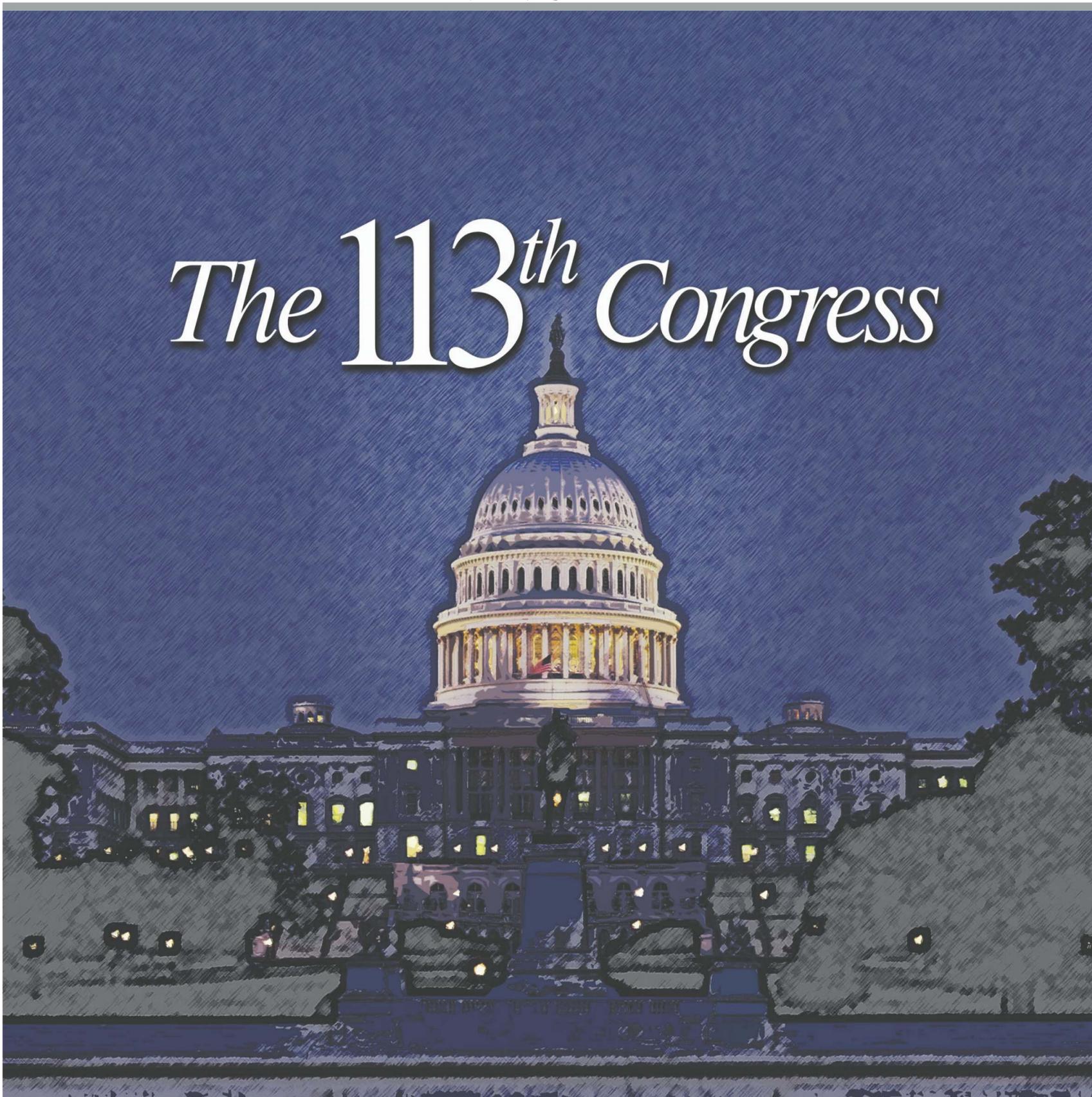


# The 113<sup>th</sup> Congress



## Same issues, greater urgency

BY STEPHEN DINAN  
THE WASHINGTON TIMES

**A**fter Republicans won control of the House in the 2010 elections, they triumphed in the first showdown with the White House on spending. Six months later, they and President Obama duelled to a draw on the debt. And Mr. Obama has emerged the victor in last week's tax fight.

Now, all sides are gearing up for even bigger battles over entitlement spending and broad tax reform.

"Now that we have permanently settled how much revenue the government is going to take out of the economy, we can move on to next steps," said Rep. Dave Camp, Congress' chief tax writer as chairman of the House Ways and Means Committee. "We can and will pursue comprehensive tax reform [in 2013]. We need to address the fundamental driver of our deficits and debt, and that is out-of-control spending."

But Mr. Obama countered that, saying that the deal he got the congressional Republicans to agree to last week sets a new precedent that tax increases will be part of every negotiation from now on.

### President Obama, Hill Republicans to resume tax, spending skirmishes

"We're going to have to continue to move forward in deficit-reduction, but we have to do it in a balanced way," he said.

At stake is the size and shape of the federal government, and everything that follows from that: how much Washington will take in taxes, where it will spend that money, and what sort of debt will be left for future generations to pay off.

The key players remain the same as they have been for years.

In the Senate, Majority Leader Harry Reid has led Democrats for eight years, while his House counterpart, Minority Leader Nancy Pelosi, has been atop her caucus for a decade. Sen. Mitch McConnell of Kentucky has led the upper chamber's GOP leader for six years, and Rep. John A. Boehner has helmed House Republicans for seven years, the past two as speaker.

In fact, Mr. Obama, in the White House for four years, is the newcomer to the group.

Voters returned all of the key players relatively intact — expanding Democrats'

majority in the Senate and shrinking the GOP's majority in the House, while giving Mr. Obama a renewed lease on the Oval Office, albeit with a lesser vote than in 2008.

The president has not let that decline dent his claim to a postelection mandate, and pushed hard to force the GOP to accede to raising tax rates on the wealthiest. While Mr. Obama gave in on the income level at which rates will rise, Republicans conceded on a core principle of opposing tax-rate hikes.

Until last week's deal, the long-term budget outlook was sketchy, but there was hope. If lawmakers had let the laws as written take effect, the deficit would have almost instantly stabilized, owing to tax increases and automatic spending cuts that would have harmed the economy in the near term, but left it — and the federal fiscal picture — in better shape in the long run.

Instead, Congress and Mr. Obama added \$4 trillion in projected deficits to the books over the next decade, and made most tax cuts permanent, meaning

there's no longer an automatic solution written into the law.

The deal also increased the political jeopardy for Mr. Boehner, who overcame a mini-rebellion to retain his speakership last week in the wake of the cliff vote.

He is already taking a tough line in the upcoming negotiations on the federal debt limit, saying he will insist on making Mr. Obama come to the table.

"Any increase in the nation's debt limit must be accompanied by spending cuts and reforms of a greater amount," Mr. Boehner told fellow Republicans last week in a closed-door meeting, restating the same principle he'd insisted on in the 2011 fight.

The same players may be returning, but their to-do list will be even longer this year.

Not only do they have all of the unfinished business of last year, such as tax reform and the automatic spending "sequesters," but they now have immigration and gun-control debates looming as well.

Those social issues will likely compete for oxygen with the ongoing spending fights.

Democrats have said they will try to push new campaign-finance restrictions and try to broaden voting rights, too.

#### INSIDE

**Congress mirrors increasingly diverse country. D2**

**10 stars to watch in the new season on Capitol Hill. D4**

**Congressional issues and trends to watch in 2013 and beyond. D6**

**Clinton, Panetta exits to alter face of Obama's Cabinet. D10**

[WWW.WASHINGTONTIMES.COM/SPECIALS/113TH-CONGRESS](http://WWW.WASHINGTONTIMES.COM/SPECIALS/113TH-CONGRESS)

# The 113<sup>th</sup> Congress

## SENATE FRESHMEN

### Republicans



**Jeff Flake**  
(Arizona)



**Deb Fischer**  
(Nebraska)



**Christopher Murphy**  
(Conn.)



**Mazie Hirono**  
(Hawaii)



**Joe Donnelly**  
(Indiana)



**Martin Heinrich**  
(New Mexico)



**Heidi Heitkamp**  
(N.Dakota)



**Ted Cruz**  
(Texas)



**Tim Scott**  
(S.Carolina)<sup>1</sup>



**Tim Kaine**  
(Virginia)



**Tammy Baldwin**  
(Wisconsin)



**Elizabeth Warren**  
(Mass.)



**Brian Schatz**  
(Hawaii)<sup>2</sup>



**Angus King**  
(Maine)

<sup>1</sup>Appointed 12/17/2012 to replace Sen. Jim DeMint (R)

<sup>2</sup>Appointed 12/26/12 to replace Sen. Daniel K. Inouye (D)

# 113th Congress mirrors increasingly diverse U.S.

## More women, ethnic minorities among those storming Hill

By DAVID R. SANDS  
THE WASHINGTON TIMES

The changing face of Congress can be seen in the changing faces of Congress.

While demographers now project that the United States will become a "majority-minority" nation by 2043, the lineup of the 113th Congress suggests the shift may be coming much more quickly on Capitol Hill, as 82 new House members and 14 new senators take their seats.

Every new Congress — especially ones that see a large influx of new members — brings with it new milestones, though the 113th may pass a few more than most. In one of the most remarked "firsts" of 2013, women, blacks, Hispanics and other ethnic minorities will for the first time in history make up a majority of the House Democrats seated this month, just under 60 percent of the party's overall caucus.

House Democratic leader Nancy Pelosi said Friday the makeup of her caucus, where white males are a distinct minority, represented a "sea change in Congress."

"I really think the new members are manifestations of the American Dream," she said.

By contrast, the percentage of non-white male Republican House members fell from 14 percent in 2010 to 12 percent today, leading David Wasserman, congressional analyst for the Cook Political Report, to observe that the two parties in the House are "living in parallel universes."

Still, breaking down the racial, ethnic, gender and religious composition of the 113th Congress confirms some trends while confounding some others. Capitol Hill will see its first openly gay senator and its first Hindu House member, while New Hampshire voters made history by sending its first all-female delegation — two senators and two representatives — to Congress.

A record 20 women — 16 Democrats and four Republicans — now hold Senate seats, while 28 Hispanics — 25 Democrats and three Republicans — will sit in the House. The new clout and visibility of the Hispanic delegation was on vivid display Thursday, the day the new Congress was officially sworn in, with a gala reception for Hispanic lawmakers that shut down an entire wing of nearby Union Station and featured a visit from Vice President Joseph R. Biden.

With immigration likely to be one of the early battles of President Obama's second term, the increased clout of Hispanic lawmakers could be felt quickly. Eliseo Medina, secretary-treasurer of the Service Employees International Union, said the upshot of the 2012 congressional vote was that the "Latino giant" is "wide awake, cranky, and it's taking names."

But there are also anomalies in the numbers: The only new Hispanic

member of the Senate is Texas Republican Ted Cruz, who is likely to be among the chamber's most conservative members. All three Hispanic senators — Mr. Cruz, Florida Republican Marco Rubio and New Jersey Democrat Robert Menendez — are Cuban-American, even though the large majority of U.S. Hispanic are Mexican-American.

The Senate's only new black member is also a Republican: former South Carolina Rep. Tim Scott, who was appointed to fill the seat of retiring Sen. Jim DeMint. Mr. Scott is the first black Republican senator since 1979 and the first black to represent a Southern state since 1881.

Hawaii's two new Democratic senators will also break new demographic ground while replacing two Hill stalwarts — retired Sen. Daniel K. Akaka and the late Sen. Daniel K. Inouye — who boasted a combined 72 years of seniority. Former Rep. Mazie Hirono, elected to replace Mr. Akaka, is the first Asian-American woman to serve in the upper chamber and only the second minority woman ever elected to the Senate.

By contrast, former Hawaii Lt. Gov. Brian Schatz, appointed last month to replace Mr. Inouye, was born in Ann Arbor, Mich., identifies himself as Jewish on his Facebook page and

will be his state's first white senator since Democrat Oren E. Long retired in January 1963.

