

Tom McClintock's Capitol Commentaries

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A MUNICH-SIZED MISTAKE

SEPTEMBER 9, 2015

I spoke out extensively against the Iran Nuclear agreement that went into effect last month. As I said in this speech on the House floor, it is nothing short of catastrophic – giving this Islamic terrorist government both the financing and the legal right to develop and deliver nuclear weapons within the decade – all while undercutting the Iranian opposition movement. Here is what I said two days before the House was scheduled to vote on the issue:

Mr. Speaker:

In 48 hours, the House will vote on a resolution to stop the Iran Nuclear Treaty. I know the President chooses not to call it a treaty, but it IS a treaty in everything but name, with international ramifications as great as any treaty Congress has ever considered. Because treaties have profound implications to the life of this nation, the Constitution requires they be ratified by a 2/3 vote of the Senate. Yet in this post-constitutional era of Obama's America, it now requires 2/3 of both houses to reject it.

Every Republican in both houses has taken a stand against it. So rejection or ratification now rests solely on whether enough Democrats are willing to place country ahead of party on a matter of the gravest consequence to world peace.

I don't think anyone can dispute the immediate effects of this treaty:

- \$150 billion in frozen assets will be released to a regime whose leaders daily reiterate their intention to wage war on Israel and the United States. These funds will be available to finance Iran's military and terrorist activities and nuclear ambitions.
- Although the agreement purports to halt production of fissile material, it gives Iran the legal right to continue its research

and development of advanced centrifuges – the only purpose of which is to produce nuclear weapons.

- It gives them legal access to traffic in conventional arms in five years and ICBM technology in eight years – something that Obama's own chairman of the Joint Chiefs of Staff said should be done “under no circumstances” -- just a week before the treaty was announced.

Does anyone deny that the nation most immediately imperiled by a nuclear Iran – our ally, Israel – is united in its opposition to this treaty? Israeli political parties are among the most fractured and disputatious in the world, and yet they stand united on this issue.

Does anyone deny that the Iranian regime is notorious for not honoring its treaty obligations? Indeed, Iran signed the Nuclear Non-Proliferation Treaty, and has violated it ever since -- which is why we are now debating this treaty. Verification, therefore, must be the central focus of any treaty with this regime – yet under its very terms, spot inspections can be delayed for weeks or even months if the regime objects. More recently, we have learned that under secret side-agreements the administration had no intention of sharing, inspections of the most important nuclear sites are to be conducted by the Iranians themselves. This provision alone guarantees that history will ridicule this treaty as the pinnacle of naivety.

So I ask my Democratic colleagues, why? Why would anyone who values peace support this treaty?

The only answer I hear is that it reduces the chance of war in the next few years, or in Neville Chamberlain's words, guarantees “peace in our time”.

Does anyone really believe this? This treaty gives Israel the Hobson's choice of

launching a pre-emptive strike or ramping up its own nuclear program. The Saudis and Egyptians have already made clear this agreement gives them no alternative than to initiate their own nuclear programs. And it catastrophically undermines the Iranian democratic opposition at just the time the regime was faltering from within.

Ironically, Mr. Obama tacitly concedes the destabilizing effect of this treaty by following it up with pledges for vastly increasing military aid to Israel, Egypt and Saudi Arabia. If he really believed this treaty stabilizes the region, why would it need a new infusion of arms?

I appeal to my Democratic colleagues to consider the ramifications of this vote. The constitutional concerns are huge – this sets a dangerous precedent that essentially rescinds the Treaty Clause of the Constitution – a precedent they might live to regret under Republican administrations.

But a far more immediate danger is the chain of events this treaty could set off in the Middle East and quickly spread throughout the world. This treaty bolsters the Iranian regime from within, infuses it with \$150 billion with which to finance its nuclear ambitions, gives it the legal right and guaranteed timetable to pursue nuclear war and cannot be verified through inspections. Iran has made crystal clear its intent to destroy Israel and the United States – a threat reiterated yesterday in no uncertain terms by its supreme leader.

History reviles the well-intentioned politicians responsible for the Munich Agreement of 1938 and has condemned their memory to eternal scorn and shame. History could well look back upon this treaty as the triggering act that led to an unimaginable conflagration. □

DEFAULT PREVENTION ACT

OCTOBER 21, 2015

On October 21st, the House passed my HR 692, the Default Prevention Act, by a vote of 235 to 194. If it becomes law, this measure would assure that the United States could not default on its debt – a threat that looms whenever the debt limit is reached. It is now awaiting action in the Senate. Here is what I said during final debate on the measure in the House:

Mr. Speaker:

This bill simply guarantees that the sovereign debt of the United States will be paid in full and on time. Period.

