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I. Constitutional Duties

1. My prescribed Constitutional role and duty as a Senator will be to serve as part of the jury in any impeachment process, to ratify (or not) treaties with foreign entities, and to consent (or not) to any presidential appointment to the judiciary.

My primary role, however, will be to participate in the legislative process of making law, a role and duty the Constitution grants exclusively to the legislative branch.

In doing so in accordance with my oath of office, I am duty-bound to individually judge each piece of legislation as to its Constitutionality, notwithstanding the independent judgment of any other branch of government.

To elaborate my thinking on that point, I cite Thomas Jefferson, author of the Declaration of Independence and founder of the Democratic Party, who said during his service as the third President of the United States:

"The question whether the judges are invested with exclusive authority to decide on the constitutionality of a law has been heretofore a subject of consideration with me in the exercise of official duties. Certainly there is not a word in the Constitution which has given that power to them more than to the executive or legislative branches."

President Jefferson offered a warning to future generations, including ours: "To consider the judges as the ultimate arbiters of all constitutional questions (is) a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. ...The Constitution has erected no such single tribunal, knowing that to whatever hands confided, with the corruptions of time and party, its members would become despots. It has more wisely made all the departments co-equal and co-sovereign within themselves."

President Abraham Lincoln, the first Republican to hold that high executive office and an attorney by trade, issued the same warning in his First Inaugural Address: "I do not forget the position assumed by some that constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties to a suit as to the object of that suit... At the same time, the candid citizen must confess that if the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers."

Thus, I believe it is my duty to follow what the Constitution expressly says, not the judicial branch's declarations of what it says. Constitutionally, as a member of the legislative branch, I have as much Constitutional authority and duty to judge what it says as the judiciary does. Failing to render independent judgment would be an abrogation of my Constitutional duty.

Such judgment must also be the first step in my assessment of any legislation that comes before the Senate:

* Is the legislation Constitutional?

* If Constitutional, is it something the federal government is required to do, or could it be accomplished (and perhaps more effectively) by the private sector?

* If Constitutional but not required, is it such a high priority that we should expend federal funds on it rather than commit the same amount to debt reduction?

* Even if Constitutional and funding is available, is it the right and moral thing to do? (Maybe that question should move to the top.)

2. Article VI states: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land."

Because the Constitution and treaties made under its authority are co-equally declared by the Constitution to be "the supreme law of the land," no treaty can Constitutionally take precedence *over* the Constitution.

3. Yes on all three. I suffer no delusion that we will necessarily have a majority of federal legislators who will easily support restoration of Constitutional mandates. Odds are we won't. But whether we do or don't, I will fulfill my duty as follows: (1) Use the bully pulpit of a U.S. Senate seat to advocate via the media for Constitutional principles, (2) cast my vote accord with such principles, (3) use whatever influence I have to persuade other senators to do the same, (4) reject appeals to partisan interest or loyalties that conflict with those principles, (5) support the election of new senators more likely to abide by correct principles, and (6) use every mechanism of the Senate rules, including the filibuster, to stop the violation of such principles.

4. I agree with this statement by the National Center for Constitutional Studies: "The President can issue executive orders to the administrative branches of government under his supervision, but he has no authority whatever to make 'laws' for the people since the Constitution assigns that authority exclusively to the Congress."

Obama's Agenda 21-driven Executive Order 13575 to force "sustainable development" on rural Americans is a good example.

Or this series of FEMA-related orders, which raise the question of whether Constitutional rights and civil liberties will be upheld after a declaration of national emergency:

Executive Order 10995: Federal seizure of all communications media in the US;
Executive Order 10997: Federal seizure of all electric power, fuels, and minerals, public and private;

Executive Order 10998: Federal seizure of all food supplies and resources, public and private, and all farms and equipment;

Executive Order 10999: Federal seizure of all means of transportation, including cars, trucks, or vehicles of any kind and total control over all highways, seaports and water ways;

Executive Order 11000: Federal seizure of American people for work forces under federal supervision, including the splitting up of families if the government so desires;

Executive Order 11001: Federal seizure of all health, education and welfare facilities, both public and private;

Executive Order 11002: Empowers the Postmaster General to register every single person in the US;

Executive Order 11003: Federal seizure of all airports and aircraft;

Executive Order 11004: Federal seizure of all housing and finances and authority to establish forced relocation. Authority to designate areas to be abandoned as "unsafe," establish new locations for populations, relocate communities, build new housing with public funds;

Executive Order 11005: Seizure of all railroads, inland waterways and storage facilities, both public and private;

Executive Order 11051: Provides FEMA complete authorization to put above orders into effect in times of increased international tension of economic or financial crisis.

