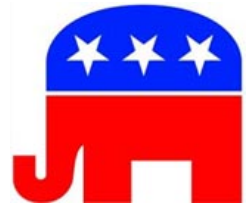


# Republicans of River City

Chartered by the California Congress of Republicans



If you have not already done so, please send a check for your dues. If there are changes in name and/or address please fill out the application on the back page.

Republicans of River City meeting for July is **CANCELLED**.

We urge all our members to visit the Sacramento County Republican Party booth at the State Fair between July 12 to July 28.

## FAILURE TO SHOW UP

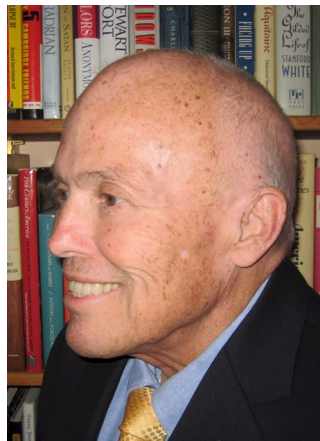
Whenever a person is involved in a civil case, criminal case, traffic court, or jury duty, he or she has an obligation to appear before the court. Court dates are set for a certain location, day, and time in advance and are mandatory, unless you receive an exemption in advance.

The same holds with local events for the Republican Party in our communities like fairs, festivals and new citizens events. If Republicans are a no show then we may face costly penalties, like losing at the polls.

Not showing up at the polls is taken very seriously by voters and voters may decide to take the following actions and elect Democrats to office. Hold up your ideas getting a fair hearing before Congress and the state legislature. Or you may face costly increases in taxes by action taken at the polls.

Clearly Republicans being a No Show can be a major mistake and can have costly implications for your wallet, your freedom and your future.

That's the reason why Republicans of River City are urge to show up at events and this July we need you to show up at State Fair.



## STANDING

By Robert Evans

In the past few weeks, there has been some misunderstanding about what standing means in relation to a law suit. Here are some definitions that may help clarify what standing is all about. Standing is:

1. The doctrine that there is no justiciable controversy unless the plaintiff shows that such conduct invades or will invade a private substantive legally protected interest of the plaintiff.
2. The term for the ability of a party to demonstrate to the court sufficient connection to and harm from the law or action challenged to support that party's participation in the case.

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## STANDING

Standing exists from one of three causes:

a. The party is directly subject to an adverse effect by the statute or action in question and the harm suffered will continue unless the court grants relief.

b. The party is not directly harmed but has some reasonable relation to their situation, and the continued existence of the harm may affect others who might not be able to ask a court for relief. This is the grounds for asking for a law to be struck down as violating the First Amendment, the so-called "chilling effects" doctrine.

c. The party is granted automatic standing by act of law even if the party suing is not harmed. This is how a person can sue regarding environmental damage or potential environmental damage.

3. The doctrine is that a person cannot bring a suit challenging the constitutionality of a law unless the plaintiff can demonstrate that she/he is (or will imminently be) harmed by that law. Otherwise, the court will rule that the plaintiff lacks standing to bring the suit and will dismiss the case without considering the merits of the claim of unconstitutionality. To declare a law unconstitutional the court must find that there is a valid reason for the lawsuit; that is, the party suing must have something to lose in order to sue unless it has automatic standing by action of law.

Thus, in the Supreme Court case regarding California Proposition 8, the court could not find any valid harm or loss that would be suffered by the plaintiff. The granting of marriage equality to same sex couples would not, in

any way discernable, impact on or have any effect upon, opposite sex couples marriages.

However, in the Supreme Court case regarding DOMA (the Defense of Marriage Act, signed into law by President Clinton in 1996) the plaintiff was granted standing to sue because she was directly impacted by a tax of \$363,053 on the estate left to her by her same sex spouse that, if DOMA did not exist, she would not have had to pay.



## The Supreme Court Decides DOMA and Prop 8

By Chris Angle

After much waiting and anticipating, the Supreme Court has finally made its decision on DOMA and Prop 8. As many had predicted, the Court found 5-4 that DOMA was unconstitutional on federalism grounds in that Congress had no right to decide for the states what marriages they could and could not recognize.

The practical effect of the DOMA decision is that legally married same-sex couples (i.e. only those whose marriages are recognized in states that currently allow same-sex marriage) can receive the same federal benefits as heterosexual couples. However, what the decision did not do is strike down same-sex marriage (SSM) bans in the 30+ states that have enacted them. However, by striking down DOMA on equal protection grounds (as well as federalism grounds), the Court opened the door to a challenge of all 30+ state's SSM bans.

As for Prop 8, the effect of the decision was that by deciding as they did that the parties challenging the law had no standing to sue, the Court effectively legalized SSM in California only.

Going forward, it is not clear that the Court, by making the decisions the way they did, has not further damaged the country. While the issue of fairness cried out that those couples whose states allow SSM be granted equal standing before the federal government.