How can that possibly be controversial?

The sovereign debt of the United States is what makes it possible for us to pay all of our other obligations in this era of chronic deficit spending. This bill provides an absolute guarantee of that credit.

Although the Constitution explicitly commands that the public debt of the United States is not to be questioned, it provides no practical mechanism to achieve this aim. This bill provides that mechanism. It says that whenever we reach the debt limit, the Treasury Secretary can continue to borrow to pay interest and principal on the debt.

It amazes me that many of our friends on the other side of the aisle support loan guarantees to foreign corporations and special interests, but are unwilling to guarantee loans to our own government.

The national debt is now larger than our entire economy and has doubled in the last decade. The interest on that debt is the fastest growing component of the federal budget and threatens to exceed our entire defense budget

in just eight years.

If there is ever any doubt over the security and reliability of the debt owed by this government, the rates we pay to service our debt would quickly rise and sink our country in a tidal wave of red ink.

The Default Prevention Act says loudly and clearly to the world that no matter how much we may differ and quarrel here in Washington, the sovereign debt of this nation is guaranteed and their loans to this government are ABSOLUTELY SAFE.

We hear the charge that this would pay debts owed to foreign governments before paying our troops.

Actually, more than half our debt is held by Americans, often in American pension funds. China holds just seven percent. But whether our loans come from China or Charleston, without the nation's credit we cannot pay the troops or meet all of our other obligations.

Opponents charge that this is an excuse not to pay our other debts. What nonsense. This maintains the credit necessary TO pay our other debts.

Most states guarantee their sovereign debt and have done so for generations. Do our friends actually suggest that any of these states has ever used these guarantees as an excuse not to pay their other bills?

On the contrary, by protecting their credit first, they actually support and maintain their ability to pay for all of their other obligations.

The President contends that this is tantamount to a family saying it would make

its house payment but not its car payment. I sure hope he's getting better economic advice than that.

But let's continue the analogy. If the family is living on its credit cards as we are, it had better make the minimum payment on its credit card first, or it won't be able to pay the rest of its bills.

And when that family has to increase its credit limit because it's spending above its means, it had better have a serious conversation about what's driving its debt and what to do about it.

Principled disputes over HOW the debt limit is addressed are going to happen from time to time. Just a few years ago, then-Senator Barack Obama vigorously opposed an increase in the debt limit sought by the Bush administration.

When these controversies erupt – as they inevitably do in a free society – it is imperative that credit markets are supremely confident that their loans to the United States are secure.

Providing such a guarantee could prevent a future debt crisis and give Congress the calm it needs to negotiate the changes that must be made to bring our debt under control before it authorizes still more debt.

The voices we hear in opposition today are the same voices that have cheered the most profligate spending and borrowing in the nation's history.

It is time we managed our affairs responsibly, and guaranteeing our debt is an important step toward doing so. □

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SAVING OUR NATIONAL FORESTS

SEPTEMBER 29, 2015

As Chairman of the Sub-Committee on Federal Lands of the House Natural Resources Committee, I have focused on the need to return sound management practices to our national forests, which have been devastated by years of extremist policies masquerading as environmentalism. In September, I began an oversight hearing by calling out the environmental Left:

When Gifford Pinchot founded the U.S. Forest Service in 1905, his vision was of an agency that welcomed the American people to their public lands and that worked cooperatively with local communities to maximize the sustainable use and enjoyment of our resources. His policy was to manage our forests “for the greatest good for the greatest number of people in the long run.”

For decades, the Forest Service did just that. The emerging science of forestry offered us principles of sound forest management with which to assure healthy, thriving and resilient forests in perpetuity.

These practices prevented vegetation and wildlife from overgrowing the ability of the land to support them. Revenues from the sale of excess timber provided a steady stream of revenues to the treasury which could, in turn, be used to further improve, protect and manage the public lands. It also contributed significantly to our nation’s prosperity.

But 45 years ago, we replaced these sound management practices with what can only be described as a policy of benign neglect. In the 1970’s, Congress opened a floodgate of ponderous and Byzantine laws, regulations and lawsuits, with the explicit promise to “save the environment” from the predations of mankind.

After 45 years of these policies, I believe we are entitled to ask, “How are our national forests doing?” The answer is damning. Our forests have not been improved by these policies, and in fact, have been tragically and catastrophically harmed by them.

Surplus timber harvested from our national forests has dropped more than 80 percent in those years, while acreage destroyed by forest fire has increased proportionally. Wildlife habitats these laws were supposed to preserve are being systematically incinerated as forests become choked with dry tinder precisely because these same laws prevented us from thinning. We have lost vast tracts of national forests to beetle infestations and

disease as weakened trees can no longer resist their attacks. As these trees die and cannot legally be removed, they provide the fuel for the ultimate round of destruction: catastrophic wildfire. Even then, we cannot salvage the fire-killed timber before it loses its value and is abandoned to insects and decay.

