



“General Welfare” and Federal Spending





Agenda

- The Problem
- Our Current Situation
- The Constitution
- The Solution
- Wrap-up & Questions



The Problem

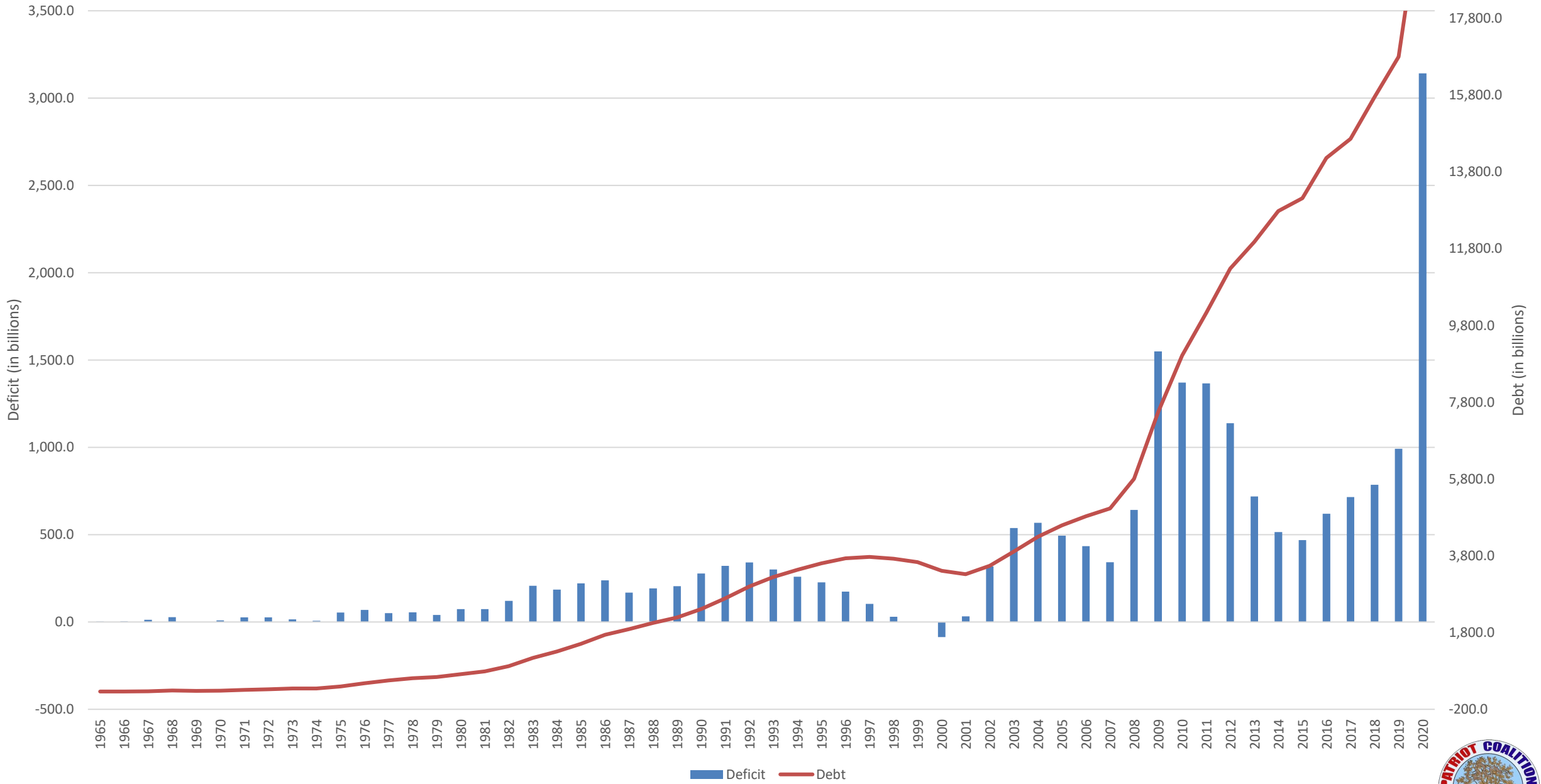


The Problem: Definitions

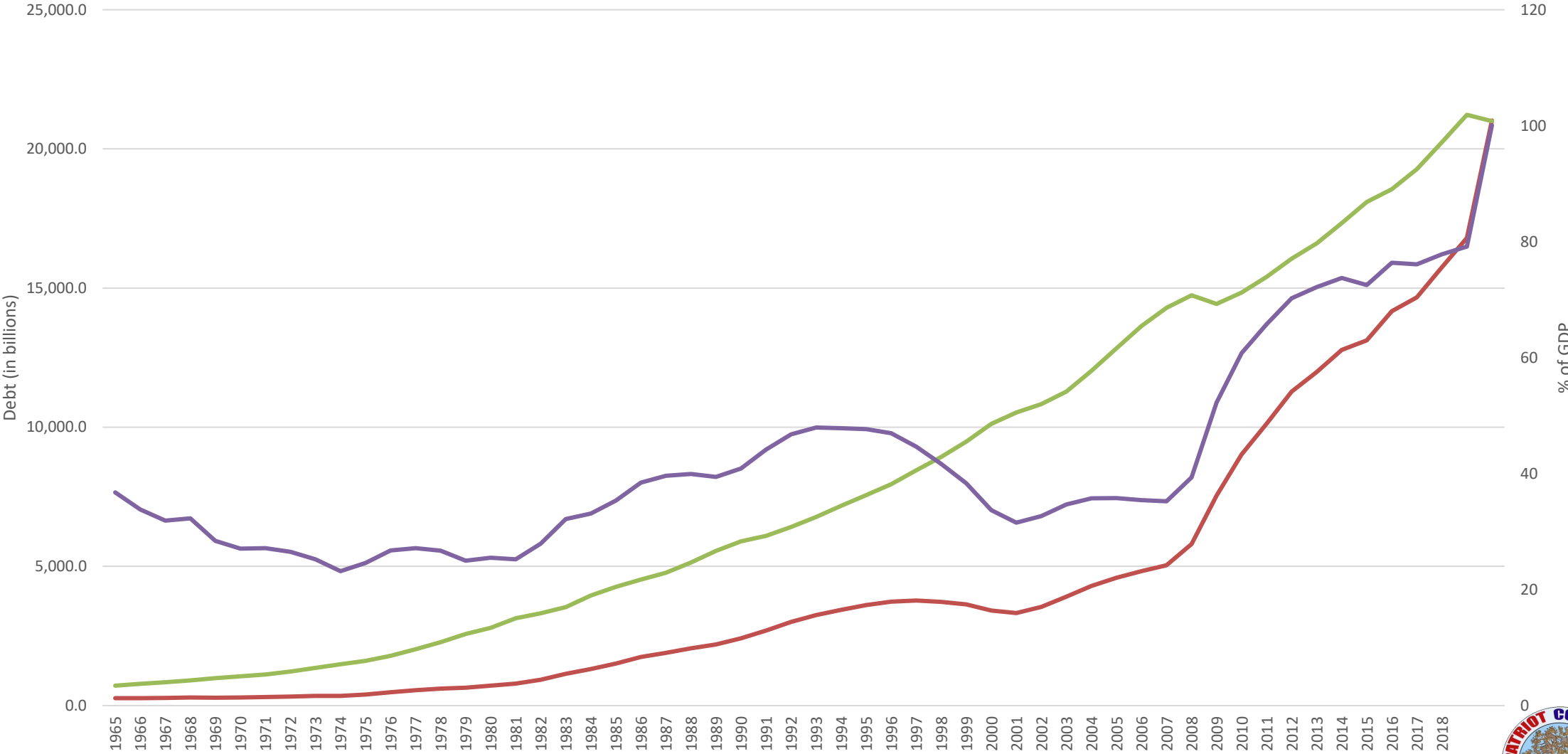
- Deficit
- Debt
- Unfunded Liabilities
- Spending
 - Discretionary
 - Mandatory
- Gross Domestic Product (GDP)



