



Circumventing Congress Again: Obama's Housing and Student Loans Agenda

Earlier this year, Obama indicated that he would bypass Congress when he felt it necessary in order to achieve his goals. Appearing before the radical Hispanic group La Raza in July, the President admitted that it is "very tempting" to do things his own way. He later made similar assertions before the Congressional Hispanic Caucus Institute, proclaiming, "There are times where — until Nancy Pelosi is Speaker again — I'd like to work my way around Congress."

According to major news outlets, he is doing just that.



"President Barack Obama this week will announce of series of actions to help the economy that will not require congressional approval, including an initiative to make it easier for homeowners to refinance their mortgages, according to a White House official," Reuters reports.

Of course, not every presidential maneuver requires congressional approval, but as Reuters explains, these efforts would generally be subjected to such authorization:

The Obama administration has been working with the Federal Housing Finance Agency, the regulator for Fannie Mae and Freddie Mac, to find ways to make it easier for borrowers to switch to cheaper loans even if they have little to no equity in their homes.

The FHFA intends to loosen the terms of the two-year-old Home Affordable Refinance Program (HARP), which helps borrowers who have been making mortgage payments on time but who have not been able to refinance as their home values have dropped....

They are also set to reduce loan fees that Fannie and Freddie charge and waive fees on borrowers that refinance into loans with shorter terms, the [Wall Street] Journal said....

In Denver Wednesday, Obama will announce a student loan initiative.

Similarly, the Associated Press reports, "Seeking to circumvent congressional opposition, President Barack Obama will announce a series of executive branch steps aimed at jumpstarting the economy this week, beginning with new rules to make it easier for homeowners to refinance their mortgages."

AP continues:

With the president's jobs bill struggling in Congress, the White House is refocusing its efforts on steps Obama can take to address the nation's economic woes without getting lawmakers' approval. During his three-day trip to the West Coast this week, Obama will use a new catchphrase to try to push Republicans into action: "We can't wait."

It's his latest in a string of slogans aimed at placing blame on Republicans for lack of action on the economy.



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“The president will continue to pressure Congressional Republicans to put country before party and pass the American Jobs Act, but he believes we cannot wait, so he will act where they won’t,” White House Communications Director Dan Pfeiffer recently told *The New York Times*.

Libertarian Judge Andrew Napolitano [addressed](#) President Obama’s agenda on his popular Fox Business channel program, Freedom Watch:

This is part of the president’s strategy to campaign against a “do nothing” Congress, and he’s released a new slogan: “We can’t wait.” But if all the president has to offer is borrow and spend trillions more then Freedom Watch will respond with the president’s old slogan: “Yes We Can!”

“Keeping people in homes that they cannot afford will only make the housing crisis worse,” he declared. Instead, he continued, the federal government should not interfere in the free market and allow natural consequences to run their course.

Likewise, Napolitano asserted that the Obama administration should wait on a possible rule to ease repayment of student loans. “It’s not fair to the taxpayers that they should carry the financial burden for those who enrolled in colleges they couldn’t afford,” he pointed out.

Appearing on Napolitano’s Freedom Watch was presidential candidate Texas Congressman Ron Paul, who agreed with the judge’s assertions. Paul told the Fox News host that the federal government is not authorized by the Constitution to be involved in education, whether it be regulating curriculums or lending money to students to go to college:

The federal government has no authority to do it, and they’ve caused nothing but harm. They’ve caused prices to go up and the quality of education to go down, and they left the students with trillion dollars worth of debt and no jobs.

Paul also told Napolitano that the federal government’s intrusion in the foreclosure process is a violation of contract law: “It destroys the concept of contracts. The government is supposed to be there to enforce contracts, not undermine them,” stated Paul, pointing out, “This prolongs the necessary correction, the liquidation, getting rid of the malinvestment and debt, so this is the reason we’ll be in the doldrums for a long time, as long as we follow this attitude.”

President Obama’s bypassing of Congress with his housing and student loan agenda is of course not the first time he has employed such tactics. Last November, for example, his administration announced that the President was open to using [EPA regulations](#) as a backdoor effort to implement “cap and trade” so as to avoid congressional opposition.

Likewise, the President has circumvented Congress by way of his executive orders. Last February, the *New York Times* [reported](#) that the Obama administration was considering the extensive use of executive orders to advance his environmental, fiscal, energy, and domestic policy agendas, even though it is not the constitutional role of the executive branch to create laws.

Still, that did not stop then-White House Chief of Staff Rahm Emanuel from [proclaiming](#) to the *New York Times*, “We are reviewing a list of presidential executive orders and directives to get the job done across a front of issues.”

The New American’s Thomas Eddlem [reported](#) at the time:

Likewise, White House communications director Dan Pfeiffer is signaling that the White House plans to ignore the constitutional process over the next year and pursue a more dictatorial course. “The challenges we had to address in 2009 ensured that the center of action would be in



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Congress," Pfeiffer [told](#) the *Times*. "In 2010, executive actions will also play a key role in advancing the agenda."

And the Obama administration has stayed true to its word. Thus far, the President has signed nearly 100 executive orders to advance his programs, including one that [established](#) the White House Rural Council, which is designed to institute the United Nation's sovereignty-destroying [Agenda 21](#), and another that [passed](#) gun restrictions in border states.

Of course, this abuse of power and circumvention of Congress is not limited to the Obama administration. President George W. Bush, for example, signed nearly [300 executive orders](#), and it was President Bill Clinton's aide Paul Begala who marveled at the power of the executive order when he [said](#), "Stroke of the pen. Law of the land. Kinda cool." Constitutionalist noted at the time that such a statement underscored a marked perversion of the executive order as well as a disregard for the Constitution.

When the Founding Fathers created the constitutional republic and enumerated powers to each branch of government, the intent was to ensure a system of checks and balances. John Adams observed that if one branch were to have all three powers of government, "They would invade the liberties of the people."



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