And the 113th Congress will repair the gaping "Kennedy deficit" opened up when Rhode Island Rep. Patrick J. Kennedy's retirement in 2010 left Capitol Hill without an elected member of the famed American political dynasty for the first time since the Truman administration. Rep. Joseph P. Kennedy III, a former assistant district attorney and the grandson of Robert F. Kennedy Jr., will be representing the family after having won the Massachusetts House seat long held by fellow Democrat Barney Frank.

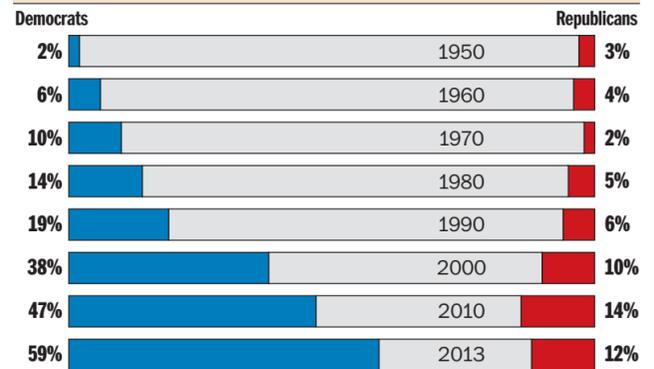
In addition to his family name, Mr. Kennedy will be one of four new House members, all Democrats, born in the 1980s, along with Rep. Patrick Murphy of Florida, Rep. Tulsi Gabbard of Hawaii and Rep. Eric Swalwell of California. Born in March 1983, Mr. Murphy supplants Rep. Aaron Schock, Illinois Republican, as the Hill's youngest member. Mr. Schock had held the title for both the 110th and 111th Congresses.

While diversity has been the early watchword for the new Congress, a Pew Research Center survey of the new members found that Protestants still make up a majority of lawmakers

## THE MINORITY'S MINORITY MAJORITY

The House Democratic caucus makes history as women and minorities will make up a clear majority of its members in the 113th Congress for the first time ever.

### Minorities and women as a share of the House caucus



Source: The Cook Political Report; House Press Gallery

THE WASHINGTON TIMES

## CLASS PICTURE

A group profile of the 82 new House members and 14 new senators in the 113th Congress.

|                              | Senate | House |
|------------------------------|--------|-------|
| Average age                  | 52     | 50    |
| Number 40 and younger        | 2      | 17    |
| Number of women              | 5      | 19    |
| Number of blacks             | 1      | 5     |
| Number of Hispanics          | 1      | 9     |
| Number of Asian-Americans    | 1      | 4     |
| Number of Catholics          | 3      | 30    |
| Number of non-Christians     | 3      | 10    |
| Number of law degrees        | 9      | 31    |
| Number with military service | 0      | 12    |
| Number with House experience | 7      | 9     |

Source: National Journal; The Washington Times. Numbers updated to include Sens. Tim Scott, South Carolina Republican, and Brian Schatz, Hawaii Democrat

THE WASHINGTON TIMES

who expressed a religious affiliation, although the percentage declined from 57.3 percent in the 112th Congress to 56.4 percent now. Every Protestant denomination listed saw its numbers fall or stay the same except for Baptists, who added six new members and now make up 14 percent of the new Congress.

The number of Catholic lawmakers increased, while the number of Jewish members fell from 39 to 32, according to Pew's calculations.

The number of lawmakers who declined to list any religious preference rose from six to 11 in the Pew survey, although Congress lost its only avowed atheist when Rep. Pete Stark, California Democrat, lost his bid for a 20th term to Mr. Swalwell in November.

The shifting faith profile of Congress "continues a gradual increase in religious diversity that mirrors trends in the country as a whole," according to the Pew researchers. "While Congress remains majority Protestant, the

institution is far less so today than it was 50 years ago, when nearly three-quarters of the members belonged to Protestant denominations."

Other notable firsts and milestones from the new Congress:

- First openly gay U.S. senator: Former Rep. Tammy Baldwin, Wisconsin Democrat, who will be joined by six openly gay House members, all Democrats

- First Buddhist senator: Former Rep. Mazie K. Hirono, Hawaii Democrat

- First openly bisexual House member: Rep. Kyrsten Sinema, Arizona Democrat

- First Hindu House member: Rep. Tulsi Gabbard, Hawaii Democrat

- First female combat veterans: Ms. Gabbard and Rep. Tammy Duckworth, Illinois Democrat

- Most female lawmakers: 101, including three nonvoting delegates

- Average age of senators: 61
- Average age of House members: 56



ANDREW HARNIK/THE WASHINGTON TIMES

Rep. Tulsi Gabbard, Hawaii Democrat, is greeted by Speaker of the House John A. Boehner, Ohio Republican, for the re-enactment of her swearing-in Thursday on the first day of the 113th Congress. Ms. Gabbard is the first Hindu in Congress.

# Healthy Water is the Essence of a Healthy Life.

“Going green for healthy living, the water is still Crystal Clear.”



**Listen to a toll free recording at 1-800-433-9553**

The human machine requires only three things to sustain itself on Planet Earth. The human body requires clean air to breathe, healthy food to eat and pure, chemical-free water to drink. If the human machine is properly lubricated with these three elements, it can survive productivity for seven, eight, nine or more decades.

Healthy living begins with clean air. But clean air does not mean an atmosphere devoid of carbon-dioxide, since carbon-dioxide is the “nutrition” that a green Earth requires to produce the second element the human body requires to survive—food. Carbon dioxide is consumed by plants to produce the grains we eat and the air we breathe. Oxygen, the byproduct of carbon-dioxide, together with hydrogen creates the third element we need to survive on Planet Earth—water.

Man, who has at times been a poor caretaker of his environment, has learned over the past ten or more decades that our planet is not self-cleansing. It needs help—human help. Over



the past century man—particularly since the dust bowl days of the 1930s—has learned how to prevent soil erosion and preserve America’s farmland through proper land use, irrigation and the use of fertilizers. In addition, farmers were taught farming techniques that helped preserve farmland by keeping the topsoil from blowing away. Carbon dioxide helped by increasing crop yield by feeding the green earth and producing both the air we breathe and the water we drink.

In our minds, we know this. But, man has never been a good caretaker of the garden called Earth. In fact, if God had hired him for the job, He probably would have fired him. Wait a minute. I think that’s what happened.

Man, with his limited means, tries. But with a finite mind, sometimes nature’s elements get the best of him. That’s what happened in the town of LaSalle, Colorado in April, 2003.

LaSalle is a small town of 1,900 people located north of Denver, about 5 miles south of Greeley. LaSalle thinks of itself as one of those places which offer peace and a quality of life—one of America’s nice little secret places.

Except, that is, its waste lagoon. You knew when you were coming to LaSalle on Hwy 85 because you could smell the waste lagoon before you arrived. The lagoon brought threatening letters from the State Health Department which ordered the town to clean up the 5-acre waste system which contained 10.5 million gallons of sewer waste.

That’s the type of clean-up job that bankrupts small towns. In LaSalle’s case, Carl Schneider—one of the executives of the township—was an executive with Tech Ag. Through Schneider, Barry Schaeffer, the Public Works Director of LaSalle contacted Crystal Clear for help. The solution recommended by John Ellis of Crystal Clear was so simple Schaeffer didn’t think it could work. But, in desperation, desperate men take desperate action.

On June 3, 2003, Schneider wrote the following letter to John Ellis at Crystal Clear: “Just a note to let you know that we are very pleased with your water machine. We put 1,000 gallons of treated water into a 5-acre city waste lagoon filled with 10 1/2 million gallons of sewer waste. This lagoon stunk and was considered dead. In 24 hours the smell was virtually gone. Now that’s amazing!!!”

Barry Schaeffer attached a note to Schneider’s letter in which he added: “...The town has not done anything as far as dredging or any other type of sludge removal to the lagoon. After using the product 6 weeks, we noticed a 30% reduction in the sludge depth from the prior readings. After checking into dredging the 5 1/2 acre lagoon, the Town could save up to \$150,000 in dredging costs.

“I feel the BF888 and BioWater was a lifesaver for the Town of LaSalle in both allowing us to operate, and the money saved can’t be tallied. Although this was an unbudgeted item, it was one of those things that had to be done. The expenditure is worth it to keep from paying fines of up to \$10,000 a day from the State. Not having to dredge the lagoon after 37 years in operation made this an easy decision.

“I would strongly recommend any municipality with a lagoon system to take a look at this. It’s doing a good job for us.”

You might think of this as one of God’s little miracles. I know the Town of LaSalle does.

They’re not much different than people who live in the town of Tlacote, Mexico. Tlacote also discovered the “light water” that LaSalle calls “BioWater.” Thousands of miracle-seekers make the pilgrimage each month to Tlacote to visit the well owned by Jesus Chahin for what they call “miracle water.” At times, the single file line of believers carrying glass bottles, jerrycans and plastic containers, is a quarter-mile long.

**TRY A BOTTLE OF WATER FREE!**

Just add a few drops to whatever you are drinking or buy a machine and make all of your own drinking water! Try a sample bottle free! For information and machine orders: call 845-754-8696 / fax 845-754-7866 \*ALSO AVAILABLE AT BETTER HEALTH FOOD STORES!

hacienda in this little village ten miles west of Queretaro has turned into a overcrowded place of pilgrimage rivaling the Virgin of Guadalupe’s basilica in Mexico City—even though Chahin makes no claim that his water enjoys divine power.”

Chahin showed the metal distillers to Cody and explained to him that the water is scientific. Cody simply noted, in his article that “...the curative power requires movements of water from one metal tank to another...the water weighs less than H2O. It is a mystery to science why it weighs less.”

If there is a miracle in Chahin’s water, it is—as Chahin told Cody—the miracle of science. The distillers Chahin uses on his property are from patents owned by Crystal Clear. The light water that thousands of pilgrims believed would deliver miracle cures is simply water that is restored to the purity of the water God created. In other words, the water that comes out of the faucet in your kitchen is not “pure” water. It’s “tampered”

**LISTEN TO A TOLL FREE RECORDING AT 1-800-433-9553 WATERCURESANYTHING.COM CALL US FOR A FREE SAMPLE OF OUR WATER AT: 570-296-0214**

When the media became interested in the Good Samaritan’s Well, Chahin has made it clear there is nothing miraculous about his well, which are simply two metal distillers. The water, Chahin insisted, is scientific, not holy. But the miracle-seekers won’t listen. Nor, it appears, will the media which prefers the miracle since human interest stories about miracles sell newspapers. But people getting water from a cistern water distiller don’t.

When *The Washington Post* wrote about the Good Samaritan’s Well in 1992, *Post* reporter Edward Cody observed: “By the thousands they waited, men, women and children, equipped with plastic jerrycans, patience and tranquil faith in miracles that has adorned Mexican history since pre-Hispanic times. Their line stretched alongside a dusty road for more than a quarter mile one day last week. On other days it has strung out for more than a mile as hundreds of thousands of sick and lame line up for the “light water” of Jesus Chahin’s well—the miracle water that is said to cure everything... Word of the water has spread swiftly throughout Mexico and even into the United States...As news spread by word-of-mouth and radio, Chahin’s

water—or better put, it’s “recycled” and/or chemically treated water. It’s safe to drink because it’s certified by the State as safe to drink. But, it’s not healthy water. For water to be healthy, you need to find it in its pristine state. Why? Because many of the chemicals used to treat the tap water you consume, while safe to drink, is still not healthy. The process used by Crystal Clear—like the water in Chahin’s well—recycle the water it is distilling until the bonds weaken and the hydrogen bond angle opens to 114° and stays there.

Check our website, [www.JohnEllis.com](http://www.JohnEllis.com) and you will see why the patented distilling process we use kills the pathogens in the water our distillers process.

Like Jesus Chahin tried so hard to explain to *The Washington Post* writer Edward Cody in 1992, it’s not a miracle. It’s not only science, it’s good science. It’s the type of environmentally sound science that makes sense for America.

