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We shouldn't assume that passing laws is always a good thing. Gridlock and divided government have protected the American people from a lot of bad laws and excessive spending. So my goal is not simply to find laws that both parties will pass but, rather, to consider whether there are pieces of legislation that would do more good than harm.

Republicans promised to repeal Obamacare. They can't do that in this Congress. But they can start the process. Some Democrats understand that the long-term-care entitlement is a fiscal time bomb. Republicans should challenge self-proclaimed budget hawks like North Dakota Sen. Kent Conrad to join them in repealing it. As my colleague Michael Tanner said, "Congress could also look to repeal restrictions on popular options like flexible spending accounts and health savings accounts." And where bureaucrats are offering temporary waivers to insurance plans that can't meet the ill-considered rules in the Obamacare bill, Republicans should make those waivers permanent and statutory.

The president can't spend any money that the House doesn't appropriate. The federal government spent \$2.7 trillion in 2007 — already up almost a trillion dollars during the Bush years — and proposes to spend \$3.8 trillion in fiscal year 2011. That's why we have a deficit problem and why we have a tea-party-influenced Congress. The new House should set fiscally responsible budget rules and refuse to appropriate money that exceeds those guidelines.

The Democratic House of Representatives refused to move ahead on trade agreements with South Korea, Colombia and Panama, all of which President Obama has endorsed. Republicans should now encourage the administration to submit them for approval. The cooperation of a Republican Congress and a Democratic president to pass NAFTA was one of the highlights of the Clinton administration. Obama and today's Congress could get the trade process back in gear by approving these agreements.

Surely free-marketers and nanny-nutritionists could get together to end Dairy Management Inc., the taxing and tax-funded government program that urges Americans to eat more cheese. And when they finish with that, they could abolish the other 17 USDA marketing programs and let food producers do their own marketing.