



Written by [Thomas R. Eddlem](#) on December 2, 2014

Obama's Latest Executive Order: \$263 Million Federal Police Aid Program

President Obama announced a massive new federal spending program by executive decree on December 1. The program would create an expensive new federal aid program for local police agencies, the president announced in [remarks](#) from the Eisenhower Executive Office Building:

"I'm going to be proposing some new community policing initiatives that will significantly expand funding and training for local law enforcement, including up to 50,000 additional body-worn cameras for law enforcement agencies. And I look forward to working with Congress to make sure that in addition to what I can do administratively with the resources that we've already gotten, that we are in a conversation with law enforcement that wants to do the right thing to make sure that they're adequately resourced for the training and the technology that can enhance trust between communities and police."



By "proposing," Obama's spokesmen revealed, he essentially meant enact and spend. While more accountability for local police is an objectively good end (albeit from local citizens acting through their elected officials), the means by which this program was created is far more important and highly objectionable. First, local police agencies are fully capable of funding the purchase of these devices on their own; indeed, they would get the money for the purchase of cameras from the same place as the federal government: the American taxpayer. It's not as if the federal government pulls wealth out of a void that is inaccessible to state and local governments which it can apply it to presidential wishlists.

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And more important than the issue of federalism and decentralization is that Obama would fund the program exclusively by executive fiat. The Washington, D.C. newspaper *The Hill* [noted](#) that Obama's new local police program would cost taxpayers some \$263 million over three years (\$75 million of which would purchase the cameras), all spent without so much as a "by your leave" from Congress. Sure, Obama talked about working with Congress in the speech excerpted above. But he also made abundantly clear that the new program would spend the specified money whether Congress sent him more funds or not. Obama essentially announced that he had found \$263 million under the seat cushions of the White House couch that he could spend at whim.



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Obama's police-camera announcement brings up a critical question: If the president can create a new program to spend hundreds of millions of dollars out of thin air without a peep from Congress, what need is there for a Congress to control the nation's purse strings under the U.S. Constitution?

Republican congressional leadership rhetoric has changed some since the elections. "There will be no government shutdowns," incoming Senate Majority Leader Mitch McConnell (R-Ky.) [promised](#) in the day after the November elections. It's unclear if McConnell will make good on that earlier promise, given the broad unilateral demands on spending made by the executive branch in recent years, or if he will bring the executive branch down to its constitutional limitations.

President Obama also has started his own new wars in Syria, Libya and Iraq without congressional approval, in direct contravention of the U.S. Constitution (which reserves the war powers to Congress alone) and the 1973 War Powers Resolution. These wars have already cost tens of billions of dollars, and the funds were committed without the consent — and sometimes without even the knowledge of — Congress.

The Immigration Dare

Congress will also have to deal with Obama's bold executive order putatively granting legal status to some 4.5 million illegal aliens, in direct violation of his constitutional responsibility to "take care that the laws be faithfully executed." Obama's deal — announced in a post-election defeat of his party in a [November 20 nationally televised address](#) — would promise no deportations for illegal immigrants who have been longtime residents of the United States or who are family members of legal residents or citizens, provided the illegal immigrants pay [about \\$500 in fines](#) and do not have any criminal record (other than border laws):

So we're going to offer the following deal: If you've been in America for more than five years; if you have children who are American citizens or legal residents; if you register, pass a criminal background check, and you're willing to pay your fair share of taxes — you'll be able to apply to stay in this country temporarily without fear of deportation. You can come out of the shadows and get right with the law. That's what this deal is.

While Obama claimed he had the discretionary authority as President to engage in his "deal," and likewise claimed that past presidents had issued similar executive orders, nothing could be further from the truth. The reality is that past executive orders on immigration were done in line with the will of Congress, while Obama's decree was made in direct defiance of Congress. Within a week, Obama had publicly admitted he usurped legislative authority by changing "law." In a November 25 event on immigration, Obama [stated](#):

Now, you're absolutely right that there have been significant numbers of deportations. That's true. But what you're not paying attention to is the fact that I just took action to change the law.

The more recent executive order creating the police camera agency marks the second legislative usurpation in as many weeks by the Obama administration. Seen in the light of the Democratic Party's drubbing in the 2014 mid-term elections, Obama's executive order can only be seen as a dare for Congress to try to impeach him on charges of usurpation. Moreover, the move to give clemency to some 4.5 million immigrants was a naked pander to increase Democratic Party support from America's fastest-increasing voter bloc: Hispanics. Obama set the perfect political dare to Republicans, essentially saying to them: *I don't care if you won the mid-term elections. Go ahead and try to impeach me for giving mercy to poor immigrants and you will look like anti-Hispanic nativists during the 2016 elections.*



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Go ahead and impeach me over the issue of giving cameras to police that are shooting down African-Americans in the streets and you will all look like racists.

The Democratic Party election strategy for 2016 is apparently set.

And while it's possible that the Republican House majority could theoretically muster the votes to impeach President Obama, the two-thirds vote needed for Senate conviction would require a dozen or more Democratic votes. In other words, Obama has only two years left in his presidency, and he's being more bold because he suspects there's nothing the Republican Congress can do about it to stop him.

Photo of body camera on police officer's uniform: AP Images



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