Debt and Deficit



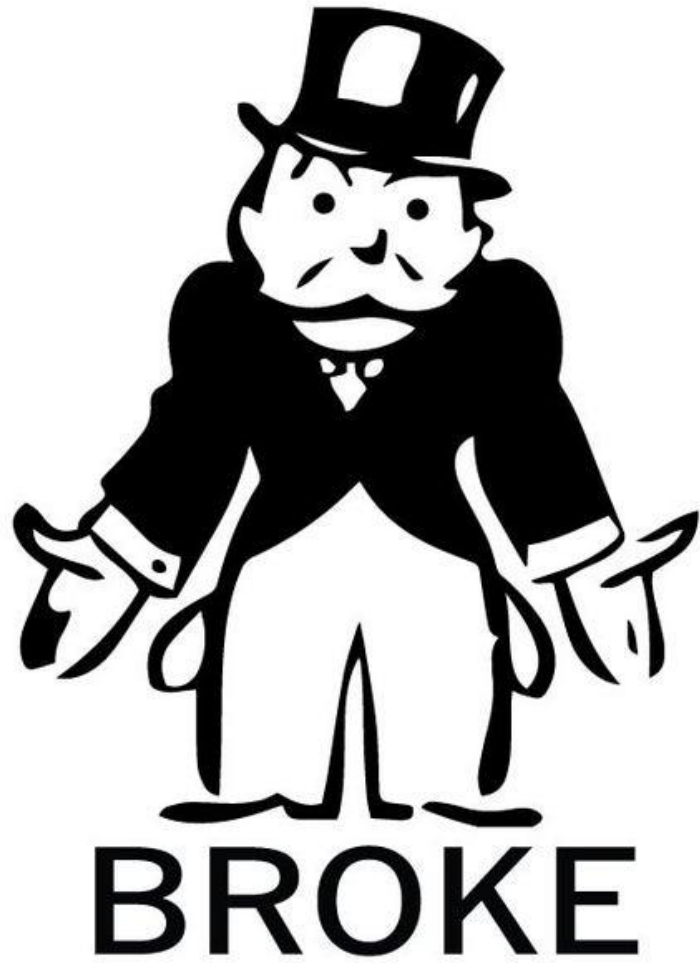
Debt and GDP



— Debt — GDP — Debt % of GDP







Our Current Situation



FY 2020 At A Glance

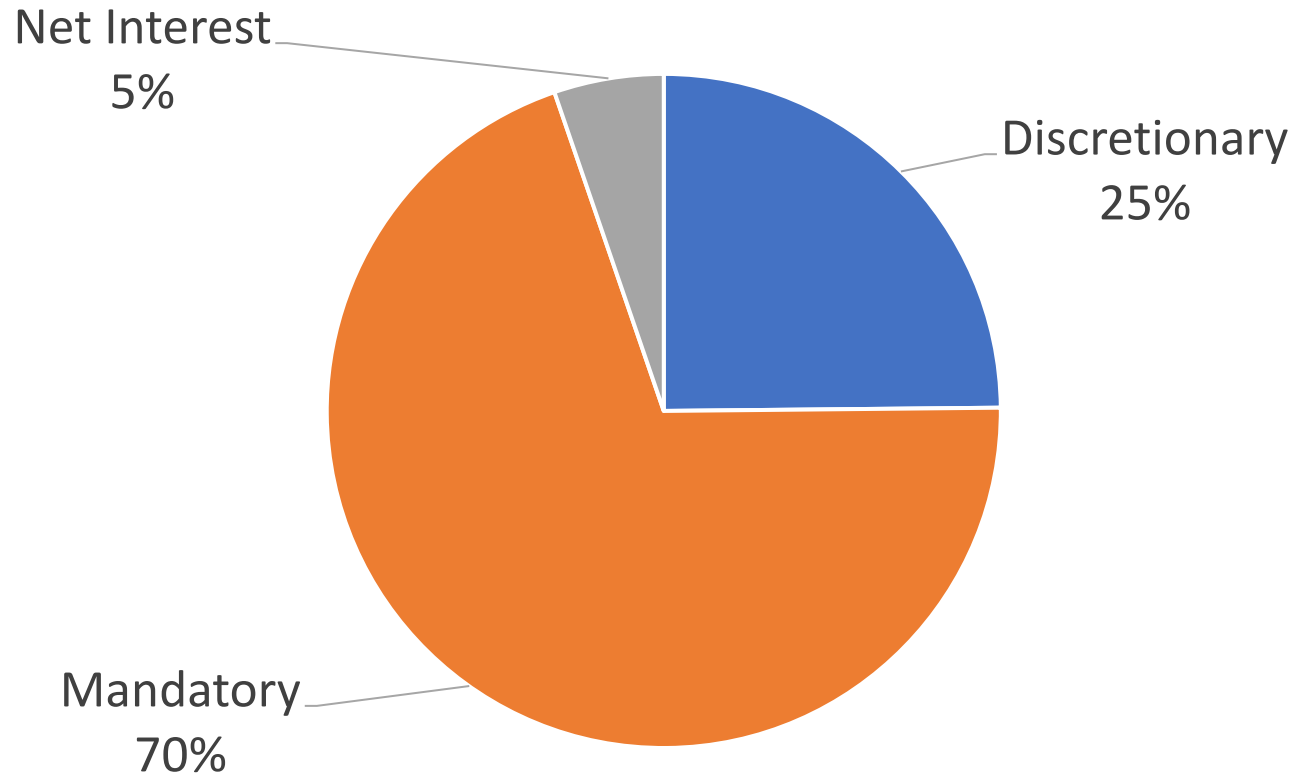
- Spending: \$6.6 Trillion
- Revenue: \$3.4 Trillion
- Deficit: \$3.2 Trillion

Q: How do we pay for the deficit spending?

