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Best Schools for P

The public service field runs the gamut from government jobs to public interest, with public defenders and judicial clerks thrown in. We take a look at the numbers to identify the law schools that are excelling at preparing and placing their grads in each of the five areas in public service.

BY REBECCA IARSEN

Nelly Caney always knew she wanted to serve in government after law school. After all, she's graduating from Faulkner University's Thomas Goode Jones School of Law in Montgomery, Ala. She was an aide to Bob Riley, then state governor.

"Not a day goes by that I don't think of something I learned at Faulkner," said the 2010 graduate, who now works for the Alabama Public Service Commission.

"It's a perfect fit for me because of the location. It is in the heart of Capitol -- I found my contacts there. And the school helped me add to my network because they brought in all sorts of speakers who live and work near the school. About 75 percent of Faulkner law graduates enter public service, including non-department and government jobs. But within the broad category of public service, 10 schools can follow many avenues. Some work as legal assistants. Some work in private firms. Some work in a hospital. Some work in a federal or state judicial clerkship. Many others enter criminal law in prosecution or public defender's office. While others provide legal services for indigent residents in social service and community organizations. And they say it changes in government or policies.

"If students are interested in job placement data, school continues to look at where its graduates are and it's also an important component. It helps us to identify key areas where our graduates may be able to affect change in government or policies."

170 law schools ranked by Standard of Living which wins the best standard of living in public service? Take a look at the data and school placement and employment rates. Then we rate every school for basic appointment rates. Here's how to access these data and content.
HOW WE IDENTIFIED THE BEST SCHOOLS

We gathered data on every ABA law school in the U.S. from a number of sources, listed below. We then used a calculation to determine the top 20 schools in each category, with the exception of clerkships. Clerkships are based on percent of graduates employed as clerks only.

For the other three — the honor roll is based on three categories: percent of graduates employed in each field (40 or 55%), curriculum (45 or 30%) and Standard of living and LRAP (15%). The curriculum calculation is higher for prosecutors and public defenders, and lower for government and public interest.

For prosecutors and public defenders, we used the percent of graduates employed in government and public interest.

Curriculum measures whether the school offers a concentration or certificate in a related field (43%); whether it has a center (14%); whether it offers a clinic in a similar subject area (29%) and whether it offers externships (14%). We gathered curriculum data from an internal survey completed by law schools in the summer and fall of this year.

Standard of Living calculates median public salary minus state and local taxes and debt payments, and then modifies that number by a regional cost of living adjustment.

We relied on U.S. News & World Report for data on indebtedness, salary information and placement by job type. We used debt repayment information from Jeffrey Hanson Education Services, using the lowest annual plan for new graduates. We used Federal and State tax data from the Tax Foundation and cost of living data from the Council for Community and Economic Research. For both state taxes and cost of living, we used data from U.S. News on where graduates were employed.

LRAP is based on school and state loan repayment plans. A school received the highest rating — a 5 — if it was probable that the graduate's entire debt would be covered. It received a 0 if there was little likelihood of receiving any loan repayment. We relied on Equal Justice Works and the ABA for data on school and state loan repayment plans. However, Equal Justice Works data was incomplete and so we gathered additional data from law school websites.

result is five lists of the 15 best schools for each category: government, prosecution and public defenders, federal clerkships, state and local clerkships and public interest.

Government

Although the most visible government attorneys are prosecutors, a far larger number of recent graduates land legal jobs in government that do not involve criminal justice. Some 6.6 percent of law students go into government — including local, state and federal jobs — with a median initial salary of $55,450.

Among these government attorneys is Kristal Brumfield, a 2007 graduate of the Southern University Law Center in Baton Rouge, La. She now serves as tax and procurement counsel for the U.S. Senate Committee on Small Business in Washington, D.C. At the U.S. Senate, she works on legislation involving taxes and contracts.

"I never thought I would work in taxes until I took an estate planning class.
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Our REAL PROPERTY LL.M. offers the only distance-learning option leading to an LL.M. & is one of only four such programs in the U.S.

Our TAX LL.M. program is currently ranked 5th in the country, according to U.S. News & World Report.
at Southern and the professor told me, 'Krystal, you're going to be a great tax attorney,' Brumfield said.

Like many government attorneys, Brumfield benefited in part from studying law in a state capital.

"We do fairly well in placing graduates in state government agencies," said Vice Chancellor Russell Jones of the Southern University. "We also develop externships in the attorney general's office, the district attorney's offices, the courts and even in environmental areas, like the wildlife and fish department."

There are 46 law schools located near state capitals in 34 of the 50 states. Ten of our top 15 law schools for government are either located in a state capital or in Washington, D.C., including Southern University and Faulkner University.

"Being in Montgomery, the capital of Alabama, is definitely a factor in our success in arranging unique internship opportunities in government," said Allen Howell, director of career services at Faulkner University's law school. "Students only have to drive a few miles down the street to work as an intern instead of doing it during the summer and traveling hundreds of miles to stay where internships are."

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### Prosecutors and Public Defenders

For Brad Moloney, his urge to argue cases in a courtroom after graduation led to his job as a county prosecutor in Golden, Colo. Moloney, a graduate of the University of Denver Sturm College of Law, is part of the 3.5 percent of graduates who become prosecutors.

Moloney thought he would practice business law until he took Trial Practice with David Schott, director of the school's Advocacy Program, which is well known for training students for courtroom success. "I really fell in love with being in the courtroom," Moloney said. "I wanted to live in the courtroom, I didn't just want to do it once in a while as I would have done starting out in a law firm."

Moloney was hired as a deputy district attorney in October 2008 after passing the bar and working as judicial clerk for one year. After some promotions, he now handles felonies, including murders, sexual assaults and serious thefts.

"Students interested in being prosecutors should look for experiential learning opportunities," said Lindsey Webb, director of public interest and legal externships at University of Denver. "At Denver you can do trials and work in the courtroom. You can be certified by the state to prosecute misdemeanors while supervised by a licensed attorney. You should take the criminal defense clinic as well, so that you can be well-rounded in your skills."

The median annual salary for prosecutors is $50,000, but federal prosecutors earn more than state or local attorneys. A small percentage of law school graduates — 1.3 percent — become public defenders, representing criminal defendants who can't afford an attorney. But the public defense role in the criminal justice system as a whole has grown enormously. The median salary for public defenders is $42,000, probably among the lowest for government attorneys.

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### Prosecutors & Public Defenders

<table>
<thead>
<tr>
<th>School Name</th>
<th>% Employed in public service</th>
<th>Median Public Salary</th>
<th>Standard of Living</th>
<th>LRAPS</th>
<th>Certificate or Concentration</th>
<th>Center</th>
<th>Clinic</th>
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</table>
Public Interest | % placed in Public Interest | Median Public Salary | Standard of Living | LEAPS | Certificate or Concentration | Center | Clinic | Externship |
---|---|---|---|---|---|---|---|---|
American University | 12% | $52,000 | $26,915 | 3 | ✓ | ✓ | ✓ | ✓ |
Case Western Reserve University | 35% | $60,000 | $36,912 | 4 | ✓ | ✓ | ✓ | ✓ |
CUNY | 29% | $49,500 | $23,736 | 1 | ✓ | ✓ | ✓ | ✓ |
Florida Coastal School of Law | 39% | $42,000 | $28,203 | 3 | ✓ | ✓ | ✓ | ✓ |
Georgetown University | 11% | $60,000 | $29,455 | 3 | ✓ | ✓ | ✓ | ✓ |
Golden Gate University | 17% | $53,334 | $26,465 | 2 | ✓ | ✓ | ✓ | ✓ |
Lewis & Clark College | 33% | $55,937 | $32,082 | 5 | ✓ | ✓ | ✓ | ✓ |
Loyola Law School, Los Angeles | 15% | $66,461 | $23,133 | 0 | ✓ | ✓ | ✓ | ✓ |
New York Law School | 16% | $51,871 | $20,763 | 0 | ✓ | ✓ | ✓ | ✓ |
New York University | 10% | $51,750 | $21,765 | 5 | ✓ | ✓ | ✓ | ✓ |
North Carolina Central University | 13% | $55,000 | NA | 3 | ✓ | ✓ | ✓ | ✓ |
Northeastern University | 10% | NA | NA | 5 | ✓ | ✓ | ✓ | ✓ |
Tulane University | 10% | $55,948 | $34,164 | 4 | ✓ | ✓ | ✓ | ✓ |
University of Denver | 11% | $64,225 | $40,459 | 2 | ✓ | ✓ | ✓ | ✓ |
University of Minnesota | 11% | $59,825 | $35,388 | 4 | ✓ | ✓ | ✓ | ✓ |
University of North Carolina | 14% | $50,000 | $33,246 | 5 | ✓ | ✓ | ✓ | ✓ |
University of Oregon | 14% | $45,662 | $29,155 | 3 | ✓ | ✓ | ✓ | ✓ |
University of the District of Columbia | 19% | $48,250 | NA | 3 | ✓ | ✓ | ✓ | ✓ |
University of Wyoming | 10% | $55,500 | $36,500 | 0 | ✓ | ✓ | ✓ | ✓ |
Yale University | 14% | $58,645 | $30,073 | 5 | ✓ | ✓ | ✓ | ✓ |

Some schools offer criminal justice programs with a more intense focus, like the University of Florida Fredric G. Levin College of Law in Gainesville, which has a Criminal Justice Center for students interested in prosecution or defense.

One prosecutor who graduated from the University of Florida is Heather Jones, who originally had thought she wanted to be in business law. But after getting her J.D. in 1999, she took a job with the state attorney's office in Alachua County, Fla., where she supervises nine lawyers handling domestic violence, drunken driving and misdemeanor cases.

"I love what I do — working at a very fast pace, being in the courtroom and interacting with judges and lawyers," she said. "If I had gone into civil litigation, I don't think I could do what I've done. One lawyer told me and I think it's true: 'This is one of the few jobs where you can go to work every single day and just do the right thing.'"

Although focusing on a career early can be important, she advised law students not to be too rigid about goals.

"If you have an internship and find that you don't like what you're doing, then you need to accept that and change your path," Jones said.

One law school that trains many public defenders is Golden Gate University School of Law in San Francisco.

"In my very first job as a public defender I worked with students from Golden Gate and other universities," said Lecor Neta, assistant director for public interest at Golden Gate University. "But the Golden Gate students blew me away with how well-prepared they were to do research and write."

Neta has a "phone book" full of graduates who became public defenders and can refer students to job openings. At Golden Gate, students can serve as externs for credit in the fall semester of their second year. Many take positions with the San Francisco Public Defender's Office.

Also well recognized for graduating future public defenders is the University of Oregon. Jane Steckbeck, associate director of public service at the school in Eugene, said students could get experience starting in their first year with a non-credit public defense research project.

Federal Clerkships

Yale Law School, Stanford Law School and Harvard Law School top the list when it comes to placement in federal clerkships. With only a few exceptions, the list is similar to the top law schools in the country.

Only about 3.3 percent of law graduates manage to land these jobs that pay a median salary of $58,000 a year, not nearly as much as salaries at top tier law firms. But those who clerk for federal judges generally find these prestigious posts open doors in their future careers.

Our list of the best schools is based on percent of graduates who land these coveted positions. But other schools, such...
as New York University School of Law, Columbia Law School, Northwestern University Law School and Georgetown Law place more graduates than many on the list, even though their percent of graduates is lower.

According to Robert Barton, judicial clerkship manager at Duke University School of Law, the law school prepares students for possible clerkships from day one.

“We start with first-year students and talk about clerkships from the first time we meet with them in the fall,” he said. Top grades in law school are vital, but even those with top credentials find fierce competition.

“The current state of the economy has made it much tougher for students to get clerkships now as people out of school for even a year or two are trying to get them,” Barton said. “Second- and third-year associates at large law firms, who may have lost their jobs in the recession, are even applying now.”

More top schools are also encouraging students to look at clerkships, according to Kathryn Webb, associate dean at the University of Washington School of Law, who handled federal clerkships at her school for several years.

“We’ve had good success with landing these clerkships because we work closely with students,” she said. “We do a lot of outreach. We arrange panels of alumni who have clerked to talk to students; they’re attorneys who went on to law firm jobs and government positions. When you start thinking about clerking early on, it turns out better.”

Erika Lopes-McLemar, a 2011 graduate of Seton Hall Law, is serving in a clerkship this year with Stuart Rabner, chief justice of the New Jersey Supreme Court.

The application process was almost as complex as applying to law school itself since most students apply to at least a few judges.

“But the school really streamlined the application process — giving us lists of judges with clerkships available, lists of deadlines and what to include in the application,” Lopes-McLemar said.

That helped Seton Hall Law land at
the top of our list of the best schools for state and local clerkships, which is selected based on percent of graduates that land such positions.

Applicants must supply references, transcripts, recommendations from professors and employers, resumes and a writing sample. Interested judges interview candidates as well.

Lopes-McLeman encourages law students to focus on grades and talk to alumni and professors who have clerked to find out more about the jobs.

“You also have to develop a really strong writing sample,” she said.

State and local clerkships are easier to get than federal clerkships, but generally pay less. About 4.5 percent of law school graduates land a state clerkship with a median annual salary of $45,000, and 0.9 percent serve in local clerkships with a median salary of $42,000.

Claudette Sr. Romain, associate dean for academic affairs at Seton Hall, said that her school “values clerkships tremendously because employers value clerkships.”

A New Jersey Law Journal article recently said that half of new hires in New Jersey law firms have been clerks. In New Jersey, there are 400 state and local clerkships available every year because all of them turn over annually. In some states, clerks serve two years.

Another top school for state clerkships is the University of Idaho College of Law, where 23 to 30 percent of each class ends up clerking, said Anne-Marie Fulfer, director of career development.

“We really try to get students energized about the possibilities,” Fulfer said. “They can have a wonderful behind-the-scenes role in court and work on critical thinking and analytical skills. They can be working for a judge who asks them, ‘What does the law say about this issue?’ and ‘What do you see as the outcome?’ Of course the judges have the ultimate say in these matters, but they are great mentors.”

Although most Idaho J.D.s serve in-state clerkships, the school offers advice on other states, and some graduates end up clerking in Washington, Oregon and Montana.

From twenty to 25 percent of graduates at the University of Baltimore School of Law have clerkships after graduation, said Christian Blom, career advisor at the school, partly because of the many opportunities in Maryland.

“People are not doing clerkships for the
money, but because they have good resume value," he said. “A clerkship positions them for a greater range of opportunities.”

Public Interest

Public interest jobs are broken down into either legal services or community organizations and policy and advocacy positions.

Non-profit legal aid and services agencies are located in major cities and many smaller towns across the United States. About 2 percent of J.D.s go into these jobs, which pay a median annual salary of $43,000 but provide excellent training.

“The agencies are like law firms themselves and provide very sophisticated legal services,” said Jocelyn Donahue, a career counselor in government and public interest at Florida Coastal School of Law in Jacksonville.

Larger legal aid organizations can have 100 or more attorneys on staff. They provide services involving such issues as: foreclosure, family law, employment, mental health, immigration, fair housing and disability benefits. They are funded by donations and grants from foundations and government but are not part of the government.

“Attorneys who make a commitment to go into legal aid are passionate about what they do; this is an area very appealing to the millennial generation,” said Ellen Sefton, director of career services at Florida Coastal. “Many of our students who go into this field say, ‘Wow, this is what I imagined that being a lawyer would be like.’”

Florida Coastal is one of 15 schools that we recognize for public service, based on percent of students who take jobs in this area, curricula and standard of living, which measures debt, salary, cost of living adjustments and loan repayment options.

In general, 2.4 percent of J.D. graduates in the United States work in community organizations and policy/advocacy groups after graduation and earn a median salary of about $43,000. These groups can receive government grants but are not run by the government.

Many schools see this area of law as a significant part of their calling, including the University of the District of Columbia David A. Clarke School of Law. UDC requires a strong commitment to community organizations — as well as legal aid services — from all of its students. Every student must spend a total of 700 hours in at least two of the school’s eight clinics, each granting them seven credits.

“This is a one-of-a-kind law school dedicated to training students in public interest, public service and public policy,” said Dean Shelley Broderick. “Our students come from diverse racial and ethnic backgrounds. They’re very committed to practicing law to represent people from the neighborhoods.”

In addition, every first-year student who spends 400 hours during the summer in a public interest, public service or policy job receives a $4,000 fellowship.

“We’ve had as many as 60 students working for public defenders, the ACLU and similar groups,” Broderick said.

About 35 percent of graduates from this school in Washington, D.C., enter public interest or government jobs, and about two-thirds stay in D.C. after graduation.
comparative law and get credit at the same time. By Tierney Plum.

Immerse themselves in different cultures, learn about international and

Study abroad programs offer law students the opportunity to

Education

Cultural

2012 Guide To Study Abroad

Jan. 2012
So you want to rack up passport stamps while getting credit for law school? Great. Just beware: Studying abroad takes a special kind of student.

Those who aren’t independent, brave or intrepid need not apply, says Theresa Kaiser, director of study abroad and international exchange at American University Washington College of Law, which has one of the most robust study abroad programs out of the 200 U.S. law schools. Nearly 40 percent of the Washington, D.C., law school’s students surveyed last year completed some of their education abroad.

The application requires a statement of purpose, and most schools don’t just let anyone through — especially if they’ve never been out of the country.

“Otherwise, it’s a huge culture shock,” Kaiser said. “They are not only living in these countries, but the way they teach law is different than the way we do.”

This year there will be an estimated 243 summer study abroad programs for law students operating in 63 countries. They cover the globe, from Chile to China, Israel to England. And students who study abroad can expect to get a realistic and thorough understanding of why a legal system is the way it is and why it works.

“You can teach in the U.S. about the laws of Mexico, but if you are in a classroom full of students from the U.S. and go home by passing Sunglass Hut and Starbucks, you aren’t going to get the full experience,” Kaiser said. “A lot of American students have had pretty sheltered lives, and it’s important to realize what else is out there.”

One American student in a study program in Chile — a country that’s recently been plagued by student and teacher protests, demanding educational reform — is the epitome of what it means to be flexible when studying abroad.

“She’s been in midst of these riots and strikes,” Kaiser said, explaining that the effort to coordinate students and faculty so they can attend class has been a challenge. “It’s an experience you can’t duplicate anywhere — being in the middle of an upheaval.”

But most law students don’t have to worry about being the next Ilan Grapel, the Emory Law student who was arrested and detained for four months while working this past summer in Egypt.

Law school summer study abroad programs are organized, safe and focused on education.

Plus, in today’s world, having an understanding of international law or the legal processes in another country can be invaluable. Any overseas experience you have on your resume could give you the boost you need in today’s job market.

The National Jurist has pulled together the annual guide to study abroad programs, with details on programs, including deadlines and dates. Programs are divided into 10 geographic regions, with London and China set apart as their own regions due to the large number of offerings.

Most programs teach similar material, such as comparative law between the United States and the host country. Some focus on specialty topics, such as criminal or constitutional law. Most experts suggest that students should choose a geographic region first and then the subject matter. But make sure the courses match your interest and career objectives.

Cost is also a big factor. Tuition can range from less than $2,000 to more than $9,000, with students earning between two and six credits. Students should pay close attention to whether tuition includes room and board, special trips or course materials.

Many students find that tuition costs are the same in the U.S. as for study abroad programs. And students can live on the same budget if they stay in student housing at foreign schools.

Airfare can be costly, so you may want to do a lot of sightseeing and other travel as part of the trip. Less touristy destinations can be better values, particularly if you are not paying in Euros. For example, it is expensive to get to Korea, but once there it is very affordable. Also, the website MyTab.co allows students to seek out donations from friend and family that can only be applied to their travel abroad.

On the following pages are details on the 240 plus study abroad programs, divided into 10 geographic regions. We also provide highlights for each region and the Big Mac index, a currency guide that shows you how much a McDonald’s Big Mac costs in each country.
Africa & Middle East
There are seven programs in Africa and 12 in the Middle East.

Africa's countries preach a mix of civil law and common law, both in the south, and Islamic law in the north. Widener Law's Kenya program allows students the best opportunity to see wildlife. Seton Hall Law's program in Tanzania offers a visit to Kruger National Park where you can see elephants, buffalo and black rhinoceros. Also, you can take a trek up the 19,000-foot-tall Mount Kilimanjaro. Head even further south to one of three programs in Cape Town, South Africa and climb (or take a revolving cable car) to the top of Table Mountain.

Fordham Law's Ghana program allows students to learn in the West African center of international business and enterprise. And Seton Hall's program in Cairo, Egypt, allows students to learn about Islamic law.

There are six programs in Israel, where you can learn about the Arab-Israeli conflict and other topics. Israel's trade and investment classes pick apart the country's economic and legal issues, with topics covering intellectual property, copyright law and the impact of trade agreements. Take off on weekends to areas like the Dead Sea, Jerusalem's Old City, The World Bank, Jordan Valley and Masada National Park.

Turkey, modeled after Swiss civil law of 1907, aims to westernize its society — both politically and culturally. Three programs offer the opportunity to study about business and international law. Students on Santa Clara Law's program can then extern in Istanbul, Kuwait or Dubai. Seton Hall offers a program in Jordan, where you can learn about Islamic banking and finance.
## Africa & Middle East

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### INTERNATIONAL HUMAN RIGHTS

#### Summer Program in Chile and Argentina

**June 3 - July 2, 2012**

Come study in two countries that present important perspectives regarding human rights issues, efforts towards legal reform, and steps toward reconciliation. Visit historical sites, governmental and legal institutions. Meet officials from human rights organizations and participate in cultural activities.

Our partner institutions: Universidad Vina del Mar and Universidad Palermo

Host cities are Valparaiso, Chile and Buenos Aires, Argentina.
Americas

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Join the University of Baltimore School of Law for an exciting study abroad adventure in summer 2012!

Haifa, Israel
July 1—31, 2012

Aberdeen, Scotland

For more information, visit law.ubalt.edu/studyabroad

Study in the Far East or take a hop across the pond

Study in China
June 25-July 13

law.unh.edu/summer

Study in Ireland
July 2-20

Rio de Janiero

Americas

There are 32 summer programs offered in the Americas, with six in Canada, seven in Mexico, five in Central America, three in the Caribbean and 11 in South America.

South America's law system is one of the most unified in the world, with countries abiding by civil law systems. All countries recently signed up to the Union of South American Nations agreement, which shoots to establish a system of supra-national law along the lines of the European Union. Take a look at the approaches to human rights in Chile and Argentina, which recently emerged from periods of human rights abuse. Both continue to grapple with the need to protect human rights while addressing significant social issues. Also, three of the five pro-United States programs in Costa Rica focus on international human rights.

Brazil, home to two programs, is a prime place to study south of the border. Its cultural capital is Rio de Janeiro, best known for its beaches, carnivals, football and music. Georgia State University College of Law and Tulane University Law School teamed up to offer a pro-

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STUDY ABROAD 2012

For 20 years, Southwestern has offered popular summer law programs around the world. Pick your destination... Make the most of your summer!

BUENOS AIRES, ARGENTINA • MAY 27 - JUNE 29, 2012
www.swlaw.edu/argentinasummer

Offered in collaboration with the Schools of Law of the Universidad de Buenos Aires and the Universidad del Salvador. Latin American and international law courses. Judicial externships available to Spanish speaking students.
Contact Anne L. Wilson at (213) 738-5707 or argentina@swlaw.edu.

GUANAJUATO, MEXICO • JUNE 3 - JULY 1, 2012
mexicanlawclasses.unm.edu

Offered by the consortium of law schools of the Universidad de Guanajuato, University of New Mexico, Southwestern Law School and Texas Tech University. Classes in international and comparative law. Externships available to Spanish speaking students.
Contact Robyn Cote at (505) 277-6843 or rfcote@unm.edu.

LONDON, ENGLAND • JUNE 17 - JULY 20, 2012
Entertainment & Media Law
www.swlaw.edu/londonent

Presented by Southwestern’s Donald E. Biederman Entertainment and Media Law Institute. The only summer abroad law program devoted exclusively to international entertainment and media law.
Contact Tamara D. Moore at (213) 738-6602 or institute@swlaw.edu.

LONDON, ENGLAND • JUNE 17 - JULY 6, 2012
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The first summer program of its kind. This groundbreaking program covers cutting-edge international information technology issues.
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VANCOUVER, CANADA • MAY 27 - JUNE 27, 2012
www.swlaw.edu/vancouversummer

Offered in collaboration with the University of British Columbia Faculty of Law and the International Centre for Criminal Law Reform and Criminal Justice Policy. Comprehensive international and comparative law curriculum including externships.
Contact Anne L. Wilson at (213) 738-5707 or studyabroad@swlaw.edu.

www.swlaw.edu/academics/international/summer
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**Toront**o, Canada — Australia & New Zealand

**STUDY ABROAD with Cooley Law School**

Cooley Law School is accepting applications for our 2012 foreign study programs. Cooley offers the choice of two ABA-approved locations. For more information, contact the Office of International Programs at (517) 371-5140, ext. 2849, or email: foreignstudy@cooley.edu.

cooley.edu/foreignstudy

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**Toronto, Canada — Australia & New Zealand**

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**Americas continued from page 42**

gram in the 10 million-person city, tak-
ing advantage of learning opportunities
about its exploding economy and rising
status as one of the most cosmopolitan cit-
ies in the world. Take a class in Sustainable
Development and Environmental Law.

If you're looking to stay closer to the
U.S., consider one of the seven programs in
Mexico. American University Washington
College of Law's program is held at the
Universidad Nacional Autónoma de México
in Mexico City, located at the center of
Mexican academic life. It studies how law
contributes to the development of the coun-
dry and society. Other programs are held in
Guadalajara, Cuernavaca, Guanajuato and
even in Tijuana, just across the border from
San Diego. There are also three programs in
the Caribbean, which focus on international
law.

Finally, Canada offers seven options —
in all of the country's major cities — from
French-speaking Quebec to Vancouver on
the west coast.
DePaul University College of Law offers study abroad programs in some of the world's most captivating cities. Our unique immersion experiences focus on international legal issues ranging from financial transactions to protecting human rights, while providing students an opportunity to enjoy the history and culture of another country.

**Beijing, China**  
International Transactions in the Asia-Pacific Region  
May 21 – June 15, 2012

**Sorrento, Italy**  
Comparative Constitutional Law, Transnational Litigation and International Dispute Resolution  
June 4 – June 27, 2012

**Madrid, Spain**  
European Human Rights, Business & Commercial Law  
June 28 – July 20, 2012

**Prague, Czech Republic and Vienna, Austria**  
Global Employment Law & Business Transactions  
July 23 – August 16, 2012

**Heredia, Costa Rica**  
Human Rights Law in the Americas  
July 30 – August 21, 2012

**Buenos Aires, Argentina**  
Legal Dimensions of Doing Business in Latin America  
December 28, 2011 - January 8, 2012

Sorrento, Italy, pending ABA approval.  
All other programs are ABA-approved.  
Please visit our website for additional program details.

[law.dePaul.edu/studyabroad](http://law.dePaul.edu/studyabroad)
Asia and Australia

There are 32 programs across Asia — from Australia to Japan — with more than half in China.

Five of the programs are in Australia, which is far more expensive than mainland Asia. Sydney, recently named the favorite spot by Condé Nast Traveler, isn’t a tough sell with its Harbour Bridge, the sails of the Opera House and Bondi Beach. Opt for a full semester abroad down under in Melbourne with the Thomas M. Cooley Law School during the country’s warm season. The program also takes you to New Zealand. Teaching styles between U.S. and Australian professors are strikingly similar, which can be attributed, in part, to its shared common law practice.

Head into mainland Asia and find the oldest and most internationalized university in Korea, Yonsei University, offered through American University. Founded in 1950, the school aims to cultivate lawyers equipped with a strong sense of social justice. Or study business law or criminal law at one of the other three programs in Seoul. Spend a summer at one of two programs in Tokyo, Japan — one of the world’s economic and financial centers where students can study issues in international trade and intellectual property law. Michigan State also offers a program in Kyoto, Japan’s ancient capital and home to numerous temples and historical sites. Further to the south, Santa Clara offers a program in Singapore, with the opportunity to do an externship in Singapore, Cambodia, Vietnam or India. Touro College of Law offers a program in Vietnam, and one in India where you can visit the Taj Mahal and study in the foothills of the Himalayas.

China

The number of programs in China has exploded in recent years, with 17 being offered this coming summer.

If it’s informative classes on international business and intellectual property law, culture and cuisine you’re after, China’s your country. Just be wary of the culture shock you can expect to face — especially when it comes to technology.

“I’ve never been in a communist country before, and I’d never seen a disclaimer on the bottom of Google searches, filtering out results. You can’t access YouTube or Facebook,” said Pamela Westfall, who went to Stetson University’s summer abroad program in China’s third-biggest city of Tianjin. “You don’t really appreciate it here in America because our access to information is unlimited, whereas in China it’s completely restricted.”

The mixture of civil law and socialist law in China, contrasted with the perspective from a U.S. law system, gets minds thinking. Despite the two countries hav-
ing wildly different government and law systems, they can still conduct international business between one another on a regular basis.

During free time on the weekends, stop by the Forbidden City Beijing, the best preserved imperial palace in China and the largest ancient palatial structure in the world, or take a hike along the Great Wall, which spans across nine cities in northern China.

Cultural cuisine, like the Beijing duck dinner experience, lets diners experience the famous way they cook the foul in China. Family-style dinners reflect how locals view their culture as a collective society, sitting around a lazy susan stocked with the local delicacies.

### Asia & Australia

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**Penn State Law**

**2012 Summer Programs**

For more information and online registration, visit law.psu.edu

**Montréal**

May 14 - June 15

**Florence**

June 24 - July 21

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**The Honorable Samuel A. Alito Jr.**

Associate Justice of the Supreme Court of the United States

Distinguished Guest Jurist FLORENCE — July 11-19

Photo: Steve Petteway, Collection of the Supreme Court of the United States
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**PISA, ITALY**

International and Comparative Law Program
May 26 – June 9, 2012

Co-sponsored by Scuola Superiore Sant'Anna and located in the heart of the old city of Pisa, this year’s program focuses on international and comparative law.

The Pisa program will enable students to gain exceptional insights into European legal culture and legal language. Students will participate in one 1-credit course and one 2-credit course.

[law.hofstra.edu/Pisa](http://law.hofstra.edu/Pisa)

For information, contact Jeffrey A. Dodge, Assistant Dean for Global Initiatives & Multicultural Affairs at 516-463-4547 or InternationalPrograms@hofstra.edu.

**FREIBURG, GERMANY**

International Criminal Law Program
July 28 – August 11, 2012

Co-sponsored by the Max Planck Institute for Foreign and International Criminal Law, this year’s program focuses on international and comparative criminal law.

While studying at one of Europe’s top legal research institutions, students will participate in one 1-credit course and one 2-credit course. Freiburg, known for its scenic beauty, is situated in the Black Forest in the southwestern tip of Germany.

[law.hofstra.edu/Freiburg](http://law.hofstra.edu/Freiburg)

Application Deadline: April 27, 2012
Foreign Study Abroad Programs

- **Berlin, Germany**
  - June 4 -
  - June 27, 2012

- **Seoul, Korea**
  - June 5 -
  - June 29, 2012

- **Merida, Mexico**
  - December 2012 -
  - January 2013

Mississippi College School of Law offers three study abroad programs that bring international law alive. For more information, contact Susan Copeland at scopelan@mc.edu or 601.925.7188.

[www.law.mc.edu](http://www.law.mc.edu)

MC Law is accredited by the American Bar Association and a member of the Association of American Law Schools and a charter member of the International Association of Law Schools.
British Isles
There are 40 programs in the British Isles, with 18 in London alone.

The Valparaiso University Cambridge Center welcomes summer students with programs taught by distinguished alumni and guest lecturers from the host community. Past faculty have included United States Supreme Court Justices Antonin Scalia, Ruth Bader Ginsburg, Clarence Thomas and Chief Justice William Rehnquist. It is one of four programs at the second-oldest university in the English-speaking world.

The oldest university, however, is Oxford, founded in 1096. There are six programs offered in the romantic and rural city, which is rich in history, heritage and architecture and just a 50-minute train ride from London.

Trinity College in Dublin welcomes students to learn about Irish, European, international and comparative law. Both Quinnipiac University School of Law and University of San Francisco School of Law offer programs at the highly ranked college, which was founded in 1592. You can visit Irish legal institutions including the Four Courts and Kings Inn.

There are nine other programs in Ireland, including Fordham and Duquesne University School of Law programs that are both in Dublin and Belfast, Northern Ireland. There are two programs in Scotland, Baltimore's Aberdeen program and American University's Dundee program that focuses on international business law and natural resources.

London
London has always been the most popular destination for law students. That's no surprise. It is a top place to see international law and financial law in action, between the presence of Parliament and Lloyd's of London, the world's leading insurance market. Its position as the publishing and media capital of Europe also makes it a great place to study comparative and international aspects of intellectual property law.

This summer it has an added draw — the 2012 Summer Olympics. While the logistics of working around the July 27 to Aug. 12 games has led some schools to cancel their program, there are still 18 moving forward. And some are taking advantage of the opportunity.

For example, some lucky students in the Stetson University program will get tickets to the Olympics for basketball, soccer and volleyball events. Its semester fall program, with 15 to 20 students, will start a couple of days later than originally scheduled, on Aug. 14, to give students the chance to attend the games before diving into academics.

The University of Miami School of Law will let students reside in London during the entire games and will pair that with a course called The Olympic Games and The Law, that will include a ticket to an Olympic game and a weekend excursion to Stratford, Oxford, Bath and Stonehenge.

“We expect this summer to be a once-in-a-lifetime opportunity for our students,” said Michael Scott, professor and director of Southwestern Law School's London summer program in international information technology. “We have done several things that will (we hope) ensure that this year's program will not be negatively impacted by the Olympics.”

The program will end two weeks sooner than before, putting its last day three weeks before the beginning of the Olympics. Scott hopes students will take advantage of the smorgasbord of pre-Olympics events, like concerts, art exhibits and athletic competitions.

Southern University Law Center in Baton Rouge, La., secured 50 rooms for its six-week program in London from June 25 to Aug. 3.

“The good news is we have some of the very few rooms in London available at a reasonable price,” said Maurice Franks, professor of law, who attributes the deal to Southern University's new partnership with the University College London.

Franks encourages students to buy event tickets for the Olympics now, some of which cost as little as 20 pounds, or about $30.
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**Study human rights law in Ireland.**

A six-week international and comparative human rights law program at the Irish Centre for Human Rights, National University of Ireland, Galway, co-sponsored by New England Law | Boston

Housing in university student apartments

**June 10-July 20, 2012**

Tuition, housing, and fees: **$5,300**

Information and application:

[www.nesl.edu/summer/](http://www.nesl.edu/summer/)

Contact Prof. Philip Hamilton:

[phamilton@nesl.edu](mailto:phamilton@nesl.edu)

Jeffrey P. Minear, Counselor to the Chief Justice of the U.S. Supreme Court, will teach in this summer's program.
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One University of Notre Dame.

Fully accredited by the American Bar Association and the Association of American Law Schools, the University of Notre Dame Law School's London Programs offer the opportunity for students to study international and comparative law through one of three programs: Law in London Summer Program, a six-week term for students enrolled at ABA-approved law schools; Concannon Program, a semester or yearlong program for Notre Dame's upper division law students; and L.L.M. in International and Comparative Law, allowing citizens of EU countries to earn an L.L.M. from a U.S. law school.

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The Law School

52 THE NATIONAL JURIST January 2012
For further information, contact Professor John A. Thomas at 212.431.2865 or visit www.nyslaw.edu/lawllm.

LL.M. in Taxation
- Tax Litigation
- International Taxation
- State and Local Taxation
- Corporate Taxation
- Real Estate Planning

LL.M. in Real Estate
- Real Estate Development
- Public Policy and Regulation
- Transactional Practice

LL.M. in Financial Services Law
- International Regulation
- Capital Markets
- Banking
- Asset Management

LL.M. degrees offered in Financial Services Law, Real Estate, and Tax.

Through Specialized Training
Advance Your Career
Northern Europe

Northern Europe is flush with programs, with 11 in The Netherlands, nine in Germany, five in Switzerland, five in Austria, four in Belgium and six in the Scandinavian countries. Some of the programs take students to multiple locations.

Relish in Amsterdam’s rich assortment of recreational activities and proximity to The Hague, home to more than 150 international organizations. Students can visit the International Criminal Court and the International Court of Justice.

While pricey, consider a ski trip in the Swiss Alps. During June and July, there’s snow and daylight is almost around the clock. There are 10 programs that are held, at least in part, in Switzerland.

Germany’s programs include a strong focus on intellectual property and European Union law. There are five programs in Austria, with four others that visit both Austria and countries in East Europe.

The University of Helsinki, founded in 1640, is the oldest and largest university in Finland. Established as a more traditional educational institution, the pace of study is usually left up to the individual and there is an emphasis on the student’s own initiative and individual work. Finland has a long and deeply rooted Nordic legal tradition, and a great awareness of the importance of a just and effective international legal order.

The Faculty of Law in Oslo is the oldest and largest educational and research institution within the field of law in Norway. In addition to the traditional fields of study within law, researchers also explore varied aspects of law, such as environmental law, e-commerce, human rights law and maritime law.
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**Dispute Resolution Institute**

Register early. Enrollment limited.

For course descriptions, faculty bios, registration information and pricing, visit our website:

[law.hamline.edu/disputeresolution](http://law.hamline.edu/disputeresolution)

Or, contact Kitty Atkins
katkins@hamline.edu
Phone: 651-523-2897
Fax: 651-523-3028

**Certificate Program in Global Arbitration Law and Practice: National and Transborder Perspectives**

June 24 - July 27, 2012

Application deadline April 16, 2012

6 law school credits

A joint venture with Professor Thomas E. Carbonneau (Orlando Distinguished Professor of Law, Penn State Dickinson School of Law), in cooperation with The School of International Arbitration, Queen Mary, University of London.

**Study Abroad London**

**Study Abroad Budapest**

**Mediation and Other Methods to Foster Democratic Dialogue**

June 4 - 15, 2012

Application deadline April 16, 2012

3 law school credits

A joint venture with Benjamin N. Cardozo School of Law in cooperation with Central European University.
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All programs are ABA accredited.

For more information please contact: Associate Dean Calvin D. Peeler cpeeler@law.whittier.edu (714) 444-4141 ext. 111

www.law.whittier.edu/studyabroad
Eastern Europe continued

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Eastern Europe

The region, with its stark language and cultural differences, shares one historical bond: All stood behind the Iron Curtain before its collapse. Russia’s legal, economic, social and cultural foundations are undergoing a historic transition, and it’s a unique time to study the ongoing reform of its legal institutions and law through Continental European Law influences.

Moscow State University, the oldest university in Russia, offers such classes as Comparative Russian and European Constitutional Law, which covers the fundamentals of the constitutional systems of Russia and Europe, while Comparative Judicial Systems studies the organization, structure and jurisdiction of the court systems in the U.S., Russia and other European countries, accented by tours to the courts and the Duma.

Take a trip to Prague, the capital and largest city of the Czech Republic, to check out the Dancing Building, Prague Castle or the statue of Charles Bridge that connects Prague’s Old Town and New Town. Peruse one of Warsaw’s many palaces or The Chopin Monument in Lazienki Park that celebrates the birthplace of the famous Polish composer.

St. Basil’s and The Kremlin
Southern Europe

Southern Europe offers more programs than any other part of the world, with 51. Italy leads the way with 18 programs. France follows with 14, then Spain with 12. There are also programs in Portugal, Greece and Malta.

The walkable and creative town of Florence provides the perfect backdrop for studying the country’s Roman law influences, with courses relating to the creative arts, such as art law, dealing with both fine art and artifacts and intellectual property.

The University of Perugia, one of the oldest universities in Europe, is considered one of the most prestigious law programs in Italy and attracts students from around the world (recently, Perugia was most famous for the site of the Amanda Knox murder trial).

The Greek isles of Rhodes and Spetses boast courses influenced by its German and French law roots, covering admiralty and maritime law, comparative law, the Law of European Communities, international sale of goods, negotiation and mediation of international business transactions. During down time, take a tour of Acropolis and the Parthenon or Syntagma Square’s Parliament Building in Athens, which is considered one of the safest capital cities in the world. Hop on a ferry across the Mediterranean Ocean and arrive in Italy’s Brindisi, at the heel of the boot. Bounce around Venice, Rome and Venice via train and snap away at the one-of-a-kind museums and historical structures.

Barcelona is Spain’s commercial capital, a center of international law practice on the Mediterranean. One taste of the country’s tapas, wines, nightlife and seashore — all of which can be reached by high-speed rail — and it’s no wonder that Spanish students aren’t obsessed with their schoolwork like many Americans are, as they’d rather embrace a work/life balance and value family time. They also have a superior appreciation for the arts, culture and are more liberal in general.

France typically requires a fluency in French and has more of a rigid teaching practice. Most of the American study abroad programs are taught in English and focus on international and comparative law. Must-see bets in Paris include the Louvre, Notre Dame Cathedral and the Champs-Elysees. Catch a glimpse of many other sights with a trip down the Seine River.

### Southern Europe

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ALL COURSES ARE 3 CREDITS—STUDENTS MUST ENROLL IN BOTH SESSIONS FOR A TOTAL OF 6 CREDITS

session 1

JUNE 21 – JULY 16, 2012
GREECE & ITALY
Including 4-Day Aegean Cruise
ATHENS/4-DAY AEGEAN CRUISE/OLYMPIA/DELPHI/CORFU/SORRENTO/ROME/Siena/San Gimignano/Florence/Venice

INTERNATIONAL CIVIL DISPUTE RESOLUTION
Professor MICHAEL H. GRAHAM
University of Miami School of Law

OR

JUNE 24 – JULY 16, 2012
LONDON SUMMER PROGRAM
INTERNATIONAL HUMAN RIGHTS
Professor VIRGINIA MANTOUVALOU
University College London

GLOBAL LAWYERING
Professor JOHN A. FLOOD
University of Westminster, England

session 2

JULY 23 – AUGUST 13, 2012
LONDON “OLYMPIC” PROGRAM
THE OLYMPIC GAMES AND THE LAW
Professor JILL PILGRIM
Precise Advisory Group, New York

INTERNATIONAL SALES LAW
Professor ROBERT E. ROSEN
University of Miami School of Law

FOR MORE INFO: law.miami.edu/summerabroadprograms
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**Application Deadline is April 30, 2012**

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Goodbyes to those we lost in 2011

Staff Reports

Published Sunday, January 1, 2012 Updated: Monday, January 2, 2012 - 11:03pm
Every year, we say goodbye to people who have made our community or culture better, challenged us or touched our hearts. There is no way to mention them all, but here are a few of the people we lost this year who meant a great deal to the Athens area:

**FELTON JENKINS JR., 68**

A retired lawyer, Felton Jenkins was a dedicated member of the University System of Georgia Board of Regents. Colleagues recalled how thorough he was in his duties – reading every word of the massive amounts of information sent to the regents and visiting every one of the system's 35 campuses.

He earned undergraduate and law degrees from the University of Georgia in 1963 and 1965, before going on to a long career with the King & Spalding firm and retiring in Madison. He also worked with various nonprofits, including the Georgia Justice Project, an organization that helps people turn their lives around after they have served prison sentences.

Jenkins died Jan. 1 after a battle with brain cancer.

**JOHN ELVIN TAYLOR, 83**

John Elvin Taylor served on the Clarke County school board, the Athens City Council and the consolidated Athens-Clarke, helping to set the example and break ground for future black leaders in Athens.
Taylor served in the Army during World War II. He later worked in the insurance business in Athens and gave job opportunities to many young black men.

Beyond his political service, Taylor was a member of the Rotary Club, a troop leader with the Boy Scouts and was active in the NAACP.

Taylor died Jan. 1 of an extended illness.

GARRIE VEREEN, 49

Longtime Widespread Panic equipment manager Donald Garrie Vereen died on Feb. 16.

Vereen had been with the band since 1991, and had recently returned to work after recovering from a brain hemorrhage. That type of brain injury can lead to depression, and Vereen, who lost his son in an accident in 2009, took his own life.

Well-respected and liked in the music industry, Vereen was recalled for his dedication to his craft and to his friends.

TYLER MOON, 14

In his short time, Tyler Fortson Moon excelled in and out of the classroom.
He was captain of the Madison County Middle School football team, volunteered with an organization for special-needs students and held a spot on the school's honor roll.

The entire Madison County community grieved when a lawn mower he was riding overturned on Spratlin Mill Road on April 8, killing the popular teen.

SHERRIE FORD, 64

A brilliant businesswoman though her academic degrees were in English, Sherrie L. Ford and a business partner bought a failing factory in Athens and turned it Power Partners, one of the largest female-owned companies in the country.

Ford also co-owned Change Partners, a management consulting and training company specializing in the manufacturing industry, and held majority ownership of Gap Partners, a Rabun Gap customized metal design and fabrication company. She started the Center for Continuous Improvement in 1991 at Athens Tech.

Ford succumbed in April to stomach cancer.

EVAN ESCOE AND SAMUEL HART

The 10-year-old best friends were killed in a tragic crash on U.S. Highway 441 on June 3.

Although they lived in different parts of Madison County and went
to different schools, the boys loved to play outdoors together and were looking forward to middle school, when they would be in the same classes.

HAMILTON MCWHORTER, 98

Hamilton McWhorter Jr., who served as secretary of the state Senate from 1967 to 1992, and whose family donated the Shaking Rock Park land to Lexington, died Oct. 18 at the Lenbrook Retirement Community in Atlanta. He was 98.

LARRY MUNSON, 89

Legendary voice of the Georgia Bulldogs, Larry Munson died Nov. 20.

Munson's long broadcasting career included stints at the University of Wyoming, Vanderbilt and with the Atlanta Braves. He also hosted a weekly fishing show for 23 years in Nashville, Tenn., and a winter fishing tournament off Highway 11 in Mansfield.

But he is best known for his play-by-play announcing of Georgia football games, which started in 1966 and continued for more than four decades.
Lawyer Snapshot: Amanda Eaton Ferrelle

01/02/2012
from staff

Age: 33
Family: I’m married to fellow attorney Rice Ferrelle and we have our hands full with son Connor (2 years) and daughter Kennedy (6 months).
Pets: Mack the Chocolate Lab (2 1/2 years)
Education: University of Georgia School of Law — and, yes, the Bedell Firm still hired me.
Admitted to the Bar: 2004
Employed by: The Bedell Firm
Field of practice: Commercial litigation.
Professional organizations: The Jacksonville Bar Association, The JBA Young Lawyers Section, Jacksonville Women Lawyer’s Association, Federal Bar Association.
Community involvement: Big Brothers Big Sisters. I have been matched with my Little Sister, Diamond Williams (age 15), for the past seven years.

How did you get involved?
I simply called Big Brothers Big Sisters and they welcomed me as a volunteer.

What have you learned/achieved through the experience?
I am continually inspired by Diamond and have witnessed many times over the past seven years how much someone with limited means can achieve through hard work, belief in themselves and the support of family and friends. Diamond has made the honor roll with all As and Bs every year I have known her — even in her advanced placement classes at Paxon High School. She was recently selected as one of only 40 students in Northeast Florida to participate in the “People to People” student ambassador program. As part of this program, Diamond will travel to several countries in Europe for three weeks (she has never been on an airplane before!) and will meet with government officials, student groups and other community leaders. The student ambassadors will learn about the government, educational systems and cultures of these countries. Needless to say, it will be an amazing experience for Diamond and the other students.

How can someone else get involved?
The cost of participating in the “People to People” program will be quite difficult for Diamond’s parents, who also have four younger daughters, to afford. If you would like to help Diamond have this experience, Big Brothers Big Sisters will be accepting charitable donations made on Diamond’s behalf. You can pay by check or credit card payable to Big Brother Big sisters of Northeast Florida and make sure to note that any payment is for Diamond Williams. Your charitable donations can be mailed to Big Brothers Big Sisters of Northeast Florida, 3100 University Blvd. S., Suite 120, Jacksonville, FL 32216. Thank you very much for supporting Diamond!

What was the last book you read or are reading?
The majority of the books I read now are children’s books. Our favorite right now is “Llama Llama Red Pajama.”
Former U.S. Rep. Jenkins dies at 78

Former U.S. Rep. Ed Jenkins, a Democrat who represented north Georgia in Congress from 1977 to 1993, died Sunday after a long illness. He was 78.

His daughter, Janice Jenkins, said early Monday that the former congressman died at Piedmont Hospital in Atlanta.

Jenkins was elected to Congress in 1976, the same year that another Georgian, Jimmy Carter, was elected president. He served on the House Budget and Ways and Means committees.

"Mr. Jenkins was a great person who did a great job as our congressman. He was very well liked," said Whitfield County Democratic Party Chairwoman Judy Dirks. "He was very well respected in this area."

Jenkins graduated from Young Harris College and the University of Georgia School of Law.

He served in the Coast Guard, as U.S. attorney for the Northern District of Georgia, as an attorney in private practice and as an aide to his predecessor Phil Landrum before being elected to Congress. The Almanac of American Politics described him in 1990 as "one of the smartest operators on Capitol Hill." The publication praised his dispassionate questioning of Oliver North during the Iran-Contra hearings and cited his efforts to protect the textile industry.

"He was unique and one of a kind," his daughter said.

Margaret Ball, Whitfield County representative to the state Democratic Party Committee, recalls a visit Jenkins made to Dalton when he was serving in Congress.

"He gave me a Cabbage Patch doll, which I treasure," she said. "I really admired him. He was a true Democrat. He represented everyone. He was very fair, very strong."

After retiring from Congress, Jenkins remained active in church and civic affairs and served on the Board of Regents of the University System of Georgia. He would have turned 79 on Wednesday.

"I dealt with him when I was at (Dalton State College), and he was a very strong and effective supporter of education. That was one of the things I really appreciated about him," said Tobias Dirks, a retired educator at DSC.
and husband of Judy.

In addition to his daughter Janice, Jenkins is survived by his wife, Jo; a daughter, Amy; brothers, sisters and two grandsons.

Visitation will be Friday at Cagle Funeral Home in Jasper from 4 to 8 p.m. Funeral services will be held Saturday at 11 a.m. at the First Baptist Church of Jasper. He will lie in state at Antioch Baptist Church of Blairsville from 1 to 3 p.m. on Sunday and will be interred with military honors in the Antioch Church Cemetery at 3 p.m.

Jenkins, a Democrat who served on the Hill from 1977 to 1993, died at Piedmont Hospital in Atlanta, the AP said.

During his time in Congress, Jenkins served on the Ways and Means, Budget and Ethics committees, as well as the Iran-Contra Investigations Committee. As the AP notes, the longtime congressman was well-known for his questioning of Oliver North in the Iran-Contra hearings.

After retiring from Congress, Jenkins worked as a partner in the consulting firm Winburn & Jenkins in Washington.

"He was unique," his daughter Janice Jenkins told the AP. "He'll be missed by a lot of people. ... He always believed in second chances. He helped a lot of people."

Jenkins graduated from Young Harris College, attended Emory University and graduated from the University of Georgia Law School, as his bio on the the John C. Stennis Center for Public Service Leadership's website notes.