And, by the way...if you want healthy water in your home, you don’t have to carry a jerrycan to Jesus Chahin’s hacienda... just call ours.



| Water Type      | Hydrogen Bond Angle | Will it kill Pathogens? |
|-----------------|---------------------|-------------------------|
| Med Water       | 114°                | Yes                     |
| Steam           | 120°                | Yes                     |
| Ordinary Water  | 104°                | No                      |
| Distilled Water | 101°                | No                      |

Visit our Website [www.JohnEllis.com](http://www.JohnEllis.com)

**Call us for information 845-754-8696 or fax your name and address to 845-754-7866**

# The 113<sup>th</sup> Congress



## A curtain-raiser: 10 stars to watch in new season of Congress Theater

Every session brings its own cast of characters, plot lines to the Hill

JENNIFER HARPER  
THE WASHINGTON TIMES

*It takes ability, appetite and the occasional lucky break to rise above the din of discord on Capitol Hill. Lawmakers must have finesse, fire in the belly and persistence to distinguish themselves from the pack. Sometimes they warrant attention for actual legislative prowess, sometimes not. Media darlings, partisan bullies and rogue individualists also can clear a path and engage the public — whether the public likes it or not. Who's worth watching, then, in 2013? Here are 10 lawmakers of note as the curtain rises on a new season of political theater in Congress:*

**Sen. Ted Cruz, Texas Republican:** Cuban-American and a tea party favorite with serious legal chops, Mr. Cruz already has advised the Republican Party to adopt the motto "Opportunity Conservatism." The former solicitor general in the Lone Star State, Mr. Cruz has written more than 80 briefs before the U.S. Supreme Court and is a champion of small businesses and balanced budgets, boasting endorsements from the National Rifle Association and the National Right to Life Coalition, among many groups. He also named personable Chip Roy, a top aide to Texas Gov. Rick Perry, as his chief of staff — prompting praise for his outside-the-Beltway thinking from Redstate.com blogger Erick Erickson, who declared, "Ted Cruz's first decision is a huge deal." Born in Canada, Mr. Cruz, 42, is sure to prompt an outcry from critics who fret over his eligibility for an eventual White House run.

**Rep. Bob Goodlatte, Virginia Republican:** The 11-term congressman is the new chairman of the House Judiciary Committee, which has oversight for immigration and the Justice Department. Mr. Goodlatte, 60, should surface in news coverage when the discussion turns to gun control and immigration reform. He is keen on Internet and high-tech digital issues, plus online piracy. He is considered a "copyright hawk" and has been deemed "Hollywood's favorite Republican" for his support of the bill to curtail online piracy.

**House Minority Whip Steny H. Hoyer, Maryland Democrat:** Politicians appear to be fond of the idea that "70 is the new 50." Mr. Hoyer, 73, has been particularly feisty and vocal on multiple issues recently, and even spent New Year's Eve on MSNBC talking about the "fiscal cliff." Mr. Hoyer is pro-choice, supports gun control, gay rights and is a prolific fundraiser for the Democratic Party, rising to No. 2 in the House Democratic hierarchy after more than three decades in Congress.

**Rep. Joseph P. Kennedy III, Massachusetts Democrat:** The name alone is enough to draw attention to this 32-year-old lawmaker, son of former Rep. Joseph Kennedy II, and grandson of Robert F. Kennedy. He succeeds retiring liberal icon Rep. Barney Frank. While Mr. Kennedy supports debt reduction, job creation, health care reform and gay and women's rights, he also appears vigilant about national security and is a friend to Israel. "I believe this country was founded on a simple principle: that each of us deserves to be treated fairly, by our government and by each other," Mr. Kennedy says.

**Sen. Rand Paul, Kentucky Republican:** Will he take up where his father, retired Rep. Ron Paul of Texas, left off? Perhaps. Outspoken Mr. Paul, a practicing ophthalmologist who turns 50 on Monday, is capable of drawing sharp lines in the sand. He is a barometer of grass-roots ferocity, reminding the press that the tea party is still percolating and libertarian conservatism remains a force. He also has hinted at a presidential run. "His entrance

into politics is indicative of his life's work: a desire to diagnose problems and provide practical solutions," notes Mr. Paul's campaign website, which incidentally bears the title "Randpaul2016.com."

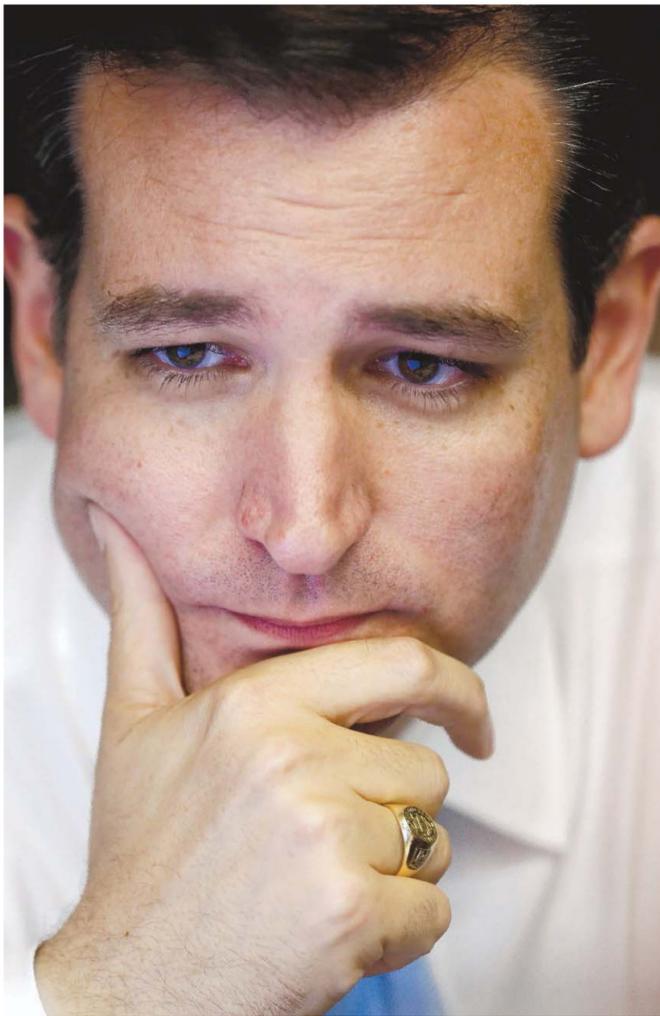
**Rep. Cathy McMorris Rodgers, Washington Republican:** The new chairwoman of the House Republican Conference made multiple broadcast appearances with GOP fiscal cliff heavyweights, displaying a calm and effective style. Mrs. Rodgers is 43, a mother of two and served nine years as a state representative before arriving in Washington in 2005. Determined to update the Republican Party in practical ways, she is a major advocate of social media, telling the Ripon Society: "Regardless of the issue — health care, energy, tax reform, debt reductions, entitlement reform — [social media] will continue to shape the debate in ways we've never seen before."

**Sen. Marco Rubio, Florida Republican.** Telegenic, straightforward Mr. Rubio, 41, is already a conservative standard-bearer, his name associated with a White House run even before he took office two years ago. The son of Cuban-American immigrants continues to perform beautifully under media scrutiny and is a key component of Republican efforts to attract the crucial Hispanic vote. Mr. Rubio also boasts an able staff that never misses a chance to get their man's sound bites across media platforms of every persuasion. Look for talk of a serious policy book from the rising GOP star as he plans a strategic route to 2016.

**Rep. Paul Ryan, Wisconsin Republican:** Like the aforementioned Mr. Rubio, he is a universal given on anyone's "watch list." The former vice presidential candidate simply isn't done yet. Mr. Ryan, 42, was the proverbial man-with-the-plan before he stepped into the 2012 campaign limelight, providing comprehensive guides for fiscal responsibility and lower taxes in a year of chaos. Bipartisan immigration reform, however, is also on his agenda. Predictions that Mr. Ryan would retreat to obscurity after Mitt Romney's defeat have not panned out. He continues to do the credible business of Congress with gusto but not flash, a wise wonk with street smarts and a discerning eye for opportunity.

**Sen. Brian Schatz, Hawaii Democrat.** Former lieutenant governor of Hawaii, Mr. Schatz was named to succeed the late Daniel K. Inouye by Gov. Neil Abercrombie, and will serve as the senior senator. Mr. Schatz, 40, is a former state representative intent on economic issues, climate change, clean energy and federal recognition of Native Hawaiians. He will face a special election in 2014, and therefore has little time to dilly-dally in the background, rookie or not. And the backstory here: Mr. Schatz served as chairman of the state Democratic Party and orchestrated President Obama's 2008 campaign in Hawaii. He is a staunch ally of the president, and accompanied the Hawaiian-born Mr. Obama aboard Air Force One during the Christmas holidays. It is insider status, aloha style.

**Sen. Tim Scott, South Carolina Republican.** He is a tea party favorite, and the Senate's only black member who unapologetically supports the grass-roots movement. Appointed to replace retiring Sen. Jim DeMint, Mr. Scott's first move as a senator will be to introduce a bill to lower corporate taxes to 23 percent and allow for permanent repatriation of foreign earnings back into the U.S. A fiscal and social conservative, Mr. Scott, 47, is pro-life, supports workers' rights, a strong defense and believes the president's health care law should be repealed. The Wall Street Journal predicts that the likeable Mr. Scott will give the "liberal orthodoxy" fits.



Sen. Rand Paul, Kentucky Republican, (above) is a barometer of grass-roots ferocity, reminding the press that the tea party is still percolating and libertarian conservatism remains a force.

Newly elected Sen. Ted Cruz, Texas Republican, (left) is a tea party favorite with serious legal chops who already has advised the Republican Party to adopt the motto "Opportunity Conservatism."

House Minority Whip Rep. Steny H. Hoyer, Maryland Democrat, (below) has been particularly feisty on multiple issues recently, and even spent New Year's Eve on MSNBC talking about the "fiscal cliff."



ASSOCIATED PRESS PHOTOGRAPHS



## Here's a "shovel-ready" job Bury the Death Tax

We're known by the company we keep.

### RONALD REAGAN vs. KARL MARX

Look who stands with REAGAN on burying the Death Tax:

**Mitch McConnell, John Boehner, John Thune, Kevin Brady, Pat Boone, Frank Luntz, Grover Norquist, Lew Uhler, Dan Mitchell, Jim Martin.**

Look who lines up with MARX on keeping alive the Death Tax:

**President Obama, Harry Reid, Nancy Pelosi, Bernie Sanders, Bill Gates, Sr., Warren Buffett, George Soros, Jay Rockefeller, Ted Turner.**

This is not hyperbole. The third tenet in the Communist Manifesto by Karl Marx (verbatim):  
"Abolition of All Rights of Inheritance."

"Jim (Martin) deserves particular credit for leading the movement to repeal the Death Tax."

*President George W. Bush*

"Jim Martin came up with the idea of re-labeling the estate tax as a "death tax." Martin's rhetoric was particularly brilliant as it made the tax seem especially cruel."

*Ramesh Ponnuru, National Review*

"Jim Martin renamed the estate tax to try to kill it."

*Joshua Green,  
American Prospect Magazine*

"Because of the work by 60 Plus, Sen. Kyl and Rep. Cox, everybody talking about tax reform includes abolishing the death tax."

*Grover Norquist,  
Americans for Tax Reform*

"Please thank your members at 60 Plus for building support for my bill to repeal the death tax."

*Former Rep. Chris Cox (R-CA)*

"Small business leaders recognize how counter productive this tax really is. That's why they endorsed repeal of the death tax and why my bill is supported by 60 Plus."

*Sen. Jon Kyl (R-AZ)*

#### Wealth and Our Commonwealth: Why America Should Tax Accumulated Fortunes

*By Bill Gates, Sr. and Chuck Collins*

#### Authors credit Jim Martin with renaming the Estate Tax the "Death" Tax

#### "DEATH TAX": WHAT'S IN A NAME?

The proponents of estate tax abolition have a good thing going for them with the moniker "death tax." Language is essential to enlisting popular support. After President Reagan's missile defense program was dubbed "star wars," proponents had difficulty regaining control over the terms of the debate.