A: Borrow it or Print it



FY2020 Federal Spending



Largest Budget Items



Improper Payments

TOP 10 FEDERAL AGENCIES IMPROPER PAYMENTS

AGENCY	2018	2019
Health and Human Services (HHS)	\$86.5 billion	\$106.7 billion
Treasury	\$18.4 billion	\$26.7 billion
Veterans Affairs (VA)	\$14.7 billion	\$12 billion
Defense (DOD)	\$1.2 billion	\$8.7 billion
Social Security Administration (SSA)	\$10.9 billion	\$8.2 billion
Agriculture	\$6.1 billion	\$6.8 billion
Labor	\$3.8 billion	\$2.9 billion
Education (ED)	\$6 billion	\$1.1 billion
Small Business Administration (SBA)	\$936.3 million	\$522.3 million

Definition:

payments made by the government to the wrong person, in the wrong amount, or for the wrong reason



FY 2019 Federal Budget Breakdown (in 1,000s)

	Constitutional	Un-Constitutional	Needs further Review	Not Reviewed	Grand Total
Discretionary	\$872,406,000	\$283,122,000	-\$143,000	\$44,089,000	\$1,199,474,000
Mandatory	\$188,996,000	\$2,617,115,000	\$183,721,000	\$18,538,000	\$3,008,370,000
Net interest	\$455,522,000	-\$83,154,000	-\$8,595,000	-\$398,000	\$ 363,375,000
Grand Total	\$1,516,924,000	\$ 2,817,083,000	\$174,983,000	\$62,229,000	\$4,571,219,000

Un-Constitutional Spending





The Constitution





The Preamble

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, **promote the general welfare**, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

(Preamble to the U.S. Constitution / Emphasis added)



Article I, Section 8, Clause 1

"The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; "

(U.S. Constitution, Article I, Section 8; Emphasis added)

Article I

... shall have Power To lay
Excises, to pay the Debts and
Welfare of the United States
uniform throughout the



Original Intent

- Records of the Federal Convention of 1787, Vols. 1 – 3
- May 29th, 1787
 - Edmund Randolph
 - “Resolved that the articles of Confederation ought to be so corrected & **enlarged** as to accomplish the objects proposed by their institution namely common defence, security of liberty and general welfare”