The Georgian left behind his wife Jo, daughters Janice and Amy, and two grandsons.
Revisiting Professional Development for a Changing Profession

Topic No. 1 for training and career advisers attending a recent conference in Washington, D.C., was how current and future generations of lawyers can best respond to the dramatic changes that have been hitting the legal industry. Their message: Learn fast, work smart, think bottom line.

Ari Kaplan
01-03-2012

The legal industry is at a watershed moment.

The profession lost 3,100 jobs between November 2010 and November 2011, according to a report released by the Bureau of Labor Statistics. Meanwhile, The American Lawyer's ninth annual survey of law firm leaders found that Am Law 200 firms continue to experience ongoing billing pressures, performance challenges and economic uncertainty. More than 81 percent of survey respondents said they're seeing an increase in client requests for discounts, and 92 percent said they had experimented with flat fees in 2011.

To address these issues and related concerns, a record number of training and career advisers -- 354 attendees, compared to 288 in 2010 -- recently converged on Washington, D.C., for the 10th anniversary of the Professional Development Institute, where they discussed the dramatic changes in the legal industry and how current and future generations of lawyers can best respond to those changes.

Given that law firms are increasingly experiencing internal and external pressure to provide more efficient service, creative staffing and a fresh look at training structures, innovation was a recurring theme at the two-day event.

"It is an exciting time in the professional development world because many of the old rules don't work anymore and you have the opportunity to be creative," said Kathleen Brady of Kanarek & Brady during her presentation with Gail Parker of Interactive Communication.

Conference participants also repeatedly emphasized the need to justify initiatives with clear bottom-line benefits. "Understanding the client's business has been a direct consequence of the downturn," said David Cruickshank, a partner with Edge International and former director of professional development at Paul, Weiss, Rifkind, Wharton & Garrison. He predicted that more firms would implement legal project management protocols, increase their partner development programs, and focus on merit compensation in place of lockstep promotions.

"The pressures on a general counsel are enormous, particularly these days, as he or she struggles to optimize legal services and minimize total legal spending," said Gregory Riggs, a former Delta Air Lines general counsel who now serves as the associate dean for student services and community engagement at Emory University School of Law in Atlanta.

"Associates must grow fast in order to carry their weight and provide value," said Riggs -- a point echoed by The American Lawyer law firm leader survey, with more than half the respondents noting that clients had refused to pay...
for work done by first- and second-year attorneys.

In response to client demands and economic pressures, law firms are taking notice and adjusting their systems. "We are very focused on trying to maximize experiential learning," Gary Karl, the professional training partner at New York's Harter Secrest & Emery, said at the Professional Development Institute gathering. "This is where you have to put your attention to be effective."

Specific ideas that attendees discussed for enhancing professional growth included leveraging pro bono assignments to build key skills, implementing more robust mentoring programs, and using personality tests to enhance individual performance.

The industry's increased interest in effectiveness extends to senior practitioners as well, with conference attendees giving vibrant presentations on upward reviews, talent management and other development strategies. In the face of reports that underperforming partners are among large law firms' biggest disappointments, participants at the December event emphasized the need for firms to combine skills enhancement with practical business development strategies for the sake of their partners as well as their associates.

The goal of relating training to profitability and efficiency is also increasingly hitting home for law schools -- a trend reflected in the larger numbers of law school representatives who registered for this year's Professional Development Institute conference, a 16 percent increase from 2010 and a 150 percent increase from 2009. "Any school presence at all is new and speaks to the rapid change of things at law schools," said James Leipold, executive director of the National Association for Law Placement, which co-sponsored the conference with ALI-ABA.

Michael Ende, Hofstra University School of Law's assistant dean for career services, emphasized the need for law schools and employers to "work together to better prepare students for the challenges of legal practice."

Beth Shackleford, the director of student professional development at the University of Georgia School of Law, closed the conference with a discussion on how schools can provide dynamic soft skills training and enhance network opportunities for students. Initiatives adopted by schools include doing role-play exercises to help students prepare for events; sponsoring students' attendance at bar association functions; and facilitating conversations with prospective employers and practitioners in specific disciplines.

Ed Jenkins, former Democratic congressman from Georgia, dies at 78

By Emily Langer, Published: January 3

Former U.S. representative Ed Jenkins, a Georgia Democrat who championed the Southern textile industry as a member of the tax-writing Ways and Means Committee, died Jan. 1 at a hospital in Atlanta. He was 78.

His daughter Janice Jenkins Anderson confirmed the death but declined to disclose the cause.

Rep. Jenkins represented northern Georgia in the U.S. House from 1977 to 1993. A former assistant U.S. attorney, he developed a low-key, amiable style that earned him respect on Capitol Hill. He often was a bridge between Southern Democrats and their colleagues in the North.

In 1987, during the congressional hearings over the Iran-contra scandal, Rep. Jenkins was placed on a special investigative committee despite his lack of a committee chairmanship or special expertise on the subject. His selection for the panel was regarded as a show of his colleagues' respect for him.

The Almanac of American Politics once described Rep. Jenkins as "one of the smartest political operators on Capitol Hill" and "a man who must be consulted on many legislative issues."

Part of Rep. Jenkins's influence derived from his friendship with Dan Rostenkowski (D-Ill.), who chaired the Ways and Means Committee.

As a member of that panel, Rep. Jenkins made the textile industry of northern Georgia his chief concern. Like the mills of New England decades earlier, Southern factories were facing withering competition from cheaper labor — this time from abroad.

Rep. Jenkins set out to protect his region's industry from foreign competition. He once warned that a failure to curb imports would make the United States a "weak nation."

He championed bills that beefed up quotas and other protectionist measures. In 1985, he came close to winning enactment of the Textile and Apparel Trade Enforcement Act, which would have slashed clothing and other imports. Congress failed to override the veto by President Ronald Reagan, who feared that the measure would backfire and cause other nations to retaliate.

Rep. Jenkins showed a maverick streak in 1989, when he opposed Rostenkowski in a debate about capital gains taxes, the taxes paid on the sale of stocks and other assets. Rep. Jenkins went around Rostenkowski to rustle up the votes needed to pass in the House a measure that would have lowered capital gains taxes. (It later died in the Senate.)

During the Iran-contra hearings, Rep. Jenkins sparred with Marine Corps Lt. Col. Oliver L. North, a National Security Council staff member, who was accused of organizing an exchange in which proceeds from arms sold to Iran were diverted to the contras fighting the Marxist Sandinistas in Nicaragua.

"What concerns me from your testimony," Rep. Jenkins said to North, "is that not a single official elected by the people of the United States of America had any knowledge about the use of a secret fund to conduct covert operations."


Edgar Lanier Jenkins was born Jan. 4, 1933, in Young Harris, Ga. He graduated in 1951 from Young Harris College, where one of his classmates was Zell Miller, a future Georgia governor and U.S. senator.

Rep. Jenkins served in the Coast Guard before receiving a law degree from the University of Georgia in 1959.

After his service in the House, he formed a D.C.-based tax-and-trade consulting firm. He later worked on his family farm. His chief legislative accomplishments, he said, included successful efforts to preserve wilderness lands and the forests of the North Georgia mountains.

Survivors include his wife of 51 years, Jo Thomasson Jenkins of Jasper, Ga.; two children, Janice Jenkins Anderson of Roswell, Ga., and Amy Jenkins Dotson of Jasper; two brothers; three sisters; and two grandchildren.
EOA To Hold 40th Martin L. King, Jr. Celebration

Economic Opportunity Authority for Savannah Chatham County will hold its 40th observance of Dr. Martin L. King Jr.'s birthday on Wednesday, January 11, 2012 noon at the Jewish Educational Alliance, 5111 Abercorn Street, Savannah, GA.

Honorees for 2012 will be retired physician Dr. Wesley J. Ball and Judge Charles Mikell. Dr. Wesley J. Ball epitomizes the concept of the good physician, devoted to the alleviation of human suffering and committed to the healing arts and sciences. He earned the baccalaureate degree from Morehouse College and the M.S. degree from Atlanta University. He studied medicine at Meharry Medical College, from which he received the M.D. degree. His rotating internship at Trumhull Memorial Hospital in Warren, Ohio, was followed by a general surgery residency at the Horner G. Phillips Hospital in St. Louis, Missouri.

In 1964, Dr. Ball came to Savannah, where he has practiced surgery for thirty-three years. He has been on the active medical staffs of Candler, St. Joseph's Hospital, and Memorial Medical Center.

In 1992, he was awarded the Association's Gold Medal for Distinguished Service.

Dr. Ball is currently chairman of the board of directors of the EOA.

Judge Charles Mikell is a native Savannahian. He is an honors graduate of the University of Georgia Law School, where he was a senior editor of the law review and a member of the order of the coif. After law school, he was a trial lawyer in Chatham County before being appointed a state court judge by Governor Joe Frank Harris in 1985. He

See Celebration, pg. 4
elected a Superior Court Judge in 1992.

In our community, Judge Mikell served as Chairman of the King-Tisdell Cottage Foundation, a museum of African-American history and culture, from 1986-1994. Prior to that, in 1982, he had been recruited by Mr. W. W. Law to do the pro bono work to incorporate the Foundation. He was a member of the Board from 1982 to 1998. The program is open to the public. Prior to 1972 there was no continuous local community activity in honor of the late Dr. Martin Luther King, Jr. With the exception of Atlanta, Georgia, there were few cities around the United States that paused to honor the slain civil rights leader and his contribution to human rights.

In January, 1972, at 1112 Whitaker Street, the Midtown branch of the local Economic Opportunity Authority began the first celebration among community agencies to keep Dr. Martin Luther King’s Memory alive. Two black and two white ministers, along with EOA staff and guests met for an hour in a layman’s service that gave rise to one of the country’s largest commemorations. On January 13, 1985, the EOA became the first agency to sponsor an ecumenical service. The program was held at the Temple Mickve Israel, 20 East Gordon Street, Savannah, Georgia, Rabbi Saul J. Rubin, Pastor.

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Lathrop & Gage Promotes Nine to Partner Status

January 4, 2012

KANSAS CITY, Mo. (Jan. 4, 2012) – Lathrop & Gage LLP announced it has elected nine attorneys to partner status: Aaron Bradford, Matthew Corbin, Marshall Honeyman, Matthew Jacober, Travis McGallon, Jack Merritts, Justin Poplin, Bridget Romero, and Charlene Wright.

Aaron Bradford (Business Litigation – Denver): Bradford concentrates his practice in business litigation with experience as lead counsel in trials involving intellectual property, medical defense and complex torts. He has been selected a Colorado Super Lawyer “Rising Star” in litigation since 2009 and was the Denver Bar Association’s 2008 Young Lawyer of the Year. Bradford is currently the chair of the Colorado Pledge to Diversity, co-chair for the Denver Children’s Hospital’s “WHEELS OF JUSTICE,” on the board of directors for the Colorado Campaign for Inclusive Excellence, and a member of the steering committee for the Dean’s Diversity Counsel. He is a graduate of the University of Denver Sturm College of Law.

Matthew Corbin (Business Litigation – Overland Park): Corbin concentrates his practice in business litigation, representing clients in disputes such as breach of contract matters, loan enforcement actions, construction matters, insurance disputes, regulatory matters, business torts and professional liability matters. He is a member of the Earl E. O’Connor American Inn of Court. Corbin is a graduate of the University of Kansas School of Law.

Marshall Honeyman (Intellectual Property – Overland Park): Honeyman practices intellectual property law with an emphasis on advising clients with respect to patent matters. Prior to joining the firm, he worked in the United States Patent and Trademark Office, as both a patent examiner and an associate solicitor. He previously has been selected as a Missouri & Kansas Super Lawyer, was the recipient of the U.S. Patent and Trademark “On the Spot” award, and the U.S. Patent and Trademark Special Achievement Award. Honeyman is a graduate of Washburn University School of Law.

Matthew Jacober (Business Litigation – St. Louis): Jacober focuses his practice on business litigation and has experience in leasing transactions, criminal and civil defense, qui tam defense, enforcement of non-competition covenants, litigation on behalf of homeowners alleging builder or developer fraud and representation of property owners in condemnation proceedings. He previously worked for the Criminal Justice Panel and was a special assistant attorney general for the State of Illinois. Jacober is a graduate of the John Marshall Law School.
Travis McCallon (Intellectual Property – Kansas City): McCallon concentrates his practice on intellectual property matters, primarily assisting clients in patent, trademark, copyright and trade secret litigation, as well as assisting with Internet domain-name dispute via administrative dispute resolution proceedings. He was selected as a “Rising Star” for Missouri & Kansas by Super Lawyers magazine. McCallon is a graduate of the University of Tulsa College of Law.

Jack Merritts (Corporate – Denver): Merritts focuses his practice in corporate and real estate law. He has represented exploration and operating companies in the acquisition, permitting, development and operation of coal, uranium, hardrock mineral and oil and gas projects; individuals, developers and mineral exploration and development companies in acquisition of easements and rights-of-way; and plaintiffs and defendants in complex litigation in federal and state courts in areas including boundary disputes, zoning issues, securities fraud and professional liability. Merritts is a graduate of Harvard Law School.

Justin Poplin (Intellectual Property – Overland Park): Poplin’s practice focuses on transactional and litigated intellectual property matters, primarily assisting clients with patent issues. He is a registered patent attorney and has aided clients with obtaining, enforcing, avoiding infringement, and licensing patents in a wide range of technologies. He also has experience in managing intellectual property portfolios, trademarks, copyrights, trade secrets, licensing and confidentiality issues. Poplin is a graduate of the University of Georgia School of Law.

Bridget Romero (Labor & Employment – Kansas City): Romero concentrates her practice in labor and employment law, representing employers in responding to and handling charges of employment discrimination. She has experience litigating age, sex, race, national origin, disability and retaliation claims. Romero also counsels business clients regarding employment agreements, drug testing policies and unemployment claims. She was selected as a “Rising Star” for Missouri & Kansas by Super Lawyers magazine. Romero is a graduate of the University of Missouri-Columbia School of Law.

Charlene Wright (Environmental – Kansas City): Wright’s practice focuses on environmental law, specifically energy and pipeline regulatory matters and litigation arising from the construction and operation of natural gas, crude oil, refined products and gas liquid pipelines and the transportation and storage of hazardous materials in North America. She represents clients in compliance, enforcement and permitting matters, as well as defending energy clients in litigation resulting from rupture, leak, fire and explosion in state and federal courts. Wright is a graduate of the University of Missouri-Kansas City School of Law.

About Lathrop & Gage LLP:
A full-service law firm, Lathrop & Gage LLP has more than 320 attorneys in 11 offices nationwide – from Los Angeles to New York. In 2011, Chambers USA ranked Lathrop & Gage’s corporate, environmental, intellectual property, labor and employment, litigation, real estate and transportation teams among the best in their regions. For more information, visit www.lathropgage.com.
NORTH AUGUSTA, S.C. - Elizabeth Erin Ashe and Daniel Owen Burroughs were united in marriage at six o'clock, Saturday, November 5, 2011 at Fairview Presbyterian Church in North Augusta, SC. Reverend John Franks officiated.

Erin is the daughter of Mr. William Kirby Ashe Sr. and Mrs. Dianne Norris Ashe of North Augusta, SC. She is the granddaughter of Ms. Elizabeth Weatherford and the late Mr. John Norris of Wrens, and the late Mr. and Mrs. Edwin Kirkpatrick Ashe of North Augusta, SC. She is a 2003 graduate of North Augusta High School and a 2011 graduate of Stephen W. Brown School of Radiography. She is employed by University Hospital as a Radiologic Technologist.

Daniel is the son of the late Mr. William Daniel Burroughs and Mrs. Julia Brown Burroughs of Augusta, Ga. He is the grandson of Ms. Jean Brown of Savannah, Ga, Mr. and Mrs. William Brown of Summerville, SC, and of the late Mr. William Burroughs and Mrs. Margaret Burroughs of Spartanburg, SC. He is a 2001 graduate of Westminster High School and a 2011 graduate of the University of Georgia School of Law. He is employed by Rhodes Law Firm, P.C. as an Associate Attorney.

Given in marriage by her father, Erin chose her sister, Ms. Alison Ashe, to serve as her maid of honor. The Bridesmaids included Ms. Shannon Ashe, cousin of the bride, Mrs. Lauren Burroughs, sister-in-law of the groom, Ms. Amanda Allen, Ms. Taryn Hadden, Mrs. Lauren Nelson, Ms. Erica Weathersbee and Ms. Kaycie Callaway, friends of the bride.

Daniel chose his brother, Mr. William ("Billy") Burroughs, to serve as his best man. Groomsmen were Mr. William Kirby Ashe Jr., brother of the bride, Mr. Justin Doman, Mr. Brandon Elijah, Mr. Austin Jackson, Mr. Joshua Suich and Mr. Jeremy Walker, friends of the groom, and Mr. Brandon Strawbridge, friend of the bride.

The wedding director was Mrs. Heather Bolen. The wedding design consultant was Mrs. Sherry Elijah. The soloist was Mrs. Kendra Brannon. Program attendants were Mrs. Ashley Alva and Ms. Miranda Cantrell. Following the ceremony, the reception was held at The Marbury Center. The newlyweds traveled to St. Lucia for their honeymoon. The couple will reside in Augusta, Ga.
A-C Commission's racial makeup called into question

By BLAKE AUED - blake.aued@onlineathens.com

Published Sunday, December 4, 2011 Updated: Sunday, December 4, 2011 - 1:26am

Are Athens-Clarke Commission districts racist?

Depending on who you ask, the fact that everyone in Athens has two commissioners, one with a smaller district and one with a larger one, is either a ploy to keep blacks out of power or a way to give constituents more representatives to turn to for help.

In general, Republicans and African-Americans, odd bedfellows, want to get rid of the two superdistricts that each cover half the county, while Democrats of both races and a few Republicans want to keep them.

A standoff over the makeup of the commission could end up on the floor of the state legislature or even in court.

State Rep. Doug McKillip, R-Athens, said he's certain the superdistricts are illegal, and he won't support a commission map that includes superdistricts. It needs approval from the state legislature.

"Why is the mayor and commission fighting so hard to keep something that's so suspect?" McKillip said. "They want to keep a system that dilutes Republican votes as well as African-American votes. I believe in a system that isn't suspect and is built on fairness and everyone having a truly equal say."

The debate is nothing new — it happened after the 2000 Census, too — but it's more politically-charged this time. The issue is clouded even further by the complicated and ever-evolving law behind it.

The Voting Rights Act was passed in 1965 to stop Southern segregationists from drawing districts that gave newly-enfranchised black candidates no chance to win elections. Among its provisions are a ban on mapmakers dividing minority communities among multiple majority-white districts or drawing oddly-shaped lines to take in as many minority voters as possible,
A-C Commission’s racial makeup called into question

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Online Athens http://onlineathens.com/local-news/2011-12-04/c-commissions-racial...

creating a disproportionate number of white districts. If a black, Hispanic or
Asian community is large and cohesive enough to warrant a district where
minorities are a majority, then it should get one.

The argument against superdistricts is they create two additional districts
where minorities can’t win. In a city that’s 27 percent black, two of 10
commissioners are black, as opposed to two of eight or three of 10
equal-sized districts.

“At-large districts can be problematic,” University of Georgia law professor
Michael Wells said.

Local officials interpret the law differently than McKillip. As certain as he is
that superdistricts are indefensible, Athens-Clarke Attorney Bill Berryman
and redistricting consultant Linda Meggers believe they’re clearly allowed.

McKillip points to a 2005 case in Osceola County, Fla., where a federal
court threw out at-large districts because they weakened the Hispanic vote.
That community had a long history of discriminating against Hispanics by
drawing districts where they couldn’t win seats, Berryman said.

“It would be difficult to find a place that’s much different from Athens-Clarke
County,” he said.

Superdistrict supporters note that Republicans and conservative Democrats
have won local races under the current map. Black candidates lost to white
candidates in two superdistrict races in 1990 and 2006, but white voters in
Athens have a long history of supporting black candidates like former Clarke
County Commissioner John Jeffreys, presidential contender Jesse Jackson,
former state representative and Labor Commissioner Michael Thurmond and
Sheriff Ira Edwards.

Voting Rights Act violations are based on all the circumstances, according
to a 1986 ruling known as the “Gingles test,” including whether races vote
as blocs, candidates have run racist campaigns, minorities have won office
and elected officials ignore minorities.

A 2002 reverse-discrimination lawsuit in Putnam County led to a ruling that
race can’t be the primary tool used to draw districts.

The U.S. Supreme Court further narrowed the Voting Rights Act in Bartlett v.
Strickland in 2009, Berryman said.

Under McKillip’s interpretation — the same one Republicans used to draw
state House and Senate districts — minorities must have as much
representation as possible. Berryman disagreed.

“You’re under no obligation to maximize the number of minority seats,” he told a committee Mayor Nancy Denson appointed to consider whether to keep superdistricts.

Meggers, who’s been drawing political maps for state and local governments since 1971, said it’s impossible to draw more than one majority-minority commission district in Athens because black people are too spread. Older residents in traditionally black neighborhoods like East Athens and the Hancock Corridor are dying, their children have already moved to the suburbs and white people are taking their place, she said.

"With fair housing and other changes, minority populations are now dispersed," she said.

When the current commission maps were first drawn in 1990, they included two majority-minority districts and one “minority influenced” district where black voters would play a big role. Now, because of demographic changes, the black population has dropped in all three districts, leaving one majority-minority and one minority-influenced.

McKillip’s map mostly ignores recognizable boundaries like roads and precinct lines, leading Meggers to call it “a classic racial gerrymander.” It includes a third minority-influenced district, but the U.S. Department of Justice no longer considers those, according to Meggers. The Bartlett ruling “really did a number on influence districts,” she said.

The superdistrict committee is considering more than just whether the system violates the Voting Rights Act, and it’s working to issue a recommendation by the end of the year. The legislature and the Justice Department both have to act before candidate qualifying in May for the maps to take effect.
A-C Commission's racial makeup called into question | Online Athens

http://onlineathens.com/local-news/2011-12-04/c-commissions-racia...
Amazon's Special Deals With States Unconstitutional, Law Profs Say

Here's a delicious irony for those following the Internet sales tax wars. Amazon.com founder Jeff Bezos built the world's largest Web retailer in part by exploiting a 1992 U.S. Supreme Court ruling (Quill v. North Dakota) holding the Constitution's commerce clause prevents state officials from requiring retailers who have no physical presence in their states to collect their sales taxes. Now, two leading law professors have concluded that the concessions Amazon recently extracted from South Carolina and Tennessee before opening large "fulfillment" warehouses in those states, are themselves likely a violation of—you guessed it—the Constitution's commerce clause.

Amazon had threatened to cancel the warehouses unless the two states agreed that despite the new facilities' physical presence, it wouldn't have to collect sales tax from their residents. So in June, after much political drama, South Carolina Gov. Nikki Haley, a Republican, allowed a bill to become law without her signature that was written explicitly for Amazon and that gives a sales tax collection waiver until 2016 to any company investing at least $125 million in distribution centers and creating 2,000 full time jobs. Similarly, in October, Tennessee Gov. Bill Haslam, also a Republican, announced a deal to allow Amazon to delay sales tax collection until 2014 in return for bringing 3,500 warehouse jobs to the state. (Legislation must still be passed to implement that pact.)

The new analysis, by University of Georgia Law Professor Walter Hellerstein and University of Arizona Law Professor John A. Swain, is being published in Monday's edition of Tax Analysts' State Tax Notes (subscription only). While
technical, it is of more than academic interest—and not just because the authors are top experts in the field. The South Carolina and Tennessee concessions granted Amazon remain controversial and a legal challenge is always possible. Just last month, Simon Property Group, the nation’s largest owner or retail real estate, filed suit against the State of Indiana seeking to force it to require Amazon to collect Indiana sales taxes. (Amazon operates four distribution centers in that state, too.)

Hellerstein and Swain conclude there is a “strong case” that South Carolina’s new Amazon exemption violates the Constitution’s commerce clause by discriminating against other out-of-state retailers which can’t physically operate in the state without collecting sales tax. Doesn’t Amazon’s special deal also discriminate against in-state bricks and mortar retailers who must already collect tax? Sure, but the profs explain that “discrimination against local products, activities, or enterprises is not ordinarily viewed as burdening interstate commerce in the constitutional sense.”

Of equal note, Hellerstein and Swain write that they “are skeptical of the legal validity of Amazon’s position” that even without the special exemption its distribution centers wouldn’t give it sufficient physical presence or “nexus” to be required to collect tax, because it holds the warehouses in a different subsidiary than its retailing operation. That separate subsidiary ploy is at the heart of an ongoing big dollar dispute between Amazon and Texas’ Comptroller. Texas is demanding $269 million in back sales taxes it says Amazon should have collected from 2005 through 2009 because it was operating a warehouse in the state. Amazon says it isn’t liable since the warehouse was run through a separate subsidiary.

The fact that Amazon has built a national network of warehouses while still only collecting sales taxes on items shipped to five states (Kansas, Kentucky, New York, North Dakota and Washington) also drew fire during a Congressional hearing last week on legislation that would empower states to force remote retailers without nexus to collect their sales tax. (The Supreme Court has said Congress can authorize states to do this, even though the states can’t do it on their own. Note that even if an Internet retailer doesn’t collect sales tax, residents still owe tax to their own states—but few send in their nickles on their own.)

During that House Judiciary Committee hearing, Overstock Chairman and CEO Patrick M. Byrne said his own accountants “would never let me take a position so aggressive” as to claim a warehouse in a subsidiary doesn’t create nexus. Overstock, he testified, is considering opening a warehouse in Kentucky and if it does so will collect sales tax on shipments to Kentucky. (Currently, it only collects sales tax on shipments to its home state of Utah.)
Amazon's Special Deals With States Unconstitutional, Law Prof's Say -...

Amazon supports the federal legislation, which eBay and Overstock oppose, only because with all Amazon's warehouses, its legal position resisting tax collection "is eroding," Byrne said. Amazon Vice President for Global Public Policy Paul Misener responded that Amazon collects taxes in all states where its retail arm has a presence.

*Is This The Last Christmas for Tax Free Internet Shopping?*

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Banking

Andrew Cappiello has been named assistant vice president and branch manager at Synovus Bank's Henderson branch in Tampa. Cappiello was a branch manager and securities registered representatives at Wells Fargo Bank, St. Augustine.

Gregory J. Celestan has been named to the board of directors for the Bank of Tampa and the Tampa Bay Banking Company. Celestan is chief executive officer at Celestar Corporation.

Health care

Joanne Olson was named vice president of human resources and organizational development at Moffitt Cancer Center, Tampa. Olson held the title of interim vice president since May and was vice president of human resources at Alvarado Hospital in San Diego.

Insurance

Bouchard Insurance, Clearwater, announces that Allison Turcotte and Jonathan Hussar have joined the private client division as sales executives. Turcotte was client services representative at Medical Mutual Insurance Company of Maine in Portland; and Hussar was a new car sales manager at Dimmitt Cadillac Automotive Group, Clearwater.

Legal

Russell S. Buhite has been included in the 2012 edition of Best Lawyers in America. Buhite was recognized in the area of litigation - employee retirement income security act (ERISA) and is a shareholder at Marshall, Dennehey, Warner, Coleman & Goggin, Tampa.

Christine Howard has begun her term as managing partner at Fisher & Phillips LLP, Tampa as part of a planned leadership rotation. Howard concentrates in the areas of defense of employment discrimination and harassment complaints and wage and hour benefits litigation.

Rachel K. Jones has been named an associate in the litigation practice group at Glenn Rasmussen Fogarty & Hooker PA, Tampa. Jones was a law clerk to Chief Judge Joel F. Dubina of the Eleventh Circuit Court of Appeals in Montgomery, Ala., and earned her juris doctorate from the University of Georgia School of Law.

Miscellaneous

Mike Robertson, a volunteer with the Junior Achievement of West Central Florida, received the organization's highest award, the Gold Leadership Award for volunteerism. Robertson is senior vice president of operations - Florida at Bright House Networks.

Nonprofit
Brittany Callahan has been a national sales manager for the convention sales team at Tampa Bay & Company, Tampa. Callahan was sales manager at the Westin Harbour Island Hotel.

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Brian Andrew Prince

Athens - Brian Andrew "Andy" Prince, 62, died Friday, December 2, 2011. Born in Trion, GA, March 12, 1949, he was the son of Madge Lowe Prince and the late Rev. Frank Henry Prince. Andy was a graduate of the University of Georgia's School of Law and practiced law for over 40 years. He was an avid hunter and fisherman. Andy was a loving husband, father and friend with a heart of gold and a sense of humor that will be with us forever. Survivors in addition to his mother include his wife; Janet W. Prince; son: Brian Andrew Prince, Jr.; daughter: Claire Prince Benson and husband: David; their son: John Hodges Benson; brothers: Frank Michael Prince; Timothy Scott Prince; stepson: Chris Warwick; his daughters: Addison and Marin; stepdaughter: Mitzi Honeycutt and husband, Brandon and their children: Samuel, Matthew and Jacob.

A memorial service will be held, Friday, December 9, 2011 at 2PM at Tuckston United Methodist Church. The family will receive friends following the service. In lieu of flowers, the family asks that donations be made to the Sparrowwood Program at Camp Glisson, 690 Camp Glisson Road, Danlonega, GA 30533. Lord & Stephens West is in charge of arrangements. www.lordandstephens.com

Published in Athens Banner-Herald on December 6, 2011
THE HONORABLE TAMMY STOKES TO SPEAK DEC. 10 AT SSU COMMENCEMENT

by Kareem McMichael / December 6, 2011

The Honorable Tammy Stokes to speak Dec. 10 at SSU commencement

SAVANNAH — Savannah State University will hold its 119th commencement ceremony at 10 a.m., Saturday, Dec. 10, 2011, in Tiger Arena. Approximately 175 students will receive undergraduate and graduate degrees. The Honorable Tammy Stokes, Chatham County Recorder’s Court judge, will be the guest speaker.

The first black female judge in Chatham County, Stokes is a graduate of Beach High School and the University of Georgia School of Law. Prior to her appointment to the Chatham County Recorder’s Court in 2004, Stokes worked as an attorney for the Court of Veterans Appeals in Washington, as a prosecutor for DeKalb County Juvenile Court and the DeKalb County Solicitors Office; and as an Assistant District Attorney in the Fulton County District Attorney’s Office. She was also a litigator for State Farm Insurance Company in Atlanta and a criminal defense attorney in state and federal courts before returning to her native Savannah to open her own law practice.

An active member of the Savannah community, Stokes has been involved with and served on the boards of Savannah-Chatham Citizens Advocacy, Senior Citizen’s Inc., the advisory board of the Junior League of Savannah and the United Way, among others.

Established in 1890, Savannah State University is the oldest public historically black college or university in Georgia and the oldest institution of higher learning in the city of Savannah. The university’s 4,500 students select majors from 25 undergraduate and five graduate programs in the School of Teacher Education and three colleges: Liberal Arts and Social Sciences, Business Administration and Sciences and Technology.

-SSU-

COMMENTS

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name

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Comments
WASHINGTON, Dec. 8 -- The Securities & Exchange Commission issued the following press release:

Luis A. Aguilar was sworn in today to begin his second term as a Commissioner of the Securities and Exchange Commission.

Commissioner Aguilar began his first term as a SEC Commissioner on July 31, 2008. He was appointed by President Barack Obama to a new term on Oct. 24, 2011. To commemorate the start of his second term, a ceremony with agency staff took place this morning at the SEC's headquarters in Washington, D.C. The event was officiated by U.S. Senator Robert Menendez of New Jersey.

In addition to serving as the primary sponsor of the first SEC Investor Advisory Committee, Commissioner Aguilar serves as the Commission's liaison to the North American Securities Administrators Association (NASAA) and the Council of Securities Regulators of the Americas (COSRA).

"Throughout his time at the agency, Luis Aguilar has sought to protect investors and ensure the markets are fair and efficient," said SEC Chairman Mary Schapiro. "I look forward to continuing to work with him as we further bolster the structure of our markets and put in place the new rules stemming from the financial reform legislation."

Commissioner Aguilar said, "To be able to serve as an SEC Commissioner during these turbulent times is a privilege and responsibility that I take quite seriously. In my second term, I will continue to advocate on behalf of investors."

Commissioner Aguilar began his legal career as a staff attorney in the SEC's Atlanta Regional Office during his previous tenure at the SEC from April 1979 to January 1982. Prior to his appointment as a Commissioner in 2008, Aguilar worked as a partner in the Atlanta office of international law firm McKenna Long & Aldridge LLP as well as the general counsel, executive vice president, and corporate secretary of INVESCO.

Commissioner Aguilar has also had a distinguished, longstanding commitment to community service. In 2007, he received the Justice Robert Benham Award for Community Service from the Chief Justice's Commission on Professionalism of the Supreme Court of Georgia in recognition for his service over the decades.

Commissioner Aguilar received his B.S. from Georgia Southern University in 1976 and his J.D. from the University of Georgia School of Law in 1979. He also received a master of laws degree in taxation from Emory University in 1985.

Commissioner Aguilar's new term expires on June 5, 2015. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

LOAD-DATE: December 10, 2011
Law school establishing branch in Savannah

Atlanta's John Marshall Law School announced on Dec. 8 that it has received American Bar Association approval to open a Savannah branch campus next fall. The new location will be called Savannah Law School.

Karen Sloan
December 08, 2011
Savannah, Ga. is getting a law school.

Atlanta's John Marshall Law School announced on Dec. 8 that it has received American Bar Association approval to open a Savannah branch campus next fall. The new location will be called Savannah Law School.

John Marshall maintained a branch in the coastal Georgia city, known for its historic homes and squares, during the 1970s and early 1980s. The timing is right to return, said Alan Boyer, associate dean for recruitment and marketing.

"There is no other law school serving that part of the southern Atlantic region," which is expected to experience significant population growth during the next 10 to 15 years, he said. "As word has got out, we've had some applicants to the school here in Atlanta ask to switch over to Savannah."

The new campus likely would draw students from more than 20 nearby colleges and universities, Boyer said. The closest ABA-accredited law schools are the Charleston School of Law in Charleston, S.C., and Florida Coastal School of Law in Jacksonville, Fla., each 90 minutes or more away by car. The University of Georgia School of Law in Athens, Georgia State University of College of Law and John Marshall's main campus are more than four hours away.

More than 1,500 judges and lawyers work in the Savannah area, indicating that students would have opportunities for externships and clerk positions, according to John Marshall administrators.

The school plans to enroll 96 students next year, with 60 attending full-time and 35 part-time. The part-time program is intended to appeal to doctors, law enforcement officers, paralegals and retired military servicemen and -women. Administrators are touting a "noncompetitive" environment intended to encourage teamwork — meaning that there will be no forced grading on a curve. The school has not yet settled upon a location, Boyer said.

Richardson Lynn, dean at John Marshall, will oversee operations in Savannah, which will maintain a separate faculty from that at the main campus.

"With the new Savannah Law School, students from the Savannah area and throughout the Atlantic coastal region can begin their legal careers closer to home," Lynn said. "And students from around the country and the world can live and learn in a community rich in culture, heritage and southern hospitality."

The school plans to begin hiring for the new branch in the spring. Prospective student can start applying this month.

Although the ABA has given its blessing to the new campus, the Savannah Law School will still have to obtain provisional accreditation. "Our plan is to immediately begin that process so that the inaugural class will be able to sit for the bar in Georgia," Boyer said.

Savannah isn't the only city set to get a new law school next academic year. A small group of lawyers aim to open the California Desert Trial Academy College of Law in Indio, Calif., in September. Additional new law schools are in the works in Louisiana and Indiana, and the Thomas M. Cooley Law School plans to open a new campus in Tampa, Fla., next year.
Some legal educators have questioned efforts to launch new law schools at a time when legal hiring has slowed. The ABA has declared that limiting the number of law schools would run afoul of antitrust laws.

Contact Karen Sloan at kaloan@alm.com.
Luis A. Aguilar Sworn In for Second Term as SEC Commissioner

Posted December 8, 2011
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Luis A. Aguilar

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FOR IMMEDIATE RELEASE
2011-258

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Commission announcements

SEC Announces National Seminar For Compliance Officers and Senior Personnel at Investment Management Firms

The Securities and Exchange Commission today announced the opening of registration for its national seminar to help chief compliance officers (CCOs) and other senior personnel at investment management firms enhance their compliance programs for the protection of investors.

The event will be held on Jan. 31, 2012, at the SEC's Washington D.C. headquarters, and will include panel discussions to analyze compliance and other significant issues being faced by investment advisers and registered investment companies.

The SEC's Compliance Outreach Program is sponsored jointly by the SEC's Division of Investment Management and its Office of Compliance Inspections and Examinations.

As in years past, this event will be mutually beneficial for CCOs and our regulatory program here at the SEC, said Eileen Rominger, Director of the SEC's Division of Investment Management. The ideal timing of this program comes as we collectively try to implement the changes that have occurred to the compliance landscape as a result of the Dodd-Frank Act and other SEC initiatives.

Carlo di Florio, Director of the SEC's Office of Compliance Inspections and Examinations, added, We look forward to a constructive dialogue with senior personnel of investment management firms as we work together toward ensuring effective regulatory compliance and risk management practices. This program continues our commitment to promoting industry compliance through outreach conferences, topical webinars and enhanced guidance.

The SEC's Compliance Outreach Program was previously called CCOOutreach, but has been rebranded to be more inclusive of all senior personnel at firms and emphasize the need for compliance awareness at all levels of an organization.

Panel discussion topics at this year's National Seminar include:

- Compliance and Enterprise Risk Management
- Trading Practices
- Dodd-Frank Act Reforms
Enforcement-Related Matters

Custody

Registration materials and other information about the national seminar are available at:

The event will take place from 8:30 a.m. to 5:30 p.m. and attendance is limited to 500 people. The seminar will be webcast at www.sec.gov. (Press Rel 2011-256)

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Commission Meetings

Closed Meeting on Wednesday, December 14, 2011 at 3:00 p.m.
The subject matter of the Closed Meeting scheduled for Wednesday, December 14, 2011 will be: a litigation matter.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 551-5400.

Enforcement Proceedings

In the Matter of Donald Anthony Walker Young and Acorn Capital Management, LLC

On December 7, 2011, the Commission issued an Order Instituting Administrative Proceedings Pursuant to Sections 203(e) and (f) of the Investment Advisers Act of 1940, and Notice of Hearing against Donald Anthony Walker Young (Young) and Acorn Capital Management, LLC (Acorn Capital).

The Order alleges that Respondent Acorn Capital is a Pennsylvania limited liability company that has been registered with the Commission as an investment adviser since 2001. The Order further alleges that Respondent Young, currently incarcerated, has been Acorn Capital's managing member since its inception, and, at least as of April 1, 2009, was Acorn's President, Chief Investment Officer, Chief Compliance Officer, Managing Member and sole owner. According to the Order, on April 12, 2011, partial summary judgment was entered against each of the Respondents in a pending civil action brought by the Commission, permanently enjoining them from future violations of Sections 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Sections 204, 206(1), 206(2), and 206(4) of the Investment Advisers Act of 1940 and Rules 204-2 and 206(4)-8 thereunder, in the civil action entitled Securities and Exchange Commission v. Young, et al., Civil Action Number 09-CV-01634, in the United States District Court for the Eastern District of Pennsylvania. According to the Order, the Commission's complaint in the referenced litigation (the Complaint) alleged that, from at least mid-2005, Young, through Acorn Capital, misappropriated more than $23 million from investors buying into limited partnership interests in Acorn II, L.P., a limited partnership controlled by the Respondents. The complaint alleged that the Respondents used investor funds to pay other investors in the nature of a Ponzi scheme, and directly stole some of the money to purchase a vacation home and pay personal expenses of Young related to horse ownership and racing, construction, boats, limousines, chartered aircraft and other luxuries.

The Order further alleges that on July 20, 2010, Young pled guilty to all counts of an indictment charging him with one count of mail fraud (18 U.S.C. 1341) and one count of money laundering (18 U.S.C. 1957) in connection with the conduct described in the Complaint. USA v. Young, Crim. No. 10-199 (E.D. Pa.). On May 5, 2011, the court in the criminal action imposed judgment against Young, sentencing him to, among other things, 17.5 years in prison. (Rel. IA-3330; File No. 3-14654)

In the Matter of Dean Zenon Pinard

On December 8, 2011, the Commission issued an Order Instituting Administrative and Cease-and-Desist Proceedings Pursuant to Sections 15(b) and 21C of the Securities Exchange Act of 1934, and Section 203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order (Order) against Dean Zenon Pinard, a former dual officer of Banc of America Securities LLC, now known as Merrill Lynch, Pierce, Fenner and Smith Incorporated, successor by merger (BAS), a registered broker-dealer and investment adviser, and Bank of America, N.A. (BANA), a federally-chartered bank. During the relevant time period, Pinard worked in BAS's and BANA's Municipal Reinvestment and Risk Management Group (the Desk) -- initially as a
marketer of investment agreements and other municipal finance contracts and, beginning in January 2003, as the head of the Desk. In those roles, Pinard focused on selling derivative products associated with the issuance of municipal debt.

The Order finds that, beginning in April 1999, Pinard participated in and condoned improper practices in connection with the bidding of municipal reinvestment instruments. Such improper practices included bidding agents steering business to the Pinard and other Desk members, through last looks and set-ups. As a result, the Desk won the bids for 88 affected reinvestment instruments. In return, Pinard and other Desk members, among other things, at times steered business to bidding agents and submitted courtesy and purposefully non-winning bids upon request. On occasion, Pinard and other Desk members also paid bidding agents that favored the Desk monies in addition to the fees disclosed as brokerage fees. These additional monies were sometimes mischaracterized as payments for services rendered in connection with swaps and marketing pricing letters.

In certain transactions, Pinard and other Desk members misstated in BAS's bid submissions and/or provider's certificates that, among other things: its bids were arms-length bids; the Desk did not consult with any other potential provider about its bids; its bids were determined without regard to any other formal or informal agreement that the Desk had with the issuer or any other person (whether or not in connection with the bond issue); and that its bids were not submitted solely as a courtesy to the issuer or any other person for purposes of satisfying the requirements that (a) the issuer receive at least three bids from providers that the issuer solicited under a bona fide solicitation and (b) at least one of the three bids received was from a reasonably competitive provider.

Based on the above, the Order (i) requires Pinard to cease and desist from committing or causing any violations and any future violations of Section 15(c)(1)(A) of the Exchange Act; (ii) bars him from association with any broker, dealer, investment adviser, municipal securities dealer, or municipal advisor; and (iii) orders him to pay disgorgement of $32,489 plus prejudgment interest of $9,294. Pinard consented to the issuance of the Order without admitting or denying any of the findings.

Pinard is a beneficiary of the grant of conditional amnesty from criminal prosecution conferred upon BAS's corporate parent by the Antitrust Division of the Department of Justice. The Commission recognizes Pinard's cooperation in its investigation as well as investigations conducted by other law enforcement agencies.

In a related enforcement action, on December 7, 2010, the Commission issued an Order Instituting Administrative and Cease-and-Desist Proceedings, Pursuant to Sections 15(b) and 21C of the Securities Exchange Act of 1934, Making Findings and Imposing Remedial Sanctions and a Cease-and-Desist Order against BAS for its role in certain improper bidding practices. Without admitting or denying the Commission's findings, BAS consented to the entry of an order censuring it, requiring it to cease-and-desist from committing or causing any violations and any future violations of Section 15(c)(1)(A) of the Exchange Act, and requiring it to pay disgorgement plus prejudgment interest totaling $36,096,442 to 88 specific payees.

The SEC thanks the Antitrust Division of the Department of Justice and the Federal Bureau of Investigation for their cooperation and assistance in this matter. (Rel. 34-65909; IA-3331; File No. 3-14655).

In the Matter of Vladimir Boris Bugarski, Vladislav Walter Bugarski, and Aleksander Negovan Bugarski

An Administrative Law Judge has issued Initial Decision No. 444, Vladimir
Boris Bugarski, Admin. Proc. No. 3-14496, finding that the allegations in the Order Instituting Proceedings issued by the Securities and Exchange Commission on August 1, 2011, are true. On June 27, 2011, Respondents were: (1) enjoined from future violations of Sections 5 and 17(a) of the Securities Act of 1933 and Sections 10(b) and 15(a) of the Exchange Act of 1934 (Exchange Act) and Exchange Act Rule 10b-5; and (2) prohibited from acting as officers or directors of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act or that is required to file reports pursuant to Section 15(d) of the Exchange Act. See SEC v. mUrgent Corp., No. 11-CV-00626-DOC (C.D. Ca. June 27, 2011).

Initial Decision No. 444 finds it is in the public interest to bar Respondents Vladimir Boris Bugarski, Vladislav Walter Bugarski, and Aleksander Negovan Bugarski from association with a broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or NRSRO, and from participating in any offering of penny stock. (Initial Decision No. 444; File No. 3-14496)

SEC Charges Former CEO, Broker, and Stock Promoter With Market Manipulation

The Securities and Exchange Commission charged Giuseppe Pino Baldassarre, the former CEO of Dolphin Digital Media, Inc. (Dolphin), Robert Mouallem, a registered representative, and Malcolm Stockdale, a Dolphin shareholder, with engaging in a fraudulent broker bribery scheme designed to manipulate the market for Dolphin's common stock. Baldassarre, age 53 and a resident of Indialantic, Florida, was Dolphin's President from May 15, 2007 until March 20, 2009, and Dolphin's CEO from May 15, 2007 until June 25, 2008. Mouallem, age 56 and a resident of Boca Raton, Florida, is a registered representative at Garden State Securities, Inc., a registered broker-dealer. Stockdale, age 66 and a resident of Prince Edward Island, Canada, is the owner of Winterman Group Ltd., a Canadian limited liability company.

The complaint, filed today in federal court in Brooklyn, New York, alleges that from at least October 2009 until April 2010, Baldassarre, Stockdale, and Mouallem engaged in a fraudulent scheme to manipulate the stock price for Dolphin stock through matched trades and by bribing registered representatives to purchase Dolphin stock. The complaint also alleged that Baldassarre and Stockdale entered into a kickback arrangement with an individual (Individual A) who claimed to represent a group of registered representatives with trading discretion over the accounts of wealthy customers. Baldassarre and Stockdale promised to pay a 30% kickback to Individual A and the registered representatives he represented in exchange for the purchase of up to seven million shares of Dolphin stock for at least $3 million.

The complaint further alleges that between March 31 and April 6, 2010, and in accordance with the illicit arrangement, Mouallem, who was responsible for handling the sales, instructed Individual A to purchase approximately 105,000 shares of Baldassarre and Stockdale's Dolphin stock for a total of approximately $38,100. Mouallem gave Individual A detailed instructions concerning the size, price and timing of the orders. In this way, Mouallem was able to insure that almost all of Individual A's purchase orders were matched with Mouallem's sell orders at prices Mouallem predetermined. Thereafter, Baldassarre paid Individual A bribes of approximately $11,440 for those purchases.

The complaint charges Baldassarre, Mouallem, and Stockdale with violating Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5. The Commission seeks permanent injunctive relief from the Defendants, disgorgement of ill-gotten gains, if any, plus pre-judgment interest, civil penalties, penny stock bars, and a judgment prohibiting Baldassarre from serving as an officer or director of a public company. [SEC v. Giuseppe Pino Baldassarre, Robert Mouallem, and Malcolm Stockdale, Civil Action No. 11 Civ. 5970 (ARR) (E.D.N.Y.)] (LR-22182)
SEC Charges Wachovia with Fraudulent Bid Rigging in Municipal Bond Proceeds

The Securities and Exchange Commission today charged Wachovia Bank N.A. with fraudulently engaging in secret arrangements with bidding agents to improperly win business from municipalities and guarantee itself profits in the reinvestment of municipal bond proceeds.

The SEC alleges that Wachovia generated millions of dollars in illicit gains during an eight-year period when it fraudulently rigged at least 58 municipal bond reinvestment transactions in 25 states and Puerto Rico. Wachovia won some bids through a practice known as last looks in which it obtained information from the bidding agents about competing bids. It also won bids through set-ups in which the bidding agent deliberately obtained non-winning bids from other providers in order to rig the field in Wachovia's favor. Wachovia also facilitated some bids rigged for others to win by deliberately submitting non-winning bids.

Wachovia agreed to settle the charges by paying $46 million to the SEC that will be returned to affected municipalities or conduit borrowers. Wachovia also entered into agreements with the Justice Department, Office of the Comptroller of the Currency, Internal Revenue Service, and 26 state attorneys general that include the payment of an additional $102 million. The settlements arise out of long-standing parallel investigations into widespread corruption in the municipal securities reinvestment industry in which 18 individuals have been criminally charged by the Justice Department's Antitrust Division.

Wachovia Bank is now Wells Fargo Bank following a merger in March 2010.

When municipal securities are sold to investors, portions of the proceeds often are not spent immediately by municipalities but rather temporarily invested in municipal reinvestment products until the money is used for the intended purposes. These products are typically financial instruments tailored to meet municipalities' specific collateral and spend-down needs, such as guaranteed investment contracts (GICs), repurchase agreements (repos), and forward purchase agreements (FPAs). The proceeds of tax-exempt municipal securities generally must be invested at fair market value, and the most common way of establishing that is through a competitive bidding process in which bidding agents search for the appropriate investment vehicle for a municipality.

According to the SEC's complaint filed in U.S. District Court for the District of New Jersey, Wachovia engaged in fraudulent bidding of GICs, repos, and FPAs from at least 1997 to 2005. Wachovia's fraudulent practices and misrepresentations not only undermined the competitive bidding process, but negatively affected the prices that municipalities paid for reinvestment products. Wachovia deprived certain municipalities from a conclusive presumption that the reinvestment instruments had been purchased at fair market value, and jeopardized the tax-exempt status of billions of dollars in municipal securities because the supposed competitive bidding process that establishes the fair market value of the investment was corrupted.

Without admitting or denying the allegations in the SEC's complaint, Wachovia has consented to the entry of a final judgment enjoining it from future violations of Section 17(a) of the Securities Act of 1933 and has agreed to pay a penalty of $25 million and disgorgement of $13,802,984 with prejudgment interest of $7,275,607. The settlement is subject to court approval.

Four financial institutions have so far paid a total of $673 million in the ongoing investigations into corruption in the municipal reinvestment industry. Other financial institutions that the SEC has previously charged are: J.P. Morgan Securities LLC $228 million settlement with SEC and other federal and state authorities on July 7, 2011; UBS Financial Services Inc. $160 million settlement with SEC and other federal and state authorities on May 4, 2011; and Banc of America Securities LLC $137 million settlement with SEC and other
federal and state authorities on Dec. 7, 2010.