Ironically, our private forest lands are conspicuously healthier than the public lands precisely because they are freed from so many of the laws that are tying the hands of our public foresters. These policies may be making environmental law firms rich, but they are killing our national forests.

Last month, I toured the aftermath of the King Fire in my district that destroyed 150 square miles of Sierra forests last year.

From the air, you can vividly see the property line separating the federal lands from the privately owned and managed lands of Sierra Pacific Industries. On the federal side there is complete devastation – it’s as if a giant had planted 30-foot black toothpicks one next to another as far as you can see. It is a scene of complete devastation – until you reach the SPI property line. The moment the fire hit that line, it began to break up into smaller patches that could finally be extinguished.

A year after the fire, those fire-killed patches on the SPI lands had been completely salvaged and crews were beginning to plant new trees before brush can claim the ground. Meanwhile, the federal lands sit abandoned and forsaken.

Just a few short years from now, the private lands will once again be green, growing, thriving young forests, while the public lands will be scrub brush, dead trees and bark beetles while we wait a hundred years or more for the forest to reclaim the land.

We’re told we don’t have the money to manage our forests. That is precisely because of these policies. If the surplus timber can be carried out before it is burned out – as we did for many decades – we can generate more than enough funds not only to clean out and protect our forests, but also to replant the acreage we have lost, assure a perpetual resource for future generations, restore a vibrant and prosperous economy to our forested regions, generate a bounty of tax revenues for state and local governments in these regions, and provide a positive cash flow to the U.S. Treasury.

The House has already taken the first step toward restoring sound forest management to our public lands by adopting the Resilient Federal Forests Act of 2015, HR 2647 by Congressman Bruce Westerman.

It seeks to provide the Forest Service with immediate reforms that require no new regulations, rules, planning or mapping. Among other things, it streamlines fire and disease prevention programs by providing categorical exclusions from NEPA for forest treatment and salvage operations. It sets a 90-day time limit on environmental studies for salvage sales, assuring that fire-killed timber can be quickly removed to create both revenues and room for new trees. It protects forest managers from frivolous lawsuits by requiring litigants to post bonds. It prevents restraining orders from running out the clock on time-sensitive projects.

It permanently fixes the fire borrowing problem by amending the Stafford Act to allow wildfire costs that exceed the budget to be paid for by the Disaster Relief Fund.

HR 2647 passed the House in July, and we now await action in the Senate.

This legislation, however, is just the first step. We must consider additional approaches and new ideas to improve the health of our federal forests and that is why we are here today.

States, localities and tribes provide healthier and less fire-prone forests than their federal counterparts. These forests are resilient, boost local economies and often provide better watershed health, wildlife habitat, and recreation opportunities.

Today we will hear expert testimony from a panel of witnesses who will be able to tell the subcommittee what works for state and tribal forest management and offer guidance for how we can improve management of our federal forests. We will also hear about the devastating economic impacts of what happens when our federal lands are mismanaged.

The American people want our forests returned to health, regardless of who manages the land. We want the continually rising threat of wildfire brought back under control. That will require a dramatic change in current policy. We began that process with the passage of HR 2647, and we will continue to look for solutions to this forest health epidemic. □

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EVIL AND STUPID

NOVEMBER 2, 2015

One of the proudest accomplishments of the 114th Congress was enactment of a federal budget that put the nation back on the road to solvency. Unfortunately, that work was undone when the President signed HR 1314, the so-called “Bipartisan Budget Act of 2015.” In my statement following House action, I expressed my disappointment in this last act of the Boehner speakership:

M. Stanton Evans once observed that there are two parties in our country: the evil party and the stupid party. And when they adopt a bipartisan measure it is usually something evil AND stupid. HR 1314 replaces the budget that Congress enacted in May (that pointed the country back toward fiscal solvency) with a plan that puts us on a trajectory that never balances. It adds \$80 billion of new spending authority for this year and next – that’s nearly \$650 for every household in America that will be added to your current and future tax bills. The budget gimmicks used to claim it doesn’t add to the deficit are absurd, among them: allowing employers to short

pension funds, selling off the strategic petroleum reserve at the bottom of the market, increasing IRS audits (doesn’t that sound like fun) and raiding the Social Security retirement fund to shore up run-away costs in the disability system. It also eliminates the debt limit altogether until March of 2017 – meaning the administration can borrow whatever it wants without returning to Congress for permission. Meanwhile, we ignore the impending debt crisis for another year and a half. □