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# Jason Smith's Capitol Report - Friday, March 25, 2016

MARCH 25TH 2016 BY DEE LOFLIN

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## **Congressman Jason Smith Capitol Report: Obamacare's Unhappy 6th Birthday Friday, March 25, 2016**

Six years ago last Wednesday, Obamacare was signed into law. Since then, the Administration has intentionally broken the law to hide the laws failure.

Let me be clear, the Administration violated the U.S. Constitution and paid insurance companies money illegally. The Constitution states; the President “shall take Care that the Laws be faithfully executed...” The President does not write the laws, and he has no authority to spend money without Congressional approval. Despite that fact, the Administration paid off insurance companies, because they are losing money by participating in Obamacare, with so-called cost sharing reduction payments that clearly violate the framework of our Constitution.

The non-partisan Government Accountability Office (GAO) has plainly stated that laws like the Affordable Care Act do not have the authority to allocate taxpayer resources, only Congress can do that during the annual budget process. In other words, the President's

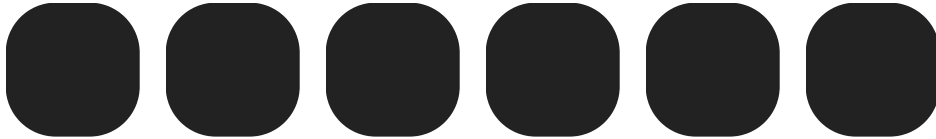
attempts to circumvent Congress and spend taxpayer funds in support of Obamacare are illegal. The Administration knows this. President Obama's budget request for fiscal year 2014 requested an appropriation of \$4 billion for cost sharing reduction payments. The Republican Congress denied that appropriation, but the Administration ignored Congress and paid insurance companies nearly \$3 billion in 2014, and continues to make these payments.

As a result, the U.S. House of Representatives filed a lawsuit, with my support, against the Department of Health and Human Services to challenge their illegal implementation of Obamacare. On October 19, 2015 a federal judge agreed with the House of Representatives that we have the legal right to challenge the Administration for spending money that wasn't approved to be spent by Congress. The lawsuit is still pending, but I am encouraged that the Court will agree that the Obama Administration broke the law because it's clear as daylight. No matter the outcome, I will continue to vote to repeal Obamacare and end the negative impacts from this fundamentally flawed law. Since I have been sworn into office, the American peoples' overwhelming disapproval of Obamacare has convinced the President to sign nine major repeals or delays of his namesake law, and earlier this year we put a major repeal bill on the President's desk. He vetoed our repeal bill, and that's why our work is yet to be complete.

In order to address the flaws of the failed health care law, Speaker Ryan engaged the Republican Conference and challenged us to become the House of ideas. We formed a task force on health care reform to develop and promote bold conservative ideas to fix our broken health care system. Our solutions will modernize American health care with patient-centered answers that improve access, choice, and quality, lower costs, and promote innovation. Our plan doesn't put the government in between you and your doctor and allows the fundamentals of free market and competition to improve the access to affordable care in this country. It's time to remove the government from interfering in your health care decisions and time to stop rewarding insurers with a taxpayer bailout.

I look forward to working with my colleagues and a republican White House in 2017 to finally repeal the horrible Obamacare law and replace it with a common-sense plan that improves the American health care system without government control. Hopefully next year we will be celebrating the bill signing of a conservative measure to put you and your families healthcare first, not the federal government.

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## Tila Hubrecht's Capitol Report - Friday, March 18, 2016

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MARCH 18TH 2016 BY DEE LOFLIN

[Tila Hubrecht's Capitol Report - Friday, March 18, 2016](#)

### **House Sends FY 2017 State Operating Budget to the Senate**

The members of the Missouri House of Representatives spent all day Tuesday and then several more hours Thursday working on the Fiscal Year 2017 state operating budget. The 13 appropriations bills that make up the state spending plan are now on their way to the Senate for consideration.

During discussion on the House floor, the approximately \$27.3 billion spending plan saw House members offer and adopt several amendments to move funding from one program to another.

Changes to the budget on the floor must either be revenue neutral or revenue positive. In

effect, if a member wants to increase funding in one area of the budget, he or she must first reduce corresponding funds in another area. With this, the size of the budget cannot grow on the House floor.