The SEC's investigation, which is continuing, has been conducted by Deputy Chief Mark R. Zehner and Assistant Municipal Securities Counsel Denise D. Colliers, who are members of the Municipal Securities and Public Pensions Unit in the Philadelphia Regional Office. The SEC thanks the other agencies with which it has coordinated this enforcement action, including the Antitrust Division of the U.S. Department of Justice, Federal Bureau of Investigation, Internal Revenue Service, Office of the Comptroller of the Currency, and 26 State Attorneys General. [SEC v. Wachovia Bank, N.A., now known as Wells Fargo Bank, N.A., successor by merger, Civil Action No. 2:11-cv-07135-WJM-MF, D.N.J.] (LR-22183)

Self-Regulatory Organizations

Proposed Rule Changes

The Financial Industry Regulatory Authority, Inc. filed a proposed rule change (SR-FINRA-2011-067) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 to amend FINRA Rule 13201 (Statutory Employment Discrimination Claims) of the Industry Code, and FINRA Rule 2263 (Arbitration Disclosure to Associated Persons Signing or Acknowledging Form U4), to align the rules with statutes that invalidate predispute arbitration agreements for whistleblower claims. Publication is expected in the Federal Register during the week of December 12. (Rel. 34-65896)

Fixed Income Clearing Corporation (FICC) filed a proposed rule change (SR-FICC-2008-01) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 to allow the Mortgage-Backed Securities Division to provide guaranteed settlement and central counterparty services. Publication is expected in the Federal Register during the week of December 12. (Rel. 34-65899)

Immediate Effectiveness of Proposed Rule Changes

A proposed rule change filed by EDGA Exchange, Inc. to amend EDGA Rule 11.9 (SR-EDGA-2011-39) has become effective pursuant to Section 19(b)(3)(A) of the Securities Exchange Act of 1934. Publication is expected in the Federal Register during the week of December 12. (Rel. 34-65902)

A proposed rule change filed by EDGX Exchange, Inc. to amend EDGX Rule 11.9 (SR-EDGX-2011-37) has become effective pursuant to Section 19(b)(3)(A) of the Securities Exchange Act of 1934. Publication is expected in the Federal Register during the week of December 12. (Rel. 34-65903)

Securities Act Registrations

The following registration statements have been filed with the SEC under the Securities Act of 1933. The reported information appears as follows: Form, Name, Address and Phone Number (if available) of the issuer of the security; Title and the number and/or face amount of the securities being offered; Name of the managing underwriter or depositor (if applicable); File number and date filed; Assigned Branch; and a designation if the statement is a New Issue.

Registration statements may be viewed in person in the Commission's Public Reference Branch at 100 F Street, N.E., Washington, D.C. To obtain paper copies, please refer to information on the Commission's Web site at http://www.sec.gov/answers/publicdocs.htm. In most cases, you can view and download this information by using the search function located at http://www.sec.gov/edgar/searchedgar/companysearch.html.

S-8 ROYAL BANK OF CANADA \, P O BOX 1, ROYAL BANK PLAZA, TORONTO, A6, 00000, 4169745151 - 120,000,000 ($120,000,000.00) Other, (File 333-178350 – Dec. 7) (BR. 12A) S-1 LPATH, INC, 4025 SORRENTO VALLEY BLVD., SAN DIEGO, CA, 92121-1404,
Recent 8K Filings

Form 8-K is used by companies to file current reports on the following events:

1.01 Entry into a Material Definitive Agreement
1.02 Termination of a Material Definitive Agreement
1.03 Bankruptcy or Receivership
2.01 Completion of Acquisition or Disposition of Assets
2.02 Results of Operations and Financial Condition
2.03 Creation of a Direct Financial Obligation or an Obligation under an Off-Balance Sheet Arrangement of a Registrant
2.04 Triggering Events That Accelerate or Increase a Direct Financial Obligation or an Obligation under an Off-Balance Sheet Arrangement
2.05 Cost Associated with Exit or Disposal Activities
2.06 Material Impairments
3.01 Notice of Delisting or Failure to Satisfy a Continued Listing Rule or Standard; Transfer of Listing
3.02 Unregistered Sales of Equity Securities
3.03 Material Modifications to Rights of Security Holders
4.01 Changes in Registrant's Certifying Accountant
4.02 Non-Reliance on Previously Issued Financial Statements or a Related Audit Report or Completed Interim Review
5.01 Changes in Control of Registrant
5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.

5.03 Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year.

5.04 Temporary Suspension of Trading Under Registrant's Employee Benefit Plans.

5.05 Amendments to the Registrant's Code of Ethics, or Waiver of a Provision of the Code of Ethics.

5.06 Change in Shell Company Status.

6.01 ABS Informational and Computational Material.

6.02 Change of Servicer or Trustee.

6.03 Change in Credit Enhancement or Other External Support.

6.04 Failure to Make a Required Distribution.

6.05 Securities Act Updating Disclosure.

7.01 Regulation FD Disclosure.

8.01 Other Events.

9.01 Financial Statements and Exhibits.

8-K reports may be viewed in person in the Commission's Public Reference Branch at 100 F Street, N.E., Washington, D.C. To obtain paper copies, please refer to information on the Commission's Web site at http://www.sec.gov/answers/publicdocs.htm. In most cases, you can view and download this information by using the search function located at http://www.sec.gov/edgar/searchedgar/companysearch.html.
The Securities & Exchange Commission issued the following news release:

Luis A. Aguilar was sworn in today to begin his second term as a Commissioner of the Securities and Exchange Commission.

Commissioner Aguilar began his first term as a SEC Commissioner on July 31, 2008. He was appointed by President Barack Obama to a new term on Oct. 24, 2011. To commemorate the start of his second term, a ceremony with agency staff took place this morning at the SEC's headquarters in Washington, D.C. The event was officiated by U.S. Senator Robert Menendez of New Jersey.

In addition to serving as the primary sponsor of the first SEC Investor Advisory Committee, Commissioner Aguilar serves as the Commission's liaison to the North American Securities Administrators Association (NASAA) and the Council of Securities Regulators of the Americas (COSRA).

"Throughout his time at the agency, Luis Aguilar has sought to protect investors and ensure the markets are fair and efficient," said SEC Chairman Mary Schapiro. "I look forward to continuing to work with him as we further bolster the structure of our markets and put in place the new rules stemming from the financial reform legislation."

Commissioner Aguilar said, "To be able to serve as an SEC Commissioner during these turbulent times is a privilege and responsibility that I take quite seriously. In my second term, I will continue to advocate on behalf of investors."

Commissioner Aguilar began his legal career as a staff attorney in the SEC's Atlanta Regional Office during his previous tenure at the SEC from April 1979 to January 1982. Prior to his appointment as a Commissioner in 2008, Aguilar worked as a partner in the Atlanta office of international law firm McKenna Long & Aldridge LLP as well as the general counsel, executive vice president, and
corporate secretary of INVESCO.

Commissioner Aguilar has also had a distinguished, longstanding commitment to community service. In 2007, he received the Justice Robert Benham Award for Community Service from the Chief Justice's Commission on Professionalism of the Supreme Court of Georgia in recognition for his service over the decades.

Commissioner Aguilar received his B.S. from Georgia Southern University in 1976 and his J.D. from the University of Georgia School of Law in 1979. He also received a master of laws degree in taxation from Emory University in 1985.

Commissioner Aguilar's new term expires on June 5, 2015.

For more information about Commissioner Aguilar, read his biography on the SEC's website (http://www.sec.gov/about/commissioner/aguilar.htm).

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Laney-Walker overlay district travels rocky road

By Meg Mirshak
Staff Writer
Saturday, Dec. 10, 2011

After more than two months of controversy surrounding a proposed special zoning district in the Laney-Walker area, the only thing clear is that developers, city leaders and some residents still aren't seeing eye to eye.

Most of that, say proponents of the overlay district, can be attributed to initial mistakes in the application process, which led some residents to believe the plan had ulterior motives.

"There can be a big disconnect between what people in the neighborhood see going on on the ground and what city leaders think they are doing," said Jamie Baker Roskie, the managing attorney for the Land Use Clinic at the University of Georgia School of Law.

Community involvement, which began in 2008 with monthly meetings on the larger revitalization efforts in the area, fell apart when residents weren't mailed notifications required for the overlay application process. The proposal was pulled from the Oct. 3 planning commission meeting agenda when residents caught the mistake.

Some residents feared the developer planned to apply strict regulations to the entire Laney-Walker neighborhood. However, the proposed district covers only properties in the 1400 block of Wrightsboro Road and portions of Augusta Avenue; R.A. Dent Boulevard; and Kingston, Brown, Holley and McCauley streets, which is named Foundry Place.

Fighting confusion

Jacksonville, Fla.-based APD Urban Planning and Management wants to build a mixed-use development in the area, possibly on a commercially zoned property where an old foundry is for sale. That property is on R.A. Dent Boulevard near Wrightsboro Road, where heavy traffic could support business, said Warren Campbell, the senior project manager for APD's Augusta office.

During informational meetings, developers and city leaders tried to convince residents that the overlay protects new development from commercial uses inconsistent with revitalizing a neighborhood. Under overlay guidelines, certain retail uses not specified in the proposed ordinance would need approval from the planning commission.

George Patty, the executive director of the county planning department, admitted that inconsistent language on application documents calling the proposal the "Laney-Walker/Bethlehem Overlay Zone" caused confusion. The developer has said its efforts to be transparent about overarching development plans also led many to think the overlay applied to the entire neighborhood.

Required notices were eventually mailed to residents of Foundry Place and public meetings were held, but the developer was forced to start over with the application process to avoid legal ramifications, Patty said. The legal advertisement and notifications were resent, which will delay a second review by the Augusta Commission, now expected in mid-January.

"Moving forward, we have to see what the community wants," Campbell said.

Property rights activist Al Gray, who does not live in Laney-Walker but challenged the planning office on procedural mistakes, said the most recent decision for the developer to resubmit the application has helped appease opposition. He'd like to see the overlay renamed to reflect its application to the specific Foundry Place boundaries.

The original application includes a map of the larger Laney-Walker area, and the overlay was explained during a meeting about greater revitalization efforts in the neighborhood, Gray said. Residents in the larger area weren't notified, which was a procedural violation.

"I don't think they were being careful when they wrote that," Gray said. "They have a problem with the ordinance as it's written compared to what they're trying to do."

Success elsewhere

Overlay districts have been around for decades. In Columbia, an overlay more specifically called a design development area was established in 1998 for a downtown area known as The Vista.

"Primarily, The Vista is zoned industrial, but because of the design development overlay, it allows things such as restaurants to locate in buildings that wouldn't otherwise allow them," said Johnathan Chambers, Columbia's zoning administrator.
That ordinance helped the area develop into a popular dining and entertainment district, he said.

About six overlay districts have been established in metro Atlanta since 2006. The Atlanta Regional Commission publishes multiple documents explaining an overlay’s purpose, benefit and steps for proposals and implementation.

An overlay was applied to a mixed-use development in Tucker, an unincorporated town in Dekalb County, in 2008. The area had office, retail, industrial and single-family residential uses but “no real connecting character,” said Rob Lebeau, the senior principal planner for the Atlanta Regional Commission.

Planners hoped consistent design standards would create a pedestrian-friendly, more inviting town center, Lebeau said.

Zoning

Most of the area under review in Laney-Walker is currently zoned residential, with the exception of the foundry property, which is zoned B-2, or general business. Scattered commercial businesses were grandfathered into the current residential zoning, Patty said.

Overlays often tie into mixed-use development because it’s a way to allow commercial and residential development side-by-side in a consistent design, Lebeau said.

“The intention is hopefully you have a larger plan in place. You’ve done some study and determined that this is what the community needs,” Lebeau said. “Overlay is one tool of imposing something that was agreed upon needing change or improvement in an area.”

Patty said B-2 zoning in the comprehensive zoning ordinance permits a mixed-use development if the developer wants to build on the old foundry property.

In the Laney-Walker area, additional commercial development could be an outgrowth of the overlay and a planned mixed-use development. The area could benefit from more businesses along Wrightsboro Road if certain uses were restricted, Patty said.

OVERLAY HISTORY

The application for the Laney-Walker area is the first proposal since overlay districts were added to section 25 of the city’s comprehensive zoning ordinance last summer.

George Patty, the executive director of the county planning department, said a planned development riverfront zone could be construed as an overlay. Since the mid-1990s, design guidelines and land uses have been applied to an area near the riverfront to control development.

Also, a historic preservation ordinance was originally written similar to an overlay. After some procedural issues, that zone was rewritten to follow state historic guidelines, Patty said.

TIMELINE

OCT. 3: Overlay is pulled from the planning commission agenda after residents say they didn’t receive required mailing notifications

OCT. 4 AND OCT. 14: Letters from the planning commission and APD development firm are dated, then mailed

OCT. 18: Resident Dee Mathis publicly opposes overlay at Laney-Walker/Bethlehem quarterly meeting

OCT. 25: Community meeting is held to detail specific plans for overlay

NOV. 1: Special called meeting of Laney-Walker Neighborhood Association is held; city leaders are present to further clarify overlay’s intent

NOV. 7: Planning commission sends recommendation of approval to Augusta Commission

NOV. 10: Planning director meets with small group opposing overlay
NOV. 15: Augusta Commission denies overlay approval and agrees to revisit the issue at its first January meeting.

WEEK OF NOV. 28: Planning director George Patty meets again with opposition; developer agrees to review and resubmit application.
Could downtown Athens zoning change stop Walmart?

By BLAKE AUED - blake.aued@onlineathens.com

Published Sunday, December 11, 2011

Athens-Clarke commissioners might be able to use their zoning powers stop a proposed Walmart near downtown Athens — if they want to.

Walmart opponents are calling on county officials to ban big-box retailers on the outskirts of downtown. Whether they can hinges on the legal doctrine of "vested rights." And there's no clear-cut definition of when a developer's rights vest.

"You have to have substantial expenditures," said Jamie Baker Roskie, managing attorney at the University of Georgia Law School's Land Use Clinic. "You have to have assurances from someone with authority to give it that you can get a building permit."

Selig Enterprises, the Atlanta-based developer that wants to build a large mixed-use project on the former Armstrong & Dobbs tract, claims it has a vested right to build under the current zoning.

County planners have said the renderings they've seen appear to meet the local zoning code, but no formal plans have been submitted. Mayor Nancy Denson said she never guaranteed that the project would be OK'd.

"I said I like it," Denson said. "I think it's great. But that's not an assurance."

After an Oct. 28 meeting among Athens-Clarke Attorney Bill Berryman, Planning Director Brad Griffin, Denson, other county officials and Selig representatives, Berryman sent Selig a letter stating that it could build 25 apartments per acre in spite of a temporary ban on downtown residential development because the company had "spent, or committed to spend, $250,000."

Berryman declined to comment further.

The commission passed the six-month moratorium in September as rumors circulated of a large student apartment complex coming to the Armstrong &
Dobbs tract so planners could examine whether the downtown infrastructure can handle the 200 bedrooms per acre allowed there.

In addition to 220 one- and two-bedroom apartments, Selig’s plans also include a 95,000 square-foot anchor tenant — likely a Walmart — offices, parking decks and 15 to 20 smaller stores and restaurants.

Although Berryman’s letter refers only to the residential portion of the development, Athens lawyer Mike Morris, who is representing Selig, said it applies to the commercial portion as well because the property is zoned for mixed use and Selig has spent time and money and worked with county officials on the plans.

“While we continue to diligently work with the local government and the community in refining the project plan, it is our firm position that the efforts completed and resources committed to date have established vested rights in the project which may not be affected by any subsequent changes in the zoning classification or the zoning ordinance,” Morris said in a written statement.

Other lawyers called Morris’ interpretation a stretch.

Selig might not have vested rights to build any part of the project because local governments in Georgia have broad power to control development, Roskie said.

“Even if someone has bought the property, yes, (the government can rezone it) until there’s a very clear vesting,” Roskie said. “It’s quite common. A local government sees an undesirable development on the horizon, and they put a moratorium in place.”

Under that scenario, the commission could temporarily halt new construction downtown, then change the zoning from commercial-downtown, which places few limits on the size of developments, to commercial-neighborhood, which caps retail stores at 30,000 square feet.

Such a move might satisfy the thousands of Athens residents who oppose Walmart, but it would be politically risky for a commission that critics often brand as anti-business. It could also lead to a costly lawsuit.

Because the case law is so murky, the only way to find out for sure whether Selig’s rights are vested is to go to court, Roskie said.

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I want to incorporate historic warehouses on the property, reduce the size of the big-box anchor, improve its appearance, alleviate traffic concerns and ensure pedestrian access.

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Commissioners haven't discussed a rezoning, Kinman said, but she is also open to the idea.

"It's not off the table," Kinman said. "My feeling is I want to see how the process progresses. I was encouraged by the developer's commitment to making this development something the community could embrace."

Denson has said she would oppose an effort to change the property's zoning. She controls the commission's agenda, so commissioners would need a supermajority to force her hand.

"Seven is a lot of votes for something like that," Kinman said.
Changes afoot at longtime law firm Wood, Odom & Edge

BY JEFF BISHOP

The Newnan Times-Herald

With the recent retirement of law partner Gus Wood and with Arthur B. "Skin" Edge's shift of focus to the state Capitol in Atlanta, local attorney Parnell Odom has decided it's time to make a few changes at the longtime downtown Newnan law firm of Wood, Odom & Edge.

After this month, the firm will close its Jefferson Street office. Wood, Odom & Edge will scale back a bit, Odom said, sharing the building of fellow attorneys William Stemburger and Scott Cummins at 45 Spring St., across from the Central Baptist Church.

"Mr. Edge is now doing a lot of lobbying in Atlanta, and Mr. Wood is retired, so we just had a lot of space that we didn't need, anymore," said Odom. "So we'll be on the first floor, and Stemburger and Cummins will be on the second floor."

It's been a long ride. Wood was born in LaGrange on March 2, 1938, and admitted to the bar in 1960. He and his partners all attended the University of Georgia. Wood earned his BBA there in 1959 and LLB in 1961. Odom, who was born in Monroe on Oct. 29, 1946, graduated cum laude from UGA in 1968 and received his juris doctorate from the same school in 1971. Edge, born in Richmond, Va., on April 15, 1955, graduated magna cum laude from UGA in 1977 and earned his JD and graduated cum laude from UGA in 1980.

After serving as a captain with the JAGC in the U.S. Army between 1961 and 1963, Wood served as an assistant United States attorney from 1963 to 1964, then clerked for Judge Lewis R. Morgan of the U.S. District Court from 1964 to 1966. After establishing the firm of Wood, Odom & Edge in Newnan, Wood spent the years from 1985 to 1987 growing the practice and serving as a member of the Board of Governors for the State Bar of Georgia.

"We started up here on Jefferson Street in 1978," said Odom, and eventually spread to occupy both 13 and 15 Jefferson St.

"It was a sporting goods store when we moved in," said Odom. "We combined the two buildings into one location, and we've enjoyed this great space, but now it's a lot more space than we need."

Edge said it's not an easy thing to walk away from a building that's been his professional home for more than three decades.
"I've been in the same building, in the same office, working with the same people for 31 years," Edge said. "There probably aren't too many other attorneys these days who can say that."

Edge said he remembers "coming to Jefferson Street fresh out of law school" in 1980.

"I've been here ever since, and it's been great," Edge said. "I've been very fortunate."

He said he wanted to "come to a small town" so that he could have the experience of "handling a wide variety of cases and doing a lot of different things to help a lot of different people."

That included representing a client facing the death penalty in 1983, which Edge said was probably one of his most difficult cases.

"I was a fairly young lawyer and I was appointed to represent a fellow in what had been a pretty violent murder case that happened here in Newnan," Edge said. "We had a week-long trial, and that was a really difficult situation, especially for a relatively young lawyer. But the court asked me to do that, and I felt like I could do it, so I took it on. But it was tough."

His civil cases have also been gratifying, he said. Edge served as co-counsel in a wrongful death case that was the first case tried at the new Coweta County Justice Center, he said.

"That was a multi-million dollar verdict we got for our client," he said. "And we've had several other million-dollar-plus verdicts and settlements over the years. Some pretty big cases."

But Edge said he's even enjoyed the small tasks, such as helping clients draw up their wills or walking them through their business transactions.

"It's all been very rewarding and very gratifying," said Edge.

Edge said he expects he will be seen less at the new offices, once everything has been relocated, but Wood, Odom & Edge will continue.

"Frankly, my concentration will be on my lobbying in Atlanta," said Edge, who also used his law practice as a springboard into state politics, representing Newnan and Coweta County in the Georgia State Senate for a decade.

He said change is sometimes a good thing, and often a necessary thing.

"I've seen downtown Newnan change a lot over the years, since the time I first moved here," said Edge. "I can remember when the downtown area was in pretty rough shape, and how it came back. I always liked the old days, when I could walk home for lunch at my home on Wesley Street, and walk over to the courthouse for a court case. Things have changed a lot since then. But it's been a great ride."

"And I'm proud of the fact that I've been associated with Gus and Parnell in the same office for 31 and a half years now," he said. "I was so lucky to partner up with such two great guys. I've never looked back. It's been one of the best decisions I've ever made. We've not only been law partners, but good friends. Our children all grew up together. It's really been almost a storybook kind of thing."

And the story's not quite over yet.
"Wood, Odom & Edge will still be in existence, and we'll see how that goes," said Edge. "It will certainly be different."

"It's bittersweet," said Odom. "Never, during the entire time we've been together, have we ever had a disagreement. It's just been a wonderful relationship. Never been a cross word. I couldn't ask for two greater people to have been associated with.

"But we aren't closing down Wood, Odom & Edge," he said. "Not by any stretch of the imagination. We'll still be around."
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George Patty, the executive director of the county planning department, admitted that inconsistent language on application documents calling the proposal the "Laney-Walker/Bethlehem Overlay Zone" caused confusion. The developer has said its efforts to be transparent about overarching development plans also led many to think the overlay applied to the entire neighborhood.
Required notices were eventually mailed to residents of Foundry Place and public meetings were held, but the developer was forced to start over with the application process to avoid legal ramifications, Patty said. The legal advertisement and notifications were resent, which will delay a second review by the Augusta Commission, now expected in mid-January.

"Moving forward, we have to see what the community wants," Camp-bell said.

Property rights activist Al Gray, who does not live in Laney-Walker but challenged the planning office on procedural mistakes, said the most recent decision for the developer to resubmit the application has helped appease opposition. He'd like to see the overlay renamed to reflect its application to the specific Foundry Place boundaries.

The original application includes a map of the larger Laney-Walker area, and the overlay was explained during a meeting about greater revitalization efforts in the neighborhood, Gray said. Residents in the larger area weren't notified, which was a procedural violation.

"I don't think they were being careful when they wrote that," Gray said. "They have a problem with the ordinance as it's written compared to what they're trying to do."

Success elsewhere

Overlay districts have been around for decades. In Columbia, an overlay more specifically called a design development area was established in 1998 for a downtown area known as The Vista.

"Primarily, The Vista is zoned industrial, but because of the design development overlay, it allows things such as restaurants to locate in buildings that wouldn't otherwise allow them," said Johnathan Chambers, Columbia's zoning administrator.

That ordinance helped the area develop into a popular dining and entertainment district, he said.

About six overlay districts have been established in metro Atlanta since 2006. The Atlanta Regional Commission publishes multiple documents explaining an overlay's purpose, benefit and steps for proposals and implementation.

An overlay was applied to a mixed-use development in Tucker, an unincorporated town in Dekalb County, in 2008. The area had office, retail, industrial and single-family residential uses but "no real connecting character," said Rob Lebeau, the senior principal planner for the Atlanta Regional Commission.

Planners hoped consistent design standards would create a pedestrian-friendly, more inviting town center, Lebeau said.

Zoning

Most of the area under review in Laney-Walker is currently zoned residential, with the exception of the foundry property, which is zoned B-2, or general business. Scat-tered commercial businesses were grandfathered into the current residential zoning, Patty said.

Overlays often tie into mixed-use development because it's a way to allow commercial and residential development side-by-side in a consistent design, Lebeau said.

"The intention is hopefully you have a larger plan in place. You've done some study and determined that this is what the community needs," Lebeau said.
"Overlay is one tool of imposing something that was agreed upon needing change or improvement in an area."

Patty said B-2 zoning in the comprehensive zoning ordinance permits a mixed-use development if the developer wants to build on the old foundry property.

In the Laney-Walker area, additional commercial development could be an outgrowth of the overlay and a planned mixed-use development. The area could benefit from more businesses along Wrightsboro Road if certain uses were restricted, Patty said.

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LOAD-DATE: December 13, 2011
Disquiet builds nationwide over police flash-bang use

Article by: Star Tribune
Updated: December 12, 2011 - 9:26 PM

Long before a Minneapolis police "flash-bang" grenade burned Rickia Russell during a botched drug raid last year, the devices had sparked unintentional fires and caused injuries and deaths, even among officers trained to use them.

The $1 million settlement awarded last week to Russell by the Minneapolis City Council follows lawsuits and payouts for people injured or killed by the devices in California, Michigan, New York and other states.

The devices came into widespread use in the 1980s, and law enforcement agencies say they help save lives during drug raids and similar high-risk operations. But watchdog groups and defense attorneys say they're a menace.

"These things are dangerous," said Clay Conrad, a lawyer in Houston who handled several cases involving flash-bang grenades. "If you were to toss one at a cop, you would be indicted for attempted murder."

Often used by SWAT teams to disorient suspects with deafening booms and bright lights, the flash-bangs, once activated, can burn at almost 4,900 degrees, the city of Minneapolis' training manual indicates.

The grenades are considered basic equipment for almost all of the country's 4,000 tactical teams, said Don Whitson, a police sergeant in Fort Collins, Colo., and chairman of the Less Lethal section for the National Tactical Officers Association.

During the training sessions that he leads nationwide, Whitson presents slide shows of officer and civilian injuries that resulted from flash-bang use.

"The incidences in injury is very low compared to the number of times they are deployed," said Whitson. "They're not toys and they should be respected."

Last week, Minneapolis officials called Russell's injuries an accident and said they were reviewing the incident. In a statement, City Attorney Susan Segal said that since the
raid, "the manufacturer of the [device] has changed the design to reduce the risk that the device will roll after being deployed."

Police declined to comment Monday, saying they would have more information Tuesday.

Russell suffered third-degree burns to her legs in February 2010 when city police knocked down the door of her boyfriend's apartment and set off a flash-bang.

While officers handcuffed Russell, her legs caught fire, nearly burning to the bone.

Police had a search warrant for a drug dealer, narcotics and weapons, but found nothing.

The Minneapolis police training manual indicates the devices should be used only in life-threatening situations. The manual requires that all officers wear eye and ear protection, gloves and protective clothing and have a working fire extinguisher at the ready.

It was unclear if the 18-officer team had an extinguisher. According to the complaint, officers smothered the flames on Russell's legs with soiled dish towels.

The settlement wasn't the first flash-bang mishap for the city. In 1989, two people died of smoke inhalation in a North Side apartment after a device ignited a fire during a drug raid. The incident prompted a temporary halt in the use of flash-bang grenades, and led to an undisclosed settlement and tighter oversight of the police.

Reasonable action?

Since the devices debuted in Los Angeles in the early 1980s, their use by police officers has led to at least seven deaths nationwide, including a Charlotte SWAT team member killed in January while he secured the equipment in the trunk of his squad car, according to a 2003 University of Georgia study and subsequent press reports.

"It's nonlethal only in the sense that it's not intended to inflict death," said Donald E. Wilkes Jr., a University of Georgia law professor who did the study.

"Police ... using bombs as a search and seizure technique is completely inappropriate," Wilkes said. "They use them so recklessly."

Last fall, the city of Oakland paid $1.2 million
to settle a lawsuit filed by a woman who, like Russell, suffered third-degree burns when a flash-bang grenade exploded near her during a raid. The incident left her permanently disfigured.

In January, Rogelio "Roger" Serrato was consumed by flames and died after SWAT officers tossed a flash-bang into a home in Greenfield, Calif. The police agency involved maintains that a drug suspect was inside the house at the time.

Serrato's family is being represented in a civil suit by Michael Haddad, an Oakland lawyer and president of the National Police Accountability Project's board of directors. Haddad compares the growth in flash-bang deployments to the rise in Tasers. Deaths and serious injuries have to occur before more departments restrict use of the devices and improve training, he said.

The New York City Police Department, the nation's largest, stopped using the grenades in 2007 after a woman died of a heart attack during a drug raid several years earlier, the New York Times reported last year.

Charles "Sid" Heal, a retired Los Angeles County sheriff's department commander and National Tactical Officers Association member, credits the devices with saving the lives of suspects who would have otherwise been shot during a raid. The flash-bangs often give officers a six- to eight-second window to subdue suspects, he said, because it overwhelms their senses.

"They couldn't bring the guns to bear," Heal said. "[The flash-bang grenades] can be godsend." But the opportunity for abuse remains, Heal said.

"They work so well that the novice tends to overuse it," Heal said. "It's the same with a Taser or pepper spray."

Corey Mitchell • 612-673-4491
TRANSCRIPT

December 15, 2011
NEWS EVENT
REPUBLICAN PRESIDENTIAL CANDIDATES
SIOUX CITY, IOWA

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REPUBLICAN PRESIDENTIAL CANDIDATES PARTICIPATE IN A DEBATE SPONSORED BY FOX NEWS, SIOUX CITY, IOWA
DECEMBER 15, 2011
SPEAKERS: FORMER SEN. RICK SANTORUM, R-PA.,
PRESIDENTIAL CANDIDATE

REP. MICHELE BACHMANN, R-MN.,
PRESIDENTIAL CANDIDATE

FORMER REP. NEWT GINGRICH, R-GA.,
PRESIDENTIAL CANDIDATE

REP. RON PAUL, R-TEXAS,
PRESIDENTIAL CANDIDATE

FORMER GOV. MITT ROMNEY, R-MASS.,
PRESIDENTIAL CANDIDATE

GOV. RICK PERRY, R-TEXAS,
PRESIDENTIAL CANDIDATE

FORMER GOV. JON HUNTSMAN JR., R-UTAH.
CHRIS WALLACE, FOX NEWS ANCHOR

BAIER: Welcome to the Sioux City Convention Center, the site of our Republican presidential debate, the first ever presidential debate in Sioux City here in northwestern Iowa. How about that? This crowd's fantastic. It's being sponsored by Fox News and the Iowa Republican Party. Besides watching us on Fox News Channel, we are being streamed on foxnews.com and heard on Fox News Radio.

Now, this is the final debate before the January 3rd Iowa caucuses, the closing arguments for the now-familiar seven candidate on this stage. From left to right, former Senator Rick Santorum...

(APPLAUSE)

... Texas Governor Rick Perry...

(APPLAUSE)

... former Massachusetts Governor Mitt Romney...

(APPLAUSE)

... former Speaker of the House Newt Gingrich...

(APPLAUSE)

... Congressman Ron Paul...

(APPLAUSE)

... Congresswoman Michele Bachmann...

(APPLAUSE)

... and former Utah Governor Jon Huntsman.

(APPLAUSE)

Joining me at the big desk tonight, my Fox News colleagues, Neil Cavuto, Chris Wallace, and Megyn Kelly.

(APPLAUSE)

Now, our rules are similar to our previous Fox debates: one minute for answers, 30 seconds for follow-ups. If the candidates run too long, we'll politely remind them it's time to wrap up with this sound. After a long string of debates, we trust you all know the drill and we won't have to use that sound too much.

We also have, as I mentioned, a very enthusiastic crowd here tonight, and we welcome that, but we do have a limited amount of time here, and we ask you to honor the fact that we're trying to keep the valuable time for the candidates throughout this debate.

Tonight's event, obviously, comes amid an extraordinary backdrop: the struggling American economy now further threatened by financial turmoil in Europe, gridlock on Capitol Hill, a real threat to world security posed by Iran, even as we pull the last U.S. troops out of Iraq.

And we have received thousands of tweets and Facebook messages and e-mails with suggested questions, and the overall majority of them had one theme: electability. People want to know which one of you on this stage is able to be in the best position to beat President Obama in the general election. And that's the number-one goal for Republican voters, obviously.

Speaker Gingrich, since our last debate, your position in this race has changed dramatically. You are now physically at the center of the stage, which means you're at the top of the polls, yet many Republicans seem conflicted about you. They say that you're smart, that you're a big thinker. At the same time, many of those same Republicans worry deeply about your electability in a general election, saying perhaps Governor Romney is a safer bet.

Can you put to rest once and for all the persistent doubts that you are, indeed, the right candidate on this stage to go up and beat President Obama?

GINGRICH: Well, first of all, let me just say to you and to all of our viewers, merry Christmas. This is a great time for us to be here. And I hope that everybody across the country has a very joyous Christmas season.

I've been around long enough that I remember at this exact time in 1979 when Ronald Reagan was running 30 points behind Bill Clinton -- behind Jimmy Carter. And if people had said, "Gosh, electability is the number-one issue," they wouldn't have nominated him.

What they said was: He believes what he's talking about. He has big solutions. He can get the economy growing. He understands foreign policy, and he's the person I want to have debate Jimmy Carter. He carried...
more states against Carter than FDR carried against Herbert Hoover in 1932.

I believe I can debate Barack Obama, and I think in seven three-hour debates, Barack Obama will not have a leg to stand on in trying to defend a record that is terrible and an ideology that is radical.

BAIER: Mr. Speaker, Governor Romney...

(APPLAUSE)

Governor Romney just yesterday said you're an unreliable conservative. Now, obviously, he's your opponent. He's your opponent. But even Iowa Governor Terry Branstad said today he respects you greatly, but he openly questioned whether you had the discipline and focus to be president.

GINGRICH: Well, those are two different questions. The first -- let me take them one by one, very quickly. I have a 90 percent American Conservative Union voting record for 20 years. I balanced the budget for four straight years, paid off $405 billion in debt. Pretty conservative. The first entitlement reform of your lifetime, in fact, the only major entitlement reform until now was welfare. Two out of three people went back to work or went to school. Pretty conservative. First tax cut in 16 years, largest capital gains tax cut in American history, unemployment came down to 4.2 percent. Pretty conservative.

I think on the conservative thing, it's sort of laughable to suggest that somebody who campaigned with Ronald Reagan and with Jack Kemp and has had a 30-year record of conservatism, is somehow not a conservative?

BAIER: And what about the concerns from Iowa governor Branstad?

GINGRICH: I think people have to watch my career and decide. I spent 16 years working to create the first Republican majority in 40 years. I spent 16 years helping create the first balanced budgets. I am the longest serving teacher in the senior military. 23 years teaching one and two-star generals and admirals the art of war. I think it's fair to say that my commitment to disciplined, systematic work is -- is fairly obvious. You know, people just have to decide.

Part of the difference is, I do change things when conditions change. And part of the difference is I strive for very large changes and I'm prepared to really try to lead the American people to get this country back on the right track. And that's a very large change.

BAIER: Now to my colleague, Megyn Kelly.

KELLY: A similar question to you, Congressman Paul. You have some bold ideas. Some very fervent supporters and probably the most organized ground campaign here in Iowa. But there are many Republicans inside and outside of this state who openly doubt whether you can be elected president. How can you convince them otherwise? And if you don't wind up winning this nomination, will you pledge here tonight that you will support the ultimate nominee?

PAUL: Well, you know, fortunately for the Republican party this year, probably every anybody up here could probably beat Obama, so.

(LAUGHTER)

(APPLAUSE)

PAUL: So the challenge isn't all that great on how we're going to beat Obama. I think he's beating himself. I think really the question is, is what do we have to offer? And I have something different to offer. I emphasize civil liberties. I emphasize a pro-American foreign policy, which is a lot different than policemen of the world. I emphasize, you know, monetary policy and these things that the other candidates don't -- don't talk about. But I think the important thing is the philosophy I'm talking about is the Constitution and freedom.

And that brings people together. It brings independents into the fold and it brings Democrats over on some of these issues. So, therefore, I see this philosophy as being very electable, because it's an America philosophy. It's the rule of law. And it -- it means that, you know, we ought to balance the budget. It opens up the door for saying -- supporting my willingness to cut $1 trillion out of the budget the first year.

(APPLAUSE)

KELLY: Senator Santorum, no one has spent more time in Iowa than you. You have visited every county in the state. And yet while we have seen no fewer than four Republican candidates surge in the polls, sometimes in extraordinary ways, so far your campaign and you have failed to catch fire with the voters. Why?

SANTORUM: Well I'm counting on the people of Iowa to catch fire for me. That's -- that's what this plan was all about from day one, is to go to all 99 counties and do already almost 350 town hall meetings here in Iowa. We're organizing. We have a very clear message. That's the thing that's going to pay off for us in the end. And we present a clear contrast that really nobody else in this race does.

We present the contrast of someone who's been a strong conviction conservative. You know where I stand. You can trust me because I've been there and I've done it. And I did it as a leader. When I was in the leadership, if you were a conservative and you had an issue that you wanted to get voted on or you wanted to get done in the United States Senate, you came to Rick Santorum. Because I was the gay fighting for the conservative cause when it was popular, and when it was unpopular.

The speaker had a conservative revolution against him when he was the speaker of the House. I had
conservatives knocking down my door because I was the effective advocate for the principles that they believed in. That's the contrast. We have -- we need someone who's strong in their political and personal life to go out and contrast themselves with the president and make him the issue in this campaign. And that's why Iowans are beginning to respond. They like the accountability. They like the fact that I've been there and -- and met with them and believe in them to lead this country.

BAIER: Chris Wallace?
(APPLAUSE)

WALLACE: Thank you Brett. Governor Romney. I want to follow up on Brett's line of questioning to the speaker. Because many of our viewers tell us that they are supporting Newt Gingrich because they think that he will be tougher than you in taking the fight to Barack Obama in next fall's debates. Why would you be able to make the Republican case against the president more effectively than the speaker?

ROMNEY: Well lets step back and talk about what's really happening in the country. What we're finding across America is a lot of people are really hurting. 25 million people out of work, stopped looking for work or in part-time work that need full-time jobs. A lot of people in the middle-class who have seen incomes go down as the cost of their living has gone up and up and up. The American people care very deeply about having a president who'd get America right again.

And all of us on this stage have spoken over the last several debates about the fact that government doesn't create jobs, but the private sector does. I spent my life, my career in the private sector. I understand, by the way from my successes and failures what it's going to take to put Americans back to work with high-paying jobs.

I can debate President Obama based upon that understanding. And I'll have credibility on the economy when he doesn't. My successes include some businesses that were successful, like Staples and Bright Horizons Children's Centers, and a steel mill in the middle of Indiana, some things I learned from.

And, by the way, some failures. I remember when founders of JetBlue came to me and said, invest in us. I said, well, that will never work. Got it wrong. Now one of my favorite airlines.

I know what it takes to get this economy going. The president doesn't. The proof is in his record. It's terrible. My record shows that I can get America working again.

(APPLAUSE)

WALLACE: Congresswoman Bachmann, no one questions your conservative credentials, but what about your appeal to independents who are so crucial in a general election? If you are fortunate enough to become the Republican nominee, how would you counter the efforts by the Barack Obama campaign to paint you as too conservative to moderate voters?

BACHMANN: Well, it's very clear in the last five years I have won four elections as the first Republican woman ever to win out of the state of Minnesota. And I did that by attracting not only Republicans but also independents and Democrats as well.

Because people wanted to know, who could they trust? They knew that in me they may not always agree with me but they knew that I was a woman who said what she meant and meant what she said. And they respected that level of authenticity and sincerity.

And They also knew that I was an action person. That I wasn't just going to sit on my hands. I was going to work and serve them. And that is what I've done. I have worked very hard in the United States Congress in the brief time that I have been there.

I'm 55 years old. I spent 50 years as a real person. And now five years going toe-to-toe with Barack Obama, taking him on, on every issue from Dodd-Frank to cap and trade to illegal immigration to "Obama-care." And I will do that as president of the United States. That is my proven track record.

(APPLAUSE)

BAIER: Neil Cavuto?

CAVUTO: Thank you, Bret. Governor Perry, by your own admission, you are not a great debater. You have said as much, and downplayed debating skills in general. But if you were to become your party's nominee, you would be going up against an accomplished debater in Barack Obama.

There are many in this audience tonight, sir, who fear that possibility. And don't think you are up to the fight. Allay them of their concerns.

PERRY: Well, I want to share something with you. That as each one of these debates -- I'm kind of getting where I like these debates. As a matter of fact, I hope Obama and I debate a lot. And I'll get there early. And we will get it on and we will talk about our differences, which are great.

I'll talk about what we have done in the state of Texas. I'll talk about passing a balanced budget amendment to the United States Congress. I'll talk about having the type of part-time Congress that I think Americans are ready for.

And, you know, there are a lot of people out there -- I understand it, you know, there are a lot of folks that said
Tim Tebow wasn't going to be a very good NFL quarterback. There are people that stood up and said, well, he doesn't have the right throwing mechanisms, or he doesn't -- you know, he is not playing the game right.

And, you know, he won two national championships. And that looked pretty good. We're the national champions in job creation back in Texas. And so -- but am I ready for the next level? Let me tell you, I hope I am the Tim Tebow of the Iowa Caucuses.

(APPLAUSE)

CAVUTO: Governor Huntsman, your campaign has been praised by moderates but many question your ability to galvanize Republicans, and energize the conservative base of the party. They are especially leery of your refusal to sign on to a no-tax-hike pledge. How can you reassure them tonight?

HUNTSMAN: I think people, Neil, are coming around to finding that I am the consistent conservative in this race. They are coming around to find that I am not going to pander. I am not going to contort myself into a pretzel to please any audience I'm in front of. And I'm not going to sign those silly pledges.

And you know what else? I'm not going to show up at a Donald Trump debate.

(LAUGHTER)

(APPLAUSE)

HUNTSMAN: This nation has been downgraded. This nation is on the cusp of the third government shutdown. We have been kicked around as people. We are getting screwed as Americans. And I'm here to tell you, we are going to lead charge in doing what must be done in addressing the two deficits we have.

We have an economic deficit in this country, and it is going to shipwreck the next generation unless we can deal with it. And we have a trust deficit. People in this country don't trust the institutions of power anymore.

We need to go to Congress and we need to say, you need term limits. We need to go to Congress and say, we need to close that revolving door that allows members of Congress to file on out and lobby.

And we need to go to Wall Street and say, no trust there either, because we have banks that are "too big to fail." And I'm telling you, Neil, I'm the person who is going to leave the charge on all of the above and fix the economic deficit, but I'm going fix this country's trust deficit, because we're too good as people to be in the hole we're in and we deserve better.

(APPLAUSE)

BAIER: As Governor Huntsman just mentioned, there is a real drama playing out real-time in Washington right now with the threat of yet another government shutdown, the possibility that millions of Americans could see their payroll taxes go up. If you're president, as is the case now, and you are at lagerheads with one chamber of congress, how would you handle this situation?

30 seconds down the line. Start with Senator Santorum.

SANTORUM: Well, you do what leaders do. They go out and try to bring people together. They tell a narrative and remind Americans who we are and how we solve our problems. This country is a great country because we believe in free people.

In 2008, the American public were convinced by Barack Obama that they needed someone to believe in, that they could believe in. We now understand that what we need is some president who believes in them. That is the narrative. Go out and motivate the American public, have them talk to their representatives in Washington to pass solutions that believe in bottom up, how we built America, free markets, free people.

BAIER: Governor Perry?

PERRY: After three years, you would think this president could learn how to work in Washington, D.C. If there has ever been a greater example of on-the-job training, this is it. Couldn't have been at a worst time for America.

We need a president who has that governing, executive experience, someone who understands how to work with both sides of the aisle. Frankly, we should never have gotten this point at all.

The idea that he walked away from the work at hand and we had a supercommittee, that was put in place, that was going to fail on its face, that is the type of leadership that this president has been an absolute failure at and the type that I have been working at as the governor of Texas for the last 11 years.

BAIER: Governor Romney?

ROMNEY: Bret, this is a question that ought to take longer than 30 seconds, even 60 seconds. This is the question of the presidency. What is leadership?

I had the disadvantage of some aspects of becoming governor and a state with a legislature 85 percent Democrat. It turned out to be a blessing in disguise. To get anything done, I had to learn how to get respect of the speaker of the house and the senate president and Democratic leaders. I found a way to do that, to find common ground from time to time. And when crisis arose, we were able to work together. That is what has to happen.
There are Democrats who love America as Republicans do, but we need to have a leader in the White House, that knows how to lead. I have had four leadership experiences in my life where I have lead enterprises. I want to use that experience to get America right again. And I will do it as president.

BAIER: We will have many more questions about gridlock in Washington and this topic overall. But Speaker Gingrich?

GRINGRICH: I want to start by reinforcing what Governor Romney just said. Leadership is the key. When you have a Sal Alinsky radical who is a campaigner in chief who doesn’t do the job of president, because he’s too busy trying to run for re-election, the constitution can’t work. I helped Ronald Reagan when Tip O’Neil was speaker to get enough votes to pass the Reagan program despite a Democratic majority.

As speaker, one reason some people aren’t happy with my leadership I worked things out with Bill Clinton to get welfare reform, a tax cut and four balanced budgets signed in a way that required bipartisanship, because you couldn’t get anything done otherwise. So leadership matters immensely in getting this done.

BAIER: Congressman Paul?

PAUL: The main problem we have is the government is too big and the debt is too big and you have to cut spending so you have to get people to come together. They have been coming together to increase spending for decades. We have to get them to come together to do the opposite.

But there are two factions up there, one wants welfare and the other want warfare around the world and policing the world. So you go to people who like warfare you say give me half of the cuts that have to be in the welfare. Go to welfare people and say give me the cuts to cut the oversea warfare spending and bring people together and live up to what they say.

BAIER: Congresswoman Bachmann?

BACHMANN: As president of the United States I would have called all 535 members of congress to come sit down in Washington last summer looking at the debt ceiling crisis. And what I would have done is said there are three principles we are going to follow, because the first one needs to be no new taxes. We’re taxed enough already.

The second principle needed to be that government can’t spend any more money than what it is taking in. And the third principle had to be that we were going to follow the constitution of the United States. What that would have meant we would have looked at $15 trillion debt in the eye and said we are not going to add one more cent to it. We are going to prioritize our spending. And we’re going to put the reform in these long-term programs now, not wait eight months or five months. We are going to reform right now.

BAIER: Governor Huntsman.

HUNTSMAN: Leadership is action, not words. And I learned a very important lesson about this when I ran for governor in 2004. I promised the people of my state as governor that we would create the finest state in America for business. I ran on a flat-tax proposal. It took us two years; we got it delivered.

Flat — I hear a lot of people talking about tax reform and a flat — we actually got one done. The finest business in the United States, we delivered to our people. Health care reform without a mandate. The list went on and on and on.

I ran for re-election. I got almost 80 percent of the vote, not because I’m a great politician, but I learned some lessons in leadership, that people want to be told where you can take them, and then they want you to deliver.

BAIER: Thank you. We have many more interesting questions coming up. We have a new feature for you tonight, as well. How well are the candidates answering the questions? We're asking you to weigh in on Twitter. Tweet the candidate's last name and the hash-tag #answer if you think they're tackling the question or the hash-tag #dodge if you think they're avoiding the question. Then you can go to foxnews.com/debate to see those results.

Now, during the break, you can head there and check it out. And if you have a suggested question or a follow-up to something you've heard, tweet @bretbaier. We’ll be using some of those suggested questions tonight.

BAIER: After the break, the candidates on the increasingly sharp tone of this campaign, the economy, and a topic that has not been raised in any of the debates so far. Stay with us.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

MATT STRAWN, CHAIRMAN OF THE IOWA GOP: Good evening from Sioux City in northwest Iowa. I'm Matt Strawn, chairman of the Iowa GOP. Four years after repelling Barack Obama to the White House, Iowa has seen a surge of new Republican voters as Iowa Republicans have posted 33 straight months of voter registration gains. And as those Republicans prepare to vote in just 19 days, we understand the responsibility that comes with the privilege of being first in the nation.

And because the fight to reclaim the White House extends far beyond Iowa's borders, we want you to be the
first to know. So text "Iowa" to 91919 to know the results and other updates. Thank you and now let’s return to the final debate before the January 3 Iowa Caucus.

(END VIDEO CLIP)

BAIER: Thank you Mr. Chairman and welcome back to Sioux City Iowa and the Republican presidential debate. For the next round of questions, I turn to my colleague, Chris Wallace.

WALLACE: Thanks Brett. Candidates. I’m going to call this section, for lack of a better word, D.C. Culture. Governor Romney, I’m going to begin with you. Speaker Gingrich says that you should give back the millions of dollars you made, in his words, “bankrupting companies and laying off employees.” You respond that he has, in your words, “an extraordinary lack of understanding of how the economy works.”

But his comments dovetail with arguments you hear from Democrats that your belief in, what’s called, the creative destruction of capitalism, shows a hardheartedness. What do you think of what Speaker Gingrich had to say about you? And are you vulnerable to that kind of attack?

ROMNEY: I think it’s a great opportunity for us. Because I think the president is going to level the same attack. He’s going to go after me and say, you know, you -- in businesses that you’ve invested in, they didn’t all succeed. Some failed. Some laid people off. And he’ll be absolutely right. But if you look at all the businesses we invested in, over 100 different businesses, they added tens of thousands of jobs.

In the real world that the president has not lived in, I actually think he doesn’t understand that not every business succeeds. That not every entrepreneur is lucky enough to do as well as the entrepreneurs that I described at Bright Horizons and Staples and that steel company and many, many others. I myself have had the chance of leading four different organizations. Each of those was highly successful, in part because of hard work and in part because of good luck.

In the real world, some things don’t make it. And I believe I’ve learned from my successes and my failures. The president I’ll look at and say, Mr. President, how -- how did you do when you were running General Motors as the president, took it over? Gee, you closed down factories. You closed down dealerships. And he’ll say, well I did that to save the business. Same thing with us, Mr. President. We did our very best to make those businesses succeed. I’m -- I’m pleased that they did and I’ve learned the lessons of how the economy works.

This president doesn’t know how the economy works. I believe to create jobs, it helps to have created jobs.

WALLACE: Thank you.

(APPLAUSE)

WALLACE: Speaker Gingrich, on the Freddie Mac website in 19 -- in rather 2007 you said this, I like the GSE, or government sponsored enterprise like Freddy Mac model, making home ownership more affordable is a policy goal that I believe conservatives should embrace. Now in an earlier debate, a recent debate, you said that politicians like Barney Frank, who in your words, profited from the environment that led to the financial meltdown, should go to jail.

Now that it turns out that you were on the Freddie Mac payroll to the tune of more than $1.5 million, how do you answer critics who say that you’re being hypocritical.

GINGRICH: I think pretty straightforward. Barney Frank was in public office with direct power over Freddie Mac. He exploited that power just as Chris Dodd was in public office when he got special bargains from Countrywide, a firm that went broke. They were using power. I was a private citizen, engaged in a business like any other business. Now, if you read the whole thing that they posted, I said they need more regulations and I want to go back to my point about helping people buy houses.

I worked for years with Habitat for Humanity. I think it’s a good conservative principle to try to find ways to help families that are right at the margin learn how to budget, learn how to take care of a house, learn how to buy a house. And I -- I’m not going to step back from the idea that in fact we should have as a goal, helping as many Americans as possible be capable of buying homes. And when you look for example at electric membership co-ops, and you look at credit unions, there are a lot of government sponsored enterprises that are awfully important and do an awfully good job.

WALLACE: Congressman Paul you are -- and having been in this town for what 48 hours now, you are all over Iowa TV these days with a negative ad about Speaker Gingrich. You accuse him of selling access and playing the corrupt revolving door game. What about the explanation that you just heard, that he’s in the private sector and this is free enterprise?