THE RECORDS
OF THE
FEDERAL CONVENTION
of 1787

EDITED BY
MAX FARRAND
PROFESSOR OF HISTORY IN YALE UNIVERSITY

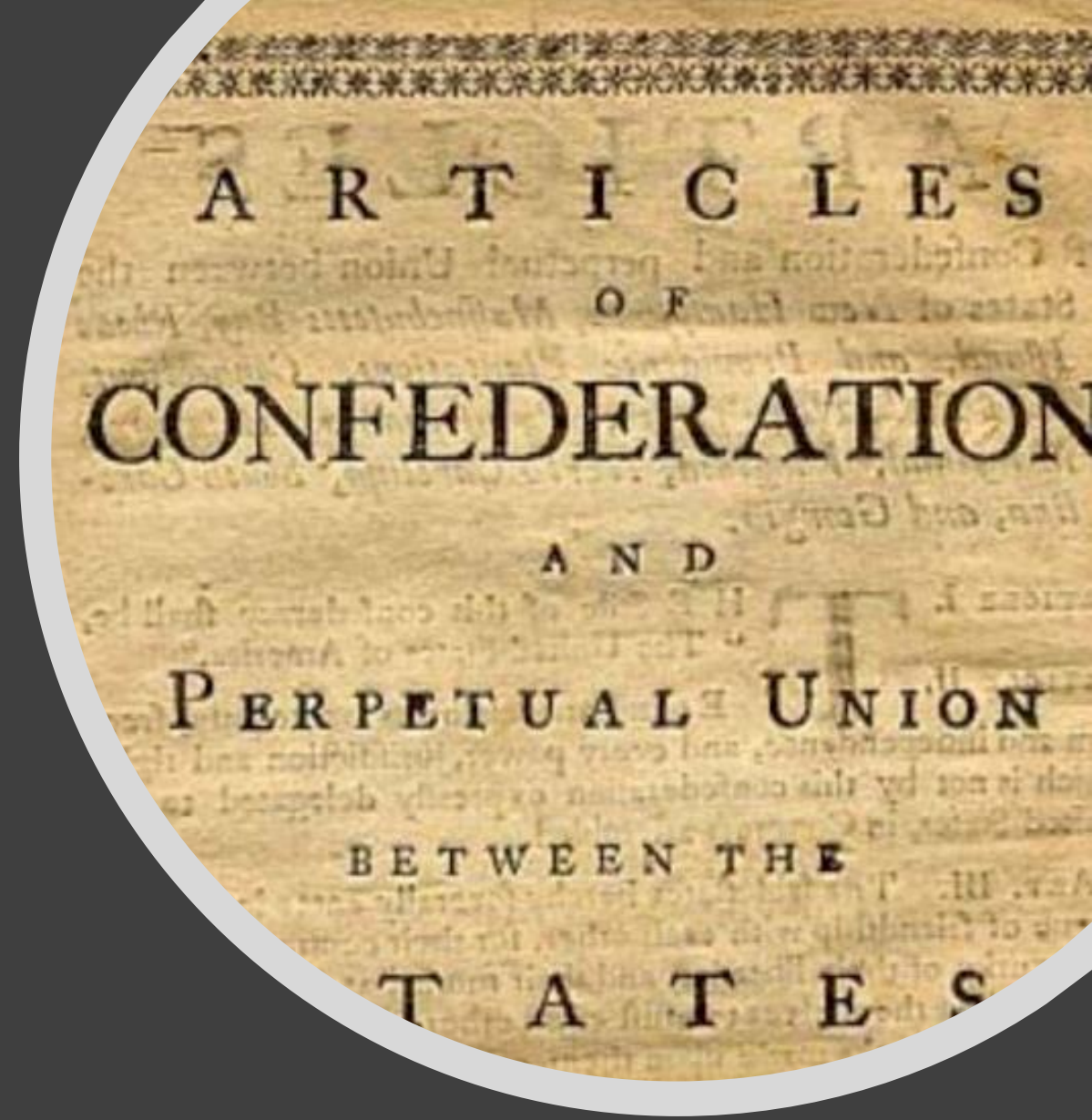
VOLUME I



Articles of Confederation

"the said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and **general welfare.**"

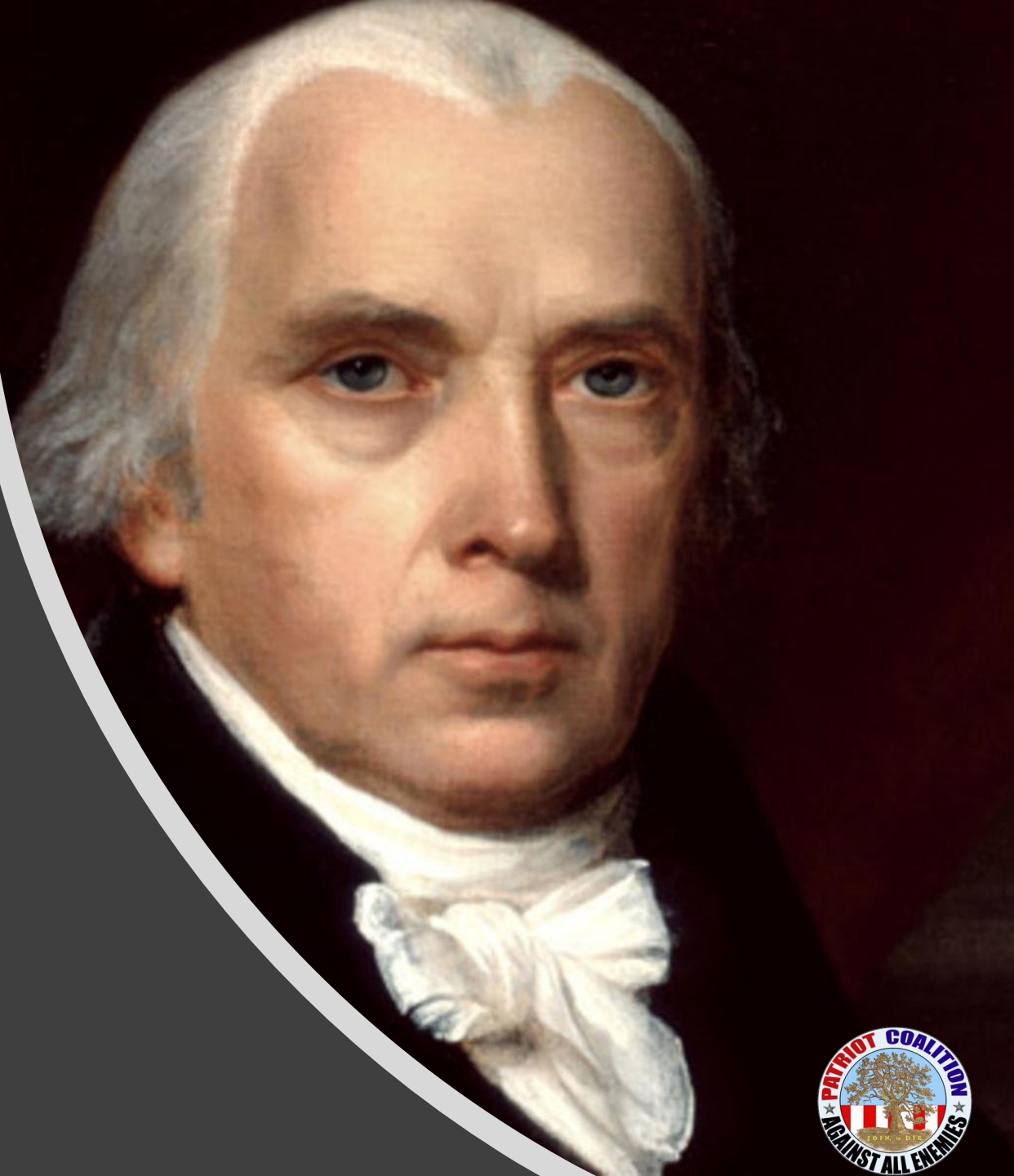
(Articles of Confederation
Article III. Emphasis Added)



