge.

### **Faith and Family: Obama Skips Scouts for Daytime TV**

Perhaps this was simply a question of core audience. Since 1937, when the Boy Scout Jamboree was launched, the president of the United States (who serves as Honorary Chairman of the Boy Scouts of America) has been invited to speak at the event. While it's not unprecedented for presidents to skip the event -- for example, George W. Bush missed out in 2001 due to bad weather and Ronald Reagan never attended a Jamboree in person -- Barack Obama has ignited protest because he missed the event due to a scheduling conflict: His appearance on the daytime gabfest "The View," followed by fundraising stops while in New York City. According to the Media Research Center, "This appearance [on "The View"] will mark the first time in history that a sitting president will be on a daytime talk show."

Instead, Boy Scouts from across the country saw Barack Obama on video addressing them with a canned message of Hope 'n' Change™ while millions of Americans who presumably have nothing more pressing to do but watch daytime television were treated to the fawning glorifica-

tion of Obama by the show's mostly leftist cast and studio audience.

Come to think of it, the Boy Scouts weren't missing much. With the moral standards of the 100-year-old organization constantly battered by Obama's minions and allies, perhaps it's best that he kept his distance from the gathering and hung out with a crowd that understood his need and desire for admiration. It was one less problem the Boy Scouts had to "Be Prepared" for.

### **From the 'Non Compos Mentis' File**

"We [African-Americans] are sort of a mongrel people. I mean we're all kinds of mixed up." --Barack Obama on "The View"

So we guess it's somewhat of a mischaracterization to refer to him as the first black president.

In other news, you can add your name to the president's birthday card before Aug. 4. We're sure Patriot readers will be glad to send him a personal note, as well. (Just try to withhold the profanity.) Once you sign it, you'll be redirected to a page asking for donations to the Democrat National Committee.

First Lady Michelle Obama is behind the effort, perhaps to make up for the fact that she and daughter Sasha, along with their entourage, will be occupying some 30 rooms at a five-star hotel in Spain on Barack's b-day. Jim Lindgren, a professor at Northwestern Law School, got it right when he observed, "[A]sking millions of Americans to sign a birthday card for the President suggests a tone-deafness about the cult of personality. If we lived in a dictatorship, getting millions of subjects to celebrate the Dear Leader's birthday would be routine, but in a free republic this appeal to get millions of citizens to celebrate a current president's birthday strikes a discordant note to my ear."

### **And Last...**

Former Agriculture Department employee Shirley Sherrod announced Thursday that she'll sue conservative blogger Andrew Breitbart for posting edited video of her racial remarks before the NAACP. Sherrod was hastily fired by the White House because of the remarks, though the administration has since offered her a new job, which she is still "considering."

Sherrod has become something of a celebrity since her firing. In remarks before the National Association of Black Journalists, she said, "Young African-Americans, young

whites, too, we've done such a job of trying to be mainstream that we push things under the rug that we need to talk about. And then we get to situations like this." (We're wondering if she has plans to speak to the National Association of *White* Journalists.) She concluded, "I truly believe that we can come together in this country. But you don't [come together] by not talking to each other. You don't get there by pushing things under the rug." Apparently, she believes, we'll get there by suing each other.

Veritas vos Liberabit -- Semper Vigilo, Fortis, Paratus, et Fidelis! Mark Alexander, Publisher, for *The Patriot Post's* editors and staff. 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.)