PAUL: Well he has a different definition of the private sector than I have. Because it’s a GSE, government sponsored enterprise. That’s completely different. It’s -- it’s a government agency. They get the money and the sponsorship. They get mixed up. It’s -- it’s the worst kind of economy.

You know, pure private enterprise, more closely probably to what Governor Romney is involved with, but if it’s government-sponsored, it’s a mixture of business and government. It’s very, very dangerous. Some people say, if it goes to extreme, it becomes fascism, because big business and big government get together.

So, yes, they get money. And I was talking about that for a long time, the line of credit, the excessive credit from the Federal Reserve, the Community Reinvestment Act for 10 years or so. The Austrian economists knew there was a bubble. And at this time, nobody was listening or doing anything in the Congress.
And then to go to work for them and get money from them, it literally is -- it's literally coming from the taxpayer. They went broke. We had to bail them out. So indirectly, that was money that he ended up getting. They're still getting money from a government-sponsored enterprise. It's not a free-market enterprise.

WALLACE: Speaker Gingrich, 30 seconds to respond?

GINGRICH: Well, let me just go back to what I said a minute ago. The term government-sponsored enterprise has a very wide range of things that do a great deal of good. Go across this state and talk to people in the electric membership co-ops. Go across this state and talk to people in the credit unions. There are a lot of very good institutions that are government-sponsored.

And, frankly, the idea that anything which in any way has ever touched government could raise questions about doctors dealing with Medicare and Medicaid and a whole range of other government activities. There are many things governments do. I did no lobbying of any kind for any organization. And that was -- that was a key part of every agreement we had.

WALLACE: Well, let me pick up with that with you, Congresswoman Bachmann, because you accused Speaker Gingrich of peddling his influence with congressional Republicans to help the companies that paid him tens of millions of dollars since he's left office. Given his denial over time and again tonight that he's -- denies ever having lobbied, what is your evidence, hard evidence that he engaged in influence-peddling?

BACHMANN: Well, it's the fact that -- that we know that he cashed paychecks from Freddie Mac. That's the best evidence that you can have, over $1.6 million. And, frankly, I am shocked listening to the former speaker of the House, because he's defending the continuing practice of Freddie Mac and Fannie Mae.

There's a big difference between a credit union and Freddie Mac and Fannie Mae. And they were the epicenter of the mortgage financial meltdown. I was trying to see these two entities put into bankruptcy, because they, frankly, need to go away, when the speaker had his hand out and he was taking $1.6 million to influence senior Republicans to keep the scam going in Washington, D.C. That's absolutely wrong. We can't have as our nominee for the Republican Party someone who continues to stand for Freddie Mac and Fannie Mae. They need to be shut down, not built up.

(APPLAUSE)

WALLACE: Speaker Gingrich?

GINGRICH: Well, the easiest answer is, that's just not true. What she just said is factually not true. I never lobbied under any circumstance. I never went in and suggested in any way that we do this.

In fact, I tried to help defeat the housing act when the Democrats were in charge of the House. And if you go back and talk to former Congressman Rick Lazio, he'll tell you, when we were passing housing reform while I was speaker, I never at any time tried to slow down the reform effort. In fact, I helped him pass the reform bill. And I think some of those people ought to have facts before they make wild allegations.

BACHMANN: Let me -- let me...

WALLACE: Yes, go ahead. Congresswoman?

BACHMANN: Well, after the debates that we had last week, PolitiFact came out and said that everything that I said was true. And the evidence is that Speaker Gingrich took $1.6 million. You don't need to be within the technical definition of being a lobbyist to still influence-peddling with senior Republicans in Washington, D.C., to get them to do your bidding.

And the bidding was to keep this grandiose scam of Freddie Mac going. That's -- that is something that our nominee can't stand for. We have to shut down these government enterprises. And we've got to end them. And I think that's shocking that he's saying that.

GINGRICH: And let me just say two things...

BAIER: Speaker Gingrich, quickly.

(APPLAUSE)

GINGRICH: OK, I want to say two things. First, my policy is to break up both Fannie Mae and Freddie Mac. It is not anything like what she just described.

Second, I want to state unequivocally, for every person watching tonight, I have never once changed my positions because of any kind of payment. Because I -- the truth is, I was a national figure who was doing just fine, doing a whole variety of things, including writing best-selling books, making speeches. And the fact is, I only chose to work with people whose values I shared and having people have a chance to buy a house is a value I believe still is important in America.

BAIER: Now to Neil Cavuto with questions about the economy.

CAVUTO: Speaker Gingrich, not to make you a target. but you.

GINGRICH: It goes with being right here.

CAVUTO: You just responded this morning, sir, tweeted originally and with follow-up statements as a major
break through of this plan on the part of Republican congressman Paul Ryan working with Democratic Senator Ron Wyden to find a sort of updated way to keep Medicare solvent. This would involve a choice, those who like the program as it is can stick with it. They will be a private option, et cetera.

But earlier on, this might have confused Congressman Ryan and others for whom you had said was the initial Medicare fix that it was right wing social engineering. Later on you backed off that comment, said there was much you could find in Mr. Ryan's plan to like.

Can you blame Governor Romney for saying you have a consistency problem on this issue?

GINGRICH: I'm not in the business of blaming Governor Romney. I'm in the business to try and understand what we can do as a policy. If you go back and look at the "Meet the Press" quote I didn't want reference him. And I'll come back and say it again, a free society should make very big decisions with the support of the people.

Now you can earn that support. You can win a communications argument. Reagan was very, very good at that. But the only point I was making on "Meet the Press" is when you are going to have a major change, you have to communicate with the American people in order to ensure that they are for you.

Now Governor Romney came up, frankly, with a very good variation on the Ryan plan which allowed the maintenance of the current system. Paul has adopted that. And I think did a very brave act by Senator Ron Wyden, you now have a Democrat willing to co-sponsor the bill. I've endorsed the concept today. I think it is a big step forward. And I think Governor Romney deserves some of the credit for having helped figure out a way to make this thing workable.

So, I think it's a nice thing to actually have a bipartisan plan in Washington that we could actually look at in a positive way and hope would help save Medicare.

CAVUTO: Governor Romney do you want to respond to that compliment?

ROMNEY: Yeah. Thank you.

Yeah, I hope people understand just how big today is for this country. We all understand that the spending crisis is extraordinary with $15 trillion now in debt, with the president that's racked up as much debt as all the other presidents combined.

But there is another problem we have, which is our national balance sheet. Which are the obligations that we have made, that we have no funding behind. And it adds up to $62 trillion.

And today Republicans and Democrats came together with Senator Wyden and Congressman Paul Ryan to say we have a solution to remove that $62 trillion. This is a big day for our kids and grand kids. It's an enormous achievement. It means we finally have the prospect of dealing with somebody which has the potential of crushing our future generations and a good Democrat and a good Republican came together.

This is the impact of people on both sides of the aisle that care about America at a critical time. And I applaud him. It's good news.

CAVUTO: Congressman Paul, as you have been warning, we are on the brink of another government shutdown because of the spending that you call out of control. But haven't you contributed to that spending problem yourself, sir, supporting over the years earmarks that have benefited your district and your state?

Back in 2009, you explained this by saying if I can give my district any money back, I encourage that. I don't think that the federal government should be doing it but if they are going to allot the money, I have a responsibility to represent my people.

Isn't that what they call a mixed message, congressman?

PAUL: Well, it's a mixed question is the problem, because the real message is you should include in your question also you have never voted once for an earmark.

No, it's a principle that I deal with, because if the government takes money from you and you fill out your tax form, you take your deductions. I look at that the same way in our communities. They take our money, they take our highway funds, and we have every right to apply for them to come back.

As a matter of fact, it's a bigger principle for me than that. I think this whole thing is cut out of control on the earmarks, because I think the congress has an obligation to earmark every penny, not to delegate that power to the executive branch. What happens when you don't vote for the earmarks it goes in to the slush fund, the executive branch spends the money then you have to grovel to the executive branch and beg and plead and say oh, please return my highway funds to me.

So if this whole principle of budgeting that is messed up, but I never vote, I never voted for an earmark. But I do argue the case for my -- the people I represent to try to get their money back if at all possible.

CAVUTO: But isn't that the same thing of having your cake and eating it too? You can complain about earmarks but then if there are provisions there that help your district or your state that's different? If 434 other members felt the same way, how would we ever fix the problem?

PAUL: Yes, but you're missing the point. I don't complain about earmarks, because it is the principle of the Congress meeting their obligation. But if everybody did what I did, there would be no earmarks. The budget
would be balanced and we'd be cutting about 80 percent of the spending. So that would be the solution.

(APPLAUSE)

PAUL: But you also want to protect the process. You want to emphasize the responsibility of the Congress, and not delivering more power to the president. I would be a different kind of president. I wouldn't be looking for more power.

Everybody wants to be a powerful executive and run things. I, as the president, wouldn't want to run the world. I don't want to police individual activities and their lifestyle. And I don't want to run the economy.

So that is an entirely different philosophy, but it's very, very much in our tradition and in a tradition of our Constitution.

(APPLAUSE)

CAVUTO: Governor Perry, you said the only way to stop our spending problem is to get Congress to stop spending. Quoting you, sir, you said: "I vetoed 82 bills in my first year as governor of Texas. I have a record of keeping spending under control."

But as Texas agriculture commissioner, you oversaw a loan guarantee program that, as The Austin American-Statesman reported at the time, had so many defaults that the state had to stop guaranteeing bank loans to start-ups in the agribusiness, and eventually bailed out the program with the tax-payer money.

So aren't you guilty of the same behavior you rail against as a presidential candidate?

PERRY: Well, two things. Number one, don't believe everything you read in The Austin American-Statesman. And the second side of it is, we had that program put in place and the state did not bail out, those programs worked as they were supposed to work. Just like in any bank or any business, you are going to have some that fail.

But I want to go back and talk about just a second the issue of where we had a big back-and-forth about whether Newt was involved in untoward activity or not. And I'll be real honest with you, the issue we ought to be talking about on this stage is how you really overhaul Washington, D.C.

And the idea that you can't tell the difference between lobbying and consulting, the idea that we have Congress staying there as many days as they do and the salary that they have, that is the reason I have called for a part-time Congress.

Cut their pay in half. Cut their time in Washington in half. Cut their staff in half. Send them home. Let them get a job like everybody else back home has and live within the laws of which they passed.

(APPLAUSE)

PERRY: We do that and you pass a balanced budget amendment to the United States Constitution, and the conversations that we've been having up here will be minor.

CAVUTO: By the way, Governor, they worked 151 days last year. How much more would constitute part-time?

PERRY: I would suggest to you maybe 140 days every other year like we do in Texas.

(LAUGHTER)

(LAUGUALUSE)

CAVUTO: Governor Huntsman, as you're probably familiar, sir, the Chinese have just left huge tariffs of up to 22 percent on imports of some American sport utility vehicles, larger American cars.

Now as a former ambassador to China and one who has argued for an adult conversation with Beijing, how would you respond to what some are calling a childish move on the part of a country that routinely flouts international trade rules?

HUNTSMAN: Well, it's a large and complicated relationship. It's part trade, it's part North Korea, it's part Iran, part Pakistan, part Burma, part South China Sea, party military-to-military engagement. You move one end of the relationship, it impacts the other.

The best thing to do, invite a few dissidents who are seeking freedom and want to expand democracy in China to the United States embassy, the kind of thing that I used to do. That is what matters to the Chinese people who are looking for change and looking for reform these days.

That is the kind of thing that over time is going to create enough swell of change and reform in that country that is going to make the U.S.-China relationship successful long-term.

Because eventually, we need more than just a transactional relationship. We need shared values infused into this relationship. Let's face it, the 21st Century will only have two relationships that matter: the United States and China.

For that to succeed, we need shared values. That is democracy. That is human rights. That is recognition of the role of the Internet in society. That is greater tolerance toward religion, and so much more.
As president of the United States, I would drive that home. And I would make it a relationship that worked.

CAVUTO: Senator Santorum, right now American companies have trillions parked overseas because of the very high tax rates here. Would you support a tax holiday to bring that money back, but only under, as some Democrats have suggested, the condition that these companies hire workers with that money?

SANTORUM: Yes, what I proposed in the "Made in the USA" plan is that if money has been made overseas, that it can come back at 5.5 percent rate, which is what we did back in 2004, and it did cause a lot of money to come back. But I put a special rate, zero, if they bring it back and invest it in plant and equipment in America.

We need to rebuild the manufacturing base of this country. When I traveled around to all of these counties in Iowa, I went to a lot of small towns, like Sidney and Hamburg down in Fremont County, and I was in -- the other day in Newton, where they've lost jobs to overseas. Why? Because we're not competitive.

We need to have our capital competitive and -- and come here free so they can invest it. We need to cut the corporate tax on manufacturers to zero. Why? Because there's a 20 percent cost differential between America and our nine top trading partners. And we -- and that's excluding labor costs.

We need to get our taxes down. We need to repeal regulations. I promise to repeal every single Obamacare regulation. Every single Obama regulation that cost businesses over $100 million, I can repeal it. I can't repeal laws, but as a president, you can repeal -- excuse me, regulations. And I will repeal every single one of them so business can get going in this country.

(APPLAUSE)

BAIER: Thank you, Neil.

This question is from Twitter. And it is for you, Governor Romney. @LeonJamesPage tweets, "Over the next 10 years, in what sector or industries will most of the new jobs be created?"

ROMNEY: The great thing is, the free market will decide that. Government won't. And we have in a president someone who, again, doesn't understand how the economy works and thinks that, as a government, he can choose, for instance, which energy sector is going to be successful. So he invests as a venture capitalist in certain car companies that have electric battery power, not understanding that perhaps Toyota and G.M. could do a better job than Tesla and Fisker.

The president decides to go into Solyndra because he thinks that solar power is going to be the future. Look, let markets determine what the future course of our economy will be.

What do I happen to think will be the future? I think manufacturing is going to come back. I think manufacturing, for some of the reasons Rick just indicated, it's going to come back to the U.S. I also think, of course, that high-tech is going to be an extraordinarily source -- extraordinary source of growth for a long time in this country.

And energy. We have extraordinary energy resources in this country. Opening those up -- our president holds them off, doesn't give them the permits to start drilling and getting the natural gas and oil -- those are some of the areas that are extraordinarily powerful. This economy has every potential to continue to lead the world. Our president thinks America is in decline. It is if he's president. It's not if I'm president. This is going to be an American century.

(APPLAUSE)

BAIER: Thank you, Governor Romney.

Now to Megyn Kelly with the next round of questions. And this is a new topic, the judiciary.

KELLY: This is something we have heard pressure little about in this election, but something that's an important issue for a lot of voters.

Speaker Gingrich, let me start with you. You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. And they used words like "dangerous," "outrageous," and "totally irresponsible." Are they wrong?

GINGRICH: Well, the first half is right. It alters the balance, because the courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people.

(APPLAUSE)

I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices. So I have seen this firsthand that the courts have become dictatorial in a way I don't think we can abide.
Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

We have a balance of three branches. We do not have a judicial dictatorship in this country. And that's what the Federalist papers promised us. And I would -- just like Jefferson, Jackson, Lincoln and FDR -- I would be prepared to take on the judiciary if, in fact, it did not restrict itself in what it was doing.

KELLY: What of the former attorney general?

(APPLAUSE)

These are conservative former attorneys generals who have criticized the plan, as I say, dangerous, ridiculous, outrageous, totally irresponsible.

GINGRICH: Sure. I'd ask, first of all, have they studied Jefferson, who in 1802 abolished 18 out of 35 federal judges? Eighteen out of 35 were abolished.

KELLY: Something that was highly criticized.

GINGRICH: Not by anybody in power in 1802.

(APPLAUSE)

Jefferson himself was asked, is the Supreme Court supreme? And he said, that is absurd. That would be an oligarchy. Lincoln repudiates the Dred Scott decision in his first inaugural address in 1861 and says, no nine people can make law in this country. That would be the end of our freedom. So I would suggest to you, actually as a historian, I may understand this better than lawyers. And as lawyers those two attorneys general are behaving exactly like law schools, which have overly empowered lawyers to think that they can dictate to the rest of us.

(APPLAUSE)

KELLY: Congresswoman Bachmann.

(APPLAUSE)

KELLY: You heard Speaker Gingrich -- you heard Speaker Gingrich reference the Ninth Circuit Court of Appeals and that is one of the courts that he has suggested abolishing. It is a left-leaning court and as he points out, as he has done before, he believes it's an activist court because in part it was the court that -- that issued a ruling striking down "under God" in the pledge years ago. A decision that was reversed by the Supreme Court leader.

Do you agree that the Ninth Circuit should be abolished? And if so, what would then happen if a Democratic president came into office and we had a democratically controlled Congress that later took aim at the right-leaning federal courts. Where would it end?

BACHMANN: Well where it needs to end is under the Constitution of the United States. That's the real issue. Are the courts following the Constitution or aren't they following the Constitution? It isn't just Congress that gets it wrong, it's the courts that get it wrong as well.

KELLY: But what do you do about it?

BACHMANN: Well what we need to do about it is have the -- both the president and the United States Congress take their authority back and I would agree with Newt Gingrich that I think that the Congress and the president of the United States have failed to take their authority. Because now we've gotten to the point where we think the final arbiter of law is the court system. It isn't. The intention of the founders was that the courts would be the least powerful system of government.

And if we give to the courts, the right to make law, then the people will have lost their representation. That's why I commend Iowans, because they chose not to retain three judges that decided that marriage would be...

(APPLAUSE)

BACHMANN: ...and Iowans decided to take their Constitution back. That's what the American people need to do, take the Constitution back and as president of the United States, I would only appoint judges to the Supreme Court who believe in the original intent of the Constitution.

KELLY: Congressman Paul let me ask you, do you believe in -- in what the two candidates have said? That it would potentially be OK to abolish courts like the Ninth Circuit Court of Appeals entirely, or judges, impeach them if Congress and the president don't decide -- decide they don't like their rulings?

PAUL: Well the Congress can get rid of these courts. If -- if a judge misbehaves and is unethical and gets into trouble, the proper procedure is impeachment. But to subpoena judges before the Congress, I'd really question that. And if you get too careless about abolishing courts, that could open up a can of worms. Because it -- you -- there -- there could be retaliation. So it should be a more serious -- yes we get very frustrated with this. But the whole thing is, if you just say, well we're going to -- OK there are 10 courts, lets get rid of three this year because they ruled a -- a way we didn't like.
That -- that to me is, I think opening up a can of worms for us and it would lead to trouble. But I really, really question this idea that the -- the Congress could subpoena judges and bring them before us. That's a real affront to the separation of the powers.

KELLY: Governor Romney, many people believe that the way to rein in, so-called activist judges is to be careful in appointing or nominating the judges in the first place. As governor of Massachusetts, you passed over Republicans for three quarters of the judicial vacancies you faced, instead nominating Democrats or Independents. With that track record, why should Republicans believe that you will appoint conservatives to the bench if you become president?

ROMNEY: Well I have to let you know that in Massachusetts, I actually don't get to appoint the judges. I get to nominate them. They go before something known as the Governor's Council. It consists of, I believe, seven members, all of whom are elected Democrats. And so to be able to get my appointments through, I had to have people of both parties. And the people I put forward, all were individuals who I vetted very carefully to make sure they would follow the rule of law.

These were largely people going into criminal courts. I chose overwhelmingly people who had been prosecutors in their prior experience. And so we had that kind of justice. Now, let -- let me note that the key thing I think the president is going to do, is going to be with the longest legacy. It's going to be appointing Supreme Court and justices throughout the judicial system. As many as half the justices in the next four years are going to be appointed by the next president.

This is a critical time to choose someone who believes in conservative principles. Now I -- I don't believe that it makes a lot of sense to have Congress overseeing justices. The -- the -- the only group that has less credibility than justices perhaps is Congress. So let's not have them be in charge of overseeing the -- the justices.

(APPLAUSE)

ROMNEY: However -- however, we don't call it the judges. We call it we, the people. And we do have the ability to remove justices that need to be impeached. We also have the ability to pass new amendments if we think a justice is taken the nation in the wrong direction. And where a statute has been misinterpreted, congress can write a statute that clarifies that point. We have ability to rein in excessive judges.

KELLY: All right. And I just want to go quickly down the line. With just a name, favorite Supreme Court justice. Senator Santorum -- current.

SANTORUM: I have to say of these folks over here have been talking about taking on the courts. I have done it. I actually campaigned in Iowa against those justices and I was the only one on this panel that did it, number one.

Number two, when the partial birth abortion status struck down by the Supreme Court, George Bush got elected we actually went back and I worked with Henry Hyde and we passed another bill, told the Supreme Court they were wrong. Passed it, George Bush signed it and it was overturned.

We can talk about reform and doing something to confront the courts, or you can actually go out and make it happen. I made it happen. And it's tops.

KELLY: And quickly down the line, favorite current Supreme Court justice.

PERRY: I'll be as quickly as I can, but when I talk about overhauling Washington, DC., one of the things I talk about besides a part-time congress is no longer having lifetime terms for the federal bench. I think that is one of the ways that you keep these unaccountable legislators from rogues to try to dictate to the rest of us. And I would say, you know, you pick Alito, Roberts, Thomas, pick one.

KELLY: All right. Would you pick one, please.


KELLY: All right. Speaker Gingrich.

GINGRICH: I think that is a pretty darned good list. And I would sign up for those guys. Scalia is probably the most intellectual of the four. They're all four terrific judges.

I mean, if we had nine judges as good as those four we would be happy with the Supreme Court.

KELLY: Congressman Paul?

PAUL: From my point they're all good and they're all bad, because our country a long time ago split freedom up to two pieces -- personal liberty and economic liberty. And the judges, as is congress and as is nation, think it's two issues. It's but one issue. So therefore, congress is on this issue as well as our judges.

KELLY: Last chance to say a name.

PAUL: No, I'm not going to -- all of them are good and all of them are bad. How is that?

KELLY: Congresswoman Bachmann?

BACHMANN: Well, I do think that there are good justices. And I would put Antonin Scalia at the top of the list. I would also include Clarence Thomas and John Roberts and Alito. I think they are all marvelous. It could be
easy to pick any one of them.

KELLY: Governor Huntsman?

HUNTSMAN: One of the reasons I'm optimistic about the future of this country is because we have rule of law. Let's face it. One of the great things that this country has that very few other countries have. So the Judiciary is critically important.

It's also important to note that governors actually some experience appointing judges. You got to make those hard decisions. And as I reflect on those who today serve I've got to say Justice Roberts and Justice Alito fit the bill very, very nicely.

KELLY: Thank you, all.

BAIER: That was a valiant effort.

KELLY: I tried. I tried.

BAIER: Coming up, there is a lot of ground to cover in this next hour. The threat from Iran and other foreign policy hot spots, up-and-down oil prices, immigration and border issues, and controversial social issues. Stay with us. Remember, tweet @bretbaier with a question or follow up. We'll be right back.

(COMMERCIAL BREAK)

BAIER: Welcome back to Sioux City, Iowa, and the Republican presidential debate.

(APPLAUSE)

Fired-up crowd, they're ready for hour number two. And we begin hour number two with an important topic, foreign policy.

Congressman Paul, many Middle East experts now say Iran may be less than one year away from getting a nuclear weapon. Now, judging from your past statements, even if you had solid intelligence that Iran, in fact, was going to get a nuclear weapon, President Paul would remove the U.S. sanctions on Iran, included those added by the Obama administration. So, to be clear, GOP nominee Paul would be running left of President Obama on the issue of Iran?

PAUL: But I'd be running with the American people, because it would be a much better policy. For you to say that there is some scientific evidence and some people arguing that maybe in a year they might have a weapon, there's a lot more saying they don't have it.

There's no U.N. evidence of that happening. Clapper at the -- in our national security department, he says there is no evidence. It's no different than it was in 2003. You know what I really fear about what's happening here? It's another Iraq coming. There's war propaganda going on.

(APPLAUSE)

And we're arguing -- to me, the greatest danger is that we will have a president that will overreact and we will soon bomb Iran. And the sentiment is very mixed. It's -- it's very mixed even in Israel. You know, there -- the -- a head of the security for Israel, who just recently retired, said that it wouldn't make sense to do this, to take -- to take them out, because they might be having a weapon.

So I would say that the greatest danger is overreacting. There is no evidence that they have it. And it would make more sense -- if we lived through the Cold War, which we did, with 30,000 missiles pointed at us, we ought to really sit back and think and not jump the gun and believe that we are going to be attacked. That's how we got into that useless war in Iraq and lost so much in Iraq.

(APPLAUSE)

BAIER: Congressman Paul, the -- the question was based on the premise that you had solid intelligence, you actually had solid intelligence as President Paul, and yet you still at that point would -- would pull back U.S. sanctioned again, as a GOP nominee, would be running left of President Obama on this issue?

PAUL: Yes, All we're doing is promoting their desire to have it. Ehud Barak, the defense minister for Israel, said that -- that, if he were in -- in Iran, he would probably want a nuclear weapon, too, because they're surrounded, for geopolitical reasons. So that's an understanding.

So the fact that they are surrounded, they have a desire. And how do we treat people when they have a nuclear weapon? With a lot more respect. What did we do with Libya? We talked to them. We talked them out of their nuclear weapon. And then we killed them.

So, it makes more sense to work with people. And the whole thing is that nuclear weapons are loaded over there. Pakistan, India, Israel has 300 of them. We have our ships there. We've got to get it in a proper context. We don't need another war.

(CHEERING AND APPLAUSE)

BAIER: Understood. And you make that point quite a lot. I'm going to -- I'll try one more time. Iran is reportedly
running exercises on closing the Strait of Hormuz, a key passage, as you know, for global trade. Now what should the U.S. response be if Iran were to take that dramatic step?

PAUL: This is -- the plans are on the book. All they talk about is, when are we, the West, going to bomb Iran? So why wouldn't they talk about -- they don't have a weapon, they don't have a nuclear weapon, why wouldn't they try to send out some information there and say, you know, if you come and bomb us, we might close the Straits of Hormuz down.

So already the president, and I think he is wisely backing off on the sanctions, because it's going to be an economic calamity if you take all the oil out of Europe. So I think that makes sense.

He knows these sanctions are overreaching. Sanctions are an act of war when you prevent goods and services from going into a country. We need to approach this a little differently. We have 12,000 diplomats in our services. We ought to use a little bit of diplomacy once in a while.

(APPLAUSE)

BAIER: OK. Just a reminder again, that little friendly beep is when you wrap up. Senator Santorum, you have a very different thought about the threat from Iran. For several years, according to the U.S. military leaders, Iran has provided training, funding, and lethal arms to jihadists killing American soldiers in Iraq and Afghanistan. Are those acts of war?

SANTORUM: They have been continually. They just tried to plan an attack here in this country, killing the Saudi ambassador. They have been at war with us since 1979. The IEDs that have killed so many soldiers, they are manufactured in Iran.

This is -- Iran is not any other country. It is a country that is ruled by the equivalent of al Qaeda on top of this country. They are a radical theocracy. The principle virtue of the Islamic Republic of Iran, according to President Ahmadinejad, is not freedom, opportunity; it's martyrdom.

The idea, Ron, that mutual assured destruction, like the policy during the Cold War with the Soviet Union would work on Iran when their principle virtue is martyrdom, is -- mutual assured destruction with respect to Iran would not be any kind of, you know, idea of preventing a war. It would be an inducement to a war.

This is what their objective is. Their objective is to in fact create a calamity. This is what their theology teaches. They believe that it is their mission to take on the West. They don't hate us because of what we do or the policies we have. They hate us because of who we are and what we believe in.

And we need to make sure that they do not have a nuclear weapon. And we should be working with the state of Israel right now. We should use covert activity. And we should be planning a strike against their facilities and say, if you do not open up these facilities and not close them down, we will close them down for you.

(CHEERING AND APPLAUSE)

BAIER: Governor Romney, this week President Obama said the U.S. asked Iran to give our downed high-tech drone back. As you know, the Iranians have it on display. They claim they are extracting data from it and they have no intention of giving it back.

Yesterday you called the president's response, quote, "extraordinarily weak and timid." Now in your book you write, quote, "weakness invites challenges, acts of intimidation, acts of aggression, and sometimes war."

So in this case, are President Obama's actions inviting war?

ROMNEY: Absolutely. Does timidity and weakness invite aggression on the part of other people? Absolutely. A strong America, a strong America is the best ally peace has ever known. This is a president with -- the spy drone being brought down, he says pretty please? A foreign policy based on pretty please? You have got to be kidding.

This is a president who fundamentally believes that this next century is the post-American century. Perhaps it's going to be the Chinese century. He is wrong. It has to be the American century. America has to lead the free world.

(APPLAUSE)

ROMNEY: And the free world has to lead the entire world. The right course under President Obama's plans is to shrink our military, thinking somehow if we appease or accommodate the tyrants of the world, that the world will be safer. He's wrong.

The right course for America is to strengthen our economy, our values, our families, and our military. We need to rebuild our Navy and go from nine ships a year to 15. We need to modernize our Air Force. We need 100,000 new additional troops in our military. We need to take care of our veterans in the way they deserve.

It is time for us to recognize once again a strong military does not create war. A strong America prevents people from trying to test us around the world.

(APPLAUSE)

BAIER: Congresswoman Bachmann, today is the official end of the U.S. military operations in Iraq, and there is real concern, as you know, about growing Iranian influence inside Iraq. Also, the deputy prime minister there
has expressed concerns about the country possibly slipping into civil war. Are there any circumstances as president where you would send U.S. troops back in to Iraq?

BACHMANN: Well, I think clearly the biggest mistake that President Obama has made -- and there are many when it comes to foreign policy -- has been the decision that he made regarding Iraq. He was essentially given on a silver platter victory in Iraq, and he's choosing intentionally to lose the peace.

And we all know what's going to happen. We know that Iran is going to be the hegemon and try to come into Iraq and have the dominant influence. And then Iraq will essentially have dominance from the Persian Gulf all the way to the Mediterranean through its ally, Syria.

And with all due respect to Ron Paul, I think I have never heard a more dangerous answer for American security than the one that we just heard from Ron Paul. And I'll tell you the reason why.

(APPLAUSE)

And the reason -- the reason why I would say that is because we know, without a shadow of a doubt, that Iran will take a nuclear weapon, they will use it to wipe our ally, Israel, off the face of the map, and they've stated they will use it against the United States of America.

Look no further than the Iranian constitution, which states unequivocally that their admission -- their mission is to extend jihad across the world and eventually to set up a worldwide caliphate. We would be fools and knaves to ignore their purpose and their plan.

(APPLAUSE)

BAIER: Congressman Paul?

PAUL: Obviously, I would like to see a lot less nuclear weapons. I -- I don't want Iran to have a nuclear weapon. I would like to reduce them, because there would be less chance of war.

But to declare war on 1.2 billion Muslims and say all Muslims are the same, this is dangerous talk. Yeah, there are some radicals, but they don't come here to kill us because we're free and prosperous. Do they go to Switzerland and Sweden? I mean, that's absurd.

If you think that is the reason, we have no chance of winning this. They come here and explicitly explain it to us. The CIA has explained it to us. It said they come here and they want to do us harm because we're bombing them.

What is the whole world about the drone being in Iran? And we're begging and pleading, and how are we going to start a war to get this drone back? Why were we flying the drone over Iran? Why do we have to bomb so many countries? Why are we in -- have 900 bases, 130 countries, and we're totally bankrupt? How are you going to rebuild the military when we have no money? How are we going to take care of the people?

(APPLAUSE)

So I think -- I think this wild goal to have another war in the name of defense is the dangerous thing. The danger is really us overreacting. And we need a strong national defense. And we need to only go to war with a declaration of war, and just carelessly flouting it and starting these wars so often.

BAIER: Speaker Gingrich, is Congressman Paul...

(CROSSTALK)

BACHMANN: And the point would be -- can I respond to that? Can I...

BAIER: Go ahead.

BACHMANN: Can I respond? And the problem would be the greatest under-reaction in world history if we have an avowed madman who uses that nuclear weapon to wipe nations off the face of the Earth. And we have an IAEA report that just recently came out that said, literally, Iran is within just months of being able to obtain that weapon. Nothing could be more dangerous than the comments that we just heard.

(CROSSTALK)

BAIER: All right, 30 seconds, Dr. Paul.

PAUL: There is no U.N. report that said that. It's totally wrong on what -- what you just said.

BACHMANN: It's an IAEA report.

PAUL: That -- that is not -- that is not true. They -- they produced information that led you to believe that, but they have no evidence. There's no -- been no enrichment of these bombs.

BACHMANN: And if we agree with that...

(BOOING)

... if we agree with that, the United States' people could be at risk of our national security.

PAUL: OK. She took my time, so I'd like -- I'd like to finish. If she thinks we live in a dangerous world, she...
ought to think back when I was drafted in the 1962 with nuclear missiles in Cuba. And Kennedy calls
Khrushchev and talks to them, and talks them out of this so we don't have a nuclear exchange.

And you're trying to dramatize this, that we have to go and -- and treat Iran like we've treated Iraq and kill a
million Iraqis, and 8,000-some Americans have died since we've gone to war. You cannot solve these problems
with war. You can solve the problems if we follow our constitution and go to war only when we declare the war,
win them and get them over with instead of this endless fighting and this endless attitude that we have enemy
all around the world.

BACHMANN: But as president, I stand on the side of...

BAIER: Thank you -- we have been liberal with our friendly ding.

Mr. Speaker, you have been openly critical of the United Nations. For example on the topic of Palestinian
efforts for statehood at the U.S. you said, quote, "we don't need to fund a corrupt institution to beat up on our
allies."

In a Gingrich administration would the United States leave the UN?

GINGRICH: No, but we would dramatically reduce our reliance on it. And we'd confront certain realities. People
talk about a peace process. 11 missiles were fired in Israel last month, last month. Over 200 missiles fired at
Israel this year. You think if we had 11 missiles fired in the United States we -- well, this president anyway
would say gee, maybe we could communicate and you would like us more.

But I don't think there is -- you know, I think most of us, most Americans would say you know if you are firing
missiles at me, that may not be a good gesture. OK? The United Nations camps that we have helped fund have
been training grounds for terrorism.

As Congressman Bachmann pointed out the last time we debated, she was over there with textbooks that are
clearly teaching terrorism that are indirectly funded by the United States through the UN.

We have no obligation to lie and every obligation to tell the truth about how bad the UN bureaucracy is and why
it ought to be fixed or we ought to radically cut what we're paying.

BAIER: Governor Huntsman, do you agree?

HUNTSMAN: I think the United Nations serves a useful purpose in the area of peacekeeping and some
humanitarian work. Beyond that, I hate the anti-Americanism. I hate the anti-Israel sentiment.

But let me tell you what this nation needs and what it is going to get under a Huntsman administration. It needs
a new foreign policy. We need to update it a little bit. We are still trapped a little bit in the Cold War, George
Tenet (ph) mind set.

I want to make sure that first and foremost we have a foreign policy, and a the national security strategy that
recognizes that we have to fix our core here at home. We are weak. This economy is broken. When we are
strong, we project values of goodness that transform and change people like no military can -- liberty,
democracy, human rights and free markets.

We have got to fix this core first and foremost if we are going to be effective overseas. And that is what I want
to focus on.

Second of all, I want to make sure that...

BAIER: Governor Huntsman, that is the time.

HUNTSMAN: Let me just get the second point.

Second of all, I want a foreign policy -- I want a foreign policy that is driven by economics first. Let me just tell
you, its used to break my heart sitting in embassy in Beijing the second largest embassy in the world looking at
Afghanistan with 100,000 troops. We are securing the place, the Chinese go in and they win the mining
concession. There is something wrong with that picture.

We need to change the way we're doing business.

BAIER: OK. Two dings in that one.

Governor Perry, given the grim details of the recent United Nations report on the Syrian regime killing and
torturing its own people, thousands of people said to be killed at the hands of the Assad regime. At what point
should the U.S. consider military intervention there?

PERRY: Well, I have already called for a overfly zone -- no fly zone over Syria already. They are Iran's partner.
They are attached at the hip. And we have to stand firm with our ally in that region, Israel. There needs to be
no space between the United States and Israel. And this administration has absolutely bungled.

It is the most muddled foreign policy that I can ever remember in my lifetime whether it was in '09 when we had
the opportunity either covertly, overtly or other ways of helping the Iranian citizens as they were trying to
overthrow that repressive regime, whether it was working with Mubarak, and trying to have a moderate to
come in and replace him, whether it was leading from behind, as we have seen in Libya, and now we have seen this president, as Mitt and Newt have both talked about, asking the Iranians to give us back that drone.

What we should have done is one of two things -- we either destroy it or we retrieve it. He took a third route, which was the worst and the weakest, and that is to do nothing.

BAIER: Now to my colleague Neil Cavuto -- Neil?

CAVUTO: Candidates, I want to move on if we can to energy issues. And Speaker Gingrich, I would like to begin with you. As you know, the president, sir, has rejected any efforts to tie a payroll tax cut extension with the Keystone pipeline and to reopen it and to explore reopening it as well.

He says that any other way to connect the two would be akin to adding an extraneous issue. Given his opposition and -- and the likelihood that the Keystone issue could be up in the air for a year or more, how do you recommend Republicans deal with this to force the issue?

GINGRICH: You know, Neil, I sometimes get accused of using language that's too strong, so I've been editing. (LAUGHTER)

I'm very concerned about not appearing to be zany. And...

(LAUGHTER)

But -- but I want to paint a picture for all of us. The Iranians are practicing closing the Straits of Hormuz. The Canadian prime minister has already said to the American president, if you don't want to build this pipeline to bring -- create 20,000 American jobs and bring oil through the United States to the largest refinery complex in the world, Houston. I want to put it straight west in Canada to Vancouver and ship the oil direct to China, so you'll lose the jobs, you'll lose the throughput, you'll lose 30 or 40 years of work in Houston.

And the president of the United States cannot figure out that it is -- I'm using mild words here -- utterly irrational to say, I'm now going to veto a middle-class tax cut to protect left-wing environmental extremists in San Francisco, so that we're going to kill American jobs, weaken American energy, make us more vulnerable to the Iranians, and do so in a way that makes no sense to any normal, rational American.

(APLAUSE)

CAVUTO: No offense, sir, but you didn't answer my question.

(LAUGHTER)

What would -- what would you do to try to move on this within a year?

GINGRICH: What -- what should the congressional Republicans do? They should attach it to the middle-class tax cut, send it to president, force him to veto it, send it a second time. We had to send welfare reform to Bill Clinton three times. He vetoed it twice. By the third time, the popular outrage was so angry, 92 percent of the country wanted to have welfare reform, he decided to sign it. It happened to be an election year.

I'd say to the president, you want to look like you are totally out of touch with the American people? Be my guest, but I'm not backing down when we're right and you are totally wrong.

(APLAUSE)

CAVUTO: Governor Huntsman, on the same issue (inaudible)

the delay, as you've pointed out, stands to threaten thousands of jobs, in a recent speech, you said potentially up to 100,000 jobs. But the president's supporters say a rushed decision could cost the environment a great deal more. What I'd like to ask you, Governor, is there any condition under which a President Huntsman would say the need to protect our land trumps the need to provide more jobs?

HUNTSMAN: It's always going to be a balancing act. We've got land that everybody respects and appreciates, but the job we've got to undertake as American people is to fuel our future.

We have no choice. I mean, our economy has hit the wall. I want to get rid of that heroin-like addiction we have based on imported oil. Three hundred billion dollars transfers every year from this country to a lot of unpredictable and relationships that are no more than transactional.

In order to get to where this country needs to be, we need a relationship with Canada from which we can draw raw materials. But I also want to make sure that I'm able as president to disrupt the oil monopoly. There's a one-product monopoly in terms of product distribution in this country. If we're going to achieve real energy independence, we're going to have to be able to draw from a multiplicity of products like natural gas.

We wake up to the reality (inaudible) in this country that we have more natural gas than Saudi Arabia has oil, I say, how stupid are we? When are we going to get with the picture and start converting to transportation, converting to manufacturing, converting to electricity and power generation? It is completely within our grasp.

It's going to require a president who understands that -- that delicate balance and who's going to be able to go out with an aggressive plan toward energy independence -- independence that gets it done for this country.
Congresswoman Bachmann, you were very critical, Congresswoman, of the extended shutdown after the BP oil spill that I believe lasted upwards of five, six months, in terms of a moratorium.

I was wondering, though, Congresswoman, if you were president and there were such a disaster again, what would be an acceptable period for oil drilling to cease, for you to get to the bottom of a problem?

Well, what we needed to do was find out what the true cause of the problem was. And the Obama administration wasn't willing to have a true and thoughtful investigation to get to the bottom of it. President Obama jumped to conclusions, and he put a moratorium on accessing American oil in the Gulf region that actually hurt the economy more than the original disaster. But I wanted to add something on Keystone.

Keystone is extremely important, the pipeline.

This pipeline is one that would have brought at least 20,000 jobs, at least $6.5 billion worth of economic activity. And if I was president of the United States, I wouldn't have taken the decision that President Obama did. His entire calculus was based upon his reelection effort. Because quite frankly, the radical environmentalists said to President Obama, you pass Keystone, we're not going to do your volunteer door-to-door work.

That's what Barack Obama has done to this country. He's put his reelection over adding jobs and making the United States energy independent. I would have made the decision as president of the United States, we would put Keystone online immediately.

Governor Perry, you have railed against the special treatment of Ford and Solyndra as have the other candidates here tonight. And particularly the tax code incentives for green technologies and allowances that have been made for this industry. But it's nexus, governor you have afforded the same attention to the oil industry: Back in 2003, you signed a bill that reduced the tax paid by some natural gas companies that have helped them reap since, better than $7 billion in tax savings. So I -- I guess what I'm saying is, are you guilty of the same behavior as governor, favoring an industry that you claim this president has, favoring the green industry?

Today is the 220th anniversary of the signing of the Bill of Rights. And one of those, the Tenth Amendment, I like a lot. And the reason is because that's how our founding fathers saw this country set up. Where we had these laboratories of innovation. It's -- it should be in the purview and the decision making process of a state. If they want to put tax policies in place that helps make them be more competitive.

We did it not only for the oil and gas industry, but we also did it for the alternative industry -- alternative energy industry. And the wind industry. They came in droves, made Texas the number one wind energy producing state in the nation. But government shouldn't be picking winners and losers from Washington, D.C. That's the difference. If in the states -- I'll promise you Terry Branstad in this state, he knows how to put tax policy, regulatory policy in place to make his state be more competitive. And you need 50 states out there competing with each other and Washington out of their hair.

Thank you Neil. And a reminder, go to Foxnews.com/debate to see how well the candidates are answering the questions with your votes. Coming up, we’ll talk about border issues, immigration and a topic that got a lot of attention on Twitter, plus some controversial social issues as well. Stay tuned.

Welcome back to Sioux City, Iowa. And our Republican presidential debate here in northwestern Iowa.

These people tend to like it I think so far. I think they do. You have to next round of questions on board issues and immigration.

The question is for you, Governor Perry. This topic received traffic on Twitter. You have joined the 57 House Republicans who have called for the attorney general of the United States, Eric Holder, to resign in the wake of the failed federal gun tracking program Operation Fast and Furious.

So far, there is no clear proof that Mr. Holder knew about the controversial aspects of this operation. And he points out that he actually helped stop it when it came to his attention. Are you and other Republicans politicizing this issue as General Holder claims?

If I'm the president of the United States, and I find out that there is an operation like Fast and Furious and my attorney general didn't know about it, I would have him resign immediately. You cannot, the president of the United States comes to El Paso, Texas, earlier this year and proclaims that the border of Texas and Mexico is safer than it's ever been.

Well, let me tell you, I've been dealing with this issue for 11 years. I've sent Texas Ranger roon teams there.
Our law enforcement men and women face fire from across the border or in the U.S. side from these drug cartels. It is not safe there. Our country is at jeopardy.

If we are going to be able to defend America, from Iran, from Hezbollah, from Hamas, that are using Mexico as a border, as a way to penetrate in the southern part of the United States. Venezuela has the largest Iranian embassy in the world there. We know what is going on. It is time for this country to have a real conversation about a Monroe Doctrine again like we did against the Cubans in the 60s.

KELLY: Senator Santorum, what say you to the attorney general's claim that the Republicans are politicizing this issue?

SANTORUM: I would agree with Governor Perry that if he was the attorney general under me, I would have him -- I would fire him. I wouldn't have him resign. I'd fire him. This is something he should have been aware of, something that should have been stopped, it shouldn't have started in the first place.

I think Governor Perry is also right. And this is something I've been saying now for many years, which is we need to pay much more attention to what is going on in our own hemisphere, not only do they have the largest embassy in Venezuela, there are flights from Tehran, from Damascus to Caracas. And those flights stop at a military base before they come into the civilian base.

There are training camps, jihadi training camps in Central and South America. They're working with the drug cartels. And they are planning assaults on the United States. That is what we know is going on right now. And we are doing -- this president has ignored that threat. Has insulted our allies like Honduras and Colombia, deliberately. Has embraced -- as he has the other scoundrels in the Middle East, has embraced Chavez and Ortega and others in Central and South America, not promoting our values and interests.

We need a brand new initiative, an initiative that says that we will promote our values in this region and we will stop the spread of terrorism in Central and South America.

(CHEERING AND APPLAUSE)

KELLY: Governor Romney, last week you said that the 11 million illegal immigrants now in this country must return to their countries of origin before they can apply for legal status.

You also said that we are not going to go around and round up the 11 million. Why would these illegal immigrants voluntarily leave America just to apply for a chance at legal status, especially when they have your assurance that if they stay put we are not going to round them up?

ROMNEY: Let me tell you how that works. We are going to have an identification card for people who come here legally. The last campaign, actually, Rudy Giuliani talked about this time and time again.

We would have a card, a little plastic card, bio-information on it. Individuals who come here legally have that card. And when they apply for a job, they are able to show that to the employer. The employer must then check it with E-Verify or a similar system.

Newt Gingrich points out, let Federal Express -- or not Federal Express, American Express or MasterCard or Visa process that, immediately determine if the card is valid or not.

So people come here legally, they've got that card. If employers hire people without that card, the employer gets sanctioned just like they do for not paying taxes. Very serious sanctions.

So you say to people who are here illegally today, you are not going to be able to work here unless you register, unless -- and we will give you transition period of time, and then ultimately you have got to go home, apply for permanent residency here or citizenship, if you want to try and do that, but get in line behind everyone else.

My view is, people who have come here illegally, we welcome you to apply but you must get at the back of the line, because there are millions of people who are in line right now that want to come here legally. I want those to come here legally. Those that are here illegally have to get in line with everybody else.

(APPLAUSE)

KELLY: Speaker Gingrich, is that realistic?

GINGRICH: Well, let me start and say that Congressman Steve King has just introduced the IDEA act, which would in fact reinforce this model. Because it would take away all tax deductibility for anyone who is employed illegally, and once you have something like E-Verify effectively working, you really build a big sanction.

We disagree some on what you do with very, very long-term people here. I think somebody who has been here 25 years and has family here and has local family supporting them ought to have some kind of civilian certification.

But let me say on this whole issue of immigration. On day one, I would drop all the lawsuits against Arizona, South Carolina, and Alabama. It is wrong for the government.

(CHEERING AND APPLAUSE)

GINGRICH: I would propose -- I would propose cutting off all federal aid to any sanctuary city that deliberately violated federal law.
GINGRICH: And I would begin the process of completing control of the border by January 1st, 2014. Those steps would begin to fundamentally change the entire way of behavior towards getting control of legality in the United States.

KELLY: Governor Huntsman, a recent FOX News poll showed that 66 percent of voters believe that the government should allow a pass to citizenship for the illegal immigrants who are already here in this country. Nearly three-quarters of Latinos agree. Given these majorities and given the growing importance of the Latino vote in the general election, does the Republican presidential candidate need to take a more moderate approach on this issue if he hopes to defeat President Obama?

HUNTSMAN: Well, I think the Republican candidate has to speak based on our values, the values of the Republican Party. Limited government, pro-growth, these are the things that the Hispanic and the Latino populations are going to be looking for.

You don't need to pander. You just need to be -- we need to be who we are. But in terms of immigration, and illegal immigration, this president has so screwed up this economy, nobody is coming anymore. There is nothing to come for. I mean, there's not a problem today. Just take a look at the numbers coming across.

I mean, the numbers were posted the other day, lowest in four decades. So I say, you know, we have got to secure the border, of course. We have got to deal with the 11, 12 million people who are here.

But let's not lose sight of the fact that legal immigration is an engine of growth for this country. Half of the Fortune 500 companies in this country today were founded by immigrants.

We have lost probably -- well, our market share of travel and tourism has gone from 7 percent to 12 percent because our visa system is so screwed up in this nation. So you've got to look at the Department of Homeland Security.

You've got to completely remake the way that people are moving back and forth, our H1-B visa system, how we are dealing with the movement of people, how we are dealing with immigration. This is an economic development opportunity and we are missing it.

WALLACE: Chris Wallace has the next round of questions.

WALLACE: Thanks, Bret. Governor Romney, you have changed your position in the last 10 years on abortion, on gay rights, on guns. You say keeping an open mind is a strength, but some of your critics say that every one of these moves has been to your political advantage. When you were running in Massachusetts, you took liberal positions. Running now as president, you take more conservative positions. Is that principle or is it just politics?

ROMNEY: Well, I'll begin by taking exception with your list there. I did change my...

WALLACE: Which -- which one?

ROMNEY: Gay rights.

WALLACE: Well...

WALLACE: Well...

WALLACE: I'm firmly in support of people not being discriminated against based upon their sexual orientation. At the same time, I oppose same-sex marriage. That's been my position from the beginning.

With regards to abortion, I changed my mind. With regards to abortion, I had the experience of coming in to office, running for governor, saying, you know, I'm going to keep the laws as they exist in the state. And they were pro-choice laws, so effectively I was pro-choice.

Then I had a bill come to my desk that didn't just keep the laws as they were, but would have created new embryos for the purpose of destroying them. I studied it in some depth and concluded I simply could not sign on to take human life. I vetoed that bill.

WALLACE: If I may just pick up, you say the one issue which I was wrong on was gay rights. Correct, sir?

ROMNEY: Mm-hmm. What was the -- what was the -- I don't recall the whole list, but I...
WALLACE: It was abortion, gay rights, and guns.

ROMNEY: You know, I've always supported the Second Amendment. And -- and we had a piece of legislation that came to our desk that would have -- that provided an assault weapon ban. The gun lobby favored it because it also did things that the gun lobby wanted. Working with them, we decided to sign the bill. So you can say, well, I've changed my position on that, but I've been pro-gun and continue to be pro-gun.

WALLACE: If I may, sir, in 1994, when you were running for the Senate, you wrote a letter to the Log Cabin Republicans in which you said, "I am more convinced than ever before that, as we seek full equality for America's gay and lesbian citizens, I will provide more effective leadership than my opponent," who was Ted Kennedy.

In 1994, you also said you supported not only an assault weapons ban, but also a five-day waiting period. And in 2002, when you were running as governor, you said that you supported the tough gun control laws in Massachusetts. And then as you say in 2004, you also signed an assault weapons ban.

So you are still more of a champion of gay rights than Ted Kennedy was?

ROMNEY: I think -- I think -- I think you just said exactly what I said, which is this.