Defenders of the estate tax lost the battle of shibboleths early on. We knew we were in trouble in 2000, when major television news networks, such as CNN, abandoned objectivity, using "death tax" rather than estate tax in their news coverage.

The derivative of the "death tax" phrase is disputed. As it turns out, the phrase "death tax" has been around for several decades.

Congressman Christopher Cox (R-Calif.), lead sponsor of repeal, notes that there were many references to "death taxes" in professional tax journals dating back to the 1970s. President Reagan first used the term in a Minnesota speech in 1982.

One significant player in advancing the "death tax" tag was Jim Martin, a longtime activist who founded "60 Plus," a conservative Washington beltway alternative to the American Association of Retired Persons.

Martin has the distinction of having given President George W. Bush his first political job. When Bush was twenty-two years old, Martin hired him to work on the 1968 campaign in Florida to elect Ed Gurney to the U.S. Senate. The president, distinguished for his unique nicknames of friends and colleagues, calls Martin "Buddha."

#### Gains Important Ally

Martin is credited with having brought the "death tax" coin back into wider circulation in 1993. He gained an ally in political mastermind Frank Luntz. Luntz, who conducted focus groups for conservative caucuses and politicians, understood the importance of language.

Luntz's message research found that "death tax" kindled voter resentment in a way that "inheritance tax" and "estate tax" didn't. Luntz shared his findings with Republican leaders and included the phrase in the GOP's 1994 "Contract with America."

In a strategy memo to GOP lawmakers, the media-savvy Luntz suggested that legislators stage press conferences opposing the estate tax "at your local mortuary" to dramatize the issue. "I believe this backdrop will clearly resonate with your constituents," advised Luntz. "Death is something the American people understand."

The first challenge of any campaign is to have a good message. But it is another hurdle, as the media spin masters will tell you, to enforce "message discipline" (i.e., getting everyone to say the same thing). Enter the pizza fund.

"Death tax pizza funds" first appeared at Jim Martin's 60 Plus organization. Then, across the Potomac, a pizza fund was instituted by Jack Faris, the president and CEO of the National Fed-

eration of Independent Businesses. Soon the idea spread to Capitol Hill, where then House Speaker Newt Gingrich and other pro-repeal lawmakers instated pizza funds in their offices.

Slowly the powerful "death tax" phrase worked itself out from these lobbying groups into advertising, talk shows, and into the title of legislation, the "Death Tax Elimination Act of 2000." A powerful message catapulted the repeal cause forward.

##

Other names by 60 Plus, Grave Robber's Tax; Grim Reaper's Tax; Exit or Departure Tax; Cruel Tax; Success Tax; Stiffest Tax of All; and Voluntary Tax, the latter Martin said is in honor of Gates, Buffett, Soros, et al, since they say they don't mind paying it and since they think they know best where your after-tax assets should go. An outrageous tax? You be the judge. As Professor Edward McCaffery, an attorney at USC and a self-described "unrequited liberal" has said: "To most people, death seems like the wrong time to tax."

Martin succinctly says: "The first claimant in line for your after-tax assets is Uncle Sam, not even a blood relative!"

A survey by 60 Plus shows 77% of the public, across all income and philosophical categories, favors total repeal, citing the "unfairness" of the tax. To those who claim "death tax" repeal is a "tax cut for the rich," 60 Plus rebuts, "that horse is dead, dismount!" The rich have lawyers and accountants to set up foundations (ever heard of foundations headed by Gates, Buffett, Turner, Rockefeller)?

A few years ago the House of Representatives repealed this tax by an overwhelming 110 vote margin, 272-162, with 42 Democrats joining the repeal movement. In the Senate it mustered 57 votes but, thanks to Harry Reid's chicanery, it took 60 votes. **But the forces of good shall prevail and we will repeal!**



[www.60Plus.org](http://www.60Plus.org)

The 113<sup>th</sup> Congress

## A Top 10 list for the new Congress

## Issues, trends to watch on Capitol Hill in 2013, beyond

A new term for President Obama. A new Congress. And a host of new and returning problems and conflicts for the two sides to hash out. Washington Times chief political correspondent Ralph Z. Hallow looks at 10 political issues and trends to watch in 2013.

## 1) Tea partyers wise up:

Look for tea party strategists and conservative activists, on both the economic and Christian right, to use their heads as much as their hearts in picking their future House and Senate candidates. Many on the right think they lost winnable races — notably, W. Todd Akin in Missouri — in 2012 by failing to pick social-conservative candidates who knew how to talk to a general-election audience. Former Arkansas Gov. Mike Huckabee, a staunch social conservative, never made the politically fatal verbal missteps on issues such as abortion that doomed Mr. Akin's Senate race.

## 2) A new generation of Republican leadership (slowly) emerges:

Don't look for major GOP leadership change until mid-2016. By then, Rep. Paul Ryan of Wisconsin and Sens. Marco Rubio of Florida and Rand Paul of Kentucky may emerge as prime contenders for the presidential nomination. But until someone actually gets that distinction, House Speaker John A. Boehner of Ohio, despite some recent hits to his authority, will remain the party's most visible and powerful figure in Washington. But Mr. Boehner will have to keep an eye on his own restive caucus, and on his more conservative lieutenants, such as Majority Leader Eric Cantor of Virginia and Rep. Tom Price of Georgia.

**3) Gunbattles:** The Sandy Hook Elementary School massacre in December in Newtown, Conn., made inevitable an early policy battle over gun rights. Post-Sandy Hook, congressional Democrats are talking about reinstating the expired assault-weapons ban passed under President Clinton, which expired in 2004. Members of both parties elected from urban districts or liberal states will feel emboldened to push for more limits on gun use and availability. The fight will likely produce more collateral damage within GOP ranks than among Democrats.

**4) Benghazi and the world:** Despite the administration's best efforts, the problems in security and foreign policy exposed by the deadly attack on the U.S. Consulate in Benghazi, Libya, will get a fresh airing



ANDREW HARNIK/THE WASHINGTON TIMES

Rep. Paul Ryan, Wisconsin Republican, may have lost his bid for vice president, but his influence will still be felt on Capitol Hill as chairman of the House Budget Committee.

in the new Congress. Other overseas events likely to be felt strongly at home include the potential shifts in Latin America with the passing from the scene of Venezuelan strongman Hugo Chavez, who is battling cancer, and the European Union's never-ending efforts to get its arms around the euro crisis. "The ability of Europe's elite to find political Band-Aids to cover over ever-expanding economic wounds is truly impressive, but not without bounds," said Heritage Foundation fellow J.D. Foster.

**5) Alien nation:** Watch for Republicans, stung by huge losses among Hispanic voters Nov. 6, to tear themselves apart in a struggle to reach a bipartisan immigration deal. Mr. Obama has vowed to get more involved in drafting legislation to overhaul the nation's immigration policies, but any

final compromise could wind up alienating the ideological wings of both parties. One element both sides likely will agree on is a move to reverse the "brain drain" of talented immigrants, said Brookings Institution's Governance Studies Fellow John Hudak, easing rules for visa-bearing foreign graduates of U.S. universities who have high-tech savvy to stay and work in the country. Many GOP leaders say they recognize the need to refine the party's message on immigration, but Sen. Marco Rubio's efforts to draft a Republican version of the Dream Act could prove problematic with the party base if the freshman Floridian makes a 2016 presidential run.

**6) Economic blame game:** As in Mr. Obama's first term, a potential economic slowdown this year would leave the two parties fighting over who bears

the blame for the failure of the economy to recover fully. Mr. Obama was able to blame predecessor George W. Bush for much of his first term's woes, but that argument is unlikely to fly in the next four years.

**7) Waging war on wages:** Whatever the pace of economic growth in the next four years, an equally important political debate is shaping up over pocketbooks and paychecks. After years of unimpressive wage growth, labor unions will pressure Mr. Obama to do something to boost paychecks, extending the fight already begun over higher taxes for the rich passed in the "fiscal cliff" compromise. In his first term, Mr. Obama condemned wage stagnation but offered no concrete solutions. If he does so in 2013, Republicans face a question of how to position their opposition.

## 8) Governors on the ballot:

Two very different Republicans will be carrying the banner in the only two states holding gubernatorial contests this year. In Virginia, state Attorney General Kenneth T. Cuccinelli II, a favorite of movement conservatives, will test his appeal as the GOP nominee in an increasingly purple state that voted once again for Mr. Obama in November. In New Jersey, Gov. Chris Christie seeks a second term while facing anger from some on the right over his performance in the Superstorm Sandy aftermath and seeking to enhance his national profile ahead of a possible 2016 presidential bid.

## 9) Congressional bypass operation:

With divided government and partisan gridlock returning to Capitol Hill in 2013, conservatives will be on the watch for efforts by the

administration to bypass Congress to implement Mr. Obama's liberal agenda. The expectation on both sides is for agency action and executive orders that bypass Congress, moves that can't be blocked legislatively but pile more regulations on the private sector.

## 10) Obamacare survives:

The Supreme Court decision in June and Mitt Romney's loss in November have Republicans wincing at their repeated promises to repeal the president's signature health care law as a top priority of 2013. But there remain major policy fights looming over implementation and funding for the law, and tea party activists and conservative groups are likely to seek primary opponents for GOP lawmakers who go soft in the fight, according to Heritage Foundation Vice President Becky Norton Dunlop.

## Partisan divide remains on fixing 'our broken immigration system'

By STEPHEN DINAN  
THE WASHINGTON TIMES

Despite the hopes of immigrant-rights advocates, it appears the election did not close the partisan divide on immigration.

That was highlighted on Thursday, the very first day of the new session, when Minority Leader Nancy Pelosi, kicking off the 113th Congress, called for action on the thorny issue from the rostrum of the House. Her entire Democratic caucus gave her a standing ovation, but Republicans stayed in their seats, with few even bothering to applaud at all.

Whatever their feelings, the issue is coming their way.

President Obama, who strongly carried the Hispanic vote in his 2012 re-election drive, has vowed to push immigration early in the new year, comparing it to the all-consuming health care fight that dominated his first term in office.

## 'Comprehensive' or 'step-by-step' approach debated

"I've said that fixing our broken immigration system is a top priority. I will introduce legislation in the first year to get that done," he said on NBC's "Meet the Press" program in December.

His vow to write a bill already puts him further ahead than he was in his first term, where he tried to prod Sen. Lindsey Graham, South Carolina Republican, and Sen. Charles E. Schumer, New York Democrat, to strike a deal, but never wrote any legislation himself.

Writing a bill will require Mr. Obama to take a stand on many of the thorny issues that have halted debates in the past decade, including what to do about future workers.

Businesses want a stream of temporary workers who would return

home after their time is up, while labor unions and immigrant-rights advocates say those workers should be allowed a path to citizenship, which would mean a sizable boost in overall immigration.

Polls regularly show most Americans want immigration levels kept the same or decreased.

Another difficulty is that Mr. Obama and Senate Democratic leaders want to handle the debate in one large bill — what they and advocates call "comprehensive immigration reform" — which would include legalization of illegal immigrants, border and interior enforcement and rewriting rules for the legal immigration system.

But House Speaker John A. Boehner said that's not how the House will proceed.

"I'm not talking about a 3,000-page bill," the Ohio Republican said at his first post-election news conference in November. "What I'm talking about is a common-sense, step-by-step approach that secures our borders, allows us to

## FIVE DEMOCRATS TO WATCH

Nine Democrats and one independent joined in a bipartisan filibuster of immigration reform in 2007. Five of them are up for re-election in 2014, making them the key senators to watch in any looming debate.



Max Baucus  
Montana



Tom Harkin  
Iowa



Mary L. Landrieu  
Louisiana



Mark L. Pryor  
Arizona



John D. Rockefeller IV  
West Virginia

THE WASHINGTON TIMES

enforce our laws and fix our broken immigration system."

He also declined to say whether he would push the House to accept a path to citizenship for illegal immigrants.

One key to the looming congressional immigration debate will be the group of Senate Democrats and one liberal independent, Vermont's Bernard Sanders, who voted to block the bill the last time Congress debated a comprehensive reform push in 2007.

