
National



Kevin Price

The US House GOP and the Constitution

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The big news from Washington, DC this week is the GOP officially taking control of the US House of Representatives. The new party is trying to set a different tone. The era of the "jet setting" Speaker Pelosi is being replaced by a GOP leader who actually took a bus to his swearing in from his home in Ohio. Going forward, Speaker Boehner intends to fly commercial, rather than use a private jet as was the practice of Pelosi.

There is also a different emphasis. One we have not seen in years, if not in decades, on the US Constitution. For some reason, this focus is driving liberals crazy.

Joy Behar epitomized the view of the left on her HLN TV show this week:

"I was just going to say, and he wants them to read the constitution. I'm going to place bets on whether he (Boehner) can get through the reading of the constitution without breaking down in tears... Do you think this constitution loving is getting out of hand? Is it a nod to the tea party? What is this about exactly?" It is interesting to note the near fear on the part of the Democrats when it comes to the Constitution being read.

The US House did begin its session with many of the members reading parts of the US Constitution. It was touching and something I hope that becomes an annual tradition. But if this were the extent of the GOP's actions, I think this would offend the Tea Party activists that got them elected. But there is more and, many arguing, much more.

Roger Pilon of the Cato Institute [noted in the Wall Street Journal](#) that "House Democrats are lining up to ridicule a... rule that the Republican majority has said it will adopt, requiring members to cite the specific constitutional authority for any bill they introduce. 'It's an air kiss they're blowing to the tea party,' says Barney Frank, outgoing chairman of the House Financial Services Committee. Henry Waxman, outgoing chairman of the House Energy and Commerce Committee, all but dismissed any role for Congress in assessing the constitutionality of its actions: 'Whether it is constitutional or not is going to be whether the Supreme Court says it is.'

In other words, Members of Congress are going to be expected to cite what part of the Constitution that gives them the authority to pursue a legislation. If it is not in Article I, Section 8 of the Constitution (which lists the powers of Congress), it should not be considered. I have a feeling you will find many referring to the "necessary and proper" of the Constitution. I hope those who support the Constitution remind them of the 10th Amendment. If it is not in the Constitution, it should be left to the citizens and the states.

I find the language of Rep. Waxman to be very telling. It is similar to the language used by Nancy Pelosi when asked about the constitutionality of Obamacare. She thought the question was ridiculous, similarity, the Democratic leadership does not care about "constitutionality."

The Democrats will be dismissive and downplay the importance of these steps that I believe most voters will find refreshing. Republicans, on the other hand, better be careful and not over play its hand. The GOP will find itself in hot water if tactics like this become nothing more than a publicity stunt. It is imperative for them to practice what they preach and hold themselves to the same standard as they have for the Democrats. The Constitution applies to everyone.



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