



Written by [Laurence M. Vance](#) on February 19, 2010

## Obama's Budget Payback to the Homosexual Community

The imperial presidency that Americans have had to endure for as long as most of us can remember was not the intention of our Founding Fathers who drafted the Constitution. The powers of the presidency are very limited, as a reading of Article II makes very clear. It is also perfectly evident, according to Article I, that it is Congress, not the president, that authorizes all federal spending.



Nevertheless, although the Constitution doesn't mention a federal budget, and it is ultimately up to Congress to decide how much the federal government will spend in any given fiscal year, according to the Budget and Accounting Act of 1921, the president must annually submit a proposed federal budget to Congress by the first Monday in February.

The government's fiscal year runs from October 1 to September 30. This means that the budget submitted in February is actually for the next fiscal year that begins in October. On February 1 of this year, President Obama submitted to Congress his proposed FY 2011 budget.

And what a budget it is!

At \$3.518 trillion, and with a built-in deficit of \$1.413 trillion, it is the largest and most unbalanced federal budget in U.S. history. But that's not all. For not only is it rife with the usual unconstitutional provisions like the expansion of AmeriCorps, programs to increase the number of math, science, and engineering graduates, and increased funding for job training, biomedical research, and space exploration, it also contains a payback to a group of the president's key constituents.

One of the "Fact Sheets" on key issues included with the president's budget is "[Expanding Opportunities for the LGBT Community](#)." For those not well versed in the latest acronyms, that is the lesbian, gay, bisexual, and transgender community.

To "support the needs of the LGBT community," Obama's budget proposes to:

- Strengthen Anti-Discrimination Efforts;
- Support Federal Employee Domestic Partner Benefits;
- Expand and Focus HIV/AIDS Treatment, Care, and Prevention Activities;
- Execute a National AIDS Awareness Campaign;
- Support a Fair and Accurate 2010 Census.

Obama's budget includes an 11 percent increase in funding for the Justice Department's Civil Rights



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Division. This “investment” (as it is called) in strengthening anti-discrimination efforts is said to be for implementing the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009. This Act not only expands the dubious 1969 federal hate-crime law to include criminal activity based on gender, sexual orientation, and gender identity, but further expands the power of the federal government by not limiting the scope of the law to federally-protected activities and by giving federal law enforcement more authority to investigate “hate crimes.” The problem with hate crimes is three fold. One, people should only be punished for the actual crimes of violence they commit, not what they were thinking before or during the commission of their act of aggression. Hate crimes are specious because they criminalize thought. Two, hate crimes are the first step down the slippery slope of criminalizing hate speech and hate thought that doesn’t result in a violent act. And three, it is government bureaucrats who will have the power to decide what speech is hate speech which thoughts are hate thoughts. The danger of this should be quite evident. And regarding discrimination, since when does the federal government have any constitutional authority to monitor, prevent, or punish discrimination in hiring, housing, or association by private businesses or individuals in the first place?

Obama’s budget maintains support for the “Domestic Partnership Benefits and Obligations Act of 2009.” This piece of legislation is currently pending in the Senate (S. 1102), where it was introduced by Joe Lieberman (I-Conn.), and the House (H.R. 2517), where it was introduced by Tammy Baldwin (D-Wis.) and now has 139 Democratic cosponsors. Similar legislation was introduced in the 105th to 110th Congresses, but never passed. This Act provides the same employee benefits (life and health insurance, travel and relocation benefits, survivor annuities, etc.) “to same-sex domestic partners of Federal employees as those provided to married heterosexual partners of Federal employees.” This is the first step toward the federal recognition of same-sex marriage itself. Although ostensibly anti-discriminatory, this Act is blatantly discriminatory against domestic partners of the opposite sex. And isn’t this just what under worked and overpaid federal employees need—more benefits.

Obama’s budget “includes specific appropriations for new HIV prevention programs.” It increases resources “to support the care and treatment needs for an estimated 10,000 additional persons living with HIV/AIDS who are unable to afford health care and related support services.” But aside from the fact that this a disease spread primarily by a lifestyle of drug use and/or promiscuity, nowhere does the Constitution authorize the federal government to fund medical research, clinical trials, disease prevention initiatives, or any American’s medical care. The federal government should not have a “National HIV/AIDS Strategy” anymore than it should have a national cancer strategy, nutrition guidelines, vaccination programs, and health insurance mandates. These “specific appropriations” are sure to increase in future years, for what the government subsidizes it ends up getting more of.

Obama’s budget continues “a 5-year, \$45 million dollar, multi-faceted ‘Act Against AIDS’ campaign launched April 2009.” The government’s goal is not only to reduce incidence of this disease, but also to “counter complacency about HIV/AIDS.” This will be accomplished by partnerships with civic organizations and foundations and the placing of online, print, transit, and radio ads in support of the campaign. Once again, the real issue is much greater than the federal government targeting a specific disease in response to impassioned pleas from a particular segment of society. There should be no federal campaigns for or against anything, no national goals of increasing or reducing anything, no government partnerships with any private organizations, no national media campaigns, and no attempts by the federal government to counter any American’s complacency about anything. And not only is there no constitutional authority for the Centers for Disease Control and Prevention, which will direct the “Act Against AIDS campaign,” the same goes for the FDA, the Department of Health and Human



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Services, the National Institutes of Health, the Office of National AIDS Policy, and the AIDS czar.

Obama's budget provides "\$1.3 billion to the Census Bureau to process, tabulate, and release 2010 Census data, conduct extensive evaluations of the census, improve the data collection methods of the American Community Survey, and begin a continuous update process of the Census Bureau's geospatial and address data." What could the census possibly have to do with supporting the needs of the LGBT community? The 2010 census will, for the first time, release "counts of same-sex marriages reported on the relationship question from the decennial census short-form." According to the Article I, Section 2, Clause 3 of the Constitution, the census is for the purpose of determining the number of Representatives in the U.S. House and apportioning direct taxes, not collecting data on marriages between people of any sex.

Although Obama's budget contains these paybacks to the homosexual community, we must not lose sight of the bigger picture. The real issue is not any group's agenda; it is the continual violation of the Constitution by the Congress and the further destruction of our federal system of government. Obama's budget should be scrapped, not because of its favors to the LGBT community, but because of its trillions of dollars of unconstitutional spending proposals.

*Photo of participant in San Francisco's Gay Pride parade: AP Images*



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