WALLACE: I...

ROMNEY: Let me -- let me go back and say that. I do not believe in discriminating against people based upon their sexual orientation. There are some people that do. I had a member of my administration, my cabinet who was -- who was gay. I didn't ask justices that I was looking to appoint -- rather, people who are applicants for jobs -- what their sexual orientation was.

I believe as a Republican, I had the potential to fight for antidiscrimination in a way that would be even better than Senator Kennedy, as a Democrat, was expected to do so.

At the same time, Chris, in 1994 -- and throughout my career -- I've said I oppose same-sex marriage. Marriage is a relationship between a man and a woman. My view is -- let me tell you -- protects -- protect the sanctity of marriage, protect the sanctity of life. That's my view. I've had it for many years.

Thank you.

(APPLAUSE)

WALLACE: Senator Santorum, you have campaigned on social issues as much or perhaps more than any other candidate on this stage. Are you persuaded that Governor Romney has made these changes or what he says in some cases are not changes, based on principle and not political expedience?

SANTORUM: Governor Romney, when he was governor of Massachusetts, was faced with a Supreme Court decision that said that same-sex -- that traditional marriage was unconstitutional. In that court decision, the court said that they did not have the power to change the law in Massachusetts and rule same-sex marriage legal. Why? Because in the Massachusetts constitution, it states specifically that only the governor and the legislature can change marriage laws.

Governor Romney -- the court then gave the legislature a certain amount of time to change the law. They did not. So Governor Romney was faced with a choice. Go along with the court, or go along with the constitution and the statute. He chose the court and ordered people to issue gay marriage licenses, and went beyond that. He personally as governor issued gay marriage licenses. I don't think that is an accurate representation of his position of saying tolerance versus substantively changes in the laws.

I've had a strong, consistent track record of standing up for the values of this country, not discriminating. It had a no discrimination policy in my office. But we're not talking about discrimination. We're talking about changing the basic values of our country.

WALLACE: Governor Romney, 30 seconds to respond, sir.

(APPLAUSE)

ROMNEY: That is a very novel understanding of what our Supreme Court of Massachusetts did. I think everybody in Massachusetts and the legal profession in Massachusetts and my legal counsel indicated that the Supreme Court of Massachusetts determined that under our constitution, same-sex marriage was required. And the idea that somehow that was up to me to make a choice as to whether we had it or not is a little unusual. We got together with our legislature and I fought leading an effort to put in place a constitutional amendment in Massachusetts to overturn the court's decision to make marriage as a relationship between a man and a woman.

This is something I battled in the year I had after their decision. I fought it every way I possibly could. I went to Washington, testifying in favor of a federal amendment to define marriage as a relationship between a man and a woman.

Let me tell you, I want to make it very clear, I have been a champion of protecting traditional marriage that continues to be my view. If I somehow missed somewhere I'm happy to get corrected. But that is something I feel very deeply.
WALLACE: All right. Congresswoman Bachmann, you say that Speaker Gingrich has a, quote, "inconsistent record on life" and you singled out comments he made recently that life begins with the implantation of a fertilized egg, not at conception. What is your concern?

BACHMANN: Well, my concern is the fact that the Republican Party can't get the issue of life wrong. This is a basic part of our party. Just last night we gathered in Des Moines to talk about this issue, because it's that crucial to our party. And one of the concerns that I had is that when Speaker Gingrich was Speaker of the House he had an opportunity to de-fund Planned Parenthood. And he chose not to take it. That is a big issue.

And also I think even more troubling when he was in Washington, D.C., he made an affirmative statement that he would not only support but he would campaign for Republicans who are in support of the barbaric procedure known as partial birth abortion. I could never do that.

And as a matter of fact, George Will asked the question of Speaker Gingrich. he said this: he said, "Is it a virtue to tolerate infanticide?" This is a seminal issue and something we can't get wrong. As president of the United States, I will be 100 percent pro-life from conception until natural death.

WALLACE: Speaker Gingrich?

GINGRICH: Sometimes Congressman Bachmann doesn't get her facts very accurate. I had a 98.5 percent right to life voting record in 20 years. The only...

WALLACE: Go ahead. I'm...

GINGRICH: The only difference was that they didn't like the initial welfare reform bill, which every other conservative group had said had nothing in it on abortion. Period. That's the only one in 20 years.

I believe that life begins at conception. The conversation we're having which is an ABC interview, I was frankly thinking about proposing a commission to look at fertility, because I think there is a challenge with what happens to embryos, who I think should be regarded as life because by definition they have been conceived. I am against any kind of experimentation on embryos. And I think my position on life actually has been very clear and very consistent.

WALLACE: Let me just ask you -- no. I want to ask you a direct question, if I may, speaker. That was your rebuttal to Congresswoman Bachmann.

BACHMANN: Can I rebuttal, because have a rebuttal for getting my facts wrong?

WALLACE: Absolutely, congresswoman.

BACHMANN: Because this isn't just once, I think it's outrageous to continue to say over and over through the debate that I don't have my facts right. When as a matter of fact, I do. I'm a serious candidate for president of the United States. And my facts are accurate.

Speaker Gingrich said that he would actively support and campaign for Republicans who got behind the barbaric practice of partial birth abortions. This is not a small issue. This is a big issue.

I think George Will was right when he asked that question. What virtue is there in tolerating infanticide?

WALLACE: We are way over time. So I'm just going to ask you for 30 seconds to respond on the that specific issue.

GINGRICH: Well, first of all, what I said on that particular issue is I wouldn't go out and try to purge Republicans. Now, I don't see how you are going to govern the country if you are going to run around and decide who you are going to purge. The fact is, twice when I was speaker we moved the end of partial-birth abortion. Clinton vetoed it. We worked very hard. And Rick Santorum has been a leader on this issue.

I have consistently opposed partial birth abortion. I, in fact, would like to see us go much further than that and eliminate abortion as a choice. And I said as president I would de-fund Planned Parenthood and shift the money to pay for adoption services to give young women a choice of life rather than death.

WALLACE: Thank you, speaker.

GINGRICH: Thank you, Chris. Candidates, Ronald Reagan famously espoused his 11th Commandment: Thou shalt not...

PROTESTER: (OFF-MIKE)

BAIER: I'm sorry. Thank you. Thank you very much.

PROTESTER: (OFF-MIKE)

BAIER: Thank you very much. Well -- well, let me just finish this question. We're running out of time.

Ronald Reagan famously espoused the 11th Commandment: Thou shall not speak ill of another Republican. Yet to varying degrees, during this campaign, you've all broken that one way or another, broken that vow. So I guess the question is, how do you balance on the one hand trying to win the nomination with on the other hand not weakening the eventual nominee to the point where he or she is less electable than President Obama?
Down the row, Senator Santorum?

SANTORUM: We have a responsibility to vet the candidates. That’s what -- look, I’ve been at 350 town hall meetings. I’ve been kicked pretty hard by a lot of Iowans about the positions I hold, and that’s what -- that’s the process. The process is, let’s find out who can stand up. Let’s find out who has the best record, who’s the most -- who’s the person that can have that -- the consistency of -- of going out there and finding for the principles that we believe in.

Because I -- let me assure you, the other side’s going to kick very, very hard, and we have to have someone who can stand up for it, fight, and holds those convictions deep so they can fight the good fight in the fall and win this presidency.

BAIER: Governor Perry?

PERRY: Yeah, there’s a -- there’s an -- as a matter of fact, I think that was the Republican chairman, not Ronald Reagan, that actually said that.

BAIER: Well, he espoused it. That’s what I said.

PERRY: Right, indeed he did. But there’s an NFL player -- his name doesn’t come to mind -- but he said, if you don’t get your tail kicked every now and then, you’re not playing at a high enough level. And I just want to give all of you all credit for letting me play at a high enough level and for training me (ph) the way that you have.

(LAUGHTER)

BAIER: Governor Romney?

ROMNEY: Yeah, we can handle it. And -- and there’s nothing -- there’s nothing that’s been said by -- by these folks on this stage about me that I’m not going to hear 100 times from -- from President Obama. He’s going to have a -- what, $1 billion to go after me or whoever our nominee is? We’re -- we’re going to give each other what we need to for people to understand who we are.

But let’s not forget this. Let’s every day remember that, time and time again, this -- it’s President Obama we’ve got to be talking about. He has unveiled himself as a president that’s not -- not the right person to lead this country.

(APPLAUSE)

BAIER: Speaker Gingrich?

GINGRICH: Well, I think it’s pretty clear, if you look at my ads, if you look at my website, if you look at what -- how I’ve operated in the debates, that while I reserve the right to correct attacks against my -- against me, overall I’ve tried very hard to talk about very big solutions to be -- to go to the American people with the communication about, what do we need to do?

And I’ve said consistently, these are all friends of mine. Any of these folks would be better than Barack Obama in the White House. Any of them would be great in the next administration.

(APPLAUSE)

Our only opponent is Barack Obama. And we need to come out of this process remembering: Beating him is what we collectively have to do.

(APPLAUSE)

BAIER: Congressman Paul?

PAUL: You know, the media has a responsibility and we have a responsibility, and I think exposing our opponents to what they believe in and their flip-flop, I think the reason maybe that we had to do more this year is maybe the media is messing up and they haven’t asked enough questions, that we have to fill in and ask these questions and get this information out.

So, no, I think it’s a responsibility on us. I think there should be lines drawn. I think there are some things below the belt. I don’t think -- but I don’t like the demagoguing, the distortion, and taking things out of context. I don’t like that. But when they disagree on an issue, important issues, then we should expose it.

BAIER: Congresswoman Bachmann?

(BPPLAUSE)

BACHMANN: Ronald Reagan also brought clarity to the -- his opponents that he had in his primaries, as well. And he famously asked the question, in 1980, are we better off today than we were four years under Jimmy Carter? And I think the republic is in far worse shape today under Barack Obama’s leadership.

That’s what we’re exposing now. Who will be -- who will continue that legacy of Ronald Reagan? And who will take Barack Obama on toe to toe and hold him accountable? And I think that I’ll be the best one to do that on the stage.

BAIER: Governor Huntsman?
HUNTSMAN: I actually worked for Ronald Reagan. And I think he would have been the first to stand up and say: Debate is good. It must be respectful, and it must be rigorous.

A rigorous debate will lead to greater trust. And the one thing this nation needs desperately today is heightened trust, in our institutions, in our tax code, in our wars abroad, in Congress, toward Wall Street.

And I'm here to tell you that this kind of debate over time is going to elevate the trust level in whomever makes it out as the nominee. That will allow us to beat Barack Obama.

Thank you.

(APPLAUSE)

BAIER: Well, that is it for our debate tonight. Thank you all very much. Our thanks to the candidates, their staffs, the Iowa Republican Party, and to all the great people here in Sioux City, and, of course, in Iowa. They could not have been more hospitable.

Our next debate is in South Carolina January 16th. But after the holidays, we'll be right back here in Iowa for extensive coverage of the caucuses, then in New Hampshire for the primary. Stay with Fox News Channel. America's election headquarters, all the way through the conventions, the general election, and, of course, the inauguration in 2013. Post-debate analysis is on the way. Keep it here. Thank you.

END

Dec 15, 2011 23:12 ET. EOF
Republican Presidential Candidates Debate Sponsored by Fox News and the Iowa Republican Party Republican Candidates: Representative Michele Bachmann (R-MN); Former Speaker of the House of Representatives Newt Gingrich (R-GA); Former Utah Governor Jon Huntsman (R); Representative Ron Paul (R-TX); Governor Rick Perry (R-TX); Former Massachusetts Governor Mitt Romney (R); Former Senator Rick Santorum (R-PA) Moderator: Bret Baier, Fox News Also Present: Megyn Kelly and Chris Wallace of Fox News Location: Sioux City Convention Center, Sioux City, Iowa Time: 9:03 p.m. EST Date: Thursday, December 12, 2011

BRET BAIER: Speaker Gingrich, since our last debate, your position in this race has changed dramatically. You are now physically at the center of the stage, which means you're at the top of the polls.

Yet many Republicans seem conflicted about you. They say that you're smart, that you're a big thinker. At the same time, many of those same Republicans worry deeply about your electability in a general election, saying perhaps Governor Romney is a safer bet.

Can you put to rest once and for all the persistent doubts that you are indeed the right candidate on this stage to go up and beat President Obama?

NEWT GINGRICH: Well, first of all, let me just say, to you and to all of our viewers, merry Christmas. This is a great time for us to be here. And I hope that everybody across the country has a very joyous Christmas season.

I've been around long enough that I remember at this exact time in 1979 when Ronald Reagan was running 30 points behind Bill -- behind Jimmy Carter. And if people had said, gosh, electability is the number one issue, they wouldn't have nominated him. What they said was he believes what he's talking about, he has big solutions, he can get the economy growing, he understands foreign policy, and he's the person I want to have debate Jimmy Carter. He carried more states against Carter than FDR carried against Herbert Hoover in 1932.

I believe I can debate Barack Obama, and I think in seven three-hour debates, Barack Obama will not have a -- a leg to stand on in trying to defend a record that is terrible and an ideology that is radical.

MR. BAIER: Mr. Speaker, Governor Romney -- (applause) -- Governor Romney just yesterday said you're an unreliable conservative. Now, obviously, he's your opponent.

MR. GINGRICH: (Chuckles.)
MR. BAIER: He's your opponent. But even Iowa Governor Terry Branstad said today he respects you greatly, but he openly questioned whether you had the discipline and focus to be president.

MR. GINGRICH: Well, those are two different questions. The -- let -- let me take them one by one very quickly.

I have a 90 percent American Conservative Union voting record for 20 years. I balanced the budget for four straight years, paid off $405 billion in debt -- pretty conservative. The first entitlement reform of your lifetime -- in fact, the only major entitlement reform to now is welfare. Two-out-of-three people went back to work or went to school -- pretty conservative. First tax cut in 16 years, largest capital gains tax cut in American history, unemployment came down to 4.2 percent -- pretty conservative. I think on the conservative thing, it's sort of laughable to suggest that somebody who campaigned with Ronald Reagan and with Jack Kemp and has had a 30-year record of conservatism is somehow not a conservative.

MR. BAIER: And what about the concerns from Iowa Governor Branstad?

MR. GINGRICH: I think people have to watch my career and decide. I spent 16 years working to create the first Republican majority in 40 years. I spent years helping create the first balanced budget. I'm the longest-serving teacher in the senior military, 23 years teaching one- and two-star generals and admirals the art of war. I think it's fair to say that my commitment to discipline and systematic work is fairly obvious. You know, people just have to decide.

Part of the difference is, I do change things when condition change, and part of the difference is, I strive for very large changes. And I'm prepared to really try to lead the American people to get this country back on the right track, and that's a very large change.

MR. BAIER: Now to my colleague Megyn Kelly. (Applause.)

MEGYN KELLY: A similar question to you, Congressman Paul. You have some bold ideas, some very fervent supporters and probably the most organized ground campaign here in Iowa. But there are many Republicans inside and outside of this state who openly doubt whether you can be elected president. How can you convince them otherwise? And if you don't wind up winning this nomination, will you pledge here tonight that you will support the ultimate nominee?

REPRESENTATIVE RON PAUL (R-TX): Well, you know, fortunately for the Republican Party this year, probably every -- anybody up here could probably beat Obama. So -- (laughter, cheers, applause) -- so the challenge isn't all that great on how we're going to beat Obama. I think he's beating himself.

I think really the question is, is what do we have to offer? And I have something different to offer. I emphasize civil liberties. I emphasize a pro-American foreign policy, which is a lot different than policeman of the world. I emphasize, you know, monetary policy and these things that the other candidates don't -- don't talk about.

But I think the important thing is, the philosophy I'm talking about is the Constitution and freedom, and that brings people together. It brings independents in the fold and it brings Democrats over on some of these issues.

So therefore, I see this philosophy as being very electable, because it's an American philosophy, it's the rule of law. And it -- it means that, you know, we ought to balance the budget. It opens up the door for saying -- just supporting my willingness to cut $1 trillion out of the budget the first year. (Cheers, applause.)
MS. KELLY: Senator Santorum, no one has spent more time in Iowa than you.

RICK SANTORUM: Right.

MS. KELLY: You have visited every county in the state. And yet, while we have seen no fewer than four Republican candidates surge in the polls -- sometimes in extraordinary ways -- so far, your campaign and you have failed to catch fire with the voters. Why?

MR. SANTORUM: Well, I'm counting on the people of Iowa to catch fire for me. That's -- that's what this plan was all about from day one, is to go -- all 99 counties and do already almost 350 town hall meetings here in Iowa. We're organizing; we have a very clear message. That's the thing that's going to pay off for us in the end.

And we present the clear contrast that really nobody else in this race does. We present the contrast of someone who's been a strong conviction conservative. You know where I stand. You can trust me, because I've been there and I've done it, and I did it as a leader. When I was in the leadership, if you were a conservative and you had an issue that you wanted to get voted on and you wanted to get done in the United States Senate, you came to Rick Santorum, because I was the guy fighting for the conservative cause when it was popular and when it was unpopular. The speaker had a conservative revolution against him when he was the speaker of the House. I had conservatives knocking down my door, because I was the effective advocate for the principles that they believed in.

That's the contrast. We have some -- we need someone who's strong in their political and personal life to go out and contrast themselves with the president -- (bell rings) -- and make him the issue in this campaign. And that's why Iowans are beginning to respond. They like the accountability. They like the fact that I've been there and met with them and believe in them to lead this country.

MR. BAIER: Chris Wallace.

(Applause.)

CHRIS WALLACE: Thank you, Bret.

Governor Romney, I want to follow up on Bret's line of questioning to the speaker, because many of our viewers tell us that they are supporting Newt Gingrich because they think that he will be tougher than you in taking the fight to Barack Obama in next fall's debates. Why would you be able to make the Republican case against the president more effectively than the speaker?

MITT ROMNEY: Well, let's step back and talk about what's really happening in the country. What we're finding across America is a lot of people are really hurting: 25 million people out of work, stopped looking for work or in part-time work that need full-time jobs; a lot of people in the middle class who have seen incomes go down as the cost of their living has gone up and up and up.

The American people care very deeply about having a president who can get America right again. And all of us on the stage have spoken over the last several debates about the fact that government doesn't create jobs, but the private sector does.

I spent my life, my career in the private sector. I understand -- by the way, from my successes and failures -- what it's going to take to put Americans back to work with high-paying jobs. I can debate President Obama based upon that understanding, and I'll have credibility on the economy when he doesn't.

My successes include some businesses that were successful, like Staples and Bright Horizons children's centers and a steel mill in the middle of Indiana,
some things I learned from, and, by the way, some failures. I remember when the founders of Jet Blue came to me and said: Invest in us. I said: Well, that will never work. (Chuckles.) (Got it ?) wrong. Now one my favorite airlines.

I know what it takes to get this economy going. The president doesn't. The proof is in his record. It's terrible. My record shows that I can get America working again.

MR. WALLACE: Congresswoman Bachmann, no one questions -- (applause) -- your conservative credentials, but what about your appeal to independents, who are so crucial in a general election? If you are fortunate enough to become the Republican nominee, how would you counter the efforts by the Barack Obama campaign to paint you as too conservative to moderate voters?

REPRESENTATIVE MICHELE BACHMANN (R-MN): Well, that's very clear. In the last five years I've won four elections as the first Republican woman ever to win out of the state of Minnesota, and I did that by attracting not only Republicans but also independents and Democrats as well, because people wanted to know who could they trust. They knew that in me -- they may not always agree with me, but they knew that I was a woman who said what she meant and meant what she said, and they respected that level of authenticity and sincerity. And they also knew that I was an action person, that I wasn't just going to sit on my hands; I was going to work and serve them.

And that's what I've done. I've worked very hard in the United States Congress in the brief time that I've been there. I'm 55 years old. I spent 50 years as a real person and now five years going toe to toe with Barack Obama, taking him on on every issue from Dodd-Frank to cap-and-trade to illegal immigration to "Obamacare," and I will do that as president of the United States. That's my proven track record. (Applause.)

MR. BAIER: Neil Cavuto.

NEIL CAVUTO (Fox News): Thank you, Bret.

Governor Perry, by your own admission, you're not a a great debater. You have said as much and downplayed debating skills in general. But if you were to become your party's nominee, you would be going up against an accomplished debater in Barack Obama. There are many in this audience tonight, sir, who fear that possibility and don't think you're up to the fight.

GOVERNOR RICK PERRY (R-TX): Well, I --

MR. CAVUTO: Allay them of their concerns.

GOV. PERRY: -- I -- I want to share something with you: that as each one of these debates -- I'm kind of getting where I like these debates. (Laughter.) As a matter of fact, I hope Obama and I debate a lot. And I'll get there early. (Laughter.) And we will get it on, and we will talk about our -- our -- our differences, which are great. I'll talk about what we've done in the state of Texas. I'll talk about having a balanced budget amendment in the United States Congress. I'll talk about the -- the -- the type of part-time Congress that I think Americans are ready for.

And you know, there are a lot of people out there -- I understand it. You know, there are a lot of folks that said Tim Tebow wasn't going to be a very good NFL quarterback. There are people that stood up and said, well, he doesn't have the right throwing mechanisms, or he doesn't -- you know, he's not playing the game right. And you know, he won two national championships, and that looked pretty good. We were the national champions in job creation back in Texas. And so -- but am I ready for the next level? Let me tell you, I hope I am the Tim Tebow of the Iowa caucuses. (Laughter, applause.)
MR. CAVUTO: Governor Huntsman, your campaign has been praised by moderates, but many question your ability to galvanize Republicans and energize the conservative base of the party. They're especially leery of your refusal to sign on to a no-tax-hike pledge. How can you reassure them tonight?

JON HUNTSMAN: I think people, Neil, are coming around to finding that I am the consistent conservative in this race. They're coming around to find that I'm not going to pander. I'm not going to contort myself into a pretzel to please any audience I'm in front of. And I'm not going to sign those silly pledges. And you know what else? I'm not going to show up at a Donald Trump debate. (Laughter, applause.)

This nation -- this nation has been downgraded. This nation is on the cusp of the third government shutdown. We have been kicked around as people. We are getting screwed as Americans.

And I'm here to tell you I'm going to lead the charge in doing what must be done in addressing the two deficits we have. We have an economic deficit in this country, and it's going to shipwreck the next generation unless we can deal with it.

And we have a trust deficit. People in this country don't trust their institutions of power anymore. We need to go to Congress, and we need to say, you need term limits. We need to go to Congress and say we need to close that revolving door that allows members of Congress to file on out and lobby.

And we need to go to Wall Street and say, no trust there either, because we have banks that are too big to fail.

And I'm telling you, Neil, I'm the person who's going to lead the charge on all of the above and not only fix the economic deficit, but I'm going to fix this country's trust deficit, because we're too good as people to be in the hole we're in, and we deserve better. (Cheers, applause.)

MR. BAIER: Well, as Governor Huntsman just mentioned, there is a real drama playing out real-time in Washington right now with the threat of yet another government shutdown, the possibility that millions of Americans could see their payroll taxes go up. If you're president, as is the case now, and you're at loggerheads with one chamber of Congress, how would you handle this situation? Thirty seconds down the line, start with Senator Santorum.

MR. SANTORUM: Well, you do what leaders do when they go out and try to bring people together. They tell a narrative and remind Americans who we are and how we solve our problems. This country is a great country because we believe in free people. In 2008, the American public were convinced by Barack Obama that they needed someone to believe in, that they could believe in. We -- we now understand that what we need is some president who believes in them. That's the narrative. Go out and motivate the American public, have them talk to their representatives in Washington to pass solutions that believe in bottom-up, how we built America -- free markets, free people. (Applause.)

MR. BAIER: Governor Perry.

GOV. PERRY: After three years, you would think that this president had learned how to work in Washington, D.C. If there's ever been a greater example of on-the-job training, this is it. And it -- it couldn't have been at a worse time for America. We need a president who has that governing executive experience, someone who understands how to work with both sides of the aisle. Frankly, we should never have gotten to this point at all.

The idea that he walked away from the work at hand, and we had a supercommittee that was put into place -- that was going to fail on its face: That's the type of leadership that this president has been an absolute failure
at, and the type that I've been working at as the governor of Texas for the last 11 years. (Bell rings.)

MR. BAIER: Governor Romney.

MR. ROMNEY: Bret, this is a question that ought to take a lot longer than 30 seconds, even 60 seconds. It's the question of the presidency: What is leadership?

I had the disadvantage, in some respects, of becoming governor in a state with a legislature 85 percent Democrat; turned out to be a blessing in disguise. To get anything done, I had to learn how to get the respect of the speaker of the house and the senate president and Democratic leaders. I found a way to do that, to find common ground from time to time. And when crises arose, we were able to work together.

That's what has to happen. There are Democrats who love America as Republicans do, but we need to have a leader in the White House that knows how to lead. I've had four leadership experiences in my life where I've led enterprises. I want to use that experience to get America right again, and I will do it as president. (Applause.)

MR. BAIER: We will have many more questions about gridlock in Washington and this topic overall, but Speaker Gingrich.

MR. GINGRICH: Well, I want to start by reinforcing what Governor Romney just said. Leadership is the key. When you have a Saul Alinsky radical who is a campaigner-in-chief, who doesn't do the job of president because he's too busy trying to run for reelection, you -- the Constitution can't work.

I helped Ronald Reagan when Tip O'Neill was speaker get enough votes to pass the Reagan program despite a Democratic majority. As speaker, one of the reasons some people aren't happy with some of my leadership is I actually worked things out with Bill Clinton to get welfare reform, a tax cut and four balanced budgets signed in a way that required bipartisanship, because you couldn't get anything done otherwise. So leadership is -- matters immensely in getting this done. (Bell rings.) (Applause.)

MR. BAIER: Congressman Paul.

REP. PAUL: The main problem we have is the government's too big and the debt is too big and you have to cut spending.

So you have to get people to come together. They've been coming together to increase the spending for decades. We have to get them to come together to do the opposite.

But there are two factions up there. One want welfare, and the other want warfare around the world (emplacing ?) the world. So you go to the people who like the warfare and say, give me half of the cuts that have to be in the welfare. Go to the welfare people and say, you give me the cuts to cut the oversea warfare spending, and bring people together, and live up to what they say. (Applause.)

MR. BAIER: Congresswoman Bachmann.

REP. BACHMANN: As president of the United States, I would have called all 535 members of Congress to come in and sit down in Washington last summer when we were looking at the debt ceiling crisis. And what I would have done is said there are three principles that we're going to follow, because the first one needs to be no new taxes. We're taxed enough already. The second principle needed to be that government can't spend any more money than what it's taking in. And the third principle had to be that we were going to follow the
Constitution of the United States.

What that would have meant is that we would have looked that $15 trillion debt in the eye and said, we're not going to add one more cent to it, we're going to prioritize our spending, and we're going to put the reform in these long-term programs now, not wait eight months or five months; we're going to reform right now. (Cheers, applause.)

MR. BAIER: Governor Huntsman.

MR. HUNTSMAN: Leadership is action, not words. And I learned a very important lesson about this when I ran for governor in 2004. I promised the people of my state as governor that we would create the finest state in America for business. I ran on a flat tax proposal. It took us two years. We got it delivered. Flat -- I hear a lot of people talking about tax reform and a flat -- we actually got one done. The finest business climate in the United States we delivered to our people, health care reform without a mandate. The list went on and on and on.

I ran for re-election. I got almost 80 percent of the vote, not because I'm a great politician, but I learned some lessons in leadership. The people want to be told where you can take them, and then they want you to deliver. (Applause.)

MR. BAIER: Thank you. We have many more questions -- (audio break) -- for the next round of questions, turn to my colleague Chris Wallace.

MR. WALLACE: Thanks, Bret.

Candidates, I'm going to call this section, for lack of a better word, D.C. culture. Governor Romney, I'm going to begin with you.

Speaker Gingrich says that you should give back the millions of dollars you made, in his words, bankrupting companies and laying off employees. You respond that he has, in your words, an extraordinary lack of understanding of how the economy works. But his comments dovetail with arguments you hear from Democrats that your belief in what's called the creative destruction of capitalism shows a hard-heartedness.

What do you think of what Speaker Gingrich had to say about you? And are you vulnerable to that kind of attack?

MR. ROMNEY: I think it's a great opportunity for us, because I think the president is going to level the same attack.

He's going to go after me and say, you know, in businesses that you've invested in, they didn't all succeed. Some failed. Some laid people off. And he'll be absolutely right.

But if you look at all the businesses we invested in, over a hundred different businesses, they added tens of thousands of jobs. In -- in the real world that the president has not lived in -- I -- I actually think he doesn't understand that -- that not every business succeeds, that not every entrepreneur is lucky enough to do as well as the entrepreneurs that I described at Bright Horizons and Staples and that steel company and many, many others. I myself have had the chance of leading four different organizations. Each of those was highly successful, in part because of hard work, in -- in part because of good luck.

In the real world, some things don't make it, and I believe I've learned from my successes and my failures. The president I'll look at and say: Mr. President, how -- how did you do when you were running General Motors as the president, took it over? Gee, you closed down factories. You closed down
dealerships. And he'll say: Well, I did that to save the business.

Same thing with us, Mr. President. We did our very best to make those businesses succeed. I'm -- I'm pleased that they did, and I've learned the lessons of how the economy works. This president doesn't know how the economy works. I believe to create jobs, it helps to have created jobs.

MR. WALLACE: Thank you. (Applause.)

Speaker Gingrich -- Speaker Gingrich, on the Freddie Mac website in 19- -- in, rather, 2007, you said this: I like the GSE -- or government-sponsored enterprise, like Freddie Mac -- model. Making homeownership more affordable is a policy goal that I believe conservatives should embrace.

Now at an earlier debate, a recent debate, you said that politicians like Barney Frank, who, in your words, profited from the environment that led to the financial meltdown, should go to jail. Now that it turns out that you were on the Freddie Mac payroll to the tune of more than $1.6 million, how do you answer critics who say that you're being hypocritical?

MR. GINGRICH: I think pretty straightforward. Barney Frank was in public office, with direct power over Freddie Mac.

He exploited that power, just as Chris Dodd was in public office when he got special bargains from Countrywide, the firm which went broke. They were using power. I was a private citizen engaged in a business like any other business. Now, if you read the whole thing that they posted, I said they need more regulations.

And I want to go back to my point about helping people buy houses. I worked for years with Habitat for Humanity. I think it's a good conservative principle to try to find ways to help families that are right at the margin learn how to budget, learn how to take care of a house, learn how to buy a house. And I don't -- I'm not going to step back from the idea that in fact we should have as a goal helping as many Americans as possible be capable of buying homes. And when you look, for example, at electric membership co-ops and you look at credit unions, there are a lot of government-sponsored enterprises that are awfully important and do an awfully good job.

MR. WALLACE: Congressman Paul, you are -- and having been in this town for, what, 48 hours now, you are all over Iowa TV these days with a negative ad about Speaker Gingrich. You accuse him of selling access and playing the corrupt revolving door game. What about the explanation you've just heard, that he's in the private sector and this is free enterprise?

REP. PAUL: Well, he has a different definition of the private sector than I have, because it's a GSE: government-sponsored enterprise. It's completely different. It's -- it's a government agency. They get the money and sponsorship. They get mixed up. It's -- it's the worst kind of economy. You know, pure private enterprise -- more closely probably to what Governor Romney is involved with -- but if it's government-sponsored, it's a mixture of business and government. It's very, very dangerous. Some people say if it goes to extreme, it becomes fascism, because big business and big government get together. So, yes, they get money.

And I was talking about that for a long time -- the line of credit, the excessive credit from the Federal Reserve, the Community Reinvestment Act. For 10 years or so the Austrian economists knew there was a bubble, and at this time, nobody was listening or doing anything in the Congress.

And then, to go to work for them and get money from them, it literally is -- it's literally coming from the taxpayer. They went broke. We had to bail them out. So indirectly, that was money that he ended up getting. They're still
getting money from us: government-sponsored enterprise. It's not a free market enterprise. 

MR. WALLACE: Speaker Gingrich, 30 seconds to respond.

MR. GINGRICH: Well, let me just go back to what I said a minute ago. The term "government-sponsored enterprise" has a very wide range of things that do a great deal of good. Go across this state and talk to people in the electric membership co-ops; go across this state and talk to people in the credit unions. There are a lot of very good institutions that are government sponsored. And frankly, the idea that anything which in any way has ever touched government could raise questions about doctors dealing with Medicare and Medicaid and a whole range of other government activities. There are many things governments do. I did no lobbying of any kind for any organization. And that was -- that was a key part of every agreement we had.

MR. WALLACE: Well, let me pick up with that with you, Congresswoman Bachmann, because you accuse Speaker Gingrich of peddling his influence with congressional Republicans to help the companies that paid him tens of millions of dollars since he's left office. Given his denial over time, and again tonight, that he's -- denies ever having lobbied, what is your evidence, hard evidence, that he engaged in influence peddling?

REP. BACHMANN: Well, it's the fact that we know that he cashed paychecks from Freddie Mac. That's the best evidence that you can have -- over $1.6 million. And frankly, I am shocked, listening to the former speaker of the House, because he's defending the continuing practice of Freddie Mac and Fannie Mae. There's a big difference between a credit union and Freddie Mac and Fannie Mae, and they were the epicenter of the mortgage financial meltdown.

I was trying to see these two entities put into bankruptcy -- because they, frankly, need to go away -- when the speaker had his hand out and he was taking $1.6 million to influence senior Republicans to keep the scam going in Washington, D.C.

That's absolutely wrong. We can't have as our nominee for the Republican Party someone who continues to stand for Freddie Mac and Fannie Mae. They need to be shut down, not built up. (Applause.)

MR. WALLACE: Speaker Gingrich.

MR. GINGRICH: Well, the easiest answer is, that's just not true. What she just said is factually not true. I never lobbied under any circumstance. I never went in and suggested in any way that we do this. In fact, I tried to help defeat the housing act when the Democrats were in charge of the House. And if you go back and talk to former Congressman Rick Lazio, he'll tell you when we were passing housing reform while I was speaker, I never at any time tried to slow down the reform effort. In fact, I helped him pass the reform bill. And I think sometimes people ought to have facts before they make wild allegations. (Applause.)

REP. BACHMANN: Let me --

MR. WALLACE: Yes, Congresswoman.

REP. BACHMANN: Well, after the debate that we had last week, PolitiFact came out and said that everything that I said was true. And the evidence is that Speaker Gingrich took $1.6 million.

You don't need to be within the technical definition of being a lobbyist to still be influence-peddling with senior Republicans in Washington, D.C., to get them to do your bidding. And the bidding was to keep this grandiose scam of Freddie Mac going.
That is something that our nominee can't stand for. We have to shut down these government enterprises and we've got to end them. And I think that shocking that he's saying that. (Applause.)

MR. GINGRICH: Let me just say two things.

MR. BAIER (?): Speaker Gingrich, quickly.

MR. GINGRICH: OK. Let me say two things. First, my policy is to break up both Fannie Mae and Freddie Mac. It is not anything like what she just described.

Second, I want to state unequivocally for every person watching tonight, I have never once changed my positions because of any kind of payment, because I -- the truth is, I was a national figure who was doing just fine doing a whole variety of things, including writing best-selling books, making speeches.

And the fact is, I only chose to work with people whose values I shared. And having people have a chance to buy a house is a value, I believe, still is important in America.

MR. BAIER: Now to Neil Cavuto with questions about the economy. (Applause.)

MR. CAVUTO: Speaker Gingrich, not to make you a target, but you --

MR. GINGRICH: It goes with being right here.

MR. CAVUTO: (Chuckles.) You just responded this morning, sir, tweeted originally and then with follow-up statements, there's a major breakthrough of this plan on the part of Republican Congressman Paul Ryan working with Democratic Senator Ron Wyden to find a sort of an updated way to keep Medicare solvent. And this would involve a choice. Those who like the program as it is can stick with it. There will be a private option, et cetera.

But earlier on this -- this might have confused Congressman Ryan and others, for whom you had said with his initial Medicare fix that it was right-wing social engineering. Later on you backed off that comment, said that there was much you could find in Mr. Ryan's plan to like. Can you blame Governor Romney for saying you have a consistency problem on this issue?

MR. GINGRICH: I'm not in the business of blaming Governor Romney. I'm in the business of trying to understand what we can do as a policy.

If you go back and look at the "Meet the Press" quote, it didn't reference him. And I'll come back and say it again: A free society should make very big decision with the support of the people. Now you can earn that support. You can win a communications argument. Reagan was very, very good at that. But the only point I was making on "Meet the Press" is, when you're going to have a major change, you have to communicate with the American people in order to ensure that they are for you.

Now, Governor Romney came up, frankly, with a very good variation on the Ryan plan which allowed the maintenance of the current system.

Paul has adopted that, and I think in a very brave accolade by Senator Ron Wyden, you now have a Democrat willing to co-sponsor the bill. I have endorsed the concept today. I think it is a big step forward, and I think Governor Romney deserves some of the credit for having helped figure out a way to make this thing workable.

So I think it's a nice thing to actually have a bipartisan plan in Washington that we could actually could actually look at in a positive way and hope would
help save Medicare. (Applause.)

MR. CAVUTO: Governor Romney, do you want to respond to that compliment? (Laughter.)

MR. ROMNEY: Yeah. Thank you. (Chuckles.)

Yeah, I hope people understand just how big today is for this country. We all understand that the spending crisis is extraordinary, with $15 trillion now in debt, with a president that's racked up as much debt as almost all of the other presidents combined. But there's another problem we have, which is our national balance sheet, which are these obligations that we've made that we have no funding behind. And it adds up to $62 trillion. And today Republicans and Democrats came together, with Senator Wyden and Congressman Paul Ryan, to say we have a solution to remove that $62 trillion.

This is a big day for our kids and our grandkids. It's an enormous achievement. It means we finally have the prospect of dealing with something which has the potential of crushing our future generations. And a good Democrat and a good Republican came together. This is the impact of people on both sides of the aisle that care about America in a critical time, and I applaud it. It's good news. (Applause.)

MR. CAVUTO: Congressman Paul, as you've been warning, we are on the brink of another government shutdown because of spending that you've called out of control. But haven't you contributed to that spending problem yourself, sir, supporting earmarks that have benefited your district and your state?

Back in 2009, you explained this by saying: If I can give my district any money back, I encourage that; I don't think that the federal government should be doing it, but if they're going to allot the money, I have a responsibility to represent my people.

Isn't that what they call a mixed message, Congressman?

REP. PAUL: Well, it's a mixed question. This is the problem. Because the real message is you should include in your question: Also, you have never voted once for an earmark.

No, it's a principle that I deal with because if you -- if the government takes money from you and you fill out your tax form, you take your deductions. I look at that the same way in our communities. They take our money, they take our highway funds, and we have every right to apply for them to come back.

Matter of fact, it's a bigger principle for me than that. I think this whole thing is out of control on the -- on the earmarks, because I think that Congress has an obligation to earmark every penny -- not to deliver that power to the executive branch. What happens when you don't vote for the earmarks, it goes into the slush fund, the executive branch spends the money. Then you have to grovel to the executive branch and beg and plead and say: Oh, please return my highway funds to me.

So it's this whole principle of budgeting that is messed up. But I never vote -- I never voted for an earmark. But I do argue the case for my -- the people I represent to try to get their money back if at all possible. (Applause.)

MR. CAVUTO: But isn't that the same thing, of having your cake and eating it, too? You can complain about earmarks, but then if there are provisions there that help your district or your state, that's different.

REP. PAUL: But --
MR. CAVUTO: If 434 other members felt the same way, how would we ever fix the problem?

REP. PAUL: Yeah, I know -- yeah, but you're -- you're missing the point. I don't complain about earmarks, because it's the principle of the Congress meeting their obligation.

But if everybody did what I did, there would be no earmarks. The budget would be balanced and we'd be cutting about 80 percent of the spending. So that would be the solution. (Applause.)

But -- but you also want to protect the process. You want to emphasize the responsibility of the Congress in not delivering more power to the president. I would be a different kind of president. I wouldn't be looking for more power. Everybody wants to be a powerful executive and run things. I as a president wouldn't want to run the world. I don't want to police individual activities and their lifestyle. And I don't want run -- want to run the economy. So that's an entirely different philosophy, but it's very, very much in our tradition and in the tradition of our Constitution. (Applause.)

MR. CAVUTO: Governor Perry, you've said the only way to stop our spending problem is to get Congress to stop spending. Quoting you, sir, you said: I vetoed 82 bills in my first year as governor of Texas. I have a record of keeping spending under control.

But as Texas agriculture commissioner, you oversaw a loan guarantee program that, as the Austin American Statesman reported at the time, had so many defaults that the state had to stop guaranteeing bank loans to startups in the agribusiness and eventually bailed out the program with taxpayer money. So aren't you guilty of the same behavior you rail against as a presidential candidate?

GOV. PERRY: Well, two things. Number one, don't believe everything you read in the Austin American Statesman. And the second side of it is, we had that program put in place and the -- the state did not bail out -- those programs worked as they were supposed to work. Just like in any bank or any business, you're going to have some that fail.

But I want to go back and talk about just a second the issue of where we had a big back-and-forth about whether Newt was involved in -- in untoward activity or not. And I'll be real honest with you. The issue we ought to be talking about on this stage is how you really overhaul Washington, D.C. And the idea that you can't tell the difference between lobbying and consulting, the idea that we have Congress staying there as many days as they do and the salary that they have -- that's the reason I've called for a part-time Congress.

Cut their pay in half. Cut their time in Washington in half. Cut their staff in half. (Cheers, applause.) Send them home. Let them get a job, like everybody else back home has -- (applause continuing) -- and live within the laws of which they pass.

We do that, and you pass a balanced budget amendment to the United States Constitution, and the conversations that we've been having up here will be minor. (Applause.)

MR. CAVUTO: By the way, Governor, they worked 151 days last year. How much more would constitute part-time?

GOV. PERRY: I would suggest to you maybe 140 days every other year, like we do in Texas. (Applause.)

MR. CAVUTO: Governor Huntsman, as you're probably familiar, sir, the Chinese have just slapped huge tariffs of up to 22 percent on imports of some American
sport utility vehicles, larger American cars. Now, as a former ambassador to China and one who has argued for an adult conversation with Beijing, how would you respond to what some are calling a childish move on the part of a country that routinely flouts international trade rules?

MR. HUNTSMAN: Well, it's a large and complicated relationship. It's part trade, it's part North Korea, it's part Iran, part Pakistan, part Burma, part South China Sea, part military-to-military engagement. You move one end of the relationship, it impacts the other.

The best thing to do, invite a few dissidents who are seeking freedom and want to expand democracy in China, to the United States embassy, the kind of thing that I used to do. That's what matters to the Chinese people who are looking for change and looking for reform these days.

That's the kind of thing that over time is going to create an upswell of change and reform in that country that's going to make the U.S.-China relationship successful longer-term, because eventually we need more than just a transactional relationship. We need shared values infused into this relationship.

Let's face it. The 21st century will only have two relationships that matter: The United States and China. For that to succeed, we need shared values. That's democracy, that's human rights, that's recognition of the role of the Internet in society, that's greater tolerance toward religion and so much more. As president of the United States, I would drive that home, and I would make it a relationship that worked.

MR. CAVUTO: Senator Santorum, right now American companies have trillions parked overseas because of the very high tax rates here. Would you support a tax holiday to bring that money back, but only under, as some Democrats have suggested, the condition that these companies hire workers with that money?

MR. SANTORUM: Yeah, what I proposed in my "Made in the USA" plan is that if money has been made overseas, that it can come back at a 5 1/2 percent rate, which is what we did back in 2004. And it did cause a lot of money to come back.

But I put a special rate -- zero -- if they bring it back and invest it in (plants and equipment?) in America. We need to rebuild the manufacturing base of this country. When I traveled around to all these counties in Iowa, I went to a lot of small towns like Sidney and Hamburg down in Fremont County, and I was in -- the other day in Newton where they've lost jobs to overseas. Why? Because we're not competitive. We need to have our capital be competitive and come here free so they can so they can invest it. We need to cut the corporate tax on manufacturers to zero. Why? Because there's a 20-percent cost differential between America and our nine top trading partners, and we -- and that's excluding labor costs. We need to get our taxes down.

We need to repeal regulations. I promise to repeal every single "Obamacare" regulation, every single Obama regulation that costs businesses over a hundred million dollars. I can repeal it. I can't repeal laws, but as a president, you can repeal -- excuse me, regulations. And I will repeal every single one of them so business can get going in this country. (Cheers, applause.)

MR. BAIER: Thank you, Neil.

This question is from Twitter. And it is for you, Governor Romney. @LeonJamesPage (sp) tweets, over the next 10 years, in what sector or industries will most of the new jobs be created?

MR. ROMNEY: The great thing is the free market will decide that. Government won't. We have in a president someone who, again, doesn't understand how the
economy works and thinks that as a government, he can choose, for instance, which energy sector is going to be successful. So he invests as a venture capitalist in certain car companies that have electric battery power, not understanding that perhaps Toyota and GM could do a better job than Tesla and Fisker. The president decides to go into Solyndra because he thinks that solar power is going to be the future. Look, let markets determine what the future course of our economy will be.

What do I happen to think will be the future? I think manufacturing is going to come back. I think manufacturing, for some of the reasons Rick just indicated, is going to come back to the U.S. I also think, of course, that high-tech is going to be an extraordinarily source -- extraordinary source of growth for a long time in this country. And energy -- we have extraordinary energy resources in this country. Opening those up -- our president holds them off, doesn't give them the permits to start drilling and getting the natural gas and oil. Those are some of the areas that are going to be extraordinarily powerful.

This economy has every potential to continue to lead the world. Our president thinks America is in decline. It is if he's president. It's not if I'm president. This is going to be an American century. (Cheers, applause.)

MR. BAIER: Thank you, Governor Romney.

Now to Megyn Kelly with the next round of questions. And this is a new topic: the judiciary.

MS. KELLY: This is something we have heard precious little about in this election, but something that's an important issue for a lot of voters.

Speaker Gingrich, let me start with you. You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. They used words like "dangerous," "outrageous" and "totally irresponsible." Are they wrong?

MR. GINGRICH: Well, the first half is right: It alters the balance, because the courts have become grotesquely dictatorial, far too powerful and now -- and I think, frankly, arrogant in their misreading of the American people. (Cheers, applause.)

There is an entire paper at newt.org -- I've been working on this project since 2002, when the 9th Circuit Court said that "one nation under God" is unconstitutional in the Pledge of Allegiance. And I decided (if you had ?) judges who were so radically anti-American that they thought "one nation under God" was wrong, they shouldn't be on the court.

Now, we have -- (cheers, applause) -- I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School, and I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

We have a balance of three branches; we do not have a judicial dictatorship in this country, and that's what the Federalist Papers promised us. And I would -- just like Jefferson, Jackson, Lincoln and FDR, I would be prepared to take on the judiciary, if in fact it did not restrict itself in what it was doing.

MS. KELLY: What of the former attorney general -- (applause) -- these are conservative former attorneys general [sic] who have criticized the plan as, I say, dangerous, ridiculous, outrageous, totally irresponsible.
MR. GINGRICH: Yes. Sure. I'd ask, first of all, have they studied Jefferson, who, in 1802 abolished 18 out of 35 federal judges. Eighteen out of 35 were abolished.

MS. KELLY: Something that was highly criticized.

MR. GINGRICH: Not by anybody in power in 1802. (Laughter, applause.) Jefferson himself was asked: Is the Supreme Court supreme? And he said: That is absurd. That would be an oligarchy.

Lincoln repudiates the Dred Scott decision in his -- in first inaugural address in 1861 and says: No nine people can make law in this country. That would be the end of our freedom.

So I would suggest to you actually, as a historian, I may understand this better than lawyers. And as lawyers, those two attorneys general are behaving exactly like law schools, which have overly empowered lawyers to think that they can dictate to the rest of us. (Cheers, applause.)

MS. KELLY: Congressman Bachmann, you heard Speaker Gingrich -- you heard Speaker Gingrich reference the 9th Circuit Court of Appeals. That is one of the courts that he has suggested abolishing. It is a left-leaning court. And as he points out and as he has done before, he believes it's an activist court because, in part, it was this court that issuing a ruling striking down "under God" in the pledge years ago, a decision that was reversed by the Supreme Court later.

Do you agree that the 9th Circuit should be abolished? And if so, what would then happen if a Democratic president came into office and we had a democratically controlled Congress that later took aim at the right-leaning federal courts? Where would it end?

REP. BACHMANN: Well, where it needs to end is under the Constitution of the United States. That's the real issue. Are the courts following the Constitution or aren't they following the Constitution? It isn't just Congress that gets it wrong; it's the courts that get it wrong as well.

MS. KELLY: But what do you do about it?

REP. BACHMANN: Well, what we need to do about it is have the -- both the president and the United States Congress take their authority back. And I would agree with Newt Gingrich, that I think that the Congress and the president of the United States have failed to take their authority, because now we've gotten to the point where we think the final arbiter of law is the court system.

It isn't. The intention of the founders was that the courts should be the least powerful system of government. And if we give to the courts the right to make law, then the people will have lost their representation. They need to hold on to their representation. That's why I commend Iowans, because they chose not to retain three judges that decided that marriage -- (cheers, applause, whistles) -- would be in their (likeness ?). And Iowans decided to take their constitution back.

That's what the American people need to do, take the Constitution back. And as president of the United States, I would only appoint judges to the Supreme Court who believe in the original intent of the Constitution. (Applause.)

MS. KELLY: Congressman Paul, let me ask you: Do you believe what the two candidates have said, that it would potentially be OK to abolish courts like the 9th Circuit Court of Appeals entirely, or judges, impeach them, if Congress and the president don't decide -- decide they don't like their rulings?
REP. PAUL: Well, the Congress can get rid of these courts. If a judge misbehaves and is unethical and gets into trouble, the proper procedure is impeachment. But to subpoena judges before the Congress, I'd really question that. And if you get too careless about abolishing courts, that could open up a can of worms, because there could be retaliation.

So it should be a more serious -- yes, we're getting very frustrated with this. But the whole thing is if you just say, well, we're just going to -- OK, there are 10 courts; let's get rid of three this year because they ruled a -- a way we didn't like, that, to me, is, I think, opening up a can of worms for us and would lead to trouble.

But I really, really question this idea that the Congress could subpoena judges and bring them before us. That's a real affront to the separation of powers. (Applause.)

MS. KELLY: Governor Romney, many people believe that the way to rein in so-called activist judges is to be careful in appointing or nominating the judges in the first place. As governor of Massachusetts, you passed over Republicans for three-quarters of the judicial vacancies you faced, instead nominating Democrats or independents. With that track record, why should Republicans believe that you will appoint conservatives to the bench if you become president?

MR. ROMNEY: Well, I have to let you know that in Massachusetts, I actually don't get to appoint the judges. I get to nominate them. They go before something known as the Governor's Council. It consists of, I believe, seven members, all of whom are elected Democrats. And so to be able to get my appointments through, I had to have people of both parties. And the people I put forward all were individuals who I vetted very carefully to make sure they would follow the rule of law. These are largely people going into criminal courts. I chose, overwhelmingly, people who had been prosecutors in their prior experience. And so we had that kind of justice.

