



Duncan Hull, dulhunk, "office power", 29 Sep 2011, flickr

## **Taking Back the Constitution - Part 6 – By the People**

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### **“By the people” or “To the people”?**

Polls of Americans in recent years show that respect for and confidence in our federal government’s quality and utility has eroded. Unlike the “us” and “them” relations between ruled and rulers present in most European societies, Americans have often felt that their government is truly working in their interest; we are citizens, not subjects, of our great republic.

This feeling of participation and the accompanying loyalty to our republic weakened as the federal government became more complex and pervasive. Rather than confining itself primarily to defense and protecting our natural rights, it has intruded in many new areas. Funds spent on local needs/wants are often paid from federal taxation, disconnecting taxation from spending.

People use political power to grab other people’s money rather than use their own. Now people lobby, write grants and petitions to get federal funds to address local needs. Those funds often come with “strings” that poorly represent local requirements, but which, if not taken, are sacrificed to other states or localities.<sup>1</sup> The federal government has become every state and local government’s “sugar daddy.” Rather than local or state legislators taxing for local services their people consider important, they rely on some funding from the federal government. The longer round-trip for funds means less becomes available for the actual services. It also disconnects the

people dependent on federal funds from responsibility to the local taxpayers. The federal funds are available only to those who beg for them with the appropriate grant proposals. This demeaning process reminds many citizens of their subservience. It is no wonder that many now view the federal government with distaste and consider it a government unsuitable to a free people. It is expensive, distant, intrusive, dangerous, and a poor match to local needs.

The federal government has regulated more and more aspects of our lives – the capacity of our toilets – the flow of our showers – the type of light bulbs we should buy – and has ruined the functionality of our portable gas cans.

It has bankrupted hospitals by forcing them to provide unpaid service, even to illegals, and promised seniors medical care, then underpaid sufficiently that many couldn't get that care.

As it tried to do away with personal responsibility as a criteria for credit, it drained respect for its activities, caused a severe housing bubble and subsequent recession.

The EPA rules that it can regulate a vital plant food – CO<sub>2</sub> – in spite of its own scientists' warning that it poses no danger. The FDA discusses regulation of an ingredient used in 100 over-the-counter cough medicines. If this ingredient is brought under regulation, expensive prescriptions would be needed to use these currently over-the-counter medicines. Federal bureaucrats are permitted to fine airlines up to \$27,500 per passenger for delayed flights. Airlines cancel flights rather than face these fines.

We now have a law that would force an employer to buy health insurance for its employees or pay a fine. The current administration still pushes cap-and-trade legislation, which may cause a \$3 trillion dollar loss to the economy, a major loss of jobs and further transfer of jobs to foreign countries.

These are tiny samples of the many activities by the federal government – the effect of which will impoverish American citizens. Is it any wonder that many Americans feel their government has become their worst enemy?

Private business consumers are normally faced with cheerful folk who go out of their way to be helpful. When we have to deal with government, we often observe a very different attitude. A significant part of the less helpful attitude may well be because the government worker is not dependent on your 'business' for his income. Another portion of a bureaucrat's attitude may be a result of unfamiliarity with a privately employed person's goals and problems. He may never have experienced the challenges people face in private industry.<sup>ii</sup>

Is this a government "by the people," or one dictating "to the people?"

In previous columns I suggested ways to reconnect our elected representatives with their fellow citizens. Now it is time to suggest a way to connect federal employees more closely to the citizens they serve.

### **Employment limits for civilian federal employees?**

With term-limits for our elected Congressional representatives, their long-term staff, because of greater governmental experience, could dominate legislative proceedings. It may be possible to limit this effect, if staff are required to meet certain requirements.

Prior private business experience would be very valuable in providing Congress with seasoned connections to the real world. Such people might also provide realistic and practical advice. Too many of us have encountered government regulations that appeared written by a summer intern who had dropped out of high school.

If prior employment is coupled with a limited number of years of government employment, the staff would feel more connected to the private economy. A 12-year limit on federal service might ensure that the staff consider these jobs temporary and perhaps their final job after a lifetime in private industry.

Our military policies fit their unique mission very well. So that their special skills and experience is rewarded, the years spent as uniformed personnel or covert foreign security agents would not count toward the 12-year limit. Also, prior experience in private industry would not be required. American service members would thus be permitted to bring their special military and international experience into government civilian employment for a 12-year period.

### **An amendment requiring experience and limiting federal employment**

An amendment to reduce the disconnect between federal staff and the citizens is:

**At least four-fifths of the employees of each government department, Congressman's office, committee staff, independent federal agency must have 20 or more years of prior work experience in a profit-seeking private business. Federal judges, uniformed members of our Armed Forces, or covert security agents on foreign assignment are exempted.**

**The United States government may employ no person for longer than a cumulative 12 years. Employment not accumulated within the 12 year limit include: federal judges, uniformed members of our Armed Forces, or covert security agents on foreign assignment.**

**This amendment will go into effect on 01 January following the ratification of this amendment. For current employees, accumulation of years against the 12 year limit shall begin at that point. Current employees shall be treated as if they had met the business experience requirement.**

This amendment should, over a 12 year period, increase the number of federal employees with private business experience and reduce their disconnect from the ordinary economy. Some agencies may find they cannot get particular skills given these limitations. If this is the case, they can contract with private businesses to provide those skills.

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<sup>i</sup> Here in Alaska, we were offered nearly a billion dollars from the 2009 Obama stimulus funds. The governor wished to refuse some of the funds because they had expensive "tails" that continued after the federal funds ran out. She was severely criticized for this. Critics pointed out that the refused funds would just go to other states, and some may have wished to increase the state governments share of the economy anyway. A careful calculation showed the cost of that federal giveaway cost Alaskans more than two dollars for every one dollar they were offered by the federal government. That cost could not be reduced by refusing

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some of the funds. Part of the cost was direct as taxes on Alaskans. Other costs hit us as inflation, and part was borrowing on our children's credit.

<sup>ii</sup> In an article in "The Synergist," Marthe Kent, OSHA's director of safety standards was quoted as saying "I love it; I absolutely love it. I was born to regulate. I don't know why, but that's very true. So long as I'm regulating, I'm happy." Some of us who have been the targets of her regulations may have a far different opinion.