Of those 16 senators, 10 are still serving — and five of them are up for re-election in 2014, making them the ones to watch as lawmakers begin to

circle around the thorny issue.

They are Sens. Max Baucus of Montana, Tom Harkin of Iowa, Mary L. Landrieu of Louisiana, Mark L. Pryor of Arkansas and John D. Rockefeller IV of West Virginia.

In the House, the key players will include the new chairmen of the Judiciary Committee and the subcommittee on immigration. Rep. Bob Goodlatte, Virginia Republican, is chairman of the full committee, and Rep. Trey Gowdy, South Carolina Republican, is chairman of the subcommittee.

Both are seen as being tough on immigration.

POLITICAL MEDIA, INC. PRESENTS...

**JANUARY 19, 2013**

**Gun Appreciation Day**

Americans love their guns and their Second Amendment right to bear arms. On **January 19, 2013** gun owners and tea party activists across the country will demonstrate their passions...**Chick-fil-A** style!

Join the first national **Gun Appreciation Day!** Go to your local gun store, gun range or gun show with your Constitution, American flags and your Hands off my Guns sign to send a loud and clear message to Congress and President Obama.

Lock and load at [www.GunAppreciationDay.com!](http://www.GunAppreciationDay.com)

**The National Gun Appreciation Day Sponsors**



Please consider sponsoring Gun Appreciation Day. Help us to promote Gun Appreciation Day on TV, Radio and Online by contributing \$25, \$50, \$100, \$250 or more to Political Media, Inc. today.

**STAND WITH US AND SIGN THE PETITION TO DEFEND OUR GUN RIGHTS!**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Phone: \_\_\_\_\_

I demand that neither Congress, nor the President, nor state or local governments infringe whatsoever upon America's Second Amendment right to bear arms. I will stand up with my fellow Americans on January 19th, 2013 for Gun Appreciation Day.

MAIL TO:  
 Political Media, Inc.  
 406 First Street, SE  
 Third Floor  
 Washington, DC 20003

Paid for by Political Media, Inc.  
 Not authorized by any candidate or candidate's committee.  
[gunappreciationday.com](http://gunappreciationday.com) | Graphics Are Not For Commercial Use

# The 113<sup>th</sup> Congress

## FRESHMAN DEMOCRATS

113th Congress



**Krysten Sinema** (Arizona) **Alan Grayson** (Florida) **Tulsi Gabbard** (Hawaii) **Joseph P. Kennedy III** (Mass.) **Carol Shea-Porter** (N.H.)

|                                    |                                  |                                |
|------------------------------------|----------------------------------|--------------------------------|
| Ann Kirkpatrick (D), Ariz.*        | Tulsi Gabbard (D), Hawaii        | Hakeem S. Jeffries (D), N.Y.   |
| Kyrsten Sinema (D), Ariz.          | Cheri Bustos (D), Ill.           | Daniel B. Maffei (D), N.Y.*    |
| Ami Bera (D), Calif.               | Tammy Duckworth (D), Ill.        | Sean Patrick Maloney (D), N.Y. |
| Julia Brownley (D), Calif.         | William L. Enyart (D), Ill.      | Grace Meng (D), N.Y.           |
| Tony Cardenas (D), Calif.          | Bill Foster (D), Ill.*           | Joyce Beatty (D), Ohio         |
| Jared Huffman (D), Calif.          | Bradley S. Schneider (D), Ill.   | Matthew A. Cartwright (D), Pa. |
| Alan S. Lowenthal (D), Calif.      | John K. Delaney (D), Md.         | Joaquin Castro (D), Texas      |
| Gloria Negrete McCloud (D), Calif. | Joseph P. Kennedy III (D), Mass. | Pete P. Gallego (D), Texas     |
| Scott H. Peters (D), Calif.        | Daniel P. Kildee (D), Mich.      | Beto O'Rourke (D), Texas       |
| Raul Ruiz (D), Calif.              | Richard M. Nolan (D), Minn.*     | Marc A. Veasey (D), Texas      |
| Eric Swalwell (D), Calif.          | Steven A. Horsford (D), Nev.     | Filemon Vela (D), Texas        |
| Mark Takano (D), Calif.            | Dina Titus (D), N.V.*            | Denny Heck (D), Wash.          |
| Juan Vargas (D), Calif.            | Ann M. Kuster (D), N.H.          | Derek Kilmer (D), Wash.        |
| Elizabeth H. Esty (D), Conn.       | Carol Shea-Porter (D), N.H.*     | Marc Pocan (D), Wis.           |
| Lois Frankel (D), Fla.             | Michelle Luhan Grisham (D), N.M. |                                |
| Joe Garcia (D), Fla.               |                                  |                                |
| Alan Grayson (D), Fla.*            |                                  |                                |
| Patrick Murphy (D), Fla.           |                                  |                                |

**Freshmen Totals: 82**  
**Democrats: 47**  
Republicans: 35

\*Served in a previous Congress  
Payne (D), NJ and DelBene (D), WA; MI filled vacancies in the 112th Congress (considered freshman in this Congress)

THE WASHINGTON TIMES

## FRESHMAN REPUBLICANS

113th Congress



**Ted Yoho** (Florida) **Jackie Walorski** (Indiana) **Kerry L. Bentivolio** (Michigan) **Ann Wagner** (Missouri) **Robert Pittenger** (N.Carolina)

|                              |                                |                               |
|------------------------------|--------------------------------|-------------------------------|
| Matt Salmon (R), Ariz.*      | Garland "Andy" Barr (R), Ky.   | Jim Bridenstine (R), Okla.    |
| Tom Cotton (R), Ark.         | Kerry L. Bentivolio (R), Mich. | Markwayne Mullin (R), Okla.   |
| Paul Cook (R), Calif.        | Ann Wagner (R), Mo.            | Scott Perry (R), Pa.          |
| Doug La Malfa (R), Calif.    | Steve Daines (R), Mont.        | Keith J. Rothfus (R), Pa.     |
| David G. Valadao (R), Calif. | Chris Collins (R), N.Y.        | Tom Rice (R), S.C.            |
| Ron DeSantis (R), Fla.       | George Holding (R), N.C.       | Steve Stockman (R), Texas*    |
| Trey Radel (R), Fla.         | Richard Hudson (R), N.C.       | Randy K. Weber Sr. (R), Texas |
| Ted S. Yoho (R), Fla.        | Mark Meadows (R), N.C.         | Roger Williams (R), Texas     |
| Doug Collins (R), Ga.        | Robert Pittenger (R), N.C.     | Chris Stewart (R), Utah       |
| Rodney Davis (R), Ill.       | Kevin Cramer (R), N.D.         |                               |
| Susan W. Brooks (R), Ind.    | David R. Joyce (R), Ohio       |                               |
| Luke Messer (R), Ind.        | Brad R. Wenstrup (R), Ohio     |                               |
| Jackie Walorski (R), Ind.    |                                |                               |
| Thomas Massie (R), Ky.       |                                |                               |

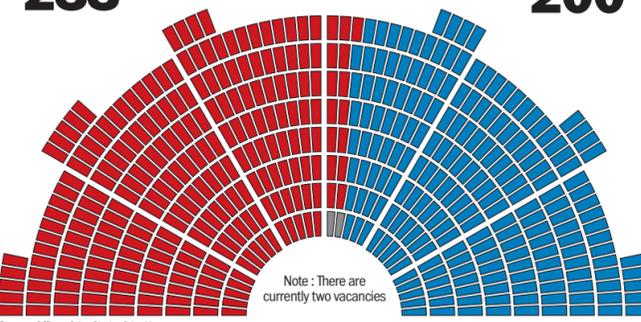
**Freshmen totals: 82**  
**Democrats: 47**  
**Republicans: 35**

\*served in a previous Congress  
Massie (R), KY filled vacancies in the 112th Congress (considered freshman in this Congress)

THE WASHINGTON TIMES

## HOUSE

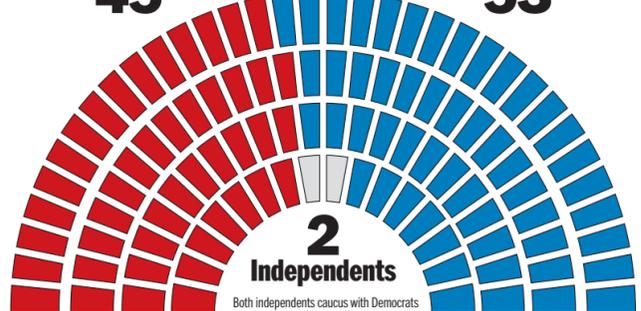
Republicans **233** Democrats **200** 435 seats



Source: Office of the Clerk of the House

## SENATE

Republicans **45** Democrats **53** 100 seats



Source: www.Senate.gov



ASSOCIATED PRESS

Sen. Thomas R. Carper (right), Delaware Democrat, succeeds the now-retired Sen. Joe Lieberman, Connecticut independent, as chairman of the Senate Homeland Security and Governmental Affairs Committee. The ranking Republican is also new.

# Obama will take the lead protecting cybernetworks

## Executive order will bypass Congress after its three failures

By SHAWN WATERMAN  
THE WASHINGTON TIMES

Having failed to pass cybersecurity legislation for the third consecutive year, Congress this year will take a back seat to the Obama administration in trying to secure critical networks such as transportation, banking and communications from Internet attacks.

As early as this month, President Obama is expected to sign an executive order to help protect industrial networks from computer hackers, especially those affiliated with terrorist groups and foreign adversaries.

The executive order will set policy under existing law to help the government "more effectively secure the nation's critical infrastructure by working collaboratively with the private sector," White House spokeswoman Caitlin Hayden said in an email, adding that the order "is not a substitute for new legislation."

Cyberattacks have shut down websites, slowed communications, wrecked computer-operated industrial machinery, and allowed hackers to steal financial and identity information worth billions of dollars.

But businesses are concerned that only changes in the law can protect them from lawsuits if their cybersecurity measures fail or have unanticipated impacts on their customers.

"Only Congress can address those [liability] issues," said Jessica Herrera-Flanigan, who was general counsel and later staff director of the House Committee on Homeland Security from 2003 to 2008.

According to James A. Lewis, a scholar at the Center for Strategic and International Studies, a draft version of the executive order would direct federal agencies to "incorporate cybersecurity standards as part of the regulatory requirements they impose on the industries they regulate."

Independent agencies, such as the Federal Communications Commission, "will be asked to help," Mr. Lewis said, but "will the standards make sense, and will they be imposed within a reasonable timeline?"

He said there is "very little prospect" of the 113th Congress crafting and enacting a cybersecurity bill this year, as new leaders assume command of the committees and subcommittees that would produce such legislation.

The Senate Homeland Security

## CHANGING OF THE GUARD

The leadership of the key Senate and House committees overseeing cybersecurity and homeland security issues has been overhauled in the new Congress.

### Senate Homeland Security and Governmental Affairs Committee

| 112th Congress              | 113th Congress                       | 112th Congress                 | 113th Congress                 |
|-----------------------------|--------------------------------------|--------------------------------|--------------------------------|
|                             |                                      |                                |                                |
| Chairman: Joe Lieberman (I) | Ranking member: Susan M. Collins (R) | Chairman: Thomas R. Carper (D) | Ranking member: Tom Coburn (R) |

### House Homeland Security Committee

| 112th Congress              | 113th Congress  | 112th Congress               | 113th Congress                                       |
|-----------------------------|---|------------------------------|--|
|                             |   |                              |  |
| Chairman: Peter T. King (R) | Cybersecurity Subcommittee Chair: Michael T. McCaul (R) | Chairman: Daniel Lungren (R) | Cybersecurity Subcommittee Chair: Patrick Meehan (R) |

THE WASHINGTON TIMES

and Governmental Affairs Committee will be led by Sens. Thomas R. Carper, Delaware Democrat and committee chairman, and Tom Coburn of Oklahoma, the panel's ranking Republican. They replace Sen. Joe Lieberman, Connecticut independent, who retired at the end of the 112th Congress, and Sen. Susan M. Collins, Maine Republican, respectively.

