



They're Lying to You: Appropriations and "Shutdown" Lies

As Democrats and Republicans squabble over federal funding and a partial shutdown of the federal government looms, many in the press are mindlessly parroting the Democratic Party's talking points about the shutdown. But what's the reality? Following are three false claims regarding the looming shutdown, and why they are lies.



False claim #1: Republicans are shutting down the government.

"So far, the Republicans in the House of Representatives have refused to move forward.... The House Republicans are so concerned with appeasing the tea party that they've threatened a government shutdown or worse unless I gut or repeal the Affordable Care Act."

— President Barack Obama, [press conference](#), September 27

Why it's a lie: The House Republicans have twice passed bills to fund nearly all the functions of the federal government through December 15. Congress must fund appropriations for nearly all federal programs each year by the time the fiscal year begins on October 1, or the programs will face shutdown. But the president and Democratic Senate have threatened to veto the House-approved spending unless the House passes a bill that also includes funding for ObamaCare. The White House and Senate Democrats do not object to any spending that is in the House bill; they are only objecting to funding that's not in the bill. The reality is that President Obama is holding the federal government — and federal employees' paychecks — hostage in order to extort more funding from the House.

False claim #2: Republicans must fund ObamaCare because it's the law.

"That's not really the American form of government. You [Host David Gregory] outlined the American form of government. The test by which we submit any new legislation and it's submitted, the President signs it, and it's reviewed by the courts. It's the law."

— Chris Matthews, on Republican strategy to defund ObamaCare, on *Meet the Press*, September 29

Why it's a lie: While it is true that Congress enacted ObamaCare in 2010, the original bill contained zero funding. The original ObamaCare law was not self-funded, and funding of ObamaCare is what's at issue in Washington today. ObamaCare requires new appropriations spending each year, as [Article I, Section 9 of the U.S. Constitution](#) requires that "No money shall be drawn from the treasury, but in consequence of appropriations made by law." Generally, this means annual spending bills passed by Congress, though in some rare instances Congress passes spending for more than a year.

The Congress has complete discretion about whether to fund — or not fund — the programs it sets up under law, and Congress defunds laws all the time — such as [pork barrel purchases for the military weapons systems](#) that are never funded. In fact, Congress is doing precisely the same thing right now under the [sequester law](#), to the utter silence of Democratic Party mouthpieces like Chris Matthews. And no one argues that these are inappropriate uses of Congress' discretion of what to fund.



Written by [Thomas R. Eddlem](#) on September 29, 2013

Regarding ObamaCare, there's a stronger case to deny funding than most pork barrel military weapons projects. President Obama [proposed the law with a price tag of \\$900 billion over 10 years](#), but the Congressional Budget Office recently projected that costs would be roughly double the price estimated by Congress at the time it was passed into law.

False claim #3: House Republicans are bluffing, and President Obama holds all the aces in the budget debate.

“They said, “Yeah, we negotiate with everybody and we don't like where it came out. We want our way. It's our way or the highway. And if you don't do it, we'll shut the government down.” I think there are times when you have to call people's bluff.”

— Former President Bill Clinton, on Republican claims, to George Stephanopoulos on [This Week](#), September 29

Why it's a lie: Republicans hold a constitutional royal-straight-flush on funding, as they control a majority of the House of Representatives. Under the constitutional appropriations process, funding for just about all programs ends automatically every year. Thus, funding for all programs must pass the House of Representatives every year or the programs will die. Therefore, House Republicans have an absolute, veto-proof constitutional stop on spending.

Democratic Party talking points for the past year are that the GOP House has voted 30- or 40-odd times to defund ObamaCare, to no effect. The reality is that House Republicans don't need to vote at all to defund ObamaCare; they simply need to avoid passing a bill to fund the program and it will die.

When Bill Clinton told George Stephanopoulos that Obama should “call people's bluff,” Clinton was projecting from experience. Clinton bluffed against Republican House Speaker Newt Gingrich's royal-straight-flush back in 1996 with the same pair of deuces which today Obama holds, and the GOP [folded](#) its winning hand. Look for the same likely outcome this time. The real bluff may be that the GOP is pretending to have a spine, and it's not there.

The reality is that the GOP-controlled House of Representatives has been the lifeblood of ObamaCare thus far, always granting it full funding up until this point. If the GOP finds its spine, Republicans will have to convince the American people that true compromise must not be based upon what is absent from a bill, but instead on what is in a bill. In short, Republicans need to embrace constitutional “reductive compromise” and reject the White House extortion strategy, initiating a compromise strategy that involves spending only money that is agreed upon by both parties.



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