5. On some issues with which I'm very familiar and have had years to consider, my convictions and principles are fixed. Abortion is wrong. A marriage is a man and a woman. A person should not be compelled to financially support private organizations with which he disagrees. No give on my part.

However, this is an issue that, at age 53, I've only recently considered or even thought about, and it's an example of how my initial reaction was altered by study and fact-finding.

I had never even been conscious of the 17th Amendment until hearing during the summer of 2010 that Tea Party activists in Idaho were urging its repeal, and my first instinctive reaction was that the last thing we should do is take the power to elect U.S. senators away from the people and give it to ego-driven, self-interested, power-seeking politicians in state legislatures instead. Good friends and supporters of my campaign know that was my initial position, because I voiced it and argued with them, and I'm blessed that they maintained their support for me anyway.

But after re-reading the Federalist Papers and commentaries on that work over several months, it finally became clear to me that the brilliance of the Founders' checks and balances system -- that I've clearly recognized all my life in their design of the three branches of the federal government -- was the same principle and objective they sought to achieve in intentionally empowering ego-driven, self-interested, power-seeking state legislators to appoint members of the U.S. Senate.

The genius of the Constitution is that the Founders did not attempt to create a Utopian

governing document that suppressed or overcame the negative traits of human nature, but that they counted on those negative traits and set one group of politicians against another as the most effective safeguard against either group growing so powerful as to threaten the liberties of the People of the United States.

As a matter of simple rhetoric, the way the issue was framed, I had been unpersuaded by the argument that the Founders intended senators to "represent their states." Huh? Wouldn't any senator (and the overwhelming majority of the rest of us) quickly insist that senators under the current system of popular election do represent their states?

I didn't understand the issue clearly until I came across a passage that, by adding a single word to the explanation, turned on the light of my understanding. The original purpose of U.S. senators was not to represent the interests of their states generically, but the interests of their state governments and, by definition, the politicians who comprised those state governments.

So, just as the Founders relied on politicians in the U.S. Senate to protect the people from another group of politicians in the executive branch, and vice versa, the Founders similarly counted on politicians in now 50 state capitals -- all intent on maintaining their own power -- to be the surest safeguard, check, and balance against the power and growth of a dictatorial, over-bearing federal government.

If state legislatures retained the power to appoint U.S. senators, and the corresponding power to "fire" them at regular intervals, would any senator willingly concede to attempts by the federal government to trample on or ignore the rights of the state governments? Not likely. Can there be any debate that in the last near-century since state legislators were stripped of that power in 1913, the federal government has grown into the very dictatorial, oppressive power that the Founders rightfully feared? No.

States file lawsuits against federal excesses which, often as not, are rejected by federal judges. Politicians talk about the 10th Amendment and states' rights, but the 10th Amendment is for all practical purposes ignored as little more than an item of political rhetoric during election years.

I've come to the conclusion that repeal of the 17th Amendment is the key to restoring the federal government's respect for the 10th Amendment and the Constitutional rights of state governments, that once again appointing U.S. senators who fear offending the appointing body in their state capitals is the only means by which to reasonably and credibly expect to put the federal government back into the chains with which the authors of the Constitution intended to bind it.

Though I have no delusions about the ease of the process or the challenges in effectively communicating to the public why politicians in Lansing should select U.S. senators rather than the voters themselves, I will as a U.S. senator support repeal of the 17th Amendment as the only likely way to protect our liberties from the ever-expanding Leviathan of the federal government.

6. We *are* being illegally invaded on our Southern border. Ask any rancher in a rural border county in Arizona who can no longer live peacefully on his own private property on American soil without fearing death or injury or property damage at the hands of foreign criminal elements equipped with military armament. Certainly the military should be used, if not permanently deployed, to eradicate the criminal element threatening the peace, safety, and security of American citizens on American soil and also to assist in securing the border, period.

To stop additional illegal immigration, we must physically secure our border with a permanent fence, supplemented by electronic array and armed guards. We should increase border patrols and reward and honor border guards who take seriously their duty to protect and secure the borders of the United States, not prosecute them.

We must reject any type of amnesty for law-breakers when caught, requiring them to leave the country and return only in compliance with immigration and guest worker laws and at the back of the line behind those already following the legal process.

We must criminally fine and prosecute employers who knowingly violate the law by hiring illegal aliens.

We must end all welfare, subsidies, and other government-provided financial incentives that reward and encourage law-breaking at taxpayers' expense.

We must end the "anchor baby" policy by which infants born to illegal aliens are automatically considered U.S. citizens eligible for taxpayer-funded benefits.