It is possible that the greatest damage may have been done in the manner that the Prop 8 case was decided. The justices have effectively opened a playbook for governors and attorney generals everywhere to get laws that they don't like overturned. Namely, simply refuse to enforce or defend them. While certain laws passed by a legislature might be defended by certain legislators taking it upon themselves to defend the laws, laws passed by referendum simply don't have a chance. The losing side in referendum simply needs to wait until "their" governor and attorney general are in place and then file a lawsuit. The governor and attorney general simply "stand down" and refuse to defend the law. Going forward, this is likely to lead to a rash of governors and attorney generals refusing to defend laws they don't like, especially in states that are solidly red or solidly blue where they (or their party) are unlikely to pay an electoral price for such actions. Over time, this will likely reduce respect for the law as the law may come to be seen as whatever the party in power says that it is. While the consequences of this cannot be known, the side-effects if you will, are unlikely to be good.

**OBAMA KILLS IMMIGRATION REFORM**

**By Carl Burton**

Take a look at Obamacare. On July 2, news came from the Treasury Department of the Obama Administration intention to delay implementation of Obamacares employer mandate for a year (until after the election in November 2014).

A few days later the Department of Health and Human Services followed it up with some more pages (600 plus pages) of regulations, one of which delayed a requirement that states have to verify the eligibility of applicants. This is also not authorized in the Obamacare law.

Right now this administration is actually deciding when and where to actually enforce the laws. This action seems to point out the Obama Administration has no respect for the laws passed by Congress or for the Constitution.

The framers of the Constitution made the faithful enforcement of the law a constitutional duty. Article II, Section 3, of the Constitution states that the President "shall take Care that the Laws be faithfully executed." This is a duty, not a discretionary power. While the President does have substantial discretion about

how to enforce a law, he has no discretion about whether to do so.

If Congress were to pass an Immigration Reform law, would President Obama simply ignore the parts he doesn't like?

Is President Obama going to come before Congress and tell the American people the border is already secure and nothing else needs to happen? Is he going to legalize 11 million people? What's going to stop him from doing so?

How can Congress and the American people trust President Obama with Immigration Reform when we can't trust him to enforce his own signature law - Obamacare?

By his actions we have lost trust in President Obamas ability to faithfully execute the laws of the United States.

**OBAMA'S CHANCE**

**By Robert Evans**

Federal Reserve Board member Elizabeth Duke is resigning and Chairman Ben Bernanke has said he wants to leave in January. This gives President Obama a golden opportunity to leave his mark on the Federal Reserve long after his term ends in 2016.

"There's an opportunity for the president to shape the composition of the board for a

long time," according to Roberto Perli, a Washington-based partner at Cornerstone Macro LP and a former senior staff economist in the Federal Reserve's division of monetary affairs. "Obama is unlikely to nominate someone who differs from the current policy framework. It cements the fact that monetary policy is likely to remain very accommodative for the next couple of years, if not longer."

Fortunately, the pending vacancies will require confirmation by the Senate. Recall, the Senate approved Bernanke for his second term with a thin margin as senators questioned the bailouts during the financial crisis.

With Senate Republicans stopping much of Obama's agenda, "any appointments could be a challenge" according to Michael Hanson, senior U.S. economist at Bank of America Corp. in New York.

First, Obama must fill Bernanke's seat with a chairman who will serve through 2018. A June Bloomberg survey gave 65 percent odds that Obama will pick Janet Yellen, the Fed's current vice chairman.

If Yellen becomes chairman, that would leave open the number-two position at the bank. If Obama

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instead opts to appoint one of his former advisers, such as former Treasury Secretaries Lawrence Summers or Timothy F. Geithner, then Yellen may leave the bank when her term as vice chairman expires in October 2014.

Obama will have another opening on the board: Governor Jerome Powell’s term expires in January 2014.

These appointments give a golden opportunity to Obama because of the length of tenure. The Duke seat appointment lasts through 2026 and the Powell seat term lasts through 2028.

However, there are limits to a president’s influence on future monetary policy: a president has no say in who serves as president of the 12 regional banks. And Fed presidents rotate voting on the

Federal Open Market Committee with five voting in any given year. The seven governors always vote on monetary policy.

Press secretary Jay Carney said he had no personnel announcements to make on a replacement for Duke. He declined to say whether there will be any effort by the president to nominate a successor before the August recess by Congress.

“Given the fact that the Fed will still be in uncharted territory implementing financial reforms and dealing with the exit from a more than \$3 trillion balance sheet, I think there’s a role to be played by the board of governors,” said Sarah Binder, a senior fellow at the Brookings Institution who researches the relationship between the Fed and Congress. The appointments may be contentious, Binder said.

“Republicans still want to see a much tighter monetary policy and more quickly,” said Binder. “Democrats, when they pay attention to the Fed, understand it’s the only sort of stimulus in town and they’ll want commitments that the Fed is not going to withdraw that level of stimulus.”



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Your membership in Republicans of River City provides you a monthly newsletter, speakers, and an outstanding opportunity to meet your elected officials and California’s finest political strategists. River City is also a great way to network and make new friends.

I am a registered Republican and would like to join Republicans of River City.

Name \_\_\_\_\_

Spouse \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

Occupation \_\_\_\_\_

Home Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

E-Mail: \_\_\_\_\_

Yearly Membership:

\_\_\_\_\_ Regular Membership: enclosed is my check for \$25  
(Young Professionals 18-25 \$15 per person)

\_\_\_\_\_ Couples Membership: enclosed is our check for \$40

Signature \_\_\_\_\_

Date \_\_\_\_\_

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