The House Committee on Homeland Security will be headed by Rep. Michael T. McCaul, a Texas Republican who has said he wants to focus on bringing business management principles to the Department of Homeland Security. He replaces Rep. Peter T. King, New York Republican, who ran up against committee term limits.

In addition, the House Homeland Security subcommittee on cybersecurity will be chaired by Rep. Patrick Meehan, Pennsylvania Republican. The panel's previous chairman, Rep. Daniel Lungren, California Republican, was defeated in his re-election bid in November.

"Absent some major bad event, the odds are very long" against any cybersecurity legislation passing either chamber this year, Mr. Lewis said. "Politics stopped them from doing it last year. Nothing's changed in that regard."

Part of the difficulty for Congress

is the large number of oversight committees with authority over various parts of the hugely complex policy issue, current and former congressional staffers say. Cybersecurity is a key element of matters dealing with defense, transportation, homeland security, energy, financial services, small business, communications and intelligence, among others.

"Cybersecurity is a hard issue on which to legislate," said Ms. Herrera-Flanigan.

Different committees oversee different agencies and businesses. And lawmakers, ever protective of their prerogatives, are often reluctant to allow other committees to act on contested or shared turf.

"There are so many elements and aspects of our online lives that are touched by ever-changing technology that putting together policies and laws that don't become antiquated and yet address the concerns of all the relevant stakeholders is not easily done," Ms. Herrera-Flanigan said. "The government has struggled to address [cybersecurity] for more than 25 years."

Nonetheless, she is more sanguine than Mr. Lewis about the prospects for legislation in the new Congress.

"We will see a lot of activity in the 113th Congress on the cyber front," she said.

**"There are so many elements and aspects of our online lives that are touched by ever-changing technology that putting together policies and laws that don't become antiquated and yet address the concerns of all the relevant stakeholders is not easily done. The government has struggled to address [cybersecurity] for more than 25 years."**

Jessica Herrera-Flanigan, former general counsel and staff director of the House Committee on Homeland Security

# HERE'S HOW THE US SENATE UNCONSTITUTIONALLY BYPASSED ARTICLE I, SECTION 7, PARAGRAPH 1 THE ORIGINATION CLAUSE AND CREATED AN UNCONSTITUTIONAL HEALTHCARE MANDATE.

**Mr. or Ms. STATE ATTORNEYS GENERAL, Mr. or Ms. STATE GOVERNOR AND ALL U.S. REPRESENTATIVES IN CONGRESS— JOIN US AS CO-PLAINTIFFS IN A LAWSUIT ARGUING THE UNCONSTITUTIONALITY OF OBAMACARE BASED ON THE U.S. SENATE PERPETUATING A FRAUD ON THE AMERICAN PEOPLE FOR BYPASSING THE ORIGINATION CLAUSE WHICH MANDATES THAT ALL APPROPRIATIONS (SPENDING) BILLS OR BILLS WHICH TAX U.S. CITIZENS MUST ORIGINATE IN THE HOUSE OF REPRESENTATIVES.**

**When the House submitted HR 3200 to the House, the Reid bullies blocked the measure from making it to the floor and instead, substituted their own version, HR 3962 (pretending the measure originated in the House—when that bill was D.O.A. in the Senate even though Article 1, Section 7, paragraph 1 of the Constitution mandates that “all bills for raising revenue shall originate in the House of Representatives.” This is known as the “Origination Clause.”**

Sixteen State Attorneys Generals sued the Obama Administration to nullify HR 3962, the America's Affordable Health Choices Act over the "individual mandate" that would fine anyone who refused to purchase Obamacare. This would be the first time in history that an American could, or would, be fined for doing absolutely nothing. Chief Justice John Roberts informed the Obama Administration that the federal government, nor Congress possessed that power, and advised the White House that prerogative was unconstitutional. But he then apparently offered them what appeared to be an "out." He said that while there was not much difference between a "fine" and a "tax" except one was illegal and the other was not.

Because he needed a House bill that originated before 3962, Sen. Harry Reid [D-NV] resurrected the Service Members Home Ownership Tax Act of 2009 and blessed it with a new name—the Patient Protection and Affordable Care Act, retaining its Sept. 17, 2009 origination date but changing what it advocated for. The dead and buried Service Members Home Ownership Tax Act of 2009 suddenly became "born again" as the Patient Protection and Affordable Care Act. Keeping only the first line of 3590 because that language appeared in the Congressional record, the text of HR 3962 was substituted by the Senate Democrats for the text of HR 3590 to create the illusion that HR3590 was Obamacare, and that it met the origination test in the Constitution when, in fact, in the House it was the Service Members Home Ownership Tax Act of 2009 which had fraudulently morphed into Obamacare to meet Chief Justice John Roberts' originality test.



The Democrats had a dilemma of sorts since the only bill that met the constitutional "origination clause" was HR 3200 which died the day it hit the Senate. And, since HR 3962 originated in the Senate and not the House, it failed the "Origination smell test." It was a Senate bill with a House number.

HR 3200, the original healthcare bill that flew through the House on July 14, 2009, was sent to the Senate. It died on arrival. Harry Reid didn't like it and refused to consider it. He replaced HR 3200 with his own bill, HR 3962. Reid wasn't worried about the ORIGINATION CLAUSE because, after all, the penalty for not buying healthcare was a fine, not a payroll tax.

The Senate originally claimed that HR 3962 originated in the House in Nov., 2009 as America's Affordable Care Act (the original name of HR 3200.) But it didn't. It originated in the Senate as the Patient Protection and Affordable Health Choices Act. We are led to believe that, in reconciliation, HR 3200 was merged with HR 3962, and that 3962 included most of HR 3200. That appears not to be true. Since HR 3200 is the only healthcare bill that met the "origination" test under Article I, Section 7, paragraph 1, that is the bill the Senate was obligated to pass.

However, both HR 3200 and HR 3962 became mute in the long run because both bills were suddenly replaced by HR 3590 when the individual mandate became a tax instead of a fine in the Supreme Court.

Suddenly HR3590 appeared from the tombs of failed bills. HR 3590 originated in the House of Representatives on Sept. 17, 2009. But not as part of the healthcare bill. HR 3590 originated as the Service Members Home Ownership Tax Act of 2009. Its purpose had nothing to do with Obamacare or any other kind of healthcare. It was a bill to amend the Internal Revenue Code of 1986 to provide a first time home buyers' credit to members of the Armed Services. Congressman Charlie Rangel [D-NY] proffered the House version of the bill on Sept. 17, 2009. Sen. Claire McCaskill [D-MO] proposed the Senate version, S.1728 on Sept. 30, 2009. Hr 3590 passed the House on a vote of 416-0. It died in the Senate without a vote.

Sixteen State Attorneys Generals saw the illegality of the Individual Mandate and sued in the Supreme Court to vacate Obamacare by finding it unconstitutional. While the Individual mandate was unconstitutional, the decision by Chief Justice John Roberts to find it constitutional if the "fine" was a "tax," so ruled. Roberts decision now opens the door to finally kill Obamacare completely and permanently—and likely level the charge of perjury against the Democratic leadership for affirming that Obamacare met the Constitutional origination criteria that since this was an appropriations bill, and that Obamacare bill HR 3590 originated in the US House of Representatives when HR 3590 was a bill to provide a one time tax allowance to servicemen purchasing a home.



**IT IS TIME TO END THE FARSE KNOWN AS OBAMACARE ONCE AND FOR ALL. THE 16 STATES ATTORNEYS ENERALS WHO FILLED THE ORIGINAL "INDIVIDUAL MANDATE" LAWSUIT AGAINST THE OBAMA ADMINISTRATION NOW TO SERIOUS CONSTITUTIONAL GROUNDS UPON WHICH TO FILE THIS ACTION—HR 3590 WAS NOT THE HOUSE LEGISLATION THAT INITIATED OBAMACARE. OBAMACARE ORIGINATED IN THE SENATE AND AROSE IN THE HOUSE ONLY AFTER THE DEMOCRAT LEADERSHIP REALIZED THAT THEIR FINE WAS A TAX, AND TAX IS AN APPROPRIATION.**

**TO END OBAMACARE FOREVER, THESE MEN AND WOMEN NEED TO FILE SUIT AGAINST THE OBAMA ADMINISTRATION, HARRY REID, NANCY PELOSI AND NY CONGRESSMAN CHARLIE RANGEL WHO INTRODUCED HR 3590 AS THE SERVICE MEMBERS HOME OWNERSHIP TAX CT OF 2009 AND NOT THE PATIENT PROTECTION ND AFFORDABLE CARE ACT.**

**WE NEED YOUR HELP. AMERICA NEEDS YOU TO CONTACT YOUR STATE AG! CONTACT YOUR GOVERNOR! CONTACT YOUR REPUBLICAN CONGRESSMEN AND SENATORS AND TELL THEM WE NEED THEM TO JOIN THIS LAWSUIT TO END THIS UNCONSTITUTIONAL POPULATION CONTROL EDICT.**

# The 113<sup>th</sup> Congress

## Unresolved fiscal issues threaten more bitter battles

### No sign of agreement on sequestration, debt ceiling

By SEAN LENGELL

THE WASHINGTON TIMES

The bitter partisan fights on taxes and spending that dominated the past Congress — highlighted by the “fiscal cliff” battle — likely will continue to boil this year.

Several big money issues left by the previous Congress are coming due in a few weeks, most notably automatic across-the-board spending cuts, an expiring stopgap measure to fund federal agencies and the need to find more space under the government’s encroaching debt ceiling.

With President Obama’s budget due in February and broader tax reforms on everyone’s to-do list, 2013 is shaping up to be a busy year for congressional appropriators and tax writers.

Yet whether lawmakers can rise above the partisan fray and pass any long-term and meaningful fixes is anyone’s guess.

Among the first major fiscal challenges facing the 113th Congress is how to avoid the “sequester” spending cuts scheduled to kick in March 1. The series of cuts in federal spending — delayed two months as part of the eleventh-hour deal to avoid the fiscal cliff in the new year — would reduce the budgets of most agencies and programs by 8 percent to 10 percent.

The cuts were conceived in the 2011 debate over the debt ceiling with the idea that instituting a “trigger” of such deep, indiscriminate across-the-board cuts would force both parties to work together to find better ways to attack the problem of the federal debt and deficit.

Both parties loathe the sequester, though for different reasons. Republicans insist on cuts in expensive entitlement programs such as Medicaid while resisting defense cuts. Many Democrats are open to trims in Pentagon spending but are fiercely protective of social welfare and entitlement programs. Neither side has shown a willingness to budge.

#### Funding challenge

Lawmakers also must figure out a way to keep the federal government funded through the year or risk a politically perilous government shutdown. Congress failed to pass a yearlong spending plan last year, forcing lawmakers to implement a six-month stopgap — known as a continuing resolution — in late September in order to avert a government shutdown when the current fiscal year began Oct. 1. That temporary measure expires March 27.

House and Senate appropriations committee leaders say they are determined to craft and pass a spending plan for the rest of fiscal year 2013, which ends Sept. 30. Republicans particularly abhor stopgap measures because they generally keep spending rates at the status quo, robbing them of an opportunity to cut what they consider to be wasteful, redundant and obsolete programs.

“Funding the government in short increments — without addressing the details for each program — is not the right way to govern and not something that should be common practice,” House Appropriations Committee Chairman Hal Rogers, Kentucky Republican, said on the chamber floor last year.

But with partisan gridlock showing no signs of abating, speculation persists that the new Congress simply will extend the temporary spending measure through September instead of doing the heavy lifting needed to create a new plan.

#### Without a budget

Meanwhile, Congress is required by law to pass a budget for fiscal year 2014 by April 15, then write the annual spending and tax laws to carry out the budget’s targets.

That didn’t happen in 2012 for the third straight year, as Senate Democrats refused to take up the House Republican-drafted budget while failing to offer a plan of their own. The last time the Senate passed a budget was in 2009, when Democrats controlled both chambers of Congress and the White House.

The president’s annual budget is due in February, though it is unlikely that it will gain much — if any — traction, as both houses of Congress overwhelmingly rejected the president’s proposal last year.