James Madison to Edmund Pendleton

January 21, 1792

“If Congress can do whatever in their *discretion* can be *done by money*, and will promote the *general welfare*, the Government is no longer a limited one possessing enumerated powers, but an indefinite one subject to particular exceptions. It is to be remarked that the phrase out of which this doctrine is elaborated, is copied from the old articles of Confederation, where it was always understood as nothing more than a general caption to the specified powers”



Federalist 41

“For what purpose could the enumeration of particular powers be inserted, if these and all others were meant to be included in the preceding general power? Nothing is more natural nor common than first to use a general phrase, and then to explain and qualify it by a recital of particulars.”

-James Madison

FEDERALIST;
A COLLECTION
OF
ESSAYS,
WRITTEN IN FAVOUR OF THE
NEW CONSTITUTION,
AS AGREED UPON BY THE FEDERAL CONVENTION,
SEPTEMBER 17, 1787.
IN TWO VOLUMES.
VOL. I.



“The Congress shall have the power to...provide for the **common defense** and *general welfare* of the United States”

Enumerated Powers

- General Welfare

- Collect Taxes / Pay Debts
- Borrow Money
- Regulate Commerce
- Naturalization / Bankruptcies
- Coin Money / Weights & Measures
- Punish Counterfeiting
- Post Offices & Roads
- Arts/Sciences & Patents
- Establish Courts
- Legislate D.C.
- Necessary & Proper Clause