Now, let me note that the key thing I think the president's going to do is going to be -- with the longest legacy -- is going to be appointing Supreme Court and justices throughout the judicial system. As many as half of the justices in the next four years are going to be appointed by the next president. This is a critical time to choose someone who believes in conservative principles.

Now, I -- I don't believe that it makes a lot of sense to have Congress overseeing justices. The -- the -- the -- the only group that has less credibility than justices, perhaps, is Congress -- (laughter) -- so let's not have them in charge of overseeing the justice system. (Applause.)

However -- however, we don't call it, you know, we the judges. We call it we the people. And we do have the ability to remove justices that need to be impeached. We also have the ability to pass new amendments if we think a justice has taken the -- the nation in the wrong direction. And where a statute has been misinterpreted, Congress can write a statute that clarifies that point. We have the ability to rein in excessive justices.

MS. KELLY: All right. And I just want to go quickly down the line with just a name -- favorite Supreme Court justice.

Senator Santorum -- current?

MR. SANTORUM: Well, I'm -- I have to -- I have to say these folks over here have been taking about taking on the courts. I've done it. I actually campaigned in Iowa against those justices. And I was the only one on this panel that did it, number one. (Applause.)
Number two, when -- when -- when the partial-birth abortion statute was struck down by the Supreme Court -- George Bush got elected, we actually went back, and I worked with Henry Hyde, and we passed another bill, told the Supreme Court they were wrong, passed it, and George Bush signed it, and it was overturned. You can talk about reform and doing something to confront the courts, or you can actually go out and make it happen. I made it happen.

And -- and it's Thomas.

MS. KELLY: And quickly down the line? (Applause.) (laughs.)

GOV. PERRY: Yeah.

MS. KELLY: Favorite current Supreme Court justice?

GOV. PERRY: Well, I'll -- I'll -- I'll try to be as quickly (sic) as I can, but the -- what I -- when I talk about overhauling Washington, D.C., one of the things I talk about, besides a part-time Congress, is no longer having lifetime terms for the federal bench. I think you -- that is one of the ways that you keep these unaccountable legislators with robes from trying to dictate to the rest of us.

And I would say, you know, you pick Alito, Roberts or Thomas. Pick one.

MS. KELLY: All right.

Would you pick one, please? (Chuckles.)

MR. ROMNEY: Yes. Roberts, Thomas, Alito and Scalia. (Laughs.)

MS. KELLY: All right.

Speaker Gingrich?

MR. GINGRICH: I think that's a pretty darn good list, and I -- I would sign up for those guys. Scalia is probably the most intellectual of the four, but they're all four terrific judges. I mean, if we had nine judges as good as those four, we would be very happy with the Supreme Court.

MR. : Oh, yes.

MS. KELLY: Congressman Paul?

REP. PAUL: From my viewpoint, they're all good and they're all bad, because our country -- (laughter) -- our country a long time ago split freedom up into two pieces: personal liberty and economic liberty. And the judges, as is the Congress, as is the nation, think that it's two issues. It's but one issue, so therefore Congress is split on this issue, as well as our judges.

MS. KELLY: Last chance to say a name.

REP. PAUL: No, I'm not going to put -- all of them are good, and all are of them bad. How's that? (Laughter.)

MS. KELLY: Congresswoman Bachmann?

REP. BACHMANN: Well, I do think that there are good justices. And I would put Antonin Scalia at the top of the list. I would also include Clarence Thomas and John Roberts and Alito. I think they're all marvelous. It'd be very easy to pick any one of them.

MS. KELLY: Governor Huntsman?
MR. HUNTSMAN: One of the reasons I'm so optimistic about the future of this country is because we have rule of law. Let's face it -- one of the great things that this country has that very few other countries have. So the judiciary is critically important.

It's also important to note that governors actually have some experience in appointing judges. You've got to make those hard decisions. And as I reflect on those who today serve, I've got to say Justice Roberts and Justice Alito fit the bill very, very nicely.

MS. KELLY: Thank you all.

MR. BAIER: That was a valiant effort.

MS. KELLY: I tried. (Laughter.)

MR. BAIER: Yeah.

MS. KELLY: I tried.

MR. BAIER: Coming up, there's a lot of ground to cover in this next hour: the threat from Iran and other foreign policy hot spots, up-and-down oil prices, immigration and border issues, and controversial social issues. Stay with us. Remember, tweet at Bret Baier with a question or a follow-up. We'll be right back. (Cheers, applause.)

(Announcements.)

(Cheers, applause.)

MR. BAIER: Welcome back to Sioux City, Iowa, and the Republican presidential debate.

(Cheers, applause.) A fired-up crowd. They're ready for hour number two. And we begin hour number two with an important topic: foreign policy.

Congressman Paul, many Middle East experts now say Iran may be less than one year away from getting a nuclear weapon. Now, judging from your past statements, even if you had solid intelligence that Iran in fact was going to get a nuclear weapon, President Paul would remove the U.S. sanctions on Iran, included those added by the Obama administration. So to be clear, GOP Nominee Paul would be running left of President Obama on the issue of Iran.

REP. PAUL: But I'd be running with the American people because it would be a much better policy. But for you to say that there's some scientific evidence and some people arguing that maybe in a year they might have a weapon, there's a lot more saying they don't have it. There's no U.N. evidence of that happening. Clapper (ph) at the -- in our national security department, he says there is no evidence. It's no different than it was in 203 (ph).

You know what I really fear about what's happening here? It's another Iraq coming. It is war propaganda going on. (Applause.) And -- and we're arguing -- to me the greatest danger is that we will have a president that will overreact, that we will soon bomb Iran.

And the sentiment is very mixed. It's very mixed even in Israel. You know, there -- the head of the security for Israel who just recently retired said that it wouldn't make any sense to do this, to take -- take them out because they might be having a weapon.

So I would say that the greatest danger is over-reacting. There is no evidence that they have it. And it would make more sense -- if we lived through the Cold war, which we did, with 30,000 missiles pointed at us, we ought to
really sit back and think, and not jump the gun and believe that we are going to be attacked. That's how we got into that useless war in Iraq and lost so much in Iraq.

MR. BAIER: Congressman Paul -- (cheers, applause) -- the question was based on the premise that you had solid intelligence, you actually had solid intelligence as "President Paul." And yet you still at that point would pull back U.S. sanctions -- and again, as GOP nominee, would be running left of President Obama on this issue?

REP. PAUL: Yes. All we're doing is promoting their desire to have it. Ehud Barak, the defense minister for Israel, said that they -- if he were in Iran, he would probably want a nuclear weapon, too, because they're surrounded, for geopolitical reasons. So that's an understanding.

So the fact that they are surrounded, they have a desire. And how do we treat people when they have a nuclear weapon? With a lot more respect. What did we do with Libya? We talked to them; we talked them out of their nuclear weapon; and then we killed (him ?).

So it makes more sense -- (bell rings) -- to work with people. And the whole thing is that nuclear weapons are loaded over there. Pakistan and India; Israel has 300 of them; we have our ships there. We've got to get it in a proper context.

MR. BAIER: All right.

REP. PAUL: We don't need another war! (Cheers, applause.)

MR. BAIER: Understood. And you make that point quite a lot.

I'm going to -- I'll try one more time. Iran is reportedly running exercises on closing the Straits of Hormuz -- a key passage, as you know, for global trade. Now, what should the U.S. response be, if Iran were to take that dramatic step?

REP. PAUL: With all -- this is -- we're -- the plans are on the book. All they talk about is when are we, the West, going to bomb Iran?

So why wouldn't they talk about -- they don't have a weapon. They don't have a nuclear weapon. Why wouldn't they try to send out some information there and say, you know, if you come and bomb us, we might close the Straits of Hormuz down?

So already the president I think is wisely backing off on the sanctions, because it's going to be an economic calamity if you take all the oil out of Europe. So I think that makes sense. He knows these sanctions are over-reaching. Sanctions are an act of war when you prevent goods and services from going into a country. We need to approach this a little differently. We have 12,000 diplomats in our services. We ought to use a little bit of diplomacy once in a while. (Applause.)

MR. BAIER: OK. Just a reminder again. That little friendly beep is when you wrap up.

Senator Santorum, you have a very different thought about the threat from Iran. For several years, according to U.S. military leaders, Iran has provided training, funding and lethal arms to jihadists killing American soldiers in Iraq and Afghanistan. Are those acts of war?

MR. SANTORUM: Well, they have been continually. They just tried to plan an attack here in this country, killing the Saudi ambassador. They've been at war with us since 1979. The IEDs that have killed so many soldiers, they're
manufactured in Iran.

This is -- Iran is not any other country. It’s a country that is ruled by the equivalent of al-Qaida on top of this country. They are a radical theocracy. The principal virtue of the Islamic Republic of Iran, according to President Ahmadinejad, is not freedom, opportunity; it’s martyrdom.

The idea, Ron, that mutual assured destruction, like the policy during the Cold War with the Soviet Union, would work on Iran when their principal virtue is martyrdom is -- mutual assured destruction with respect to Iran would not be a -- any kind of, you know, idea of preventing a war; it would be an inducement to war. This is what their objective is. Their objective is to, in fact, create a calamity.

This is what their theology teaches. They believe that it is their mission to take on the West. They don't hate us because of what we do or the policies we have. They hate us because of who we are and what we believe in. And we need to make sure that they do not have a nuclear weapon and we would -- should be working with the state of Israel right now. We should use covert activity. And we should be planning a missile -- I mean, a strike against their facilities and say if you do not open up those facilities and not close them down, we will close them down for you. (Cheers, applause.)

MR. BAIER: Governor Romney -- (cheers, applause continue) -- Governor Romney, this week President Obama said the U.S. asked Iran to give our downed high-tech drone back. As you know, the Iranians have it on display. They claim they are extracting data from it, and they have no intention of giving it back. Yesterday you called the president's response, quote, "extraordinarily weak and timid."

Now in your book you write, quote, "Weakness invites challenges, acts of intimidation, acts of aggression and sometimes war." So in this case, are President Obama's actions inviting war?

MR. ROMNEY: Absolutely. Does timidity and weakness invite aggression on the part of other people? Absolutely. A strong America -- a strong America is the best ally peace has ever known.

The -- this is a president -- with the -- the spy drone being brought down, he says pretty please? A foreign -- (laughter) -- a foreign policy based on pretty please? You got to be kidding. This is a president who -- who fundamentally believes that -- that -- that this next century is the post-American century. Perhaps it's going to be the Chinese century. He's wrong. It has to be the American century. America has to lead the free world. (Applause.) And the free world has to lead the entire world.

The right course, under President Obama's plans, is to shrink our military, thinking somehow if we appease or accommodate the -- the tyrants of the world, that the world will be safer. He's wrong.

The right course for America is to strengthen our economy, our values, our families and our military. We need to rebuild our Navy and go from nine ships a year to 15. We need to modernize our Air Force. We need 100,000 new additional troops in our military. We need to take care of our veterans in the way they deserve.

It is time for us to recognize once again a strong military does not create war. A strong America prevents people from trying to test us around the world. (Cheers, applause.)

MR. BAIER: Congresswoman Bachmann, today is the official end of the U.S. military operations in Iraq, and there is real concern, as you know, about growing Iranian influence inside Iraq. Also, the deputy prime minister there
has expressed concerns about the country possibly slipping into civil war. Are there any circumstances as president where you would send U.S. troops back into Iraq?

REP. BACHMANN: Well, I think clearly, the biggest mistake that President Obama has made -- and there are many when it comes to foreign policy -- has been the decision that he made regarding Iraq. He was essentially given, on a silver platter, victory in Iraq. And he's choosing intentionally to lose the peace.

And we all know what's going to happen. We know that Iran is going to be the hegemon and try to come into Iraq and have the dominant influence, and then Iraq will essentially have dominion from the Persian Gulf all the way to the Mediterranean through its ally Syria.

And with all due respect to Ron Paul, I think I have never heard a more dangerous answer for American security than the one that we just heard from Ron Paul. And I'll tell you the reason why. (Cheers, boos, applause.) And the reason -- the reason -- the reason why I would say that is because we know without a shadow of a doubt that Iran will take a nuclear weapon, they will use it to wipe our ally Israel off the face of the map, and they've stated they will use it against the United States of America.

Look no further than the Iranian constitution, which states unequivocally that their -- their mission is to extend Jihad across the world and eventually to set up a worldwide caliphate. We would be fools and knaves to ignore their purpose and their plan. (Cheers, applause.)

MR. BAIER: Congressman Paul.

REP. PAUL: Obviously I would like to see a lot less nuclear weapons. I don't want Iran to have a nuclear weapon. I would like to reduce them because there would be less chance of war.

But to declare war on 1.2 billion Muslims and say all Muslims are the same, this is dangerous talk. Yeah, there are some radicals. But they don't come here to kill us because we're free and prosperous. Do they go to Switzerland and Sweden? I mean, that's absurd. If you think that is the reason, we have no chance of winning this. They come here and explicitly explain it to us. CIA has explained it to us. It said they come here and they want to do us harm because we're bombing them.

What -- what is the whole world about the drone being in Iran? And we're begging and pleading and how are we going to start a war to get this drone back. Why were we flying the drone over Iran? Why do we have to bomb so many countries? Why are we in -- have 900 bases in 130 countries and we're totally bankrupt? How are you going to rebuild a military when we have no money? How are we going to take care of the people? (Cheers, applause.)

So I think -- I think this wild goal to have another war in the name of defense is the dangerous thing. The dangers -- the danger is really us overreacting. And we need a strong national defense, and we need to only go to war with a declaration of war -- and just carelessly flouting it and starting these wars so often.

MR. BAIER: Speaker Gingrich, as Congressman Paul -- (cheers, applause).

REP. BACHMANN: And the point would be -- can I respond to that?

MR. BAIER: Go ahead.

REP. BACHMANN: Can I -- and the problem would be the greatest underreaction in world history if we have an avowed madman who uses that nuclear weapon to wipe nations off the face of the Earth. And we have an IAEA report that just
recently came out that said literally Iran is within just months of being able to obtain that weapon, nothing could be more dangerous than the comments that we just heard.

(Appause.)

REP. PAUL: (Inaudible.)

MR. BAIER: All right, 30 seconds, Congressman Paul.

REP. PAUL: There is no U.N. report that said that. It's totally wrong on what you -- what you just said.

REP. BACHMANN: It's the IAEA report.

REP. PAUL: That is not -- that is not true. They produced information that led you to believe that, but they have no evidence. there's no -- there's been no enrichment of (these bombs?) --

REP. BACHMANN: And if we agree with that -- (boos) -- if we agree with that, the United States people could be at risk of our national security.

REP. PAUL: OK, she took my time, so I'd like -- I'd like to finish. If she thinks we live in a dangerous world, she ought to think back when I was drafted in 1962, with the nuclear missiles in Cuba. And Kennedy calls Khrushchev and talks to him and talks him out of this and we don't have a nuclear exchange. And you're trying to dramatize this that we have to go and treat Iran like we've treated Iraq and kill a million Iraqis, and 8,000-some Americans have died since we've gone to war.

You cannot solve those problems with war. You can solve the problems if we follow our Constitution, go to war only when we declare the war, go in and win them and get them over with, instead of this endless fighting and this endless (attitude?) that we have enemies all around the world.

MR. BAIER: Congressman --

REP. BACHMANN: But as president, I'd stand on the side of --

(Cheers, applause, boos.)

MR. BAIER: I think we've been pretty -- thank you.

REP. BACHMANN: -- (inaudible) -- the American people.

MR. BAIER: We've been pretty liberal with our friendly ding.

Mr. Speaker, you have been openly critical of the United Nations. For example, on the topic of Palestinian efforts for statehood at the U.N., you said, quote, "We don't need to fund a corrupt institution to beat up on our allies." In a Gingrich administration, would the United States leave the U.N.?

MR. GINGRICH: No, but we would dramatically reduce our reliance on it. And we'd confront certain realities. People talk about a peace process.

Eleven missiles were fired into Israel last month -- last month. Over 200 missiles have been fired into Israel this year.

Do you think if we had 11 missiles fired into the United States we'd have -- well, with this president, he might well say: Gee, maybe we could communicate and you would like us more. (Laughter.) But I don't think those are -- you know, I think most of us -- most Americans would say, you know, if you're firing missiles at me, that may not be a very good gesture, OK? (Laughter.)
United Nations camps that we have helped fund have been training grounds for terrorism. As Congresswoman Bachmann pointed out the last time we debated, she was over there with textbooks that are clearly teaching terrorism, that are indirectly funded by the United States through the U.N. We have no obligation to lie, and every obligation to tell the truth about how bad the U.N. bureaucracy is and why it ought to be fixed, or we ought to radically cut what we're paying. (Cheers, applause.)

MR. BAIER: Governor Huntsman, do you agree?

MR. HUNTSMAN: I think the United Nations serves a useful purpose in the area of peacekeeping and some humanitarian work. Beyond that, I hate the anti-Americanism, I hate the anti-Israel sentiment.

But let me tell you what this nation needs, and what it's going to get under a Huntsman administration. It needs a new foreign policy. We need to update it just a little bit. We're still trapped a little bit in the Cold War-George Kennan mindset. I want to make sure that, first and foremost, we have a foreign policy and a national security strategy that recognizes that we have to fix our core here at home. We're weak. This economy is broken.

When we're strong, we project values of goodness that transform and change people like no military can -- (bell rings) -- liberty, democracy, human rights and free markets. We've got to fix this core, first and foremost, if we're going to be effective overseas. And that's what I want to focus on. Second of all, I want to make sure that --

MR. BAIER: Governor Huntsman, that's the time.

Thank you.

MR. HUNTSMAN: OK, let me just -- let me just get point -- the second point. And second of all, I want a foreign policy -- (laughter) -- I want a foreign policy that is driven by economics first.

And let me just tell you, it used to break my heart sitting in the embassy in Beijing -- (bell rings) -- (laughter) -- the second largest embassy in the world, looking at Afghanistan with a hundred thousand troops. We're securing the place, and the Chinese go in, and they win the mining concession. There's something wrong with that picture. We need to change the way we're doing business overseas.

MR. BAIER: OK, two dings in that one. (Laughter.)

Governor Perry, given the grim details of the recent United Nations report on the Syrian regime killing and torturing its own people -- thousands of people said to be killed at the hands of the Assad regime -- at what point should the U.S. consider military intervention there?

GOV. PERRY: Well, I've already called for an overfly zone -- no-fly zone over Syria already. They are Iran's partner. They are attached at the hip. And we have to stand firm with our ally in that region, Israel. There needs to be no space between the United States and Israel.

And this administration has absolutely bungled. It is the most muddled foreign policy that I can ever remember in my lifetime, whether it was in '09 when we had the opportunity, either covertly, overtly or other ways of helping the Iranian citizens as they were trying to overthrow that repressive regime, whether it was working with Mubarak and trying to have a moderate to come in and replace him, whether it was leading from behind, as we've seen in Libya.

And now we've seen this president, as Mitt and Newt have both talked about,
asking the Iranians to give us back that drone. What we should have done was one of two things: We either destroy it, or we retrieve it. He took a third route, which was the worst and the weakest, and that is to do nothing. (Applause.)

MR. BAIER: Now to my colleague Neal Cavuto.

Neil.

MR. CAVUTO: All right, candidates. I want to move on, if we can, to energy issues.

And Speaker Gingrich, I'd like to begin with you.

As you know, the president, sir, has rejected any efforts to tie a payroll tax cut extension with the Keystone pipeline and to reopen it -- and to explore reopening it as well. He says that any other way to connect the two would be akin to adding an extraneous issue.

Given his opposition, and the likelihood that the Keystone issue could be up in the air for a year or more, how do you recommend Republicans deal with this to force the issue?

MR. GINGRICH: You know, Neil, I sometimes get accused of using language that's too strong. So I've been standing here editing. (Laughter.) And I'm very concerned about not appearing to be zany. And -- (laughter, groans) but -- but I want to paint a picture for all of us. The Iranians are practicing closing the Straits of Hormuz. The Canadian prime minister has already said to the American president: If you don't want to build this pipeline to bring -- create 20,000 American jobs and bring oil through the United States to the largest refinery complex in the world, Houston, I want to put it straight west in Canada, to Vancouver, and ship the oil direct to China, so you'll lose the jobs, you'll lose the throughput, you'll lose 30 or 40 years of work in Houston.

And the president of the United States cannot figure out that it is -- I'm -- I'm using mild words here -- utterly irrational to say I'm now going to veto a middle-class tax cut to protect left-wing environmental extremists in San Francisco, so that we're going to kill American jobs, weaken American energy, make us more vulnerable to the Iranians and do so in a way that makes no sense to any normal, rational American. (Cheers, applause.)

MR. : That was the -- (off mic).

Mr. : (Off mic.)

MR. CAVUTO: No offense, sir, but you didn't answer my question. What would -- (laughter) -- what would you do to try to move on this within a year?

MR. GINGRICH: What -- what should the congressional Republicans do? They should attach it to the middle-class tax cuts, send it to the president, force him to veto it, send it a second time.

We had to send welfare reform to Bill Clinton three times. He vetoed it twice. By the third time the popular outrage was so angry, 92 percent of the country wanted to have welfare reform, he decided to sign it. It happened to be an election year.

I'd say to the president, you want to look like you are totally out of touch with the American people, be my guest, but I'm not backing down when we're right and you are totally wrong. (Cheers, applause.)

MR. CAVUTO: Governor Huntsman, on the same issue, if you don't mind, the delay, as you pointed out, stands to threaten thousands of jobs -- in a recent
speech you said potentially up to 100,000 jobs. But the president's supporters say a rushed decision could cost the environment a great deal more.

What I'd like to ask you, Governor: Is there any condition under which a President Huntsman would say the need to protect our land trumps the need to provide more jobs?

MR. HUNTSMAN: It's always going to be a balancing act. We've got land that everybody respects and appreciates.

But the job we've got to undertake as American people is to fuel our future. We have no choice. I mean, our economy has hit the wall. I want to get rid of that heroin-like addiction we have based on imported oil -- $300 billion transfers every year from this country to a lot of unpredictable and -- relationships that are no more than transactional. In order to get to where this country needs to be, we need a relationship with Canada from which we can draw raw materials.

But I also want to make sure that I'm able as president to disrupt the oil monopoly. There is a one-product monopoly in terms of product distribution in this country. If we're going to achieve real energy independence, we're going to have to be able to draw from a multiplicity of products -- like natural gas. We wake up to the reality, Neil, in this country that we have more natural gas than Saudi Arabia has oil, I say, how stupid are we?

When are we going to get with the picture, and start converting to transportation, converting to manufacturing, converting to electricity and power generation? It is completely within our grasp. It's going to require a president who understands that -- that delicate balance, and who is going to be able to go out with an aggressive plan -- (bell rings) -- toward energy independence, that gets it done for this country. (Applause.)

MR. CAVUTO: Congresswoman Bachmann, you -- you were very critical, Congresswoman, of the extended shutdown after the BP oil spill that, I believe, lasted upwards of five, six months, in terms of a moratorium. I was wondering, though, Congresswoman, if you were president and there were such a disaster again, what would be an acceptable period for oil drilling to cease, for you to get to the bottom of the problem?

REP. BACHMANN: Well, what we needed to do was find out what the true cause of the problem was, and the Obama administration wasn't willing to have a true and thoughtful investigation to get to the bottom of it. President Obama jumped to conclusions, and he put a moratorium on accessing American oil in the Gulf region that actually hurt the economy more than the original disaster.

But I wanted to add something on Keystone. Keystone is extremely important, the pipeline. This pipeline is one that would have brought at least 20,000 jobs, at least $6.5 billion worth of economic activity. And if I was president of the United States, I wouldn't have taken the decision that President Obama did. His entire calculus was based upon his reelection effort, because, quite frankly, the radical environmentalists said to President Obama: You pass Keystone, we're not going to do your volunteer door-to-door work.

That's what Barack Obama has done to this country. He's put his reelection over adding jobs and making the United States energy independent. I would have made the decision -- (bell rings) -- as president of the United States; we would have put Keystone online immediately.

(Appplause.)

MR. CAVUTO: Governor Perry, you have railed against the special treatment afforded Solyndra, as have the other candidates here tonight, and particularly the tax code incentives for green technologies and allowances that have been
made for this industry. But as Texas governor, you have afforded the same attention to the oil industry. Back in 2003 you signed a bill that reduced the tax paid by some natural gas companies that have helped them reap since better than $7 billion in tax savings. So I guess what I'm saying is are you guilty of the same behavior as governor, favoring an industry, that you claim this president has, favoring the green industry?

GOV. PERRY: Today is the 220th anniversary of the signing of the Bill of Rights. And one of those, the 10th Amendment, I like a lot. And the reason is because that's how our Founding Fathers saw this country set up, where the -- we have these laboratories of innovation. It -- it should be in the purview and the decision-making process of a state if they want to put tax policies in place that helps make them be more competitive. We did it not only for the oil and gas industry, but we also did it for the alternative industry -- alternative energy industry and the wind industry. They came in droves, made Texas the number one wind-energy-producing state in the nation.

But government shouldn't be picking winners and losers from Washington, D.C. That's the difference. If in the states -- I'll promise you Terry Branstad in this state -- he knows how to put tax policy, regulatory policy in place to make his state be more competitive. And you need 50 states out there competing with each other and Washington out of their hair. (Applause.)

MR. BAIER: Thank you, Neil.

And a reminder: Go to Foxnews.com/debate to see how well the candidates are answering the questions, with your votes.

Coming up, we'll ask about border issues, immigration, and a topic that got a lot of attention on Twitter, plus some controversial social issues as well. Stay tuned.

(Announcements.)

(Cheers, applause.)

MR. BAIER: Welcome back to Sioux City, Iowa, and our Republican presidential debate here in northwestern Iowa.

These people tend to like it, I think, so far.

MS. KELLY: (They do. It's really good?).

MR. : I think they do.

MR. BAIER: Megan, you have the next round of questions, on border issues and immigration.

MS. KELLY: Thank you, Bret.

The question is for you, Governor Perry. This topic received a lot of traffic on Twitter. You have joined the 57 House Republicans who have called for the attorney general of the United States, Eric Holder, to resign in the wake of the failed federal gun tracking program Operation Fast and Furious. (Applause.)

So far there is no clear proof that Mr. Holder knew about the controversial aspects of this operation, and he points out that he actually helped stop it once it came to his attention.

Are you and other Republicans politicizing this issue, as General Holder claims?
GOV. PERRY: If I'm the president of the United States and I find out that there is an operation like Fast and Furious and my attorney general didn't know about it, I would have him resign immediately. (Applause.)

You cannot -- the president of the United States comes to El Paso, Texas, this last -- earlier this year and proclaims that the border of Texas and Mexico, the U.S. border with Mexico is safer than it's ever been -- let me tell you, I've been dealing with this issue for 11 years. I've sent Texas Ranger recon teams there. Our law enforcement men and women face fire from across the border or in the -- the U.S. side from these drug cartels. It is not safe there.

Our country is at jeopardy. If we're going to be able to defend America from Iran, from Hezbollah, from Hamas that are using Mexico as a border or as a -- as a way to penetrate into the southern part of the United States -- Venezuela has the largest Iranian embassy in the world there.

We know what's going on. It is time for this country to have a real conversation about a Monroe Doctrine again, like we did against the Cubans in the '60s. (Applause.)

MS. KELLY: Senator Santorum, what say you to the attorney general's claim that the Republicans are politicizing this issue?

MR. SANTORUM: I would agree with Governor Perry that if -- if he was the attorney general under me I would have him -- I would fire him. I wouldn't have him resign; I'd fire him. This is something he should have been aware of, something that -- that should have been stopped. It shouldn't have started in the first place.

I think Governor Perry is also right. And this is something I've been saying now for many years, which is we need to pay much more attention to what's going on in our own hemisphere. Not only do they have the largest embassy in Venezuela, there are flights from Tehran to -- from Damascus to Caracas. And those flights stop and they -- at a military base before they come into the civilian base. There are training camps -- jihadist training camps in Central and South America, they're working with the drug cartels, and they are planning assaults on the United States. That's what we know is going on right now, and we are doing -- this president has -- has ignored that threat, has insulted our allies like Honduras and Colombia, deliberately; has embraced, as he has the other scoundrels in the Middle East -- has embraced Chavez and Ortega and others in Central and South America, not promoting our values and interests. We need a brand-new initiative, an initiative that says that we will promote our values in this region and we will stop the spread of terrorism in Central and South America. (Cheers, applause.)

MS. KELLY: Governor Romney, last week you said that the 11 million illegal immigrants now in this country must return to their countries of origin before they can apply for legal status. You also said that we are not going to go around and round up the 11 million.

Why would these illegal immigrants voluntarily leave America just to apply for a chance at legal status, especially when they have your assurance that if they stay put, we're not going to round that up?

MR. ROMNEY: Let me tell you how that works. We're going to have an identification card for people who come here legally. Last campaign, actually, Rudy Giuliani talked about this time and time again. We'd have a card, little plastic card, bio-information on it. Individuals who come here legally have that card, and when they apply for a job, they're able to show that to the employer. The employer must then check it with E-verify or a similar system. Newt Gingrich points out, let Federal Express -- not Federal Express -- American Express or MasterCard or Visa process that, immediately determine if the card's
valid or not. So if people come here legally, they got that card. If employers hire people without that card, the employer gets sanctioned just like they do for not paying taxes, very serious sanctions.

So you say to people who are here illegally today, you're not going to be able to work here unless you register, unless we -- we'll give you a transition period of time, and then ultimately you got to go home, apply for permanent residency here, or citizenship if you want to try and do that, but get in line behind everyone else.

My view is, people who've come here illegally, we welcome you to apply, but you must get at the back of the line, because there are millions of people who are in line right now that want to come here legally; I want those to come here legally. Those that are here illegally have to get in line with everybody else. (Applause.)

MS. KELLY: Speaker Gingrich, is that realistic?

MR. GINGRICH: Well, let me start and say that Congressman Steve King has just introduced the IDEA Act, which would in fact reinforce this model, because it would take away all tax deductibility for anyone who is employed illegally. And once you have something like e-Verify effectively working, you really build a big sanction.

We disagree some on what you do with very, very long-term people here. I think somebody who's been here 25 years and has family here and has local family supporting them ought to have some kind of civilian certification.

But let me say on this whole issue of immigration, on day one I would drop all the lawsuits against Arizona, South Carolina and Alabama. (Applause.) It is wrong for the government. (Cheers, applause.)

I would propose -- I would propose cutting off all federal aid to any sanctuary city that deliberately violated federal law -- (cheers, applause) -- and I'd begin the process of completing control of the border by January 1, 2014. Those steps would begin to fundamentally change the entire behavior towards getting control of legality in the United States. (Applause.)

MS. KELLY: Governor Huntsman, a recent Fox News poll showed that 66 percent of voters believe that the government should allow a path to citizenship for the illegal immigrants who are already here in this country. Nearly three-quarters of Latinos agree. Given these majorities, and given the growing importance of the Latino vote in the general election, does the Republican presidential candidate need to take a more moderate approach to this issue if he hopes to defeat President Obama?

MR. HUNTSMAN: Well, I think the Republican candidate has to speak based on our values, the values of the Republican Party: limited government, pro-growth. These are the things that the Hispanic and Latino populations are going to be looking for. You don't need to pander. You just need to be -- we need to be who we are.

But in terms of immigration and illegal immigration, this president has so screwed up this economy, nobody is coming anymore. (Laughter.) There's nothing to come for. I mean, if there's not a problem today -- just take a look at the numbers coming across. I mean, the numbers -- it was posted the other day -- lowest in four decades.

So I say, you know, we've got to secure the border, of course. We've got to deal with the 11 (million), 12 million people who are here. But let's not lose sight of the fact that legal immigration is an engine of growth for this country. Half of the Fortune 500 companies in this country today were founded by immigrants. We have lost probably -- well, our market share of travel and
tourism has gone from 7 percent to 12 percent (sic) because our visa system is so screwed up in this nation.

So you've got to look at the Department of Homeland Security. You've got to completely remake the way that people are moving back and forth, our H-1B visa system, how we're dealing with the movement of people, how we're dealing with immigration. This is an economic development opportunity, and we are missing it.

(Appause.)

MR. BAIER: Thank you, Governor.

Chris Wallace has the next round of questions.

MR. WALLACE: Thanks, Bret.

Governor Romney, you have changed your position in the last 10 years on abortion, on gay rights, on guns. You say keeping an open mind is a strength, but some of your critics say that every one of these moves has been to your political advantage. When you were running in Massachusetts, you took liberal positions; running now as president, you take more conservative positions. Is that principle, or is it just politics?

MR. ROMNEY: Well, I begin by taking exception with your list there. I did change my --

MR. WALLACE: With which one?

MR. ROMNEY: Gay rights. I --

MR. WALLACE: Well --

MR. ROMNEY: I am firmly in support of people not being discriminated against based upon their sexual orientation. At the same time, I oppose same-sex marriage. That's been my position from the beginning.

With regards to abortion, I changed my mind. With regards to abortion, I had the experience of coming into office; running for governor; saying, you know, I'm going to keep the laws as they exist in the state. And they were pro-choice laws, so effectively I was pro-choice. Then I had a bill come to my desk that didn't just keep the laws as they were, but that would have created new embryos for the purpose of destroying them. I studied it at some depth, and concluded I simply could not sign on to take human life. I vetoed that bill. I went to the -- (applause) -- to the Boston Globe; I described for them why I am pro-life. Every decision I took as governor was taken on the side of life. I am firmly pro-life.

I have learned over time, like Ronald Reagan and George Herbert Walker Bush and others; my experience in life over -- what? -- 19 -- 17, 18, 19 years, has told me that sometimes I was wrong. (Bell rings.) Where I was wrong, I've tried to correct myself.

MR. WALLACE: If I may just pick up, you said the one issue which I was wrong on was gay rights; correct, sir?

MR. ROMNEY: Mm m hmm. Mm m hmm. What was -- what was it -- I don't recall the whole list, but I --

MR. WALLACE: It was abortion, gay rights and guns.

MR. ROMNEY: You know, I've always supported the Second Amendment. And we had a piece of legislation that came to our desk that would have -- that
provided an assault weapon ban.

The gun lobby favored it because it also did things that the gun lobby wanted. Working with them, we decided to sign the bill. So you can say, well, they -- I've changed my position on that, but I've been pro-gun; continue to be pro-gun.

MR. WALLACE: If I may, sir, in 1994, when you were running for the Senate, you wrote a letter to the Log Cabin Republicans in which you said: I am more convinced than ever before that, as we seek full equality for America's gay and lesbian citizens, I will provide more effective leadership than my opponent -- who was Ted Kennedy.

In 1994, you also said you supported not only an assault weapons ban, but also a five-day waiting period. And in 2002, when you were running as governor, you said that you supported the tough gun-control laws in Massachusetts. And then, as you say, in 2004, you also signed an assault weapons ban.

So you are still more of a champion of gay rights than Ted Kennedy was?

MR. ROMNEY: I think -- I think -- I think you just said exactly what I said, which is this --

MR. WALLACE: I -- I --

MR. ROMNEY: Wait, let me -- let me go back and say that. I do not believe in discriminating against people based upon their sexual orientation. There are some people that do. I had a member of my administration, my cabinet, who was -- who was gay. I didn't ask justices that I was looking to appoint -- rather, people who are applicants for jobs -- what their sexual orientation was. I believe as a Republican I had the potential to fight for antidiscrimination in a way that would be even better than Senator Kennedy as a Democrat who was expected to do so.

At the same time, Chris, in 1994 and throughout my career, I have said I oppose same-sex marriage. Marriage is a relationship between a man and a woman. (Bell rings.) My view is, let me tell you, protect -- protect the sanctity of marriage; protect the sanctity of life. That's my view. I've had it for many years. Thank you. (Applause.)

MR. WALLACE: Senator Santorum, you have campaigned on social issues as much, or perhaps more than any other candidate on this stage. Are you persuaded that Governor Romney has made these changes -- or what he says in some cases are not changes -- based on principle and not political expedience?

MR. SANTORUM: Governor Romney, when he was governor of Massachusetts, was faced with a Supreme Court decision that said that same-sex -- that traditional marriage was unconstitutional.

In that court decision, the court said that they did not have the power to change the law in Massachusetts and rule same-sex marriage legal.

Why? Because in the Massachusetts constitution, it states specifically that only the governor and the legislature can change marriage laws.

Governor Romney, they -- the court then gave the legislature a certain amount of time to change the law. They did not.

So Governor Romney was faced with a choice: Go along with the court or go along with the constitution and the statute. He chose the court and ordered people to issue gay marriage licenses and went beyond that. He personally, as governor, issued gay marriage licenses. I don't think that is an accurate representation of his position of saying tolerance versus substantively changing
I've had a strong, consistent track record of standing up for the values of this country, not discriminating. I had a no-discrimination policy in my office. But we're not talking about discrimination. We're talking about changing the basic values of our country.

MR. WALLACE: Governor, Romney, 30 seconds to respond, sir. (Applause.)

MR. ROMNEY: That -- that's a very novel understanding of what our supreme court in Massachusetts did. I think everybody in Massachusetts and the legal profession in Massachusetts and my legal counsel indicated that the supreme court of Massachusetts determined that under our constitution, same-sex marriage was required. And the idea that somehow that was up to me to make -- to make a choice as to whether we had it or not was a little unusual. We -- we got together with our legislature, and I fought, leading an effort to -- to put in place a constitutional amendment in Massachusetts to overturn the court's decision, to make marriage as a relationship between a man and a woman. This is something I battled. In the year I had after their decision, I fought it every way I possibly could. I went to Washington, testifying in favor of a federal amendment to define marriage is a relationship between a man and a woman.

MR. WALLACE: Time, sir.

MR. ROMNEY: Let me tell you: I -- I want to make it very clear. I have been a champion of protecting traditional marriage. That continues to be my view. If I somehow missed somewhere, I'm happy to get corrected, but that is something I feel very deeply.

MR. WALLACE: All right.

Congresswoman Bachmann, you say that Speaker Gingrich has a, quote, "inconsistent" record on life. And you have singled out comments he made recently that life begins with the implantation of a fertilized egg, not at conception. What's your concern?

REP. BACHMANN: Well, my concern is the fact that the Republican Party can't get the issue of life wrong. This is a basic part of our party. Just last night we gathered in Des Moines to talk about this issue, because it's that crucial to our party.

And one of the concerns that I had is that when Speaker Gingrich was speaker of the House, he had an opportunity to defund Planned Parenthood, and he chose not to take it. That's a big issue.

And also, I think even more troubling: When he was in Washington, D.C., he made an affirmative statement that he would not support, but he would campaign for Republicans who were in support of the barbaric procedure known as partial-birth abortion. I could never do that.

And as a matter of fact, George Will asked the question of Speaker Gingrich -- he said this -- he said: Is it a virtue to tolerate infanticide?

This is a seminal issue. It's something that we can't get wrong. And as president of the United States, I will be 100 percent pro-life from conception until natural death. (Applause.)

MR. WALLACE: Speaker Gingrich.

MR. GINGRICH: Sometimes, Congresswoman Bachmann doesn't get her facts very accurate. I had a 98.5 percent Right to Life voting record in 20 years. The only --
MR. WALLACE: Go ahead, I'm --

MR. GINGRICH: The only difference was that they didn't like the initial welfare reform bill, which every other conservative group had said had nothing in it on abortion, period.

That's the only one in 20 years.

I believe that life begins at conception. The conversation we were having, which was an ABC interview -- I was, frankly, thinking about proposing a commission to look at fertility clinics because I think there is a challenge with what happens to embryos, who I think should be regarded as life because, by definition, they've been conceived. I am against any kind of experimentation on embryos. And I think my position on life, actually, has been very clear and very consistent.

MR. WALLACE: Let me just ask if --

REP. BACHMANN: But if --

MR. WALLACE: No, I want to ask you a direct question, if I may, Speaker, now. That was your rebuttal to Congresswoman Bachmann.

MR. GINGRICH: OK.

REP. BACHMANN: But can I rebuttal be -- be a -- have a rebuttal for getting my facts wrong? (Chuckles.)

MR. WALLACE: Absolutely, Congresswoman.

REP. BACHMANN: Because this isn't just once. I think it's outrageous to -- to continue to say over and over through the debates that I don't have my facts right when, as a matter of fact, I do. I'm a serious candidate for president of the United States, and my facts are accurate. Speaker Gingrich said that he would actively support and campaign for Republicans who got behind the barbaric practice of partial-birth abortion. This is not a small issue. This is a big issue. And I think George Will was right when he asked that question: What virtue is there in tolerating infanticide?

MR. WALLACE: We're way over time, so I'm just going to ask you for 30 seconds, sir, to respond on that specific issue.

MR. GINGRICH: Well, I mean, first of all, what I said on that particular issue is I wouldn't go out and try to purge Republicans. Now, I don't see how you're going to govern the country if you're going to run around and decide who you're going to purge. The fact is twice when I was speaker, we moved the end of partial-birth abortion. Clinton vetoed it. We worked very hard, and Rick Santorum has been a leader on this issue. I have consistently opposed partial-birth abortion. I, in fact, would like to see us go much further than that and -- and -- and eliminate abortions as a choice.

And I said as president, I would defund Planned Parenthood and shift the money to pay for adoption services to give young women a choice of life rather than death. (Applause.)

MR. WALLACE: Thank -- thank you, Speaker.

MR. BAIER: Thanks, Chris.

Candidates, Ronald Reagan famously espoused his 11th commandment, thou shalt not --

AUDIENCE MEMBER: (Off mic.)
MR. BAIER: I'm sorry -- thank you. Thank you very much.

AUDIENCE MEMBER: (Off mic) -- Federal Reserve System?

MR. BAIER: Thank you very much. Well, let me just finish this question. We're running out of time.

Ronald Reagan famously espoused the 11th commandment, thou shalt not speak ill of another Republican. Yet to varying degrees during this campaign, you've all broken that one way or another, broken that vow.

So I guess the question is, how do you balance on the one hand, trying to win the nomination, with on the other hand, not weakening the eventual nominee to the point where he or she is less electable than President Obama?

Down the row. Senator Santorum.

MR. SANTORUM: We have a responsibility to vet the candidates. That's what -- look, I've been at 350 town hall meetings. I've been kicked pretty hard by a lot of Iowans about the positions I hold. And that's what -- that's the process. The process is, let's find out who can stand up. Let's find out who has the best record, who's the most -- who's the person that can have the consistency of going out there and fighting for the principles that we believe in, because I -- let me assure you, the other side's going to kick very, very hard, and we have to have someone who can stand up for, fight, and holds those convictions deep so they can fight the good fight in the fall and win this presidency.

MR. BAIER: Governor Perry.

GOV. PERRY: Yeah. There's an -- matter of fact, I think that was the Republican chairman, not Ronald Reagan, that actually said that.

MR. BAIER: Well, he espoused it, the president.

GOV. PERRY: Right. Indeed he did.

There's an NFL player, his name doesn't come to mind, but he said if you don't get your tail kicked every now and then, you're not playing at a high enough level. And I just want to give all of you credit for letting me play at a high enough level and for -- (laughter) -- training me the way that you have. (Applause.)

MR. BAIER: Governor Romney.

MR. ROMNEY: Yeah, we can handle it. And -- and there's nothing -- there's nothing that's been said by -- by these folks on the stage about me that I'm not going to hear a hundred times from -- from President Obama. He's going to have, what, a billion dollars to go after me or whoever our nominee is? We're going to give each other what we need to for people to understand who we are.

But let's not forget this. Let's every day remember that time and time again, this is -- it's President Obama we've got to be talking about. He has unveiled himself as a president that's not -- (cheers, applause) -- not the right person to lead this country.

MR. BAIER: Speaker Gingrich.

MR. GINGRICH: Well, I think it's pretty clear if you look at my ads, if you look at my website, if you look at what -- how I've operated in the debates, that while I reserve the right to correct (being?) -- attacks against -- against me, overall I've tried very hard to talk about very big solutions, to be
-- to go to the American people with a communication about what do we need to do.

And I've said consistently: These are all friends of mine. Any of these folks would be better than Barack Obama in the White House. Any of them would be great in the next administration. (Applause.) Our only opponent is Barack Obama. And we need to come out of this process remembering: Beating him is what we collectively have to do. (Applause.)

MR. BAIER: Congressman Paul.

REP. PAUL: Well, you know, the media has a responsibility and we have a responsibility and I think -- exposing our opponents to what they believed in and it flip-flopped. I think the reason maybe that we had to do more this year is maybe the media is messing up and they haven't asked enough questions and we have to fill in and ask these questions and get this information out.

So, no. I think it's a responsibility on us. I think there should be lines drawn. I think there are some things below the belt. I don't think -- but I don't like the demagoguing, the distortion and taking things out of context. I don't like that. But when they disagree on an issue, important issues, then we should expose it. (Applause.)

MR. BAIER: Congresswoman Bachmann.

REP. BACHMANN: Ronald Reagan also brought clarity to the -- his opponents that he had in his primaries as well. And he famously asked the question in 1980: Are we better off today than we were four years under Jimmy Carter?

And I think the republic is in far worse shape today under Barack Obama's leadership. That's what we're exposing now. Who will be -- who will continue that legacy of Ronald Reagan and who will take Barack Obama on, toe to toe, and hold him accountable? And I think that I'll be the best one to do that on the stage.

MR. BAIER: Governor Huntsman.

MR. HUNTSMAN: I actually worked for Ronald Reagan, and I think he would have been the first to stand up and say: Debate is good. It must be respectful, and it must be rigorous.

A rigorous debate will lead to greater trust, and the one thing this nation needs desperately today is heightened trust -- in our institutions, in our tax code, in our wars abroad, in Congress, toward Wall Street.

And I'm here to tell you that this kind of debate over time is going to elevate the trust level in whomever makes it out as the nominee. That will allow us to beat Barack Obama.

Thank you. (Applause.)

MR. BAIER: Well, that is it for our debate tonight. Thank you all very much. Our thanks to the candidates, their staffs, the Iowa Republican Party and to all the great people here in Sioux City and of course in Iowa. (Cheers, applause.) They could not have been more hospitable.

Our next debate is in South Carolina, January 16th.
EVENT DATE: December 15, 2011
TYPE: NEWS EVENT
LOCATION: SIOUX CITY, IOWA
SPEAKER: REPUBLICAN PRESIDENTIAL CANDIDATES

WITNESSES:
BRET BAIER, MODERATOR
FORMER REP. NEWT GINGRICH, R-GA., PRESIDENTIAL CANDIDATE
MEGYN KELLY, FOX NEWS ANCHOR
REP. RON PAUL, R-TEXAS, PRESIDENTIAL CANDIDATE
FORMER SEN. RICK SANTORUM, R-PA., PRESIDENTIAL CANDIDATE
CHRIS WALLACE, FOX NEWS ANCHOR
FORMER GOV. MITT ROMNEY, R-MASS., PRESIDENTIAL CANDIDATE
REP. MICHELE BACHMANN, R-MN., PRESIDENTIAL CANDIDATE
NEIL CAVUTO, FOX NEWS ANCHOR
GOV. RICK PERRY, R-TEXAS, PRESIDENTIAL CANDIDATE
FORMER GOV. JON HUNTSMAN JR., R-UTAH, PRESIDENTIAL CANDIDATE

TEXT:

BAIER: Welcome to the Sioux City Convention Center, the site of our Republican presidential debate, the first ever presidential debate in Sioux City here in northwestern Iowa. How about that? This crowd's fantastic. It's being sponsored by Fox News and the Iowa Republican Party. Besides watching us on Fox News Channel, we are being streamed on foxnews.com and heard on Fox News Radio.

Now, this is the final debate before the January 3rd Iowa caucuses, the closing arguments for the now-familiar seven candidate on this stage. From left to right, former Senator Rick Santorum...

(APPLAUSE)

... Texas Governor Rick Perry...

(APPLAUSE)

... former Massachusetts Governor Mitt Romney...

(APPLAUSE)

... former Speaker of the House Newt Gingrich...

(APPLAUSE)
... Congressman Ron Paul...

[APPLAUSE]

... Congresswoman Michele Bachmann...

[APPLAUSE]

... and former Utah Governor Jon Huntsman.

[APPLAUSE]

Joining me at the big desk tonight, my Fox News colleagues, Neil Cavuto, Chris Wallace, and Megyn Kelly.

[APPLAUSE]

Now, our rules are similar to our previous Fox debates: one minute for answers, 30 seconds for follow-ups. If the candidates run too long, we'll politely remind them it's time to wrap up with this sound. After a long string of debates, we trust you all know the drill and we won't have to use that sound too much.

We also have, as I mentioned, a very enthusiastic crowd here tonight, and we welcome that, but we do have a limited amount of time here, and we ask you to honor the fact that we're trying to keep the valuable time for the candidates throughout this debate.

Tonight's event, obviously, comes amid an extraordinary backdrop: the struggling American economy now further threatened by financial turmoil in Europe; gridlock on Capitol Hill; a real threat to world security posed by Iran, even as we pull the last U.S. troops out of Iraq.

And we have received thousands of tweets and Facebook messages and e-mails with suggested questions, and the overall majority of them had one theme: electability. People want to know which one of you on this stage is able to be in the best position to beat President Obama in the general election. And that's the number-one goal for Republican voters, obviously.

Speaker Gingrich, since our last debate, your position in this race has changed dramatically. You are now physically at the center of the stage, which means you're at the top of the polls, yet many Republicans seem conflicted about you. They say that you're smart, that you're a big thinker. At the same time, many of those same Republicans worry deeply about your electability in a general election, saying perhaps Governor Romney is a safer bet.

Can you put to rest once and for all the persistent doubts that you are, indeed, the right candidate on this stage to go up and beat President Obama?

GINGRICH: Well, first of all, let me just say to you and to all of our viewers, merry Christmas. This is a great time for us to be here. And I hope that everybody across the country has a very joyous Christmas season.

I've been around long enough that I remember at this exact time in 1979 when Ronald Reagan was running 30 points behind Bill Clinton -- behind Jimmy Carter. And if people had said, "Gosh, electability is the number-one issue," they wouldn't have nominated him.

What they said was: He believes what he's talking about. He has big solutions. He can get the economy growing. He understands foreign policy, and he's the person I want to have debate Jimmy Carter. He carried more states against Carter than FDR carried against Herbert Hoover in 1932.
I believe I can debate Barack Obama, and I think in seven three-hour debates, Barack Obama will not have a leg to stand on in trying to defend a record that is terrible and an ideology that is radical.

BAIER: Mr. Speaker, Governor Romney...

(APPLAUSE)

Governor Romney just yesterday said you're an unreliable conservative. Now, obviously, he's your opponent. He's your opponent. But even Iowa Governor Terry Branstad said today he respects you greatly, but he openly questioned whether you had the discipline and focus to be president.

GINGRICH: Well, those are two different questions. The first -- let me take them one by one, very quickly. I have a 90 percent American Conservative Union voting record for 20 years. I balanced the budget for four straight years, paid off $405 billion in debt. Pretty conservative. The first wealth entitlement reform of your lifetime, in fact, the only major entitlement reform until now was welfare. Two out of three people went back to work or went to school. Pretty conservative. First tax cut in 16 years, largest capital gains tax cut in American history, unemployment came down to 4.2 percent. Pretty conservative.