**Some of the major changes made to the budget on Tuesday include:**

- A \$1 million increase to the Foundation Formula that provides state funding for K-12 public schools. The money was moved from the Facilities Management Reserve Fund.
- An additional \$55,000 for the Foundation Formula that comes from a cut to the Missouri Department of Social Services. House members made a cut of \$379,000 to ensure no state dollars are used for nonemergency abortions. The majority of the funds are federal, but the \$55,000 in state funds were reallocated to education.
- A \$214,000 increase to the Parents as Teachers program. The money was cut from the budget for the governor's office.
- An additional \$50,000 to the Missouri Department of Elementary and Secondary Education that is designed to increase interest in Science, Technology, Engineering, and Mathematics (STEM) careers among middle school and early high school students. The money was moved from the Missouri Department of Natural Resources.
- A funding increase of \$1 million for agricultural research at Lincoln University in Jefferson City. The funds, which were taken from the University of Missouri – Columbia campus, will allow Lincoln to receive matching federal land grant funding.
- \$500,000 for the creation of an Urban Education Institute at Harris-Stowe State University. The money was moved from the funding increase for the state's institutions of higher education.
- \$750,000 for the Brain Injury Waiver to draw down federal funds to help provide care to Missourians with brain injuries who are currently on a waiting list. The money was moved from funds allocated for the Missouri Technology Corporation.
- \$300,000 in funding for the Advanced Manufacturing Training Center to offer shop and lab training and classroom instructional opportunities to high school graduates and dislocated workers. The money was moved from funding for the Department of Natural Resources.

## Highlights of the Fiscal Year 2017 state operating budget as it moves to the Senate:

- \$70.3 million increase for the Foundation Formula, which funds K-12 public schools
- \$9.4 million increase in performance funding for Missouri colleges and universities
- \$5 million increase for K-12 transportation
- \$4 million increase for the Access Missouri need-based scholarship program.
- \$2.5 million increase for the A+ Scholarship program
- \$500,000 increase for the Bright Flight scholarship program
- \$1.3 million for 2015's Dairy Revitalization Act

\$2 million increase for river ports  
\$1.25 million increase for business startups through the Missouri Technology Corporation  
\$30 million to revive the state cost-share program to fund transportation projects  
Increase Medicaid provider rates by three percent  
\$500,000 increase for the Alternatives to Abortion program  
Two percent pay increase for state employees

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# Jason Smith Bill Passes to Protect MO Hunters and Fishermen

FEBRUARY 29TH 2016 BY DEE LOFLIN

Jason Smith Bill Passes to Protect MO Hunters and Fishermen

## Jason Smith Bill passes to protect rights of Missouri hunters and fishermen

**Washington, D.C.** - Today the U.S. House of Representatives passed two amendments authored by Representative Jason Smith (MO-08) to preserve the ability of Missourians to freely hunt and fish in the Mark Twain National Forest and other public lands. During passage of H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement (SHARE) Act, the U.S. House voted to adopt language offered by Representative Smith on the House Floor which prevents the National Forest Service from physically blocking or locking any access point to the Mark Twain National Forest for hunters and fisherman, and affirming in U.S. law that no bureaucrat in Washington can write any rule or regulation preventing Sportsmen access to the Mark Twain.

On the House Floor, Representative Smith commented, "The great outdoors and hunting traditions of the United States are a way of life for folks all across this great country. Throughout our history they have been championed by Presidents George Washington, Dwight D. Eisenhower, and to Teddy Roosevelt who established national forests, game preserves, and national parks," Smith said. "My amendments provide assurances to the residents of Missouri that no executive order, no executive action, and no bureaucrat sitting in a Washington, D.C. office can write a rule inhibiting the ability to hunt or fish in the Mark Twain National Forest. This amendment secures our freedom to be avid sportsmen and enjoy our beautiful National Forests."

The SHARE act enhances access to federal lands for sportsmen and protects the Second Amendment rights of hunters through the revision of a variety of existing programs to expand access to, and opportunities for, hunting, fishing, and

recreational shooting. The Smith Amendments help specifically protect the roughly 1.3 million Missourians who hunt or fish in the Mark Twain National Forest.

Rep. Smith was determined to offer the amendments after he heard from numerous hunters and fisherman who said that during the peak of hunting season they were commonly finding different access points to the Mark Twain National Forest blocked. The Mark Twain National Forest covers 2,331 square miles and roughly 1.5 million acres, the majority of which reside in the 8th Congressional District.

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## Tila Hubrecht's Capitol Report - Friday, February 19, 2016

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### House Approves Legislation to Address Misuse of ASARCO Settlement Dollars (HB 2187)

The House approved legislation that would force the Missouri Department of Natural Resources to sell land it had acquired in Oregon County for use as a new state park. Many House members had taken issue with the decision of the executive branch to acquire the Frederick Creek Ranch land with funds that were meant for important remediation efforts such as clean drinking water projects in Missouri's lead mining district.

During the 2015 interim, the House formed a committee to look at what members said was an inappropriate use of settlement funds that were intended to be utilized to remediate the damage done by the ASARCO mining conglomerate at five sites in southeast Missouri's lead mining district, which includes St. Francois, Reynolds, Iron and Madison counties. Instead, the trustees of the ASARCO settlement determined it was appropriate to use funds to acquire land several counties away and in a different watershed.