Also looming is the federal government’s self-imposed borrowing limit, which is expected to be reached by late February.

Republicans generally want a dollar of spending cuts for every dollar that the so-called debt ceiling is raised. Democrats accuse Republicans of holding the economy hostage because the financial markets likely would nose-dive if the government exceeds its borrowing limit and defaults on its loans. Mr. Obama has vowed not to bargain with lawmakers over a debt ceiling increase — as he did in the summer 2011 stand-off — but will be hard-pressed to impose his will on Republicans.

The new Congress also will be pressed to deal with renewing the payroll-tax “holiday” that expired for more than 160 million American workers at the end of 2012.

The 2 percentage point Social Security tax cut allowed a worker earning \$50,000 to keep about an extra \$19 a week. Mr. Obama pushed for the tax cut in 2010 as a way to increase workers’ take-home pay to help boost consumer spending and provide a spark for the economy. The initial tax cut was for only a year but was extended through 2012.

Despite Republicans’ appetite for tax cuts, many in the party question whether the payroll cut did much to stimulate the economy. They also said they were concerned that it threatened the independent revenue stream that funds Social Security.



ASSOCIATED PRESS PHOTOGRAPHS

President Obama shakes hands with Sen. John Kerry, Massachusetts Democrat, his choice to be the next secretary of state, as he makes the announcement at the White House on Dec. 21. If confirmed by his fellow senators, it will necessitate a special election to fill his Senate seat.

## Exits by Clinton, Panetta, others to alter face of 2nd-term Cabinet

By DAVE BOYER

THE WASHINGTON TIMES

President Obama will begin his second term with a much different leadership team than his first four years, with several of the key chairs in his Cabinet room yet to be filled.

Leaving are some of the most prominent players during Mr. Obama’s first term, including Secretary of State Hillary Rodham Clinton, Defense Secretary Leon E. Panetta and Treasury Secretary Timothy F. Geithner. Attorney General Eric H. Holder Jr. is expected to stay for another year at most.

Energy Secretary Steven Chu is likely departing as well, after a tenure that was marred by costly solar-energy funding scandals such as Solyndra. Another administration lightning rod, EPA Administrator Lisa P. Jackson, also has confirmed she is heading for the exit.

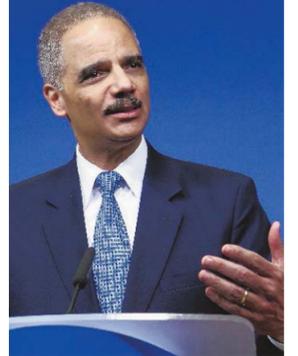
The president has encountered problems filling some of these posts almost immediately after his re-election on Nov. 6. Early on, the White House signaled that Mr. Obama hoped to nominate U.N. Ambassador Susan E. Rice to replace Mrs. Clinton at the State Department. But Mrs. Rice’s candidacy was scuttled by her election-year role in promoting a misleading characterization of the terrorist attack on the U.S. Consulate in Benghazi, Libya, in which Ambassador to Libya J. Christopher Stevens and three other Americans died.

Her withdrawal all but clinched Mr. Obama’s decision to formally nominate Sen. John F. Kerry, Massachusetts Democrat and chairman of the Senate Foreign Relations Committee, as his next secretary of state. Senators of both parties say the 2004 Democratic presidential nominee will win a relatively easy confirmation.

Mr. Obama has already



Mr. Obama and his chief of staff, Jack Lew, confer. Mr. Lew, who previously served as the president’s Office of Management and Budget chief, is said to be under consideration for Treasury secretary.



Attorney General Eric H. Holder Jr. is perhaps the member of the president’s Cabinet that congressional Republicans would most like to see leave. Mr. Holder is expected to remain in the post at least for the time being.

Management and Budget and worked at Citigroup, is viewed as the front-runner. Mr. Chenault could end up serving as a presidential adviser or leading the Commerce Department, where Rebecca Blank has served as acting secretary since the resignation last June of John Bryson. Mr. Geithner probably will not step down until after all the issues involved in the “fiscal cliff” negotiations with Congress are ironed out in the coming months.

At Energy, among the names being mentioned as replacements for Mr. Chu are former Colorado Gov. Bill Ritter; John Podesta, founder of the liberal Center for American Progress; and Kathleen McGinty, former chairwoman of the White House Council on Environmental Quality in the Clinton administration. At EPA, Deputy Administrator Bob Perciasepe is considered a candidate to replace Ms. Jackson, who has come under fire for, among other things, using a secondary email account to conduct official business.

Mr. Holder, a target of Republican lawmakers who accuse him of stonewalling their investigation into Justice’s Fast and Furious gun-walking operation, is likely to stay on temporarily. One of the possible candidates for the job is Massachusetts Gov. Deval Patrick.

Also expected to stay in Mr. Obama’s Cabinet for the time being are Health and Human Services Secretary Kathleen Sebelius and Labor Secretary Hilda L. Solis. It’s not clear whether Homeland Security Secretary Janet A. Napolitano will stay on. She told a newspaper a few months ago she was thinking of moving back home to Arizona after Mr. Obama’s first term.

Democratic aides also have said they have heard no inklings that Rob Nabors, who leads the president’s legislative-affairs office, is planning to leave. He’s been in the high-burnout job for about two years.

declined to take the easy route with two of his top national security choices, announcing Monday that he would proceed with the nominations of former Sen. Chuck Hagel, Nebraska Republican, as defense secretary and John Brennan, his counterterrorism adviser and a career Central Intelligence Agency officer, to succeed retired Gen. David H. Petraeus as the head of the CIA,

despite the flak that both choices have already drawn.

Mr. Hagel is a Vietnam veteran who opposed the troop surge in Iraq in 2007 under then-President George W. Bush. Jewish groups are questioning his commitment to Israel, while gay activists have highlighted what they say are past comments by Mr. Hagel seen as insensitive to gays.

Mr. Hagel would be Mr. Obama’s second Republican defense secretary. Robert M. Gates served for more than two years at the Pentagon under Mr. Obama as a holdover from Mr. Bush’s second term.

The CIA post opened up unexpectedly after revelations of Mr. Petraeus extramarital affair in November. But Mr. Brennan has been criticized for his record during the Bush administration for what some say was a failure to block waterboarding and other enhanced interrogation techniques practiced in the early years of the war on terrorism.

For the Treasury job, the president is considering his current chief of staff, Jack Lew, and Kenneth Chenault, CEO of American Express Co. Mr. Lew, who has led the White House Office of



Treasury Secretary Timothy F. Geithner, seen here Dec. 2 on CBS’ “Face the Nation,” probably won’t step down until after all the budget issues that remain in the wake of the “fiscal cliff” deal are resolved.

The 113<sup>th</sup> Congress

## Staring down the sequester barrel

## Pentagon cuts could idle civilian defense workers by thousands

By KRISTINA WONG  
THE WASHINGTON TIMES

The 113th Congress' most pressing defense-related concern will be the military's budget, despite the previous Congress having averted the so-called "fiscal cliff."

Come March 1, automatic spending cuts will begin slicing \$500 billion from the Pentagon's budget over the next 10 years — and prompting layoffs for as many as 800,000 civilian Defense Department workers.

"The onus is on Congress to avoid it once and for all," Pentagon press secretary George Little said last week.

The 112th Congress' fiscal cliff deal, the American Taxpayer Relief Act of 2012, delayed until March 1 the start of across-the-board, automatic spending cuts known as sequestration. The federal government would have to begin cutting its spending by about \$1 trillion over the next decade, with the Pentagon accounting for about half of that reduction.

U.S. officials said that, if sequestration begins in March, about \$42.5 billion would be cut from the defense budget over the following seven months. Civilian workers would be notified of layoffs after sequestration has begun and would be given about 30 days' advance notice. Layoffs would not occur all at once, but would be carried out on a rolling basis for a maximum of 22 days.

How the fiscal cliff deal will affect the fiscal 2013 and 2014 defense budgets was not immediately clear.

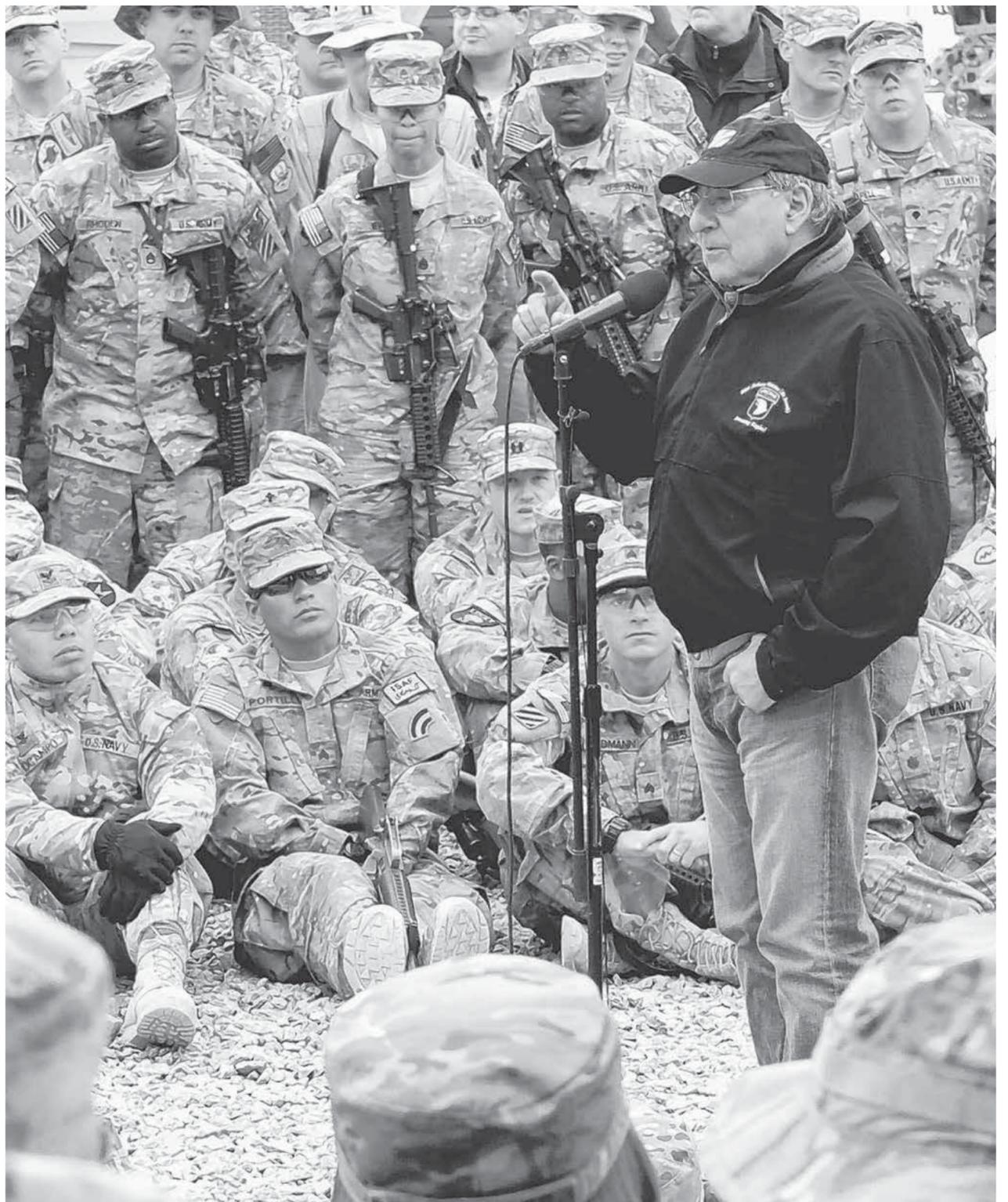
"There will probably be some impact to this year's budget. We don't know precisely what that number is... details are still being worked out," Mr. Little said. "Our budget colleagues are working very hard to analyze [the fiscal 2014 budget] and to coordinate closely with the Office of Management and Budget."