We should modernize and quicken the process by which legal immigration and entry as guest workers is allowed, increasing the incentive to obey the law rather than break it.

7. Recorded history proves that the earth does periodically warm and cool over hundreds of years based on natural cycles such as the degree of sunspot activity and unrelated to human activity. The warmer periods in human history were also some of the most productive in terms of crop yield, increasing living conditions and the standard of living of many of the earth's inhabitants. I would not commit government resources and money to enabling or promoting "global warming" hysteria and propaganda.

8. "Agenda 21" is the latest moniker applied to a government-instigated social engineering and wealth redistribution scheme pushed worldwide via United Nations policy, promoted and funded through entities such as ICLEI by advocates of authoritarian and socialist "planning" (George Soros and others) who seek to impose

greater government control and regulation over human activity primarily, at least for now, through local planning and zoning policies. I would not support Agenda 21 activities or programs. I would support federal policies that protect human freedom and private property rights and encourage development and responsible and profitable multiple use of our natural resources.

II. Judiciary

1. I would vote to confirm as federal judges only those nominees with a demonstrable record and/or commitment to strict construction of the literal provisions of the Constitution. I would reject nominees with a record of using their prior judicial or administrative positions to "make law," a function Constitutionally reserved only to the legislative branch. I would also reject any nominee who in prior rulings has cited foreign law or court decisions as precedent for interpretation of the Constitution. I would not have voted to confirm Kagan or Sotomayor, "wise Latina" or not.

2. See my response to Question #1 under "Constitutional Duties" above. I will be Constitutionally duty-bound to exercise independent judgment as to whether the federal judiciary has acted in violation of the express provisions of the Constitution.

Judges who issue rulings which in my judgment violate the Constitution will have, in my judgment, violated their oath of office, and such violation of their oath of office should be the highest justification for articles of impeachment. Mere malfeasance or personal criminal activity by a judge will likely damage a very limited number of people, but issuing rulings that violate the Constitution could, if allowed to stand uncontested, directly and through precedent damage the rights and lives and property of tens of millions of Americans over generations.

For example, which should be the higher justification for impeachment: a federal judge who personally commits the act of murder of a single individual, or judges who upheld the right of abortionists to collectively end the lives of 50 million prenatal children since 1973?

The point is, without at least the threat of impeachment, no matter how high the bar for actually succeeding in impeaching a federal judge, there is little if any check and balance by the legislative branch against judges who invalidate legislative acts or illegitimately assume for themselves the legislative authority to "make law" from the bench. The legislative branch must once again use, or at least threaten to use, the check-and-balancing mechanisms provided by the Constitution.

3. Yes.

III. Accountability

1. Regular town hall meetings, telephone, mail, e-mail, web and social media.
2. Only as staff and resources allow. Not really clear as to what's being asked beyond what's already required by law, except for the *daily* posting (to which I have no objection) versus reporting every three months. Aside from individuals who have contributed to my campaign, two entities have offered to communicate with and encourage their donors to support my campaign: the National Right to Work PAC and former Gov. Mike Huckabee's HuckPAC. I have accepted both offers, though neither communication has yet occurred.
3. Ensure illegal immigrants are no longer eligible for entitlement payments. As a transition to eventually ending federal funding altogether, replace current Medicaid program with Health Savings Accounts that incentivize and reward cost-conscious consumption of healthcare and apply market pressure on providers to lower the cost of healthcare (for all of us) in order to compete for business. Eliminate provision of welfare code that hands out *more* money to a woman with children if she is *not* married.

IV. Electability

1. Estimate 1,000.
2. As of the end of December, we have raised roughly \$80,000. (The FEC report due January 15th is still being finalized.)
3. Rick Santorum, with far less volunteer manpower than the combined TEA Parties of Michigan are capable of delivering, tied and -- according to post-caucus media reports -- may actually have narrowly defeated Mitt Romney in the Iowa Caucuses. Santorum spent a little over \$1 per vote won, at least tying and possibly defeating Romney, who outspent him by well over 10-to-1.

In 2008, Gov. Mitt Romney spent \$100 million and won three state primary elections in the Republican nominating process, outspending by over 6-to-1 the campaign of Gov. Mike Huckabee, who won seven states.

In 1986, I led the \$1 million statewide ballot campaign that retained Idaho's Right to Work law. We were outspent 3-to-1 and won 54 percent of the vote nonetheless.

As to the 2012 Republican primary for U.S. Senate...

On the low end, in the last seriously contested U.S. Senate primary in 2006, turnout in the Republican primary was less than 600,000 voters, and Michigan's population has actually *decreased* in the last decade, not increased.