I think on the conservative thing, it's sort of laughable to suggest that somebody who campaigned with Ronald Reagan and with Jack Kemp and has had a 30-year record of conservatism, is somehow not a conservative?

BAIER: And what about the concerns from Iowa governor Branstad?

GINGRICH: I think people have to watch my career and decide. I spent 16 years working to create the first Republican majority in 40 years. I spent years helping create the first balanced budgets. I am the longest serving teacher in the senior military, 23 years teaching one and two-star generals and admirals the art of war. I think it's fair to say that my commitment to disciplined, systematic work is -- is fairly obvious. You know, people just have to decide.

Part of the difference is, I do change things when conditions change. And part of the difference is I strive for very large changes and I'm prepared to really try to lead the American people to get this country back on the right track. And that's a very large change.

BAIER: Now to my colleague, Megyn Kelly.

KELLY: A similar question to you, Congressman Paul. You have some bold ideas. Some very fervent supporters and probably the most organized ground campaign here in Iowa. But there are many Republicans inside and outside of this state who openly doubt whether you can be elected president. How can you convince them otherwise? And if you don't wind up winning this nomination, will you pledge here tonight that you will support the ultimate nominee?

PAUL: Well, you know, fortunately for the Republican party this year, probably every -- anybody up here could probably beat Obama, so.

(LAUGHTER)

(APPLAUSE)

PAUL: So the challenge isn't all that great on how we're going to beat Obama. I think he's beating himself. I think really the question is, is what do we have to offer? And I have something different to offer. I emphasize civil liberties. I emphasize a pro-American foreign policy, which is a lot different than policemen of the world. I emphasize, you know, monetary policy
and these things that the other candidates don't -- don't talk about. But I think the important thing is the philosophy I'm talking about is the Constitution and freedom.

And that brings people together. It brings independents into the fold and it brings Democrats over on some of these issues. So, therefore, I see this philosophy as being very electable, because it's an America philosophy. It's the rule of law. And it -- it means that, you know, we ought to balance the budget. It opens up the door for saying -- supporting my willingness to cut $1 trillion out of the budget the first year.

(APPLAUSE)

KELLY: Senator Santorum, no one has spent more time in Iowa than you. You have visited every county in the state. And yet while we have seen no fewer than four Republican candidates surge in the polls, sometimes in extraordinary ways, so far your campaign and you have failed to catch fire with the voters. Why?

SANTORUM: Well I'm counting on the people of Iowa to catch fire for me. That's -- that's what this plan was all about from day one, is to go to all 99 counties and do already almost 350 town hall meetings here in Iowa. We're organizing. We have a very clear message. That's the thing that's going to pay off for us in the end. And we present a clear contrast that really nobody else in this race does.

We present the contrast of someone who's been a strong conviction conservative. You know where I stand. You can trust me because I've been there and I've done it. And I did it as a leader. When I was in the leadership, if you were a conservative and you had an issue that you wanted to get voted on or you wanted to get done in the United States Senate, you came to Rick Santorum. Because I was the guy fighting for the conservative cause when it was popular, and when it was unpopular.

The speaker had a conservative revolution against him when he was the speaker of the House. I had conservatives knocking down my door because I was the effective advocate for the principles that they believed in. That's the contrast. We have -- we need someone who's strong in their political and personal life to go out and contrast themselves with the president and make him the issue in this campaign. And that's why Iowans are beginning to respond. They like the accountability. They like the fact that I've been there and -- and met with them and believe in them to lead this country.

BAIER: Chris Wallace?

(APPLAUSE)

WALLACE: Thank you Brett. Governor Romney, I want to follow up on Brett's line of questioning to the speaker. Because many of our viewers tell us that they are supporting Newt Gingrich because they think that he will be tougher than you in taking the fight to Barack Obama in next fall's debates. Why would you be able to make the Republican case against the president more effectively than the speaker?

ROMNEY: Well let's step back and talk about what's really happening in the country. What we're finding across America is a lot of people are really hurting. 25 million people out of work, stopped looking for work or in part-time work that need full-time jobs. A lot of people in the middle-class who have seen incomes go down as the cost of their living has gone up and up and up. The American people care very deeply about having a president who'd get America right again.

And all of us on this stage have spoken over the last several debates
about the fact that government doesn't create jobs, but the private sector does. I spent my life, my career in the private sector. I understand, by the way from my successes and failures what it's going to take to put Americans back to work with high-paying jobs.

I can debate President Obama based upon that understanding. And I'll have credibility on the economy when he doesn't. My successes include some businesses that were successful, like Staples and Bright Horizons Children's Centers, and a steel mill in the middle of Indiana, some things I learned from.

And, by the way, some failures. I remember when founders of JetBlue came to me and said, invest in us. I said, well, that will never work. Got it wrong. Now one of my favorite airlines.

I know what it takes to get this economy going. The president doesn't. The proof is in his record. It's terrible. My record shows that I can get America working again.

(APPLAUSE)

WALLACE: Congresswoman Bachmann, no one questions your conservative credentials, but what about your appeal to independents who are so crucial in a general election? If you are fortunate enough to become the Republican nominee, how would you counter the efforts by the Barack Obama campaign to paint you as too conservative to moderate voters?

BACHMANN: Well, it's very clear in the last five years I have won four elections as the first Republican woman ever to win out of the state of Minnesota. And I did that by attracting not only Republicans but also independents and Democrats as well.

Because people wanted to know, who could they trust? They knew that in me they may not always agree with me but they knew that I was a woman who said what she meant and meant what she said. And they respected that level of authenticity and sincerity.

And they also knew that I was an action person. That I wasn't just going to sit on my hands. I was going to work and serve them. And that is what I've done. I have worked very hard in the United States Congress in the brief time that I have been there.

I'm 55 years old. I spent 50 years as a real person. And now five years going toe-to-toe with Barack Obama, taking him on, on every issue from Dodd-Frank to cap and trade to illegal immigration to "Obama-care." And I will do that as president of the United States. That is my proven track record.

(APPLAUSE)

BAIER: Neil Cavuto?

CAVUTO: Thank you, Bret. Governor Perry, by your own admission, you are not a great debater. You have said as much, and downplayed debating skills in general. But if you were to become your party's nominee, you would be going up against an accomplished debater in Barack Obama.

There are many in this audience tonight, sir, who fear that possibility. And don't think you are up to the fight. Allay them of their concerns.

PERRY: Well, I want to share something with you. That as each one of these debates -- I'm kind of getting where I like these debates. As a matter of fact, I hope Obama and I debate a lot. And I'll get there early. And we will get it on and we will talk about our differences, which are great.
I'll talk about what we have done in the state of Texas. I'll talk about passing a balanced budget amendment to the United States Congress. I'll talk about having the type of part-time Congress that I think Americans are ready for.

And, you know, there are a lot of people out there -- I understand it, you know, there are a lot of folks that said Tim Tebow wasn't going to be a very good NFL quarterback. There are people that stood up and said, well, he doesn't have the right throwing mechanisms, or he doesn't -- you know, he is not playing the game right.

And, you know, he won two national championships. And that looked pretty good. We're the national champions in job creation back in Texas. And so -- but am I ready for the next level? Let me tell you, I hope I am the Tim Tebow of the Iowa Caucuses.

(APPLAUSE)

CAVUTO: Governor Huntsman, your campaign has been praised by moderates but many question your ability to galvanize Republicans, and energize the conservative base of the party. They are especially leery of your refusal to sign on to a no-tax-hike pledge. How can you reassure them tonight?

HUNTSMAN: I think people, Neil, are coming around to finding that I am the consistent conservative in this race. They are coming around to find that I am not going to pander. I am not going to contort myself into a pretzel to please any audience I'm in front of. And I'm not going to sign those silly pledges.

And you know what else? I'm not going to show up at a Donald Trump debate.

(LAUGHTER)

(APPLAUSE)

HUNTSMAN: This nation has been downgraded. This nation is on the cusp of the third government shutdown. We have been kicked around as people. We are getting screwed as Americans. And I'm here to tell you, we are going to lead charge in doing what must be done in addressing the two deficits we have.

We have an economic deficit in this country, and is it going to shipwreck the next generation unless we can deal with it. And we have a trust deficit. People in this country don't trust the institutions of power anymore.

We need to go to Congress and we need to say, you need term limits. We need to go to Congress and say, we need to close that revolving door that allows members of Congress to file on out and lobby.

And we need to go to Wall Street and say, no trust there either, because we have banks that are "too big to fail." And I'm telling you, Neil, I'm the person who is going to leave the charge on all of the above and fix the economic deficit, but I'm going fix this country's trust deficit, because we're too good as people to be in the hole we're in and we deserve better.

(APPLAUSE)

BAIER: As Governor Huntsman just mentioned, there is a real drama playing out real-time in Washington right now with the threat of yet another government shutdown, the possibility that millions of Americans could see their payroll taxes go up. If you're president, as is the case now, and you are at lagerheads with one chamber of congress, how would you handle this situation?
30 seconds down the line. Start with Senator Santorum.

SANTORUM: Well, you do what leaders do. They go out and try to bring people together. They tell a narrative and remind Americans who we are and how we solve our problems. This country is a great country because we believe in free people.

In 2008, the American public were convinced by Barack Obama that they needed someone to believe in, that they could believe in. We now understand that what we need is some president who believes in them. That is the narrative. Go out and motivate the American public, have them talk to their representatives in Washington to pass solutions that believe in bottom up, how we built America, free markets, free people.

BAIER: Governor Perry?

PERRY: After three years, you would think this president could learn how to work in Washington, D.C. If there has ever been a greater example of on-the-job training, this is it. Couldn't have been at a worst time for America.

We need a president who has that governing, executive experience, someone who understands how to work with both sides of the aisle. Frankly, we should never have gotten this point at all.

The idea that he walked away from the work at hand and we had a supercommittee, that was put in place, that was going to fail on its face, that is the type of leadership that this president has been an absolute failure at and the type that I have been working at as the governor of Texas for the last 11 years.

BAIER: Governor Romney?

ROMNEY: Bret, this is a question that ought to take longer than 30 seconds, even 60 seconds. This is the question of the presidency. What is leadership?

I had the disadvantage of some respects of becoming governor and a state with a legislature 85 percent Democrat. It turned out to be a blessing in disguise. To get anything done, I had to learn how to get respect of the speaker of the house and the senate president and Democratic leaders. I found a way to do that, to find common ground from time to time. And when crisis arose, we were able to work together. That is what has to happen.

There are Democrats who love America as Republicans do, but we need to have a leader in the White House, that knows how to lead. I have had four leadership experiences in my life where I have lead enterprises. I want to use that experience to get America right again. And I will do it as president.

BAIER: We will have many more questions about gridlock in Washington and this topic overall. But Speaker Gingrich?

GRINGRICH: I want to start by reinforcing what Governor Romney just said. Leadership is the key. When you have a Sal Alinsky radical who is a campaigner in chief who doesn't do the job of president, because he's too busy trying to run for re-election, the constitution can't work. I helped Ronald Reagan when Tip O'Neill was speaker to get enough votes to pass the Reagan program despite a Democratic majority.

As speaker, one reason some people aren't happy with my leadership I worked things out with Bill Clinton to get welfare reform, a tax cut and four balanced budgets signed in a way that required bipartisanship, because you couldn't get anything done otherwise. So leadership matters immensely in getting this done.
BAIER: Congressman Paul?

PAUL: The main problem we have is the government is too big and the debt is too big and you have to cut spending so you have to get people to come together. They have been coming together to increase spending for decades. We have to get them to come together to do the opposite.

But there are two factions up there, one wants welfare and the other want warfare around the world and policing the world. So you go to people who like warfare you say give me half of the cuts that have to be in the welfare. Go to welfare people and say give me the cuts to cut the oversea warfare spending and bring people together and live up to what they say.

BAIER: Congresswoman Bachmann?

BACHMANN: As president of the United States I would have called all 535 members of congress to come sit down in Washington last summer looking at the debt ceiling crisis. And what I would have done is said there are three principles we are going to follow, because the first one needs to be no new taxes. We're taxed enough already.

The second principle needed to be that government can't spend any more money than what it is taking in.

And the third principle had to be that we were going to follow the constitution of the United States. What that would have meant we would have looked at $15 trillion debt in the eye and said we are not going to add one more cent to it. We are going to prioritize our spending. And we're going to put the reform in these long-term programs now, not wait eight months or five months. We are going to reform right now.

BAIER: Governor Huntsman.

HUNTSMAN: Leadership is action, not words. And I learned a very important lesson about this when I ran for governor in 2004. I promised the people of my state as governor that we would create the finest state in America for business. I ran on a flat-tax proposal. It took us two years; we got it delivered.

Flat -- I hear a lot of people talking about tax reform and a flat -- we actually got one done. The finest business in the United States, we delivered to our people. Health care reform without a mandate. The list went on and on and on.

I ran for re-election. I got almost 80 percent of the vote, not because I'm a great politician, but I learned some lessons in leadership, that people want to be told where you can take them, and then they want you to deliver.

BAIER: Thank you. We have many more interesting questions coming up. We have a new feature for you tonight, as well. How well are the candidates answering the questions? We're asking you to weigh in on Twitter. Tweet the candidate's last name and the hash-tag #answer if you think they're tackling the question or the hash-tag #dodge if you think they're avoiding the question. Then you can go to foxnews.com/debate to see those results.

Now, during the break, you can head there and check it out. And if you have a suggested question or a follow-up to something you've heard, tweet @bretbaier. We'll be using some of those suggested questions tonight.

BAIER: After the break, the candidates on the increasingly sharp tone of this campaign, the economy, and a topic that has not been raised in any of the debates so far. Stay with us.
MATT STRAWN, CHAIRMAN OF THE IOWA GOP: Good evening from Sioux City in northwest Iowa. I'm Matt Strawn, chairman of the Iowa GOP. Four years after repelling Barack Obama to the White House, Iowa has seen a surge of new Republican voters as Iowa Republicans have posted 33 straight months of voter registration gains. And as those Republicans prepare to vote in just 19 days, we understand the responsibility that comes with the privilege of being first in the nation.

And because the fight to reclaim the White House extends far beyond Iowa's borders, we want you to be the first to know. So text "Iowa" to 91919 to know the results and other updates. Thank you and now let's return to the final debate before the January 3 Iowa Caucus.

BAIER: Thank you Mr. Chairman and welcome back to Sioux City Iowa and the Republican presidential debate. For the next round of questions, I turn to my colleague, Chris Wallace.

WALLACE: Thanks Brett. Candidates, I'm going to call this section, for lack of a better word, D.C. Culture. Governor Romney, I'm going to begin with you. Speaker Gingrich says that you should give back the millions of dollars you made, in his words, "bankrupting companies and laying off employees." You respond that he has, in your words, "an extraordinary lack of understanding of how the economy works."

But his comments dovetail with arguments you hear from Democrats that your belief in, what's called, the creative destruction of capitalism, shows a hardheartedness. What do you think of what Speaker Gingrich had to say about you? And are you vulnerable to that kind of attack?

ROMNEY: I think it's a great opportunity for us. Because I think the president is going to level the same attack. He's going to go after me and say, you know, you -- in businesses that you've invested in, they didn't all succeed. Some failed. Some laid people off. And he'll be absolutely right. But if you look at all the businesses we invested in, over 100 different businesses, they added tens of thousands of jobs.

In -- in the real world that the president has not lived in, I -- I actually think he doesn't understand that not every business succeeds. That not every entrepreneur is lucky enough to do as well as the entrepreneurs that I described at Bright Horizons and Staples and that steel company and many, many others. I myself have had the chance of leading four different organizations. Each of those was highly successful, in part because of hard work and in part because of good luck.

In the real world, some things don't make it. And I believe I've learned from my successes and my failures. The president I'll look at and say, Mr. President, how -- how did you do when you were running General Motors as the president, took it over? Gee, you closed down factories. You closed down dealerships. And he'll say, well I did that to save the business. Same thing with us, Mr. President. We did our very best to make those businesses succeed. I'm -- I'm pleased that they did and I've learned the lessons of how the economy works.

This president doesn't know how the economy works. I believe to create jobs, it helps to have created jobs.

WALLACE: Thank you.
WALLACE: Speaker Gingrich, on the Freddie Mac website in 19 -- in rather 2007 you said this, I like the GSE, or government sponsored enterprise like Freddy Mac model, making home ownership more affordable is a policy goal that I believe conservatives should embrace. Now in an earlier debate, a recent debate, you said that politicians like Barney Frank, who in your words, profited from the environment that led to the financial meltdown, should go to jail. Now that it turns out that you were on the Freddie Mac payroll to the tune of more than $1.6 million, how do you answer critics who say that you're being hypocritical.

GINGRICH: I think pretty straightforward. Barney Frank was in public office with direct power over Freddie Mac. He exploited that power just as Chris Dodd was in public office when he got special bargains from Countrywide, a firm that went broke. They were using power. I was a private citizen, engaged in a business like any other business. Now, if you read the whole thing that they posted, I said they need more regulations and I want to go back to my point about helping people buy houses.

I worked for years with Habitat for Humanity. I think it's a good conservative principle to try to find ways to help families that are right at the margin learn how to budget, learn how to take care of a house, learn how to buy a house. And I -- I'm not going to step back from the idea that in fact we should have as a goal, helping as many Americans as possible be capable of buying homes. And when you look for example at electric membership co-ops, and you look at credit unions, there are a lot of government sponsored enterprises that are awfully important and do an awfully good job.

WALLACE: Congressman Paul you are -- and having been in this town for what 48 hours now, you are all over Iowa TV these days with a negative ad about Speaker Gingrich. You accuse him of selling access and playing the corrupt revolving door game. What about the explanation that you just heard, that he's in the private sector and this is free enterprise?

PAUL: Well he has a different definition of the private sector than I have. Because it's a GSE, government sponsored enterprise. That's completely different. It's -- it's a government agency. They get the money and the sponsorship. They get mixed up. It's -- it's the worst kind of economy.

You know, pure private enterprise, more closely probably to what Governor Romney is involved with, but if it's government-sponsored, it's a mixture of business and government. It's very, very dangerous. Some people say, if it goes to extreme, it becomes fascism, because big business and big government get together.

So, yes, they get money. And I was talking about that for a long time, the line of credit, the excessive credit from the Federal Reserve, the Community Reinvestment Act for 10 years or so. The Austrian economists knew there was a bubble. And at this time, nobody was listening or doing anything in the Congress.

And then to go to work for them and get money from them, it literally is -- it's literally coming from the taxpayer. They went broke. We had to bail them out. So indirectly, that was money that he ended up getting. They're still getting money from a government-sponsored enterprise. It's not a free-market enterprise.

WALLACE: Speaker Gingrich, 30 seconds to respond?

GINGRICH: Well, let me just go back to what I said a minute ago. The term
government-sponsored enterprise has a very wide range of things that do a great deal of good. Go across this state and talk to people in the electric membership co-ops. Go across this state and talk to people in the credit unions. There are a lot of very good institutions that are government-sponsored.

And, frankly, the idea that anything which in any way has ever touched government could raise questions about doctors dealing with Medicare and Medicaid and a whole range of other government activities. There are many things governments do. I did no lobbying of any kind for any organization. And that was -- that was a key part of every agreement we had.

WALLACE: Well, let me pick up with that with you, Congresswoman Bachmann, because you accused Speaker Gingrich of peddling his influence with congressional Republicans to help the companies that paid him tens of millions of dollars since he's left office. Given his denial over time and again tonight that he's -- denies ever having lobbied, what is your evidence, hard evidence that he engaged in influence-peddling?

BACHMANN: Well, it's the fact that -- that we know that he cashed paychecks from Freddie Mac. That's the best evidence that you can have, over $1.6 million. And, frankly, I am shocked listening to the former speaker of the House, because he's defending the continuing practice of Freddie Mac and Fannie Mae.

There's a big difference between a credit union and Freddie Mac and Fannie Mae. And they were the epicenter of the mortgage financial meltdown. I was trying to see these two entities put into bankruptcy, because they, frankly, need to go away, when the speaker had his hand on the money and he was taking $1.6 million to influence senior Republicans to keep the scam going in Washington, D.C. That's absolutely wrong. We can't have as our nominee for the Republican Party someone who continues to stand for Freddie Mac and Fannie Mae. They need to be shut down, not built up.

(APPLAUSE)

WALLACE: Speaker Gingrich?

GINGRICH: Well, the easiest answer is, that's just not true. What she just said is factually not true. I never lobbied under any circumstance. I never went in and suggested in any way that we do this.

In fact, I tried to help defeat the housing act when the Democrats were in charge of the House. And if you go back and talk to former Congressman Rick Lazio, he'll tell you, when we were passing housing reform while I was speaker, I never at any time tried to slow down the reform effort. In fact, I helped him pass the reform bill. And I think some of those people ought to have facts before they make wild allegations.

BACHMANN: Let me -- let me...

WALLACE: Yes, go ahead. Congresswoman?

BACHMANN: Well, after the debates that we had last week, PolitiFact came out and said that everything that I said was true. And the evidence is that Speaker Gingrich took $1.6 million. You don't need to be within the technical definition of being a lobbyist to still be influence-peddling with senior Republicans in Washington, D.C., to get them to do your bidding.

And the bidding was to keep this grandiose scam of Freddie Mac going. That's -- that is something that our nominee can't stand for. We have to shut down these government enterprises. And we've got to end them. And I think that's shocking that he's saying that.
GINGRICH: And let me just say two things...

BAIER: Speaker Gingrich, quickly.

(APPLAUSE)

GINGRICH: OK, I want to say two things. First, my policy is to break up both Fannie Mae and Freddie Mac. It is not anything like what she just described.

Second, I want to state unequivocally, for every person watching tonight, I have never once changed my positions because of any kind of payment. Because I -- the truth is, I was a national figure who was doing just fine, doing a whole variety of things, including writing best-selling books, making speeches. And the fact is, I only chose to work with people whose values I shared and having people have a chance to buy a house is a value I believe still is important in America.

BAIER: Now to Neil Cavuto with questions about the economy.

CAVUTO: Speaker Gingrich, not to make you a target. but you.

GINGRICH: It goes with being right here.

CAVUTO: You just responded this morning, sir, tweeted originally and with follow-up statements as a major break through of this plan on the part of Republican congressman Paul Ryan working with Democratic Senator Ron Wyden to find a sort of updated way to keep Medicare solvent. This would involve a choice, those who like the program as it is can stick with it. They will be a private option, et cetera.

But earlier on, this might have confused Congressman Ryan and others for whom you had said was the initial Medicare fix that it was right wing social engineering. Later on you backed off that comment, said there was much you could find in Mr. Ryan's plan to like.

Can you blame Governor Romney for saying you have a consistency problem on this issue?

GINGRICH: I'm not in the business of blaming Governor Romney. I'm in the business to try and understand what we can do as a policy. If you go back and look at the "Meet the Press" quote I didn't want reference him. And I'll come back and say it again, a free society should make very big decisions with the support of the people.

Now you can earn that support. You can win a communications argument. Reagan was very, very good at that. But the only point I was making on "Meet the Press" is when you are going to have a major change, you have to communicate with the American people in order to ensure that they are for you.

Now Governor Romney came up, frankly, with a very good variation on the Ryan plan which allowed the maintenance of the current system. Paul has adopted that. And I think did a very brave act by Senator Ron Wyden, you now have a Democrat willing to co-sponsor the bill. I've endorsed the concept today. I think it is a big step forward. And I think Governor Romney deserves some of the credit for having helped figure out a way to make this thing workable.

So, I think it's a nice thing to actually have a bipartisan plan in Washington that we could actually look at in a positive way and hope would help save Medicare.

CAVUTO: Governor Romney do you want to respond to that compliment?
ROMNEY: Yeah. Thank you.

Yeah, I hope people understand just how big today is for this country. We all understand that the spending crisis is extraordinary with $15 trillion now in debt, with the president that's racked up as much debt as all the other presidents combined.

But there is another problem we have, which is our national balance sheet. Which are the obligations that we have made, that we have no funding behind. And it adds up to $62 trillion.

And today Republicans and Democrats came together with Senator Wyden and Congressman Paul Ryan to say we have a solution to remove that $62 trillion. This is a big day for our kids and grand kids. It's an enormous achievement. It means we finally have the prospect of dealing with somebody which has the potential of crushing our future generations and a good Democrat and a good Republican came together.

This is the impact of people on both sides of the aisle that care about America at a critical time. And I applaud him. It's good news.

CAVUTO: Congressman Paul, as you have been warning, we are on the brink of another government shutdown because of the spending that you call out of control. But haven't you contributed to that spending problem yourself, sir, supporting over the years earmarks that have benefited your district and your state?

Back in 2009, you explained this by saying if I can give my district any money back, I encourage that. I don't think that the federal government should be doing it but if they are going to allot the money, I have a responsibility to represent my people.

Isn't that what they call a mixed message, congressman?

PAUL: Well, it's a mixed question is the problem, because the real message is you should include in your question also you have never voted once for an earmark.

No, it's a principle that I deal with, because if the government takes money from you and you fill out your tax form, you take your deductions. I look at that the same way in our communities. They take our money, they take our highway funds. and we have every right to apply for them to come back.

As a matter of fact, it's a bigger principle for me than that. I think this whole thing is out of control on the earmarks, because I think the congress has an obligation to earmark every penny, not to deliver that power to the executive branch. What happens when you don't vote for the earmarks it goes in to the slush fund, the executive branch spends the money then you have to grovel to the executive branch and beg and plead and say oh, please return my highway funds to me.

So if this whole principle of budgeting that is messed up, but I never vote, I never voted for an earmark. But I do argue the case for my -- the people I represent to try to get their money back if at all possible.

CAVUTO: But isn't that the same thing of having your cake and eating it too? You can complain about earmarks but then if there are provisions there that help your district or your state that's different? If 434 other members felt the same way, how would we ever fix the problem?

PAUL: Yes, but you're missing the point. I don't complain about earmarks, because it is the principle of the Congress meeting their obligation. But if
everybody did what I did, there would be no earmarks. The budget would be balanced and we'd be cutting about 80 percent of the spending. So that would be the solution.

(APPLAUSE)

PAUL: But you also want to protect the process. You want to emphasize the responsibility of the Congress, and not delivering more power to the president. I would be a different kind of president. I wouldn't be looking for more power.

Everybody wants to be a powerful executive and run things. I, as the president, wouldn't want to run the world. I don't want to police individual activities and their lifestyle. And I don't want to run the economy.

So that is an entirely different philosophy, but it's very, very much in our tradition and in a tradition of our Constitution.

(APPLAUSE)

CAVUTO: Governor Perry, you said the only way to stop our spending problem is to get Congress to stop spending. Quoting you, sir, you said: "I vetoed 82 bills in my first year as governor of Texas. I have a record of keeping spending under control."

But as Texas agriculture commissioner, you oversaw a loan guarantee program that, as The Austin American-Statesman reported at the time, had so many defaults that the state had to stop guaranteeing bank loans to start-ups in the agribusiness, and eventually bailed out the program with the tax-payer money.

So aren't you guilty of the same behavior you rail against as a presidential candidate?

PERRY: Well, two things. Number one, don't believe everything you read in The Austin American-Statesman. And the second side of it is, we had that program put in place and the state did not bail out, those programs worked as they were supposed to work. Just like in any bank or any business, you are going to have some that fail.

But I want to go back and talk about just a second the issue of where we had a big back-and-forth about whether Newt was involved in untoward activity or not. And I'll be real honest with you, the issue we ought to be talking about on this stage is how you really overhaul Washington, D.C.

And the idea that you can't tell the difference between lobbying and consulting, the idea that we have Congress staying there as many days as they do and the salary that they have, that is the reason I have called for a part-time Congress.

Cut their pay in half. Cut their time in Washington in half. Cut their staff in half. Send them home. Let them get a job like everybody else back home has and live within the laws of which they passed.

(APPLAUSE)

PERRY: We do that and you pass a balanced budget amendment to the United States Constitution, and the conversations that we've been having up here will be minor.

CAVUTO: By the way, Governor, they worked 151 days last year. How much more would constitute part-time?

PERRY: I would suggest to you maybe 140 days every other year like we do in Texas.
CAVUTO: Governor Huntsman, as you're probable familiar, sir, the Chinese have just left huge tariffs of up to 22 percent on imports of some American sport utility vehicles, larger American cars.

Now as a former ambassador to China and one who has argued for an adult conversation with Beijing, how would you respond to what some are calling a childish move on the part of a country that routinely flouts international trade rules?

HUNTSMAN: Well, it's a large and complicated relationship. It's part trade, it's part North Korea, it's part Iran, part Pakistan, part Burma, part South China Sea, party military-to-military engagement. You move one end of the relationship, it impacts the other.

The best thing to do, invite a few dissidents who are seeking freedom and want to expand democracy in China to the United States embassy, the kind of thing that I used to do. That is what matters to the Chinese people who are looking for change and looking for reform these days.

That is the kind of thing that over time is going to create enough swell of change and reform in that country that is going to make the U.S.-China relationship successful longer term.

Because eventually, we need more than just a transactional relationship. We need shared values infused into this relationship. Let's face it, the 21st Century will only have two relationships that matter: the United States and China.

For that to succeed, we need shared values. That is democracy. That is human rights. That is recognition of the role of the Internet in society. That is greater tolerance toward religion, and so much more.

As president of the United States, I would drive that home. And I would make it a relationship that worked.

CAVUTO: Senator Santorum, right now American companies have trillions parked overseas because of the very high tax rates here. Would you support a tax holiday to bring that money back, but only under, as some Democrats have suggested, the condition that these companies hire workers with that money?

SANTORUM: Yes, what I proposed in the "Made in the USA" plan is that if money has been made overseas, that it can come back at 5.5 percent rate, which is what we did back in 2004, and it did cause a lot of money to come back. But I put a special rate, zero, if they bring it back and invest it in plant and equipment in America.

We need to rebuild the manufacturing base of this country. When I traveled around to all of these counties in Iowa, I went to a lot of small towns, like Sidney and Hamburg down in Fremont County, and I was in -- the other day in Newton, where they've lost jobs to overseas. Why? Because we're not competitive.

We need to have our capital be competitive and -- and come here free so they can invest it. We need to cut the corporate tax on manufacturers to zero. Why? Because there's a 20 percent cost differential between America and our nine top trading partners. And we -- and that's excluding labor costs.

We need to get our taxes down. We need to repeal regulations.


promise to repeal every single Obamacare regulation. Every single Obama regulation that cost businesses over $100 million, I can repeal it. I can't repeal laws, but as a president, you can repeal -- excuse me, regulations. And I will repeal every single one of them so business can get going in this country.

(APPLAUSE)

BAIER: Thank you, Neil.

This question is from Twitter. And it is for you, Governor Romney. @LeonJamesPage tweets, "Over the next 10 years, in what sector or industries will most of the new jobs be created?"

ROMNEY: The great thing is, the free market will decide that. Government won't. And we have in a president someone who, again, doesn't understand how the economy works and thinks that, as a government, he can choose, for instance, which energy sector is going to be successful. So he invests as a venture capitalist in certain car companies that have electric battery power, not understanding that perhaps Toyota and G.M. could do a better job than Tesla and Fisker.

The president decides to go into Solyndra because he thinks that solar power is going to be the future. Look, let markets determine what the future course of our economy will be.

What do I happen to think will be the future? I think manufacturing is going to come back. I think manufacturing, for some of the reasons Rick just indicated, it's going to come back to the U.S. I also think, of course, that high-tech is going to be an extraordinarily source -- extraordinary source of growth for a long time in this country.

And energy. We have extraordinary energy resources in this country. Opening those up -- our president holds them off, doesn't give them the permits to start drilling and getting the natural gas and oil -- those are some of the areas that are extraordinarily powerful. This economy has every potential to continue to lead the world. Our president thinks America is in decline. It is if he's president. It's not if I'm president. This is going to be an American century.

(APPLAUSE)

BAIER: Thank you, Governor Romney.

Now to Megyn Kelly with the next round of questions. And this is a new topic, the judiciary.

KELLY: This is something we have heard pressure little about in this election, but something that's an important issue for a lot of voters.

Speaker Gingrich, let me start with you. You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. And they used words like "dangerous," "outrageous," and "totally irresponsible." Are they wrong?

GINGRICH: Well, the first half is right. It alters the balance, because the courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people.

(APPLAUSE)
There's an entire paper at newt.org -- I've been working on this project since 2002, when the Ninth Circuit Court said that "one nation under God" is unconstitutional in the Pledge of Allegiance. And I decided, if you had judges who were so radically anti-American that they thought "one nation under God" was wrong, they shouldn't be on the court. Now, we have...

(APPLAUSE)

I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

We have a balance of three branches. We do not have a judicial dictatorship in this country. And that's what the Federalist papers promised us. And I would -- just like Jefferson, Jackson, Lincoln and FDR -- I would be prepared to take on the judiciary if, in fact, it did not restrict itself in what it was doing.

KELLY: What of the former attorney general?

(APPLAUSE)

These are conservative former attorneys generals who have criticized the plan, as I say, dangerous, ridiculous, outrageous, totally irresponsible.

GINGRICH: Sure. I'd ask, first of all, have they studied Jefferson, who in 1802 abolished 18 out of 35 federal judges? Eighteen out of 35 were abolished.

KELLY: Something that was highly criticized.

GINGRICH: Not by anybody in power in 1802.

(LAUGHTER)

(APPLAUSE)

Jefferson himself was asked, is the Supreme Court supreme? And he said, that is absurd. That would be an oligarchy. Lincoln repudiates the Dred Scott decision in his first inaugural address in 1861 and says, no nine people can make law in this country. That would be the end of our freedom. So I would suggest to you, actually as a historian, I may understand this better than lawyers. And as lawyers those two attorneys general are behaving exactly like law schools, which have overly empowered lawyers to think that they can dictate to the rest of us.

(APPLAUSE)

KELLY: Congresswoman Bachmann.

(APPLAUSE)

KELLY: You heard Speaker Gingrich -- you heard Speaker Gingrich reference the Ninth Circuit Court of Appeals and that is one of the courts that he has suggested abolishing. It is a left-leaning court and as he points out, as he has done before, he believes it's an activist court because in part it was the court that -- that issued a ruling striking down "under God" in the pledge years ago. A decision that was reversed by the Supreme Court leader.

Do you agree that the Ninth Circuit should be abolished? And if so, what would then happen if a Democratic president came into office and we had a
democratically controlled Congress that later took aim at the right-leaning federal courts. Where would it end?

BACHMANN: Well where it needs to end is under the Constitution of the United States. That's the real issue. Are the courts following the Constitution or aren't they following the Constitution? It isn't just Congress that gets it wrong, it's the courts that get it wrong as well.

KELLY: But what do you do about it?

BACHMANN: Well what we need to do about it is have the -- both the president and the United States Congress take their authority back and I would agree with Newt Gingrich that I think that the Congress and the president of the United States have failed to take their authority. Because now we've gotten to the point where we think the final arbiter of law is the court system. It isn't. The intention of the founders was that the courts would be the least powerful system of government.

And if we give to the courts, the right to make law, then the people will have lost their representation. They need to hold onto their representation. That's why I commend Iowans, because they chose not to retain three judges that decided that marriage would be...

(APPLAUSE)

BACHMANN: ...and Iowans decided to take their Constitution back. That's what the American people need to do, take the Constitution back and as president of the United States, I would only appoint judges to the Supreme Court who believe in the original intent of the Constitution.

KELLY: Congressman Paul let me ask you, do you believe in -- in what the two candidates have said? That it would potentially be OK to abolish courts like the Ninth Circuit Court of Appeals entirely, or judges, impeach them if Congress and the president don't decide -- decide they don't like their rulings?

PAUL: Well the Congress can get rid of these courts. If -- if a judge misbehaves and is unethical and gets into trouble, the proper procedure is impeachment. But to subpoena judges before the Congress, I'd really question that. And if you get too careless about abolishing courts, that could open up a can of worms. Because it -- you -- there -- there could be retaliation. So it should be a more serious -- yes we get very frustrated with this. But the whole thing is, if you just say, well we're going to -- OK there are 10 courts, lets get rid of three this year because they ruled a -- a way we didn't like.

That -- that to me is, I think opening up a can of worms for us and it would lead to trouble. But I really, really question this idea that the -- the Congress could subpoena judges and bring them before us. That's a real affront to the separation of the powers.

KELLY: Governor Romney, many people believe that the way to reign in, so-called activist judges is to be careful in appointing or nominating the judges in the first place. As governor of Massachusetts, you passed over Republicans for three quarters of the judicial vacancies you faced, instead nominating Democrats or Independents. With that track record, why should Republicans believe that you will appoint conservatives to the bench if you become president?

ROMNEY: Well I have to let you know that in Massachusetts, I actually don't get to appoint the judges. I get to nominate them. They go before something known as the Governor's Council. It consists of, I believe, seven members, all of whom are elected Democrats. And so to be able to get my appointments through, I had to have people of both parties. And the people I put forward, all were individuals who I vetted very carefully to make sure they would follow
the rule of law.

These were largely people going into criminal courts. I chose overwhelmingly people who had been prosecutors in their prior experience. And so we had that kind of justice. Now, let -- let me note that the key thing I think the president is going to do, is going to be with the longest legacy. It's going to be appointing Supreme Court and justices throughout the judicial system. As many as half the justices in the next four years are going to be appointed by the next president.

This is a critical time to choose someone who believes in conservative principles. Now I -- I don't believe that it makes a lot of sense to have Congress overseeing justices. The -- the -- the only group that has less credibility than justices perhaps is Congress. So let's not have them be in charge of overseeing the -- the justices.

(APPLAUSE)

ROMNEY: However -- however, we don't call it we the judges. We call it we, the people. And we do have the ability to remove justices that need to be impeached. We also have the ability to pass new amendments if we think a justice is taken the nation in the wrong direction. And where a statute has been misinterpreted, congress can write a statute that clarifies that point. We have ability to rein in excessive judges.

KELLY: All right. And I just want to go quickly down the line. With just a name, favorite Supreme Court justice. Senator Santorum -- current.

SANTORUM: I have to say of these folks over here have been talking about taking on the courts. I have done it. I actually campaigned in Iowa against those justices and I was the only one on this panel that did it, number one.

Number two, when the partial birth abortion status struck down by the Supreme Court, George Bush got elected we actually went back and I worked with Henry Hyde and we passed another bill, told the Supreme Court they were wrong. Passed it, George Bush signed it and it was overturned.

We can talk about reform and doing something to confront the courts, or you can actually go out and make it happen. I made it happen. And it's tops.

KELLY: And quickly down the line, favorite current Supreme Court justice.

PERRY: I'll be as quickly as I can, but when I talk about overhauling Washington, D.C., one of the things I talk about besides a part-time congress is no longer having lifetime terms for the federal bench. I think that is one of the ways that you keep these unaccountable legislators from rogues to try to dictate to the rest of us. And I would say, you know, you pick Alito, Roberts, Thomas, pick one.

KELLY: All right. Would you pick one, please.


KELLY: All right. Speaker Gingrich.

GINGRICH: I think that is a pretty darned good list. And I would sign up for those guys. Scalia is probably the most intellectual of the four. They're all four terrific judges.

I mean, if we had nine judges as good as those four we would be happy with the Supreme Court.

KELLY: Congressman Paul?
PAUL: From my point they're all good and they're all bad, because our country a long time ago split freedom up to two pieces -- personal liberty and economic liberty. And the judges, as is congress and as is nation, think it's two issues. It's but one issue. So therefore, congress is on this issue as well as our judges.

KELLY: Last chance to say a name.

PAUL: No, I'm not going to -- all of them are good and all of them are bad. How is that?

KELLY: Congresswoman Bachmann?

BACHMANN: Well, I do think that there are good justices. And I would put Antonin Scalia at the top of the list. I would also include Clarence Thomas and John Roberts and Alito. I think they are all marvelous. It could be easy to pick any one of them.

KELLY: Governor Huntsman?

HUNTSMAN: One of the reasons I'm optimistic about the future of this country is because we have rule of law. Let's face it. One of the great things that this country has that very few other countries have. So the Judiciary is critically important.

It's also important to note that governors actually some experience appointing judges. You got to make those hard decisions. And as I reflect on those who today serve I've got to say Justice Roberts and Justice Alito fit the bill very, very nicely.

KELLY: Thank you, all.

BAIER: That was a valiant effort.

KELLY: I tried. I tried.

BAIER: Coming up, there is a lot of ground to cover in this next hour. The threat from Iran and other foreign policy hot spots, up- and-down oil prices, immigration and border issues, and controversial social issues. Stay with us. Remember, tweet @bretbaier with a question or followup. We'll be right back.

(COMMERCIAL BREAK)

BAIER: Welcome back to Sioux City, Iowa, and the Republican presidential debate.

(APPLAUSE)

Fired-up crowd, they're ready for hour number two. And we begin hour number two with an important topic, foreign policy.

Congressman Paul, many Middle East experts now say Iran may be less than one year away from getting a nuclear weapon. Now, judging from your past statements, even if you had solid intelligence that Iran, in fact, was going to get a nuclear weapon, President Paul would remove the U.S. sanctions on Iran, included those added by the Obama administration. So, to be clear, GOP nominee Paul would be running left of President Obama on the issue of Iran?

PAUL: But I'd be running with the American people, because it would be a much better policy. For you to say that there is some scientific evidence and
some people arguing that maybe in a year they might have a weapon, there's a lot more saying they don't have it.

There's no U.N. evidence of that happening. Clapper at the -- in our national security department, he says there is no evidence. It's no different than it was in 2003. You know what I really fear about what's happening here? It's another Iraq coming. There's war propaganda going on.

(APPLAUSE)

And we're arguing -- to me, the greatest danger is that we will have a president that will overreact and we will soon bomb Iran. And the sentiment is very mixed. It's -- it's very mixed even in Israel. You know, there -- the -- a head of the security for Israel, who just recently retired, said that it wouldn't make sense to do this, to take -- to take them out, because they might be having a weapon.

So I would say that the greatest danger is overreacting. There is no evidence that they have it. And it would make more sense -- if we lived through the Cold War, which we did, with 30,000 missiles pointed at us, we ought to really sit back and think and not jump the gun and believe that we are going to be attacked. That's how we got into that useless war in Iraq and lost so much in Iraq.

(APPLAUSE)

BAIER: Congressman Paul, the -- the question was based on the premise that you had solid intelligence, you actually had solid intelligence as President Paul, and yet you still at that point would -- would pull back U.S. sanctions and again, as a GOP nominee, would be running left of President Obama on this issue?

PAUL: Yes. All we're doing is promoting their desire to have it. Ehud Barak, the defense minister for Israel, said that -- that, if he were in -- in Iran, he would probably want a nuclear weapon, too, because they're surrounded, for geopolitical reasons. So that's an understanding.

So the fact that they are surrounded, they have a desire. And how do we treat people when they have a nuclear weapon? With a lot more respect. What did we do with Libya? We talked to them. We talked them out of their nuclear weapon. And then we killed them.

So, it makes more sense to work with people. And the whole thing is that nuclear weapons are loaded over there. Pakistan, India, Israel has 300 of them. We have our ships there. We've got to get it in a proper context. We don't need another war.

(CHEERING AND APPLAUSE)

BAIER: Understood. And you make that point quite a lot. I'm going to -- I'll try one more time. Iran is reportedly running exercises on closing the Strait of Hormuz, a key passage, as you know, for global trade. Now what should the U.S. response be if Iran were to take that dramatic step?

PAUL: This is -- the plans are on the book. All they talk about is, when are we, the West, going to bomb Iran? So why wouldn't they talk about -- they don't have a weapon, they don't have a nuclear weapon, why wouldn't they try to send out some information there and say, you know, if you come and bomb us, we might close the Straits of Hormuz down.

So already the president, and I think he is wisely backing off on the sanctions, because it's going to be an economic calamity if you take all the oil out of Europe. So I think that makes sense.
He knows these sanctions are overreaching. Sanctions are an act of war when you prevent goods and services from going into a country. We need to approach this a little differently. We have 12,000 diplomats in our services. We ought to use a little bit of diplomacy once in a while.

(APPLAUSE)

BAIER: OK. Just a reminder again, that little friendly beep is when you wrap up. Senator Santorum, you have a very different thought about the threat from Iran. For several years, according to the U.S. military leaders, Iran has provided training, funding, and lethal arms to jihadists killing American soldiers in Iraq and Afghanistan. Are those acts of war?

SANTORUM: They have been continually. They just tried to plan an attack here in this country, killing the Saudi ambassador. They have been at war with us since 1979. The IEDs that have killed so many soldiers, they are manufactured in Iran.

This is -- Iran is not any other country. It is a country that is ruled by the equivalent of al Qaeda on top of this country. They are a radical theocracy. The principle virtue of the Islamic Republic of Iran, according to President Ahmadinejad, is not freedom, opportunity, it's martyrdom.

The idea, Ron, that mutual assured destruction, like the policy during the Cold War with the Soviet Union would work on Iran when their principle virtue is martyrdom, is -- mutual assured destruction with respect to Iran would not be any kind of, you know, idea of preventing a war. It would be an inducement to a war.

This is what their objective is. Their objective is to in fact create a calamity. This is what their theology teaches. They believe that it is their mission to take on the West. They don't hate us because of what we do or the policies we have. They hate us because of who we are and what we believe in.

And we need to make sure that they do not have a nuclear weapon. And we should be working with the state of Israel right now. We should use covert activity. And we should be planning a strike against their facilities and say, if you do not open up those facilities and not close them down, we will close them down for you.

(CHEERING AND APPLAUSE)

BAIER: Governor Romney, this week President Obama said the U.S. asked Iran to give our downed high-tech drone back. As you know, the Iranians have it on display. They claim they are extracting data from it and they have no intention of giving it back.

Yesterday you called the president's response, quote, "extraordinarily weak and timid." Now in your book you write, quote, "weakness invites challenges, acts of intimidation, acts of aggression, and sometimes war."

So in this case, are President Obama's actions inviting war?

ROMNEY: Absolutely. Does timidity and weakness invite aggression on the part of other people? Absolutely. A strong America, a strong America is the best ally peace has ever known. This is a president with -- the spy drone being brought down, he says pretty please? A foreign policy based on pretty please? You have got to be kidding.

This is a president who fundamentally believes that this next century is the post-American century. Perhaps it's going to be the Chinese century. He is wrong. It has to be the American century. America has to lead the free
world.

(APPLAUSE)

ROMNEY: And the free world has to lead the entire world. The right course under President Obama's plans is to shrink our military, thinking somehow if we appease or accommodate the tyrants of the world, that the world will be safer. He's wrong.

The right course for America is to strengthen our economy, our values, our families, and our military. We need to rebuild our Navy and go from nine ships a year to 15. We need to modernize our Air Force. We need 100,000 new additional troops in our military. We need to take care of our veterans in the way they deserve.

It is time for us to recognize once again a strong military does not create war. A strong America prevents people from trying to test us around the world.

(APPLAUSE)

BAIER: Congresswoman Bachmann, today is the official end of the U.S. military operations in Iraq, and there is real concern, as you know, about growing Iranian influence inside Iraq. Also, the deputy prime minister there has expressed concerns about the country possibly slipping into civil war. Are there any circumstances as president where you would send U.S. troops back in to Iraq?

BACHMANN: Well, I think clearly the biggest mistake that President Obama has made -- and there are many when it comes to foreign policy -- has been the decision that he made regarding Iraq. He was essentially given on a silver platter victory in Iraq, and he's choosing intentionally to lose the peace.

And we all know what's going to happen. We know that Iran is going to be the hegemon and try to come into Iraq and have the dominant influence. And then Iraq will essentially have dominance from the Persian Gulf all the way to the Mediterranean through its ally, Syria.

And with all due respect to Ron Paul, I think I have never heard a more dangerous answer for American security than the one that we just heard from Ron Paul. And I'll tell you the reason why.

(APPLAUSE)

And the reason -- the reason why I would say that is because we know, without a shadow of a doubt, that Iran will take a nuclear weapon, they will use it to wipe our ally, Israel, off the face of the map, and they've stated they will use it against the United States of America.

Look no further than the Iranian constitution, which states unequivocally that their admission -- their mission is to extend jihad across the world and eventually to set up a worldwide caliphate. We would be fools and knaves to ignore their purpose and their plan.

(APPLAUSE)

BAIER: Congressman Paul?

PAUL: Obviously, I would like to see a lot less nuclear weapons. I -- I don't want Iran to have a nuclear weapon. I would like to reduce them, because there would be less chance of war.

But to declare war on 1.2 billion Muslims and say all Muslims are the
same, this is dangerous talk. Yeah, there are some radicals, but they don't come here to kill us because we're free and prosperous. Do they go to Switzerland and Sweden? I mean, that's absurd.

If you think that is the reason, we have no chance of winning this. They come here and explicitly explain it to us. The CIA has explained it to us. It said they come here and they want to do us harm because we're bombing them.

What is the whole world about the drone being in Iran? And we're begging and pleading, and how are we going to start a war to get this drone back? Why were we flying the drone over Iran? Why do we have to bomb so many countries? Why are we in -- have 900 bases, 130 countries, and we're totally bankrupt? How are you going to rebuild the military when we have no money? How are we going to take care of the people?

(APPLAUSE)

So I think -- I think this wild goal to have another war in the name of defense is the dangerous thing. The danger is really us overreacting. And we need a strong national defense. And we need to only go to war with a declaration of war, and just carelessly flouting it and starting these wars so often.

BAIER: Speaker Gingrich, is Congressman Paul...

(CROSSTALK)

BACHMANN: And the point would be -- can I respond to that? Can I...

BAIER: Go ahead.

BACHMANN: Can I respond? And the problem would be the greatest under-reaction in world history if we have an avowed madman who uses that nuclear weapon to wipe nations off the face of the Earth. And we have an IAEA report that just recently came out that said, literally, Iran is within just months of being able to obtain that weapon. Nothing could be more dangerous than the comments that we just heard.

(CROSSTALK)

BAIER: All right, 30 seconds, Dr. Paul.

PAUL: There is no U.N. report that said that. It's totally wrong on what -- what you just said.

BACHMANN: It's an IAEA report.

PAUL: That -- that is not -- that is not true. They -- they produced information that led you to believe that, but they have no evidence. There's no -- been no enrichment of these bombs.

BACHMANN: And if we agree with that...

(BOOING)

... if we agree with that, the United States' people could be at risk of our national security.

PAUL: OK. She took my time, so I'd like -- I'd like to finish. If she thinks we live in a dangerous world, she ought to think back when I was drafted in the 1962 with nuclear missiles in Cuba. And Kennedy calls Khrushchev and talks to them, and talks them out of this so we don't have a nuclear exchange.
And you're trying to dramatize this, that we have to go and -- and treat Iran like we've treated Iraq and kill a million Iraqis, and 8,000-some Americans have died since we've gone to war. You cannot solve these problems with war. You can solve the problems if we follow our constitution and go to war only when we declare the war, win them and get them over with instead of this endless fighting and this endless attitude that we have enemy all around the world.

BACHMANN: But as president, I stand on the side of...

BAIER: Thank you -- we have been liberal with our friendly ding.

Mr. Speaker, you have been openly critical of the United Nations. For example on the topic of Palestinian efforts for statehood at the U.S. you said, quote, "we don't need to fund a corrupt institution to beat up on our allies."