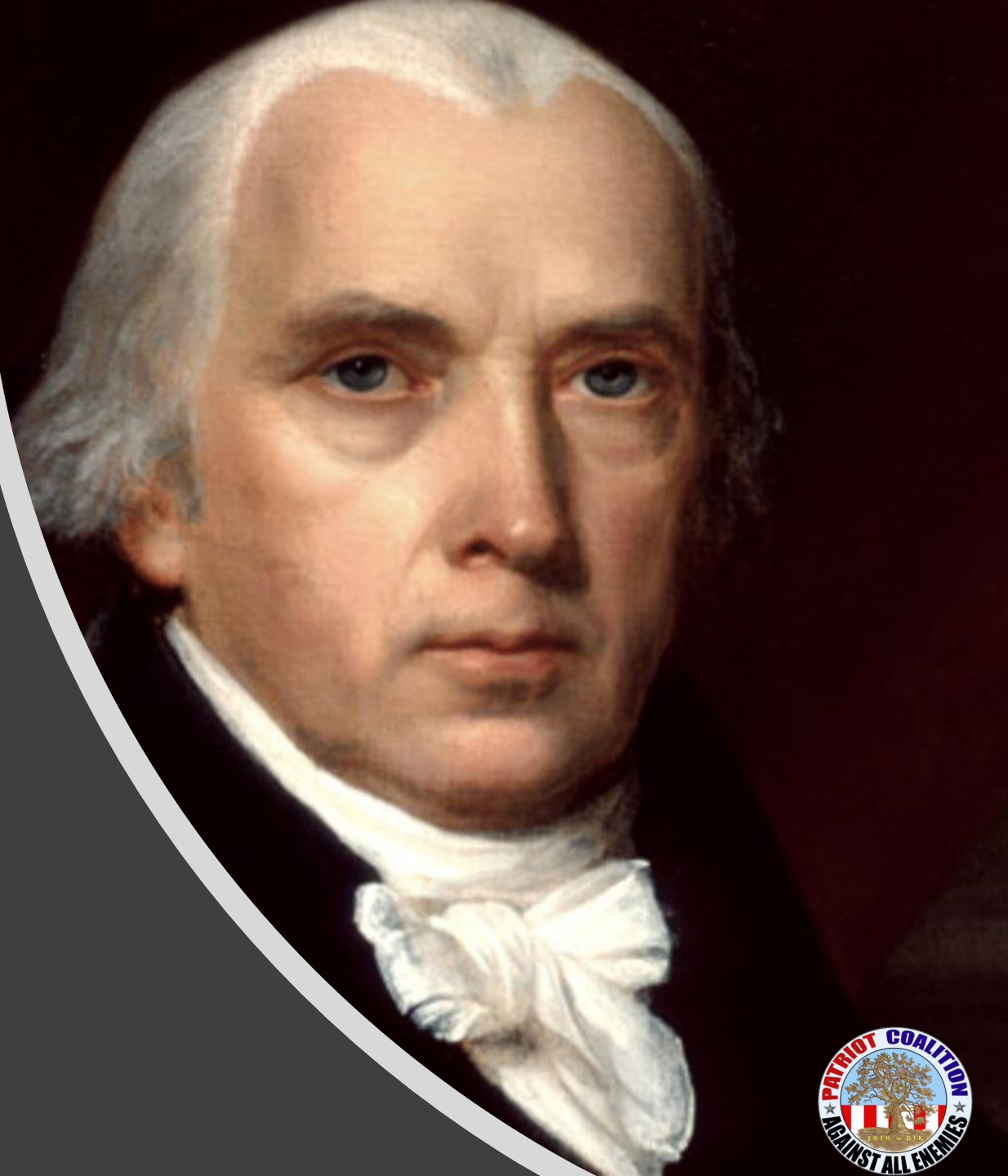
- Common Defense

- Punish Piracy
- Declare War / Letters of Marque
- Raise & Support Armies
- Provide & Maintain Navy
- Govern & Regulate Army/Navy
- Call Forth Militias
- Organize/Arm Militias



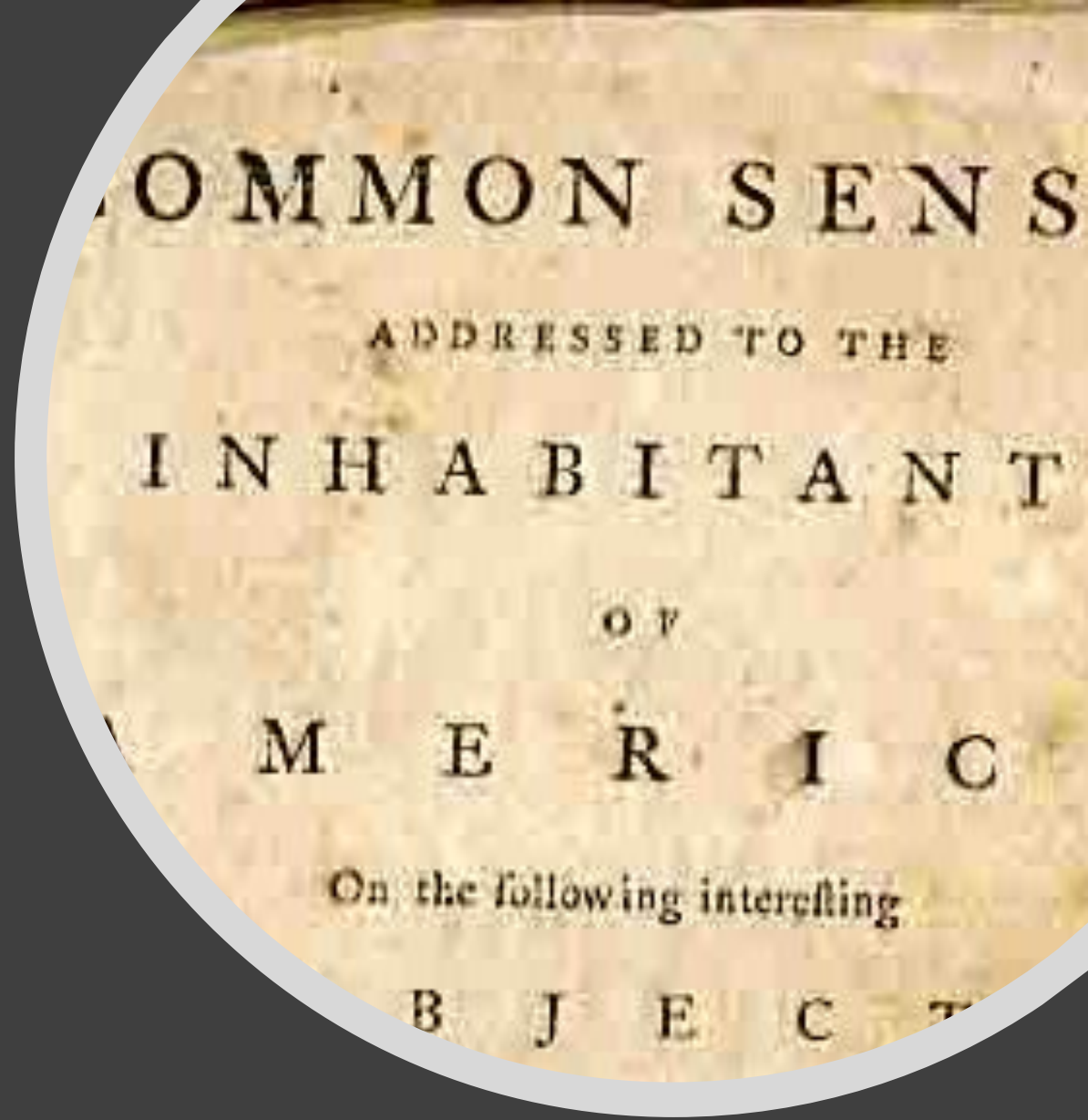
"it exceeds the possibility of belief, that the known advocates in the Convention for a jealous grant & cautious definition of federal powers, should have silently permitted the introduction of words or phrases in a sense rendering fruitless the restrictions & definitions elaborated by them"