On the high end, Republican primary turnout in the 2010 gubernatorial race was roughly 1.1 million voters.

Question to consider:

Can each of the 53 TEA Party organizations participating in M4CS identify and turn out, on average, 10,000 GOP primary votes for the candidate endorsed by the M4CS process?

For each TEA Party, that would mean, on average, 50 volunteers who between February 25th and August 7th (over five months) are able to identify and turn out just 200 votes each. (Does that strike you as impossible?)

The total result would be 530,000 votes for the M4CS-endorsed candidate, surely enough to win in a multi-candidate primary even in the higher 2010-style turnout model. (And that assumes that the M4CS-endorsed candidate doesn't receive *any* votes from any *other* source, an unlikely prospect.)

What if the election turnout is closer to the 2006 model than the 2010, which it likely will be? The ability of TEA Party activists to identify and turn out the vote will only have greater and more dominant impact.

Is money important in a political race? Of course.

Is the ability to communicate a message, identify and turn out voters through thousands of volunteers *more* important? Yes, it is.

And that assumes the false choice of having volunteer support but no money. Reportedly, several national sources have committed to expend significant funds in support of whichever candidate is endorsed by the M4CS process, something about which you know better than I.

Two other candidates, Pete Hoekstra and Clark Durant, will be more highly funded than my campaign based on their ties and access to the Republican big-money establishment. Each have already raised in excess of \$1 million. In practical terms, because they can afford to engage in a "negative" television advertising war over Hoekstra's voting record in Congress, they will, and as a matter of practical politics, support for both will be diminished, and voters will be seeking an acceptable third alternative.

Our aggressive grassroots candidacy, fueled by a timely call to restore Constitutional

principles to our federal government and manned by thousands of TEA Party and other volunteers across the state, including those who have been supporters of my work with the American Family Association of Michigan, will provide that alternative.

But think even further of the possibilities...

Gov. Rick Snyder won the 2010 election with only 38 percent of the vote in a five-way race. If the turnout this August 2012 follows the more likely 2006 U.S. Senate race lower-turnout model, 38 percent would equate to only 228,000 votes.

To reach that number, can each of 53 TEA Parties participating in M4CS identify and turn out *a mere 4,300 votes* on average over the course of five months? That would mean that for each TEA Party, on average, 50 volunteers would have to be able to identify and turn out *only 86 voters each* to reach that vote goal.

Ask yourself that question, answer it, and you'll realize just how much power the TEA Party movement in Michigan potentially has, depending on total turnout, to strongly influence and possibly even *dictate* the outcome of the 2012 Republican primary for U.S. Senate.

I'd be honored to carry the "Don't Tread on Me" flag into battle on your behalf.

4. To restore Constitutional principles to our federal government and in so doing, help pull our nation back from the brink of outright socialism and preserve for our children and future generations the free country we inherited from our parents and those who came before. To be honest brokers and hold politicians of all parties accountable to Constitutional principles, and their feet to the fire.

5. Absolutely. Principle before party. Following the Biblical standard, I do my best to be no respecter of persons, parties, or politicians. I aim to help save my country, no matter which party or personalities stand in the way.

6. It is not wise to put in writing every possible political weakness of which I may be personally aware (that no one else is) and thus provide the playbook for attacks by other candidates in the primary or general election.

Suffice it to say that I expect to be attacked by opponents of the very issues on which I've provided aggressive leadership.

Homosexual activist groups and their media allies will attack me for being a co-author of the Marriage Protection Amendment and for being the lead plaintiff in Glenn v. Holder, a federal civil rights lawsuit seeking the overturn of Obama's federal "hate crimes" law.

Union officials will attack me for aggressively promoting passage of state and national Right to Work laws.

MEA officials will attack me for promoting, as president of School Choice YES! in the late 1990's, the Mackinac Center for Public Policy's "Universal Tuition Tax Credit." They'll also attack me, no doubt, for the fact that children were and are homeschooled.

Environmental extremists will attack me for calling for elimination of the Environmental Protection Agency.

I not only expect but welcome these attacks, as they will help us mobilize grassroots voter support and turnout, particularly so on the most controversial issues such as marriage and Right to Work, on which Debbie Stabenow is out of step with not only a majority of Michigan voters but significant elements of her own base.

(According to polls, two-thirds of African-Americans and union households voted for the Marriage Protection Amendment. The Michigan AFL-CIO's own poll indicated that one-third of all union households support Right to Work legislation.)

Thanks for your consideration and for everything M4CS and its participating TEA Parties have done, are doing, and will do in the next ten months to help save our country.

I respectfully submit to you my application for membership in the TEA Party Caucus of the United States Senate.

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