



Written by [Jack Kenny](#) on December 2, 2013

“Flurry” of Deals Could Lead to Blizzard of Spending

A flurry of bipartisan deals could result in the passage of bills authorizing new spending well in excess of \$1 trillion, [The Hill](#) reported Sunday, or members of Congress “could head home for the holidays empty-handed.” Negotiators are hoping to complete work on House-Senate conference reports on key spending bills in time for the House to cast a final vote on them before heading home for the Christmas break. But a “likelier scenario” is that one or two of them will be “punted into next year,” the Capitol Hill journal predicted.



The pending legislation includes a budget for Fiscal Year 2014, a farm bill, authorization of water projects, and a new National Defense Authorization Act. The farm bill alone is a \$1 trillion, five-year spending plan. The Republican-controlled House has voted to cut \$40 billion from next year’s spending on food stamps, while the version passed by the Democratic-controlled Senate cuts only \$4 billion. House Republicans have been reported to be willing to trade some of their proposed spending cuts for policy changes such as a work requirement for welfare recipients.

The House GOP is described as “more conservative” than the Senate Democrats, owing to its willingness to spend slightly less than a trillion dollars on a program for which the federal Constitution grants no authorization for any spending or regulation. The powers of Congress listed in Article I, section 8 of the Constitution do not include any role in agriculture, any more than they provide for Congress to legislate on healthcare, insurance, or a host of other matters on which the lawmakers annually devote the lion’s share of their time and the taxpayers’ money. The clauses authorizing Congress to raise taxes, borrow money, provide for the “general welfare,” and make “necessary and proper” laws are for the execution of the “foregoing [enumerated] powers.” There would be no point in listing the powers of Congress if the intent had been to let the lawmakers do anything they might think or imagine would be a boon to the “general welfare” — which is, in fact, what Congress has been doing for decades. The 10th Amendment made explicit the implied meaning of the enumerated powers: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.” Even before the first 10 amendments had been submitted, let alone ratified, James Madison wrote in [Federalist, No. 45](#): “The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the States are numerous and indefinite.”

Alexander Hamilton, in [Federalist, No. 17](#), observed that the “supervision of agriculture and other concerns” were matters to be “provided for by local legislation” and “can never be desirable cares of a general jurisdiction. It is therefore improbable that there should exist a disposition in the federal councils to usurp the powers with which they are connected; because the attempt to exercise those powers would be as troublesome as they are nugatory.” Franklin Roosevelt, when governor of New York, noted in a 1930 [address](#) that the federal Constitution does not authorize the Congress to deal with



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a great many “vital problems of government, such as the conduct of public utilities, of banks, of insurance, of business, of agriculture, of education, of social welfare, and a dozen other important features. In these, Washington must not be encouraged to interfere.”

Once he became chief executive of the federal government, Roosevelt eagerly advanced Washington’s interference in those areas and more, seizing on the depression as the pretext for the president and Congress to usurp a multitude of powers nowhere authorized by the Constitution. That it was [federal interference](#) in many of those areas that led to the market disruptions that created and prolonged the economic crisis hardly seemed to matter. Under federal programs authorized by Congress, farmers were paid to plow under crops and bury livestock, inspiring the ironic observation that the New Deal’s answer to the problem of “poverty in the midst of plenty” was to do away with the plenty. The practice of paying large landowners, some of them millionaires, not to grow on vast acres of land continues to this day.

Differences to be ironed out in the bills now before Congress include features of the House and Senate versions of The Water Resources Reform and Development Act, authorizing billions in expenditures for water projects, many of them to be handled by the Army Corps of Engineers. The National Defense Authorization Act will authorize hundreds of billions in military spending, regardless of what the final bill looks like. Much of the nation’s “defense” spending involves policing the world in far off places such as Afghanistan and Iraq, where military efforts costing countless lives and trillions of dollars have made a dubious contribution to the defense of the United States. And the last two versions of the NDAA, passed by Congress and signed into law by President Obama, have included a provision authorizing the president to [detain prisoners](#), including American citizens, indefinitely without charge of trial. The war on terror has become, in part, a war on the Bill of Rights.

Meanwhile, Congress continues to borrow to keep the welfare/warfare state going, and the federal government keeps expanding the money supply by buying more Treasury bonds with paper money created as debt. Whether the bills get passed this year or next, Congress will, as usual, be spending money the nation doesn’t have while forgetting liberties we used to have.



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