James Madison to Andrew Stevenson
November 17, 1830



Appeals to Common Sense

- Why the need for an “enlarged” Constitution?
- Why enumerate if they are intended as broad?
- Why so much objection to the enumerated powers and not “general welfare”?
- Why no objection in
 - Constitutional Convention
 - Ratifying Debates
 - Subsequent Amendments



The Constitution
Is the Solution!





House Rule XII, Par. 7(c)

- All bills must cite "as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill..."

-113th Congress to present



Congress.gov

H.R.748 - CARES Act

116th Congress (2019-2020) | [Get alerts](#)

LAW Hide Overview ✕

Sponsor: [Rep. Courtney, Joe \[D-CT-2\]](#) (Intro

Committees: House - Ways and Means

Latest Action: 03/27/2020 Became Public Law No

Roll Call Votes: There have been [5 roll call votes](#)

Tracker:

Introduced > Passed House > Passed Senate

Summary (2)

Text (5)

Actions (44)

Titles (17)

Constitutional Authority Statement

From the Congressional Record Online through the Government Publishing Office

www.gpo.gov

By Mr. COURTNEY:

H.R. 748.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

[Page H1212]

About Constitutional Authority Statements

On January 5, 2011, the House of Representatives adopted an amendment to House Rule VII. Rule VII, clause 7(a) requires that, to be accepted for introduction by the

Close

More on This Bill

[Constitutional Authority Statement](#)

[CBO Cost Estimates \[1\]](#)

Subject — Policy Area:

Economics and Public Finance

[View subjects >>](#)



Recent Legislation

Bill	Constitutional Authority Statement
H. R. 748 - Coronavirus Supplemental Appropriations Act	“Article I, Section 8” (general welfare)
H.R. 6201 - Families First Coronavirus Response Act	“clause 7 of section 9 of article I of the Constitution” (All expenditures must by law) “clause 1 of section 8 of article I” (general welfare)
H.R. 6074 - Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020	“clause 7 of section 9 of article I of the Constitution” (All expenditures must by law) “clause 1 of section 8 of article I” (general welfare)
H.R. 5717 - Gun Violence Prevention and Community Safety Act of 2020	“Article One, Section Eight” (general welfare)
H.R. 6172 - USA FREEDOM Reauthorization Act of 2020	“Article I, Section 8, Clause 18” (necessary & proper)



**JUST
SAY
NO**



Honor the Oath to “Support
and Defend”

- Un-Constitutional provisions
- Insufficient Time
- Begin Repealing





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Instagram } [@PatCoalition](https://www.instagram.com/PatCoalition)

Twitter }

Questions?