The Defense Department is operating on a continuing resolution that will expire March 27. By then, the Senate will have to pass the 2013 defense appropriation bill to fund military spending for the rest of the fiscal year, which ends Sept. 30.

Top national security concerns for Congress in 2013 include Iran's nuclear program, the U.S. "pivot" to the Asia-Pacific region, al Qaeda's operations in Africa and Middle East, Syria's civil war and the withdrawal of American troops from Afghanistan. Additionally, Defense Secretary Leon E. Panetta is expected to step down, and his replacement would face a Senate confirmation hearing.

Congress already has levied fresh sanctions against Iran in an effort to persuade the regime from trying to develop atomic weapons. The issue will take on more urgency this year as Tehran approaches the so-called "zone of immunity" — the time after which a military strike cannot set back Iran's nuclear program. Israeli leaders for months have been mulling a strike on the Islamic republic's nuclear sites.

Meanwhile, the Pentagon will keep Congress apprised of its shift of military assets to the Asia-Pacific — a region noted for large and developing economies but also roiled by various territorial disputes, North Korean provocations and Chinese maritime assertiveness. Sequestration likely would impact the pivot to Asia and require a



Defense Secretary Leon E. Panetta, soon to step down, addresses the troops during a visit to Kandahar airfield in Kandahar, Afghanistan, on Dec. 13.

ASSOCIATED PRESS

rethink of the year-old military strategy behind it, a defense official said.

In addition, lawmakers will continue to monitor al Qaeda, its affiliates and other violent extremist groups operating in Africa and the Middle East. The 2013 National Defense Authorization Act allocates funds for training and equipping allied nations to defeat terrorists in Yemen and North Africa, as well as Somalia, Mali and Nigeria.

"The good news is that al Qaeda as an

organization has been badly weakened, but it's important to keep the pressure on them," said Christopher Preble, director of foreign-policy studies at the Cato Institute.

Congress also is requiring the defense secretary to submit an assessment of limited military activities that could weaken the Syrian government's ability to use air power against civilians and opposition groups, and submit a review of Russia's military support to Syria.

Members of Congress also will oversee the

military's withdrawal from Afghanistan, where about 66,000 U.S. troops are fighting Taliban and al Qaeda forces. President Obama is to soon announce how many U.S. troops will remain in Afghanistan after 2014, which will determine the pace of the withdrawal in 2013 through the end of 2014.

Lawmakers also will allocate funds for Afghan National Security Forces after 2014, when all U.S. and international combat forces are due to leave the country.

By BEN WOLFGANG  
THE WASHINGTON TIMES

## Obama holds key to sources of energy

America's energy outlook this year will be, more than ever before, tied to how the federal government approaches the issue of climate change — and how much leverage the new Congress will have to help or hinder those efforts.

Many of President Obama's supporters expect real action. Although it's unlikely that a federal carbon tax or a revived "cap-and-trade" pollution-control system could be implemented — House Republicans will have none of it — the administration and its environmentalist allies still have cards to play. Congress will have some say in what happens to American fossil-fuel production, subsidies for wind and solar power and other key energy matters, but most of the important decisions will be made in the White House.

Chief among those is whether to approve the Keystone XL pipeline, a massive Canada-to-Texas project that backers say could transform North American energy markets but one that many environmentalists see as a major concession in the larger fight to reduce carbon emissions.

That is a fight that many

expect Mr. Obama to embrace in his second term.

"We're confident that he's going to tackle it. He's had a very good start," said Josh Saks, legislative director for the National Wildlife Federation's advocacy center, citing the administration's drive to improve auto fuel standards and other steps taken in the name of fighting climate change in his first term.

"The carbon [issue] is the big enchilada for us right now. We're going to make sure that the president pays attention to this," Mr. Saks said.

Although the Keystone project may be the highest-profile energy fight this year, the administration is poised to ratchet up its regulatory agenda in other areas, though it first must fill a key vacancy on its policy team.

**A new EPA head**

Mr. Obama has not nominated a permanent replacement for Environmental Protection Agency Administrator Lisa P. Jackson, who recently announced that she would be stepping down after the president's State of the Union address this month.

She has led what many on the left consider a successful four-year term, but also has encountered several major embarrassments, including an ongoing investigation in her use of secret email accounts.

Whoever takes over the agency, one thing is certain: The EPA will move ahead this year with a litany of rules, including a tightening of the ozone standard, that critics contend will hold back the energy and power generation sectors of the economy and ultimately may cost tens of thousands of jobs.

The EPA last month released the final version of its controversial boiler "maximum achievable control technology" standard, better known as the Boiler MACT rule. It will greatly limit emissions from industrial boilers, heaters and similar sources.

"I don't think you're going to see a slowdown of regulations. Right now, the EPA is geared up to get them out the door," said Ken von Schaumburg, a D.C. lawyer who served as deputy general counsel at the EPA during the George W. Bush administration. "The agenda is set. It's just a matter of how stringent

the rules are going to be when they come out."

Another item at the top of the EPA hit list is greenhouse-gas emissions, viewed as a main contributor to climate change. The Obama administration has imposed a ban on new coal-fired plants, but likely will pursue equally onerous restrictions on existing plants.

Congressional Republicans fear the greenhouse gas limits eventually will cause great harm to broad swaths of the economy, including consumers, employers and homeowners who rely on power plants.

"It's not just coal plants that will be affected. Under the Clean Air Act, churches, schools, restaurants, hospitals and farms will eventually be regulated," according to a report issued by Republican members of the Senate Committee on Environment and Public Works.

**Fracking fights**

The EPA also has its sights set on hydraulic fracturing, or "fracking," the controversial technique used to extract oil and natural gas from areas such as the Marcellus Shale that stretches across a number of Mid-Atlantic and Midwestern

states. The process has transformed the American energy landscape and put the nation on track to free itself from dependence on foreign oil within the next two decades — an unimaginable scenario even a few years ago.

The EPA is in the midst of a massive study to determine whether the practice contributes to water pollution and contamination of local drinking sources. The report may be a precursor to sharp federal limits on fracking.

Environmentalists and many congressional Democrats are pushing for restrictions, even though Mr. Obama has expressed support for expanded domestic drilling.

Congressional Republicans remain skeptical of Mr. Obama's words and the EPA study. They have questioned the EPA's science given the agency's unsuccessful attempts to indict fracking as harmful to sources of drinking water.

Those Republicans ultimately have few viable options to slow down the agency's efforts.

"There have been numerous proposals put out by the Republican House to try and stymie

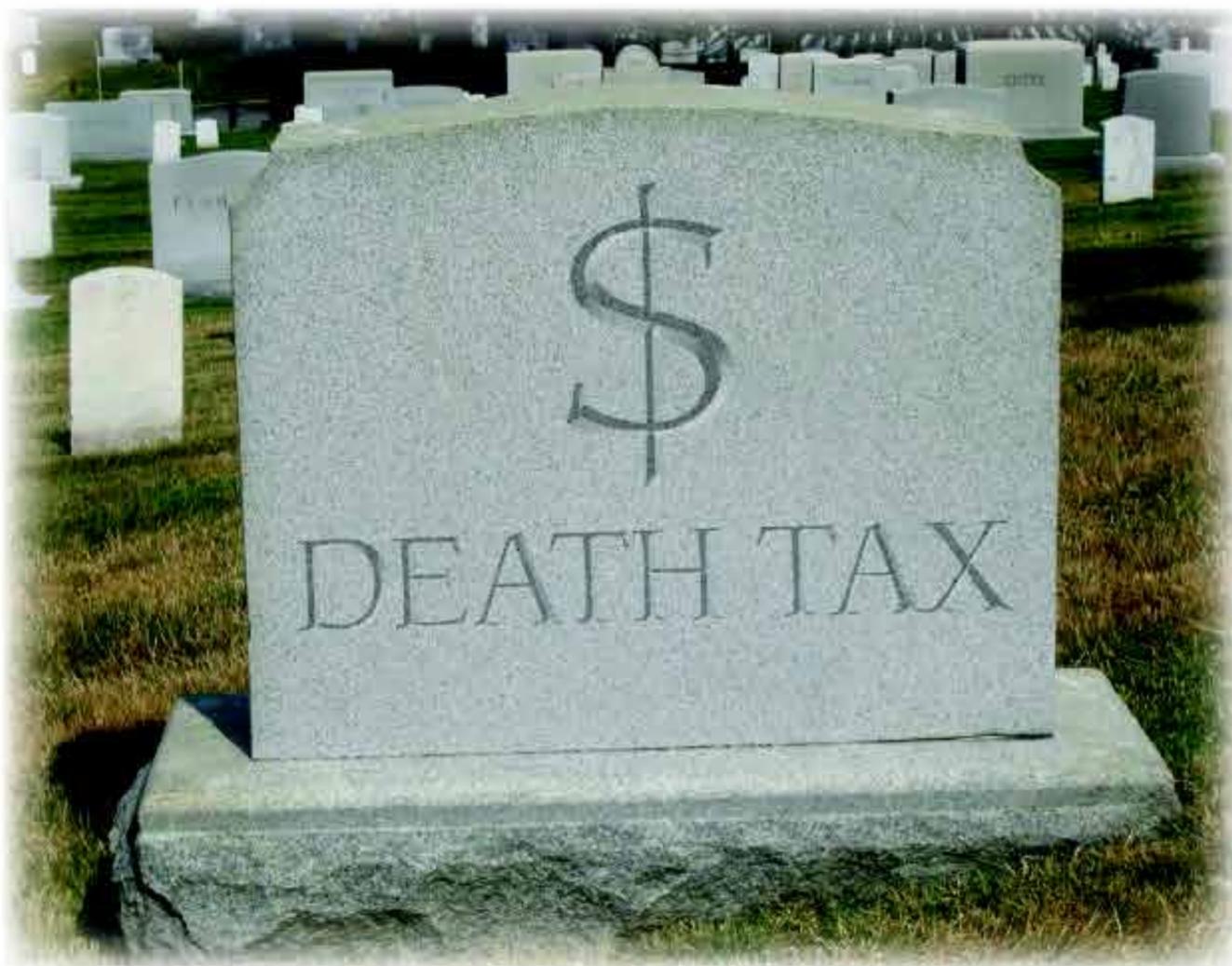
these overreaching regulations, but they're not going to go anywhere," Mr. von Schaumburg said. Senate Majority Leader Harry Reid, Nevada Democrat, "is not going to ever put them on his agenda."

Republicans, buoyed by sweeping gains in the House in the 2010 elections, have tried over the past two years to rein in regulations and limit wasteful government investment into renewable fuels. The House last year passed several measures to stop what they say is the administration's "war on coal," and passed the "No More Solyndras Act," legislation meant to ensure that taxpayers never again lose hundreds of millions of dollars in failed investments in solar- or wind-power technology.

In the end, any significant energy legislation stands little chance of clearing the divided Congress. That leaves the White House and its EPA to write energy and environmental policy with limited input from the House and Senate.

"The administration is looking at the laws in existence, reinterpreting them and pushing them through the regulatory process much further than the law was ever intended," Mr. von Schaumburg said. "This administration is not letting Congress make law."

# CONGRESS PUNTED



## The Death Tax should be buried!

*...instead, Congress and President Obama raised it to 40%  
Destroying more jobs, more family businesses and farms.*

**The war to kill the Death Tax  
has just been escalated with the founding of the  
**Family Business Defense Council****

Founder Dick Patten has led the nation-wide Death Tax repeal movement. Under his leadership, over 500 House and Senate candidates signed the Death Tax Repeal Pledge. He is joined by long-time tax fighter and policy leader Howard Segermark.

We are proud to announce the foundation of the Family Business Defense Council. FBDC has already enlisted a nation-wide network of family business owners and farmers to drive a stake through the heart of the Death Tax.

***For more information:***

Call- 202.621.7339 Email- Dick.Patten@FamilyBusinessDefenseCouncil.com  
Call- 202.352.5229 Email- Howard@FamilyBusinessDefenseCouncil.com  
910 15th Street, NW • Suite 811 • Washington, D.C. 20005

**Coming soon: [www.FamilyBusinessDefenseCouncil.com](http://www.FamilyBusinessDefenseCouncil.com)**