Now, with the legislation approved by the House, members hope to undo the decision made by executive branch to prioritize the purchase of Frederick Creek Ranch over the remediation projects in areas that were actually impacted by ASARCO's actions. The bill now moves to the Senate for consideration.

### House Approves Resolution Encouraging an Audit of the Federal Reserve (HR 71)

The members of the Missouri House of Representatives approved a resolution calling on Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve Bank of the United States. As the sponsor of the resolution said on the House floor, the Federal Reserve has loaned trillions of dollars to bail out foreign banks without the consent of Congress, and it refuses to fully disclose the details of its lending practices. He also noted that the Federal Reserve has never received a complete audit.

The resolution approved by the House notes that the Federal Reserve has



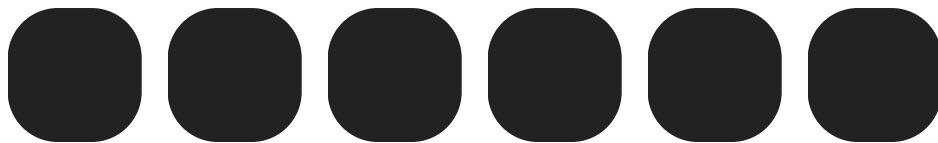
inflated the money supply and manipulated interest rates since its inception in 1913, which has eroded the purchasing power of the dollar by approximately 95 percent, and contributed to boom and bust business cycles. It also points out that Federal Reserve has operated the nation's monetary system without full disclosure and transparency, which has led to a lower quality of life for the American people and abuse verified by the United States Government Accountability Office in its 2011 Report to Congress.

The bill's sponsor hopes that a complete audit will finally provide the American people with answers about how their money is being spent, where their money is being spent, and at what cost.

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**Congressman Jason Smith Capitol Report:  
A Supreme Vacancy  
Friday, February 19, 2016**

Sadly, as you may have seen, Supreme Court Justice Antonin Scalia passed away last week at the age of 79.

As a law student, Justice Scalia helped shape how I analyze laws. Scalia represented the best qualities of a Supreme Court Justice—he was fiercely intelligent, a passionate defender of the Constitution, and a man of uncompromising principle. He interpreted the Constitution from the perspective of the Founding Father's intentions, and never reinterpreted the Constitution to serve political needs. He believed that the letter of the law matters.

In the case of *District of Columbia v. Heller* Justice Scalia wrote the majority opinion of the Court and confirmed our Second Amendment right to bear arms extends to people and not just the militia. In the case of *Planned Parenthood v. Casey*, Scalia reinforced his faith in a true democracy and belief that there is no constitutional right to an abortion.

The Supreme Court is an equal independent branch of our Federal government, a check and balance on the Executive and Legislative branches. The makeup of the nine Justices on the Court prior to Justice Scalia's death was considered by many to be balanced because it represented both conservative and progressive political and legal perspectives.

This is why the president should nominate someone of the same line of thinking as Justice Scalia, because without his pure interpretation of the text of the law and the origin of the Constitution we may see a drastic change in the rulings of the court.

The most liberal president in our history should not use this as an opportunity to score political points by replacing a conservative Justice with a progressive liberal who believes the Constitution should be reexamined on a case-by-case interpretation. Unfortunately, president Obama has not hidden his intention to

replace Scalia with a liberal justice who liberals in the future will be able to rely on for support of their government-centered, government solutions agenda.

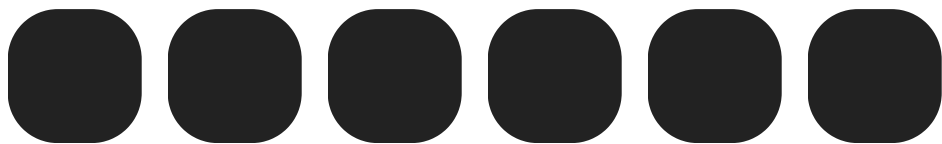
Article Two of the United States Constitution is clear that the president, “shall nominate, and by and with the Advice and Consent of the Senate... Judges of the Supreme Court.” Fundamentally, the president can nominate a new Supreme Court Justice, but the Senate also has the Constitutional right & responsibility to not confirm the President’s nominee until an appropriate conservative mirroring Scalia is nominated. If the President nominates a liberal justice who will interpret the law in a vastly different way than Scalia has, the Senate should continue to vote them down.

If the president cares about maintaining the balance of the institution, the foundation of our federal government based on a separation of powers, then he will do the right thing and nominate a conservative Justice to follow in Scalia’s footsteps. The Senate should reject any of Obama’s liberal nominations to the Supreme Court and only confirm a conservative judge who will continue to read our Constitution as a non-living, non-evolving document, whose simplicity is exactly what our Founding Father’s intended - a document which empowers the states and citizens of our great nation, not the government.

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