In a Gingrich administration would the United States leave the UN?

GINGRICH: No, but we would dramatically reduce our reliance on it. And we'd confront certain realities. People talk about a peace process. 11 missiles were fired in Israel last month, last month. Over 200 missiles fired at Israel this year. You think if we had 11 missiles fired in the United States we -- well, this president anyway would say gee, maybe we could communicate and you would like us more.

But I don't think there is -- you know, I think most of us, most Americans would say you know if you are firing missiles at me, that may not be a good gesture. OK? The United Nations camps that we have helped fund have been training grounds for terrorism.

As Congressman Bachmann pointed out the last time we debated, she was over there with textbooks that are clearly teaching terrorism that are indirectly funded by the United States through the UN.

We have no obligation to lie and every obligation to tell the truth about how bad the UN bureaucracy is and why it ought to be fixed or we ought to radically cut what we're paying.

BAIER: Governor Huntsman, do you agree?

HUNTSMAN: I think the United Nations serves a useful purpose in the area of peacekeeping and some humanitarian work. Beyond that, I hate the anti-Americanism. I hate the anti-Israel sentiment.

But let me tell you what this nation needs and what it is going to get under a Huntsman administration. It needs a new foreign policy. We need to update it a little bit. We are still trapped a little bit in the Cold War, George Tenet (ph) mind set.

I want to make sure that first and foremost we have a foreign policy, and a the national security strategy that recognizes that we have to fix our core here at home. We are weak. This economy is broken. When we are strong, we project values of goodness that transform and change people like no military can -- liberty, democracy, human rights and free markets.

We have got to fix this core first and foremost if we are going to be effective overseas. And that is what I want to focus on.

Second of all, I want to make sure that...

BAIER: Governor Huntsman, that is the time.

HUNTSMAN: Let me just get the second point.
Second of all, I want a foreign policy -- I want a foreign policy that is driven by economics first. Let me just tell you, its used to break my heart sitting in embassy in Beijing the second largest embassy in the world looking at Afghanistan with 100,000 troops. We are securing the place, the Chinese go in and they win the mining concession. There is something wrong with that picture.

We need to change the way we're doing business.

BAIER: OK. Two dings in that one.

Governor Perry, given the grim details of the recent United Nations report on the Syrian regime killing and torturing its own people, thousands of people said to be killed at the hands of the Assad regime. At what point should the U.S. consider military intervention there?

PERRY: Well, I have already called for a overfly zone -- no fly zone over Syria already. They are Iran's partner. They are attached at the hip. And we have to stand firm with our ally in that region, Israel. There needs to be no space between the United States and Israel. And this administration has absolutely bungled.

It is the most muddled foreign policy that I can ever remember in my lifetime whether it was in '09 when we had the opportunity either covertly, overtly or other ways of helping the Iranian citizens as they were trying to overthrow that repressive regime, whether it was working with Mubarak, and trying to have a moderate to come in and replace him, whether it was leading from behind, as we have seen in Libya, and now we have seen this president, as Mitt and Newt have both talked about, asking the Iranians to give us back that drone.

What we should have done is one of two things -- we either destroy it or we retrieve it. He took a third route, which was the worst and the weakest, and that is to do nothing.

BAIER: Now to my colleague Neil Cavuto -- Neil?

CAVUTO: Candidates, I want to move on if we can to energy issues. And Speaker Gingrich, I would like to begin with you. As you know, the president, sir, has rejected any efforts to tie a payroll tax cut extension with the Keystone pipeline and to reopen it and to explore reopening it as well.

He says that any other way to connect the two would be akin to adding an extraneous issue. Given his opposition and -- and the likelihood that the Keystone issue could be up in the air for a year or more, how do you recommend Republicans deal with this to force the issue?

GINGRICH: You know, Neil, I sometimes get accused of using language that's too strong, so I've been standing here editing.

(LAUGHTER)

I'm very concerned about not appearing to be zany. And...

(LAUGHTER)

But -- but I want to paint a picture for all of us. The Iranians are practicing closing the Straits of Hormuz. The Canadian prime minister has already said to the American president, if you don't want to build this pipeline to bring -- create 20,000 American jobs and bring oil through the United States to the largest refinery complex in the world, Houston, I want to put it straight west in Canada to Vancouver and ship the oil direct to China, so you'll lose the jobs, you'll lose the throughput, you'll lose 30 or 40 years of work in Houston.
And the president of the United States cannot figure out that it is -- I'm using mild words here -- utterly irrational to say, I'm now going to veto a middle-class tax cut to protect left-wing environmental extremists in San Francisco, so that we're going to kill American jobs, weaken American energy, make us more vulnerable to the Iranians, and do so in a way that makes no sense to any normal, rational American.

(APPLAUSE)

CAVUTO: No offense, sir, but you didn't answer my question.

(LAUGHTER)

What would -- what would you do to try to move on this within a year?

GINGRICH: What -- what should the congressional Republicans do? They should attach it to the middle-class tax cut, send it to president, force him to veto it, send it a second time. We had to send welfare reform to Bill Clinton three times. He vetoed it twice. By the third time, the popular outrage was so angry, 92 percent of the country wanted to have welfare reform, he decided to sign it. It happened to be an election year.

I'd say to the president, you want to look like you are totally out of touch with the American people? Be my guest, but I'm not backing down when we're right and you are totally wrong.

(APPLAUSE)

CAVUTO: Governor Huntsman, on the same issue (inaudible) the delay, as you've pointed out, stands to threaten thousands of jobs, in a recent speech, you said potentially up to 100,000 jobs. But the president's supporters say a rushed decision could cost the environment a great deal more. What I'd like to ask you, Governor, is there any condition under which a President Huntsman would say the need to protect our land trumps the need to provide more jobs?

HUNTSMAN: It's always going to be a balancing act. We've got land that everybody respects and appreciates, but the job we've got to undertake as American people is to fuel our future.

We have no choice. I mean, our economy has hit the wall. I want to get rid of that heroin-like addiction we have based on imported oil. Three hundred billion dollars transfers every year from this country to a lot of unpredictable and relationships that are no more than transactional.

In order to get to where this country needs to be, we need a relationship with Canada from which we can draw raw materials. But I also want to make sure that I'm able as president to disrupt the oil monopoly. There's a one-product monopoly in terms of product distribution in this country. If we're going to achieve real energy independence, we're going to have to be able to draw from a multiplicity of products like natural gas.

We wake up to the reality (inaudible) in this country that we have more natural gas than Saudi Arabia has oil, I say, how stupid are we? When are we going to get with the picture and start converting to transportation, converting to manufacturing, converting to electricity and power generation? It is completely within our grasp.

It's going to require a president who understands that -- that delicate balance and who's going to be able to go out with an aggressive plan toward energy independence -- independence that gets it done for this country.

(APPLAUSE)
CAVUTO: Congresswoman Bachmann, you -- you were very critical, Congresswoman, of the extended shutdown after the BP oil spill that I believe lasted upwards of five, six months, in terms of a moratorium.

I was wondering, though, Congresswoman, if you were president and there were such a disaster again, what would be an acceptable period for oil drilling to cease, for you to get to the bottom of a problem?

BACHMANN: Well, what we needed to do was find out what the true cause of the problem was. And the Obama administration wasn't willing to have a true and thoughtful investigation to get to the bottom of it.

President Obama jumped to conclusions, and he put a moratorium on accessing American oil in the Gulf region that actually hurt the economy more than the original disaster. But I wanted to add something on Keystone. Keystone is extremely important, the pipeline.

This pipeline is one that would have brought at least 20,000 jobs, at least $6.5 billion worth of economic activity. And if I was president of the United States, I wouldn't have taken the decision that President Obama did. His entire calculus was based upon his reelection effort. Because quite frankly, the radical environmentalists said to President Obama, you pass Keystone, we're not going to do your volunteer door-to-door work.

That's what Barack Obama has done to this country. He's put his re-election over adding jobs and making the United States energy independent. I would have made the decision as president of the United States, we would put Keystone online immediately.

(APPLAUSE)

CAVUTO: Governor Perry, you -- you have railed against the special treatment of Ford and Solyndra as have the other candidates here tonight. And particularly the tax code incentives for green technologies and allowances that have been made for this industry. But it's nexus, governor you have afforded the same attention to the oil industry. Back in 2003, you signed a bill that reduced the tax paid by some natural gas companies that have helped them reap since, better than $7 billion in tax savings. So I -- I guess what I'm saying is, are you guilty of the same behavior as governor, favoring an industry, that you claim this president has, favoring the green industry?

PERRY: Today is the 220th anniversary of the signing of the Bill of Rights. And one of those, the Tenth Amendment, I like a lot. And the reason is because that's how our founding fathers saw this country set up. Where we had these laboratories of innovation. It -- it should be in the purview and the decision making process of a state. If they want to put tax policies in place that helps make them be more competitive.

PERRY: We did it not only for the oil and gas industry, but we also did it for the alternative industry -- alternative energy industry. And the wind industry. They came in droves, made Texas the number one wind energy producing state in the nation. But government shouldn't be picking winners and losers from Washington, D.C. That's the difference. If in the states -- I'll promise you Terry Branstad in this state, he knows how to put tax policy, regulatory policy in place to make his state be more competitive. And you need 50 states out there competing with each other and Washington out of their hair.

(APPLAUSE)

BAIER: Thank you Neil. And a reminder, go to Foxnews.com/ debate to see how well the candidates are answering the questions with your votes. Coming up, we'll ask about border issues, immigration and a topic that got a lot of
attention on Twitter, plus some controversial social issues as well. Stay tuned.

(APPLAUSE)

(COMMERICAL BREAK)

BAIER: Welcome back to Sioux City, Iowa. And our Republican presidential debate here in northwestern Iowa.

These people tend to like it I think so far. I think they do. You have to next round of questions on board issues and immigration.

KELLY: Thank you, Bret.

The question is for you, Governor Perry. This topic received traffic on Twitter. You have joined the 57 House Republicans who have called for the attorney general of the United States, Eric Holder, to resign in the wake of the failed federal gun tracking program Operation Fast and Furious.

So far, there is no clear proof that Mr. Holder knew about the controversial aspects of this operation. And he points out that he actually helped stop it when it came to his attention. Are you and other Republicans politicizing this issue as General Holder claims?

PERRY: If I'm the president of the United States, and I find out that there is an operation like Fast and Furious and my attorney general didn't know about it, I would have him resign immediately. You cannot, the president of the United States comes to El Paso, Texas, earlier this year and proclaims that the border of Texas and Mexico, the U.S. border with Mexico is safer than it's ever been.

Well, let me tell you, I've been dealing with this issue for 11 years. I've sent Texas Ranger recon teams there. Our law enforcement men and women face fire from across the border or in the U.S. side from these drug cartels. It is not safe there. Our country is at jeopardy.

If we are going to be able to defend America, from Iran, from Hezbollah, from Hamas, that are using Mexico as a border, as a way to penetrate in the southern part of the United States. Venezuela has the largest Iranian embassy in the world there. We know what is going on. It is time for this country to have a real conversation about a Monroe Doctrine again like we did against the Cubans in the 60s.

KELLY: Senator Santorum, what say you to the attorney general's claim that the Republicans are politicizing this issue?

SANTORUM: I would agree with Governor Perry that if he was the attorney general under me, I would have him -- I would fire him. I wouldn't have him resign, I'd fire him. This is something he should have been aware of, something that should have been stopped, it shouldn't have started in the first place.

I think Governor Perry is also right. And this is something I've been saying now for many years, which is we need to pay much more attention to what is going on in our own hemisphere, not only do they have the largest embassy in Venezuela, there are flights from Tehran, from Damascus to Caracas. And those flights stop at a military base before they come into the civilian base.

There are training camps, jihaddist training camps in Central and South America. They're working with the drug cartels. And they are planning assaults on the United States. That is what we know is going on right now. And we are doing -- this president has ignored that threat. Has insulted our allies like Honduras and Colombia, deliberately. Has embraced -- as he has the other scoundrels in the Middle East, has embraced Chavez and Ortega and others in
Central and South America, not promoting our values and interests.

We need a brand new initiative, an initiative that says that we will promote our values in this region and we will stop the spread of terrorism in Central and South America.

(CHEERING AND APPLAUSE)

KELLY: Governor Romney, last week you said that the 11 million illegal immigrants now in this country must return to their countries of origin before they can apply for legal status.

You also said that we are not going to go around and round up the 11 million. Why would these illegal immigrants voluntarily leave America just to apply for a chance at legal status, especially when they have your assurance that if they stay put we are not going to round them up?

ROMNEY: Let me tell you how that works. We are going to have an identification card for people who come here legally. The last campaign, actually, Rudy Giuliani talked about this time and time again.

We would have a card, a little plastic card, bio-information on it. Individuals who come here legally have that card. And when they apply for a job, they are able to show that to the employer. The employer must then check it with E-Verify or a similar system.

Newt Gingrich points out, let Federal Express -- or not Federal Express, American Express or MasterCard or Visa process that, immediately determine if the card is valid or not.

So people come here legally, they've got that card. If employers hire people without that card, the employer gets sanctioned just like they do for not paying taxes. Very serious sanctions.

So you say to people who are here illegally today, you are not going to be able to work here unless you register, unless -- and we will give you transition period of time, and then ultimately you have got to go home, apply for permanent residency here or citizenship, if you want to try and do that, but get in line behind everyone else.

My view is, people who have come here illegally, we welcome you to apply but you must get at the back of the line, because there are millions of people who are in line right now that want to come here legally. I want those to come here legally. Those that are here illegally have to get in line with everybody else.

(APPLAUSE)

KELLY: Speaker Gingrich, is that realistic?

GINGRICH: Well, let me start and say that Congressman Steve King has just introduced the IDEA act, which would in fact reinforce this model. Because it would take away all tax deductibility for anyone who is employed illegally, and once you have something like E-Verify effectively working, you really build a big sanction.

We disagree some on what you do with very, very long-term people here. I think somebody who has been here 25 years and has family here and has local family supporting them ought to have some kind of civilian certification.

But let me say on this whole issue of immigration. On day one, I would drop all the lawsuits against Arizona, South Carolina, and Alabama. It is wrong for the government.
GINGRICH: I would propose -- I would propose cutting off all federal aid to any sanctuary city that deliberately violated federal law.

GINGRICH: And I would begin the process of completing control of the border by January 1st, 2014. Those steps would begin to fundamentally change the entire way of behavior towards getting control of legality in the United States.

KELLY: Governor Huntsman, a recent FOX News poll showed that 66 percent of voters believe that the government should allow a pass to citizenship for the illegal immigrants who are already here in this country.

Nearly three-quarters of Latinos agree. Given these majorities and given the growing importance of the Latino vote in the general election, does the Republican presidential candidate need to take a more moderate approach on this issue if he hopes to defeat President Obama?

HUNTSMAN: Well, I think the Republican candidate has to speak based on our values, the values of the Republican Party. Limited government, pro-growth, these are the things that the Hispanic and the Latino populations are going to be looking for.

You don't need to pander. You just need to be -- we need to be who we are. But in terms of immigration, and illegal immigration, this president has so screwed up this economy, nobody is coming anymore. There is nothing to come for. I mean, there's not a problem today. Just take a look at the numbers coming across.

I mean, the numbers, it was posted the other day, lowest in four decades. So I say, you know, we have got to secure the border, of course. We have got to deal with the 11, 12 million people who are here.

But let’s not lose sight of the fact that legal immigration is an engine of growth for this country. Half of the Fortune 500 companies in this country today were founded by immigrants.

We have lost probably -- well, our market share of travel and tourism has gone from 7 (ph) percent to 12 percent because our visa system is so screwed up in this nation. So you've got to look at the Department of Homeland Security.

You've got to completely remake the way that people are moving back and forth, our H1-B visa system, how we are dealing with the movement of people, how we are dealing with immigration. This is an economic development opportunity and we are missing it.

BAIER: Chris Wallace has the next round of questions.

WALLACE: Thanks, Bret. Governor Romney, you have changed your position in the last 10 years on abortion, on gay rights, on guns. You say keeping an open mind is a strength, but some of your critics say that every one of these moves has been to your political advantage. When you were running in Massachusetts, you took liberal positions. Running now as president, you take more conservative positions. Is that principle or is it just politics?
ROMNEY: Well, I'll begin by taking exception with your list there. I did change my...

WALLACE: Which -- which one?

ROMNEY: Gay rights.

WALLACE: Well...

ROMNEY: I'm firmly in support of people not being discriminated against based upon their sexual orientation. At the same time, I oppose same-sex marriage. That's been my position from the beginning.

With regards to abortion, I changed my mind. With regards to abortion, I had the experience of coming in to office, running for governor, saying, you know, I'm going to keep the laws as they exist in the state. And they were pro-choice laws, so effectivly I was pro-choice.

Then I had a bill come to my desk that didn't just keep the laws as they were, but would have created new embryos for the purpose of destroying them. I studied it in some depth and concluded I simply could not sign on to take human life. I vetoed that bill.

(APPLAUSE)

I went to the -- to the Boston Globe. I described for them why I am pro-life. Every decision I took as governor was taken on the side of life. I am firmly pro-life.

I've learned over time, like Ronald Reagan and George Herbert Walker Bush and others, my experience in life over, what, 19 -- 17, 18, 19 years has told me that sometimes I was wrong. Where I was wrong, I've tried to correct myself.

WALLACE: If I may just pick up, you say the one issue which I was wrong on was gay rights. Correct, sir?

ROMNEY: Mm-hmm. What was the -- what was the -- I don't recall the whole list, but I...

(CROSSTALK)

WALLACE: It was abortion, gay rights, and guns.

ROMNEY: You know, I've always supported the Second Amendment. And -- and we had a piece of legislation that came to our desk that would have -- that provided an assault weapon ban. The gun lobby favored it because it also did things that the gun lobby wanted. Working with them, we decided to sign the bill. So you can say, well, I've changed my position on that, but I've been pro-gun and continue to be pro-gun.

WALLACE: If I may, sir, in 1994, when you were running for the Senate, you wrote a letter to the Log Cabin Republicans in which you said, "I am more convinced than ever before that, as we seek full equality for America's gay and lesbian citizens, I will provide more effective leadership than my opponent," who was Ted Kennedy.

In 1994, you also said you supported not only an assault weapons ban, but also a five-day waiting period. And in 2002, when you were running as governor, you said that you supported the tough gun control laws in Massachusetts. And then as you say in 2004, you also signed an assault weapons ban.
So you are still more of a champion of gay rights than Ted Kennedy was?

ROMNEY: I think -- I think -- I think you just said exactly what I said, which is this.

WALLACE: I...

ROMNEY: Let me go back and say that. I do not believe in discriminating against people based upon their sexual orientation. There are some people that do. I had a member of my administration, my cabinet who was -- who was gay. I didn't ask justices that I was looking to appoint -- rather, people who are applicants for jobs -- what their sexual orientation was.

I believe as a Republican, I had the potential to fight for antidiscrimination in a way that would be even better than Senator Kennedy, as a Democrat, was expected to do so.

At the same time, Chris, in 1994 -- and throughout my career -- I've said I oppose same-sex marriage. Marriage is a relationship between a man and a woman. My view is -- let me tell you -- protects -- protect the sanctity of marriage, protect the sanctity of life. That's my view. I've had it for many years.

Thank you.

(WRAP)(APPLAUSE)

WALLACE: Senator Santorum, you have campaigned on social issues as much or perhaps more than any other candidate on this stage. Are you persuaded that Governor Romney has made these changes or what he says in some cases are not changes, based on principle and not political expedience?

SANTORUM: Governor Romney, when he was governor of Massachusetts, was faced with a Supreme Court decision that said that same-sex -- that traditional marriage was unconstitutional. In that court decision, the court said that they did not have the power to change the law in Massachusetts and rule same-sex marriage legal. Why? Because in the Massachusetts constitution, it states specifically that only the governor and the legislature can change marriage laws.

Governor Romney -- the court then gave the legislature a certain amount of time to change the law. They did not. So Governor Romney was faced with a choice: Go along with the court, or go along with the constitution and the statute. He chose the court and ordered people to issue gay marriage licenses, and went beyond that. He personally as governor issued gay marriage licenses. I don't think that is an accurate representation of his position of saying tolerance versus substantively changes in the laws.

I've had a strong, consistent track record of standing up for the values of this country, not discriminating. It had a no- discrimination policy in my office. But we're not talking about discrimination. We're talking about changing the basic values of our country.

(WRAP)(APPLAUSE)

ROMNEY: That is a very novel understanding of what our Supreme Court of Massachusetts did. I think everybody in Massachusetts and the legal profession in Massachusetts and my legal counsel indicated that the Supreme Court of Massachusetts determined that under our constitution, same-sex marriage was required. And the idea that somehow that was up to me to make a choice as to whether we had it or not is a little unusual. We got together with our
legislature and I fought leading an effort to put in place a constitutional amendment in Massachusetts to overturn the court's decision to make marriage as a relationship between a man and a woman.

This is something I battled in the year I had after their decision. I fought it every way I possibly could. I went to Washington, testifying in favor of a federal amendment to define marriage as a relationship between a man and a woman.

Let me tell you, I want to make it very clear, I have been a champion of protecting traditional marriage that continues to be my view. If I somehow missed somewhere I'm happy to get corrected. But that is something I feel very deeply.

WALLACE: All right. Congresswoman Bachmann, you say that Speaker Gingrich has a, quote, "inconsistent record on life" and you singled out comments he made recently that life begins with the implantation of a fertilized egg, not at conception. What is your concern?

BACHMANN: Well, my concern is the fact that the Republican Party can't get the issue of life wrong. This is a basic part of our party. Just last night we gathered in Des Moines to talk about this issue, because it's that crucial to our party. And one of the concerns that I had is that when Speaker Gingrich was Speaker of the House he had an opportunity to de-fund Planned Parenthood. And he chose not to take it. That is a big issue.

And also I think even more troubling when he was in Washington, D.C., he made an affirmative statement that he would not only support but he would campaign for Republicans who are in support of the barbaric procedure known as partial birth abortion. I could never do that.

And as a matter of fact, George Wilt asked the question of Speaker Gingrich. he said this: he said, "is it a virtue to tolerate infanticide?" This is a seminal issue and something we can't get wrong. As president of the United States, I will be 100 percent pro-life from conception until natural death.

WALLACE: Speaker Gingrich?

GINGRICH: Sometimes Congressman Bachmann doesn't get her facts very accurate. I had ad 98.5 percent right to life voting record in 20 years. The only ...

WALLACE: Go ahead. I'm...

GINGRICH: The only difference was that they didn't like the initial welfare reform bill, which every other conservative group had said had nothing in it on abortion. Period. That's the only one in 20 years.

I believe that life begins at conception. The conversation we're having which is an ABC interview, I was frankly thinking about proposing a commission to look at fertility, because I think there is a challenge with what happens to embryos, who I think should be regarded as life because by definition they have been conceived. I am against any kind of experimentation on embryos. And I think my position on life actually has been very clear and very consistent.

WALLACE: Let me just ask you -- no. I want to ask you a direct question, if I may, speaker. That was your rebuttal to Congresswoman Bachmann.

BACHMANN: Can I rebuttal, because have a rebuttal for getting my facts wrong?

WALLACE: Absolutely, congresswoman.
BACHMANN: Because this isn't just once, I think it's outrageous to continue to say over and over through the debate that I don't have my facts right. When as a matter of fact, I do. I'm a serious candidate for president of the United States. And my facts are accurate.

Speaker Gingrich said that he would actively support and campaign for Republicans who got behind the barbaric practice of partial birth abortions. This is not a small issue. This is a big issue.

I think George Will was right when he asked that question. What virtue is there in tolerating infanticide?

WALLACE: We are way over time. So I'm just going to ask you for 30 seconds to respond on the that specific issue.

GINGRICH: Well, first of all, what I said on that particular issue is I wouldn't go out and try to purge Republicans. Now, I don't see how you are going to govern the country if you are going to run around and decide who you are going to purge. The fact is, twice when I was speaker we moved the end of partial-birth abortion. Clinton vetoed it. We worked very hard. And Rick Santorum has been a leader on this issue.

I have consistently opposed partial birth abortion. I, in fact, would like to see us go much further than that and eliminate abortion as a choice. And I said as president I would de-fund Planned Parenthood and shift the money to pay for adoption services to give young women a choice of life rather than death.

WALLACE: Thank you, speaker.

GINGRICH: Thank you, Chris. Candidates, Ronald Reagan famously espoused his 11th Commandment: Thou shall not...

PROTESTER: (OFF-MIKE)

BAIER: I'm sorry. Thank you. Thank you very much.

PROTESTER: (OFF-MIKE)

BAIER: Thank you very much. Well -- well, let me just finish this question. We're running out of time.

Ronald Reagan famously espoused the 11th Commandment: Thou shall not speak ill of another Republican. Yet to varying degrees, during this campaign, you've all broken that one way or another, broken that vow. So I guess the question is, how do you balance on the one hand trying to win the nomination with on the other hand not weakening the eventual nominee to the point where he or she is less electable than President Obama?

Down the row, Senator Santorum?

SANTORUM: We have a responsibility to vet the candidates. That's what -- look, I've been at 350 town hall meetings. I've been kicked pretty hard by a lot of Iowans about the positions I hold, and that's what -- that's the process. The process is, let's find out who can stand up. Let's find out who has the best record, who's the most -- who's the person that can have that -- the consistency of -- of going out there and finding for the principles that we believe in.

Because I -- let me assure you, the other side's going to kick very, very hard, and we have to have someone who can stand up for it, fight, and holds those convictions deep so they can fight the good fight in the fall and win this
presidency.

BAIER: Governor Perry?

PERRY: Yeah, there's a -- there's an -- as a matter of fact, I think that was the Republican chairman, not Ronald Reagan, that actually said that.

BAIER: Well, he espoused it. That's what I said.

PERRY: Right, indeed he did. But there's an NFL player -- his name doesn't come to mind -- but he said, if you don't get your tail kicked every now and then, you're not playing at a high enough level. And I just want to give all of you all credit for letting me play at a high enough level and for training me (ph) the way that you have.

(LAUGHTER)

BAIER: Governor Romney?

ROMNEY: Yeah, we can handle it. And -- and there's nothing -- there's nothing that's been said by -- by these folks on this stage about me that I'm not going to hear 100 times from -- from President Obama. He's going to have a -- what, $1 billion to go after me or whoever our nominee is? We're -- we're going to give each other what we need to for people to understand who we are.

But let's not forget this. Let's every day remember that, time and time again, this -- it's President Obama we've got to be talking about. He has unveiled himself as a president that's not -- not the right person to lead this country.

(APPLAUSE)

BAIER: Speaker Gingrich?

GINGRICH: Well, I think it's pretty clear, if you look at my ads, if you look at my website, if you look at what -- how I've operated in the debates, that while I reserve the right to correct attacks against me, overall I've tried very hard to talk about very big solutions to be -- to go to the American people with the communication about, what do we need to do?

And I've said consistently, these are all friends of mine. Any of these folks would be better than Barack Obama in the White House. Any of them would be great in the next administration.

(APPLAUSE)

Our only opponent is Barack Obama. And we need to come out of this process remembering: Beating him is what we collectively have to do.

(APPLAUSE)

BAIER: Congressman Paul?

PAUL: You know, the media has a responsibility and we have a responsibility, and I think exposing our opponents to what they believe in and their flip-flop, I think the reason maybe that we had to do more this year is maybe the media is messing up and they haven't asked enough questions, that we have to fill in and ask these questions and get this information out.

So, no, I think it's a responsibility on us. I think there should be lines drawn. I think there are some things below the belt. I don't think -- but I don't like the demagoguing, the distortion, and taking things out of context. I don't like that. But when they disagree on an issue, important issues, then
we should expose it.

BAIER: Congresswoman Bachmann?

(APPLAUSE)

BACHMANN: Ronald Reagan also brought clarity to the -- his opponents that he had in his primaries, as well. And he famously asked the question, in 1980, are we better off today than we were four years under Jimmy Carter? And I think the republic is in far worse shape today under Barack Obama's leadership.

That's what we're exposing now. Who will be -- who will continue that legacy of Ronald Reagan? And who will take Barack Obama on toe to toe and hold him accountable? And I think that I'll be the best one to do that on the stage.

BAIER: Governor Huntsman?

HUNTSMAN: I actually worked for Ronald Reagan. And I think he would have been the first to stand up and say: Debate is good. It must be respectful, and it must be rigorous.

A rigorous debate will lead to greater trust. And the one thing this nation needs desperately today is heightened trust, in our institutions, in our tax code, in our wars abroad, in Congress, toward Wall Street.

And I'm here to tell you that this kind of debate over time is going to elevate the trust level in whomever makes it out as the nominee. That will allow us to beat Barack Obama.

Thank you.

(APPLAUSE)

BAIER: Well, that is it for our debate tonight. Thank you all very much. Our thanks to the candidates, their staffs, the Iowa Republican Party, and to all the great people here in Sioux City, and, of course, in Iowa. They could not have been more hospitable.

Our next debate is in South Carolina January 16th. But after the holidays, we'll be right back here in Iowa for extensive coverage of the caucuses, then in New Hampshire for the primary. Stay with Fox News Channel, America's election headquarters, all the way through the conventions, the general election, and, of course, the inauguration in 2013. Post-debate analysis is on the way. Keep it here. Thank you.

END

LOAD-DATE: December 16, 2011
REPUBLICAN PRESIDENTIAL CANDIDATES PARTICIPATE IN A DEBATE
SPONSORED BY FOX NEWS

December 15, 2011 Thursday

EVENT DATE: December 15, 2011
TYPE: NEWS EVENT
LOCATION: SIOUX CITY, IOWA
SPEAKER: REPUBLICAN PRESIDENTIAL CANDIDATES

WITNESSES:
BRET BAIER, MODERATOR
FORMER REP. NEWT GINGRICH, R-GA., PRESIDENTIAL CANDIDATE
MEGYN KELLY, FOX NEWS ANCHOR
REP. RON PAUL, R-Texas, PRESIDENTIAL CANDIDATE
FORMER SEN. RICK SANTORUM, R-PA., PRESIDENTIAL CANDIDATE
CHRIS WALLACE, FOX NEWS ANCHOR
FORMER GOV. MITT ROMNEY, R-MASS., PRESIDENTIAL CANDIDATE
REP. MICHELE BACHMANN, R-MINN., PRESIDENTIAL CANDIDATE
NEIL CAVUTO, FOX NEWS ANCHOR
GOV. RICK PERRY, R-Texas, PRESIDENTIAL CANDIDATE
FORMER GOV. JON HUNTSMAN JR., R-Utah, PRESIDENTIAL CANDIDATE

TEXT:

BAIER: Welcome to the Sioux City Convention Center, the site of our Republican presidential debate, the first ever presidential debate in Sioux City here in northwestern Iowa. How about that? This crowd's fantastic. It's being sponsored by Fox News and the Iowa Republican Party. Besides watching us on Fox News Channel, we are being streamed on foxnews.com and heard on Fox News Radio.

Now, this is the final debate before the January 3rd Iowa caucuses, the closing arguments for the now-familiar seven candidate on this stage. From left to right, former Senator Rick Santorum...

(APPLAUSE)

... Texas Governor Rick Perry...

(APPLAUSE)

... former Massachusetts Governor Mitt Romney...

(APPLAUSE)

... former Speaker of the House Newt Gingrich...

(APPLAUSE)

... Congressman Ron Paul...

(APPLAUSE)

... Congresswoman Michele Bachmann...

(APPLAUSE)

... and former Utah Governor Jon Huntsman.
(APPLAUSE)

Joining me at the big desk tonight, my Fox News colleagues, Neil Cavuto, Chris Wallace, and Megyn Kelly.

(APPLAUSE)

Now, our rules are similar to our previous Fox debates: one minute for answers, 30 seconds for follow-ups. If the candidates run too long, we'll politely remind them it's time to wrap up with this sound. After a long string of debates, we trust you all know the drill and we won't have to use that sound too much.

We also have, as I mentioned, a very enthusiastic crowd here tonight, and we welcome that, but we do have a limited amount of time here, and we ask you to honor the fact that we're trying to keep the valuable time for the candidates throughout this debate.

Tonight's event, obviously, comes amid an extraordinary backdrop: the struggling American economy now further threatened by financial turmoil in Europe; gridlock on Capitol Hill; a real threat to world security posed by Iran, even as we pull the last U.S. troops out of Iraq.

And we have received thousands of tweets and Facebook messages and e-mails with suggested questions, and the overall majority of them had one theme: electability. People want to know which one of you on this stage is able to be in the best position to beat President Obama in the general election. And that's the number-one goal for Republican voters, obviously.

Speaker Gingrich, since our last debate, your position in this race has changed dramatically. You are now physically at the center of the stage, which means you're at the top of the polls, yet many Republicans seem conflicted about you. They say that you're smart, that you're a big thinker. At the same time, many of those same Republicans worry deeply about your electability in a general election, saying perhaps Governor Romney is a safer bet.

Can you put to rest once and for all the persistent doubts that you are, indeed, the right candidate on this stage to go up and beat President Obama?

GINGRICH: Well, first of all, let me just say to you and to all of our viewers, merry Christmas. This is a great time for us to be here. And I hope that everybody across the country has a very joyous Christmas season.

I've been around long enough that I remember at this exact time in 1979 when Ronald Reagan was running 30 points behind Bill Clinton -- behind Jimmy Carter. And if people had said, "Gosh, electability is the number-one issue," they wouldn't have nominated him.

What they said was: He believes what he's talking about. He has big solutions. He can get the economy growing. He understands foreign policy, and he's the person I want to have debate Jimmy Carter. He carried more states against Carter than FDR carried against Herbert Hoover in 1932.

I believe I can debate Barack Obama, and I think in seven three-hour debates, Barack Obama will not have a leg to stand on in trying to defend a record that is terrible and an ideology that is radical.

BAIER: Mr. Speaker, Governor Romney...

(APPLAUSE)
Governor Romney just yesterday said you're an unreliable conservative. Now, obviously, he's your opponent. He's your opponent. But even Iowa Governor Terry Branstad said today he respects you greatly, but he openly questioned whether you had the discipline and focus to be president.

GINGRICH: Well, those are two different questions. The first -- let me take them one by one, very quickly. I have a 90 percent American Conservative Union voting record for 20 years. I balanced the budget for four straight years, paid off $405 billion in debt. Pretty conservative. The first wealth entitlement reform of your lifetime, in fact, the only major entitlement reform until now was welfare. Two out of three people went back to work or went to school. Pretty conservative. First tax cut in 16 years, largest capital gains tax cut in American history, unemployment came down to 4.2 percent. Pretty conservative.

I think on the conservative thing, it's sort of laughable to suggest that somebody who campaigned with Ronald Reagan and with Jack Kemp and has had a 30-year record of conservatism, is somehow not a conservative?

BAIER: And what about the concerns from Iowa governor Branstad?

GINGRICH: I think people have to watch my career and decide. I spent 16 years working to create the first Republican majority in 40 years. I spent years helping create the first balanced budgets. I am the longest serving teacher in the senior military, 23 years teaching one and two-star generals and admirals the art of war. I think it's fair to say that my commitment to disciplined, systematic work is -- is fairly obvious. You know, people just have to decide.

Part of the difference is, I do change things when conditions change. And part of the difference is I strive for very large changes and I'm prepared to really try to lead the American people to get this country back on the right track. And that's a very large change.

BAIER: Now to my colleague, Megyn Kelly.

KELLY: A similar question to you, Congressman Paul. You have some bold ideas. Some very fervent supporters and probably the most organized ground campaign here in Iowa. But there are many Republicans inside and outside of this state who openly doubt whether you can be elected president. How can you convince them otherwise? And if you don't wind up winning this nomination, will you pledge here tonight that you will support the ultimate nominee?

PAUL: Well, you know, fortunately for the Republican party this year, probably every -- anybody up here could probably beat Obama, so.

(LAUGHTER)

(APPLAUSE)

PAUL: So the challenge isn't all that great on how we're going to beat Obama. I think he's beating himself. I think really the question is, is what do we have to offer? And I have something different to offer. I emphasize civil liberties. I emphasize a pro-American foreign policy, which is a lot different than policemen of the world. I emphasize, you know, monetary policy and these things that the other candidates don't -- don't talk about. But I think the important thing is the philosophy I'm talking about is the Constitution and freedom.

And that brings people together. It brings independents into the fold and it brings Democrats over on some of these issues. So, therefore, I see this philosophy as being very electable, because it's an America philosophy. It's the rule of law. And it -- it means that, you know, we ought to balance the budget. It opens up the door for saying -- supporting my willingness to cut $1
trillion out of the budget the first year.

(APPLAUSE)

KELLY: Senator Santorum, no one has spent more time in Iowa than you. You have visited every county in the state. And yet while we have seen no fewer than four Republican candidates surge in the polls, sometimes in extraordinary ways, so far your campaign and you have failed to catch fire with the voters. Why?

SANTORUM: Well I'm counting on the people of Iowa to catch fire for me. That's -- that's what this plan was all about from day one, is to go to all 99 counties and do already almost 350 town hall meetings here in Iowa. We're organizing. We have a very clear message. That's the thing that's going to pay off for us in the end. And we present a clear contrast that really nobody else in this race does.

We present the contrast of someone who's been a strong conviction conservative. You know where I stand. You can trust me because I've been there and I've done it. And I did it as a leader. When I was in the leadership, if you were a conservative and you had an issue that you wanted to get voted on or you wanted to get done in the United States Senate, you came to Rick Santorum. Because I was the guy fighting for the conservative cause when it was popular, and when it was unpopular.

The speaker had a conservative revolution against him when he was the speaker of the House. I had conservatives knocking down my door because I was the effective advocate for the principles that they believed in. That's the contrast. We have -- we need someone who's strong in their political and personal life to go out and contrast themselves with the president and make him the issue in this campaign. And that's why Iowans are beginning to respond. They like the accountability. They like the fact that I've been there and -- and met with them and believe in them to lead this country.

BAIER: Chris Wallace?

(APPLAUSE)

WALLACE: Thank you Brett. Governor Romney, I want to follow up on Brett's line of questioning to the speaker. Because many of our viewers tell us that they are supporting Newt Gingrich because they think that he will be tougher than you in taking the fight to Barack Obama in next fall's debates. Why would you be able to make the Republican case against the president more effectively than the speaker?

ROMNEY: Well lets step back and talk about what's really happening in the country. What we're finding across America is a lot of people are really hurting. 25 million people out of work, stopped looking for work or in part-time work that need full-time jobs. A lot of people in the middle-class who have seen incomes go down as the cost of their living has gone up and up and up. The American people care very deeply about having a president who'd get America right again.

And all of us on this stage have spoken over the last several debates about the fact that government doesn't create jobs, but the private sector does. I spent my life, my career in the private sector. I understand, by the way from my successes and failures what it's going to take to put Americans back to work with high-paying jobs.

I can debate President Obama based upon that understanding. And I'll have credibility on the economy when he doesn't. My successes include some businesses that were successful, like Staples and Bright Horizons Children's Centers, and a steel mill in the middle of Indiana, some things I learned from.
And, by the way, some failures. I remember when founders of JetBlue came to me and said, invest in us. I said, well, that will never work. Got it wrong. Now one of my favorite airlines.

I know what it takes to get this economy going. The president doesn't. The proof is in his record. It's terrible. My record shows that I can get America working again.

(APPLAUSE)

WALLACE: Congresswoman Bachmann, no one questions your conservative credentials, but what about your appeal to independents who are so crucial in a general election? If you are fortunate enough to become the Republican nominee, how would you counter the efforts by the Barack Obama campaign to paint you as too conservative to moderate voters?

BACHMANN: Well, it's very clear in the last five years I have won four elections as the first Republican woman ever to win out of the state of Minnesota. And I did that by attracting not only Republicans but also independents and Democrats as well.

Because people wanted to know, who could they trust? They knew that in me they may not always agree with me but they knew that I was a woman who said what she meant and meant what she said. And they respected that level of authenticity and sincerity.

And they also knew that I was an action person. That I wasn't just going to sit on my hands. I was going to work and serve them. And that is what I've done. I have worked very hard in the United States Congress in the brief time that I have been there.

I'm 55 years old. I spent 50 years as a real person. And now five years going toe-to-toe with Barack Obama, taking him on, on every issue from Dodd-Frank to cap and trade to illegal immigration to "Obama-care." And I will do that as president of the United States. That is my proven track record.

(APPLAUSE)

BAIER: Neil Cavuto?

CAVUTO: Thank you, Bret. Governor Perry, by your own admission, you are not a great debater. You have said as much, and downplayed debating skills in general. But if you were to become your party's nominee, you would be going up against an accomplished debater in Barack Obama.

There are many in this audience tonight, sir, who fear that possibility. And don't think you are up to the fight. Allay them of their concerns.

PERRY: Well, I want to share something with you. That at each one of these debates -- I'm kind of getting where I like these debates. As a matter of fact, I hope Obama and I debate a lot. And I'll get there early. And we will get it on and we will talk about our differences, which are great.

I'll talk about what we have done in the state of Texas. I'll talk about passing a balanced budget amendment to the United States Congress. I'll talk about having the type of part-time Congress that I think Americans are ready for.

And, you know, there are a lot of people out there -- I understand it, you know, there are a lot of folks that said Tim Tebow wasn't going to be a very good NFL quarterback. There are people that stood up and said, well, he doesn't
have the right throwing mechanisms, or he doesn't -- you know, he is not playing the game right.

And, you know, he won two national championships. And that looked pretty good. We're the national champions in job creation back in Texas. And so -- but am I ready for the next level? Let me tell you, I hope I am the Tim Tebow of the Iowa Caucuses.

(APPLAUSE)

CAVUTO: Governor Huntsman, your campaign has been praised by moderates but many question your ability to galvanize Republicans, and energize the conservative base of the party. They are especially leery of your refusal to sign on to a no-tax-hike pledge. How can you reassure them tonight?

HUNTSMAN: I think people, Neil, are coming around to finding that I am the consistent conservative in this race. They are coming around to find that I am not going to pander. I am not going to contort myself into a pretzel to please any audience I'm in front of. And I'm not going to sign those silly pledges.

And you know what else? I'm not going to show up at a Donald Trump debate.

(LAUGHTER)

(APPLAUSE)

HUNTSMAN: This nation has been downgraded. This nation is on the cusp of the third government shutdown. We have been kicked around as people. We are getting screwed as Americans. And I'm here to tell you, we are going to lead charge in doing what must be done in addressing the two deficits we have.

We have an economic deficit in this country, and is it going to shipwreck the next generation unless we can deal with it. And we have a trust deficit. People in this country don't trust the institutions of power anymore.

We need to go to Congress and we need to say, you need term limits. We need to go to Congress and say, we need to close that revolving door that allows members of Congress to file on out and lobby.

And we need to go to Wall Street and say, no trust there either, because we have banks that are "too big to fail." And I'm telling you, Neil, I'm the person who is going to leave the charge on all of the above and fix the economic deficit, but I'm going fix this country's trust deficit, because we're too good as people to be in the hole we're in and we deserve better.

(APPLAUSE)

BAIER: As Governor Huntsman just mentioned, there is a real drama playing out real-time in Washington right now with the threat of yet another government shutdown, the possibility that millions of Americans could see their payroll taxes go up. If you're president, as is the case now, and you are at lagerheads with one chamber of congress, how would you handle this situation?

30 seconds down the line. Start with Senator Santorum.

SANTORUM: Well, you do what leaders do. They go out and try to bring people together. They tell a narrative and remind Americans who we are and how we solve our problems. This country is a great country because we believe in free people.

In 2008, the American public were convinced by Barack Obama that they needed someone to believe in, that they could believe in. We now understand
that what we need is some president who believes in them. That is the narrative. Go out and motivate the American public, have them talk to their representatives in Washington to pass solutions that believe in bottom up, how we built America, free markets, free people.

BAIER: Governor Perry?

PERRY: After three years, you would think this president could learn how to work in Washington, D.C. If there has ever been a greater example of on-the-job training, this is it. Couldn't have been at a worst time for America.

We need a president who has that governing, executive experience, someone who understands how to work with both sides of the aisle. Frankly, we should never have gotten this point at all.

The idea that he walked away from the work at hand and we had a supercommittee, that was put in place, that was going to fail on its face, that is the type of leadership that this president has been an absolute failure at and the type that I have been working at as the governor of Texas for the last 11 years.

BAIER: Governor Romney?

ROMNEY: Bret, this is a question that ought to take longer than 30 seconds, even 60 seconds. This is the question of the presidency. What is leadership?

I had the disadvantage of some respect of becoming governor and a state with a legislature 85 percent Democrat. It turned out to be a blessing in disguise. To get anything done, I had to learn how to get respect of the speaker of the house and the senate president and Democratic leaders. I found a way to do that, to find common ground from time to time. And when crisis arose, we were able to work together. That is what has to happen.

There are Democrats who love America as Republicans do, but we need to have a leader in the White House, that knows how to lead. I have had four leadership experiences in my life where I have lead enterprises. I want to use that experience to get America right again. And I will do it as president.

BAIER: We will have many more questions about gridlock in Washington and this topic overall. But Speaker Gingrich?

GRINGRICH: I want to start by reinforcing what Governor Romney just said. Leadership is the key. When you have a Sal Alinsky radical who is a campaigner in chief who doesn't do the job of president, because he's too busy trying to run for re-election, the constitution can't work. I helped Ronald Reagan when Tip O'Neill was speaker to get enough votes to pass the Reagan program despite a Democratic majority.

As speaker, one reason some people aren't happy with my leadership I worked things out with Bill Clinton to get welfare reform, a tax cut and four balanced budgets signed in a way that required bipartisanship, because you couldn't get anything done otherwise. So leadership matters immensely in getting this done.

BAIER: Congressman Paul?

PAUL: The main problem we have is the government is too big and the debt is too big and you have to cut spending so you have to get people to come together. They have been coming together to increase spending for decades. We have to get them to come together to do the opposite.

But there are two factions up there, one wants welfare and the other want warfare around the world and policing the world. So you go to people who
like warfare you say give me half of the cuts that have to be in the welfare. Go to welfare people and say give me the cuts to cut the overseas warfare spending and bring people together and live up to what they say.

BAIER: Congresswoman Bachmann?

BACHMANN: As president of the United States I would have called all 535 members of congress to come sit down in Washington last summer looking at the debt ceiling crisis. And what I would have done is said there are three principles we are going to follow, because the first one needs to be no new taxes. We're taxed enough already.

The second principle needed to be that government can't spend any more money than what it is taking in.

And the third principle had to be that we were going to follow the constitution of the United States. What that would have meant we would have looked at $15 trillion debt in the eye and said we are not going to add one more cent to it. We are going to prioritize our spending. And we're going to put the reform in these long-term programs now, not wait eight months or five months. We are going to reform right now.

BAIER: Governor Huntsman.

HUNTSMAN: Leadership is action, not words. And I learned a very important lesson about this when I ran for governor in 2004. I promised the people of my state as governor that we would create the finest state in America for business. I ran on a flat-tax proposal. It took us two years; we got it delivered.

Flat -- I hear a lot of people talking about tax reform and a flat -- we actually got one done. The finest business in the United States, we delivered to our people. Health care reform without a mandate. The list went on and on and on.

I ran for re-election. I got almost 80 percent of the vote, not because I'm a great politician, but I learned some lessons in leadership, that people want to be told where you can take them, and then they want you to deliver.

BAIER: Thank you. We have many more interesting questions coming up. We have a new feature for you tonight, as well. We're asking you to weigh in on Twitter. Tweet the candidate's last name and the hash-tag #answer if you think they're tackling the question or the hash-tag #dodge if you think they're avoiding the question. Then you can go to foxnews.com/debate to see those results.

Now, during the break, you can head there and check it out. And if you have a suggested question or a follow-up to something you've heard, tweet @bretbaier. We'll be using some of those suggested questions tonight.

BAIER: After the break, the candidates on the increasingly sharp tone of this campaign, the economy, and a topic that has not been raised in any of the debates so far. Stay with us.

(COMMERCIAL BREAK)

(BEGIN VIDEO CLIP)

MATT STRAWN, CHAIRMAN OF THE IOWA GOP: Good evening from Sioux City in northwest Iowa. I'm Matt Strawn, chairman of the Iowa GOP. Four years after repelling Barack Obama to the White House, Iowa has seen a surge of new Republican voters as Iowa Republicans have posted 33 straight months of voter registration gains. And as those Republicans prepare to vote in just 19 days,
we understand the responsibility that comes with the privilege of being first in
the nation.

And because the fight to reclaim the White House extends far beyond
Iowa's borders, we want you to be the first to know. So text "Iowa" to 91919 to
know the results and other updates. Thank you and now let's return to the final
debate before the January 3 Iowa Caucus.

(END VIDEO CLIP)

BAIER: Thank you Mr. Chairman and welcome back to Sioux City Iowa and the
Republican presidential debate. For the next round of questions, I turn to my
colleague, Chris Wallace.

WALLACE: Thanks Brett. Candidates, I'm going to call this section, for lack
of a better word, D.C. Culture. Governor Romney, I'm going to begin with you.
Speaker Gingrich says that you should give back the millions of dollars you
made, in his words, "bankrupting companies and laying off employees." You
respond that he has, in your words, "an extraordinary lack of understanding of
how the economy works."

But his comments dovetail with arguments you hear from Democrats that
your belief in, what's called, the creative destruction of capitalism, shows a
hardheartedness. What do you think of what Speaker Gingrich had to say about
you? And are you vulnerable to that kind of attack?

ROMNEY: I think it's a great opportunity for us. Because I think the
president is going to level the same attack. He's going to go after me and say,
you know, you -- in businesses that you've invested in, they didn't all succeed.
Some failed. Some laid people off. And he'll be absolutely right. But if you
look at all the businesses we invested in, over 100 different businesses, they
added tens of thousands of jobs.

In -- in the real world that the president has not lived in, I -- I
actually think he doesn't understand that not every business succeeds. That not
every entrepreneur is lucky enough to do as well as the entrepreneurs that I
described at Bright Horizons and Staples and that steel company and many, many
others. I myself have had the chance of leading four different organizations.
Each of those was highly successful, in part because of hard work and in part
because of good luck.

In the real world, some things don't make it. And I believe I've
learned from my successes and my failures. The president I'll look at and say,
Mr. President, how -- how did you do when you were running General Motors as the
president, took it over? Gee, you closed down factories. You closed down
dealerships. And he'll say, well I did that to save the business. Same thing
with us, Mr. President. We did our very best to make those businesses succeed.
I'm -- I'm pleased that they did and I've learned the lessons of how the economy
works.

This president doesn't know how the economy works. I believe to create
jobs, it helps to have created jobs.

WALLACE: Thank you.

(APPLAUSE)

WALLACE: Speaker Gingrich, on the Freddie Mac website in 19 -- in rather
2007 you said this, I like the GSE, or government sponsored enterprise like
Freddy Mac model, making home ownership more affordable is a policy goal that I
believe conservatives should embrace. Now in an earlier debate, a recent
debate, you said that politicians like Barney Frank, who in your words, profited
from the environment that led to the financial meltdown, should go to jail.
Now that it turns out that you were on the Freddie Mac payroll to the tune of more than $1.6 million, how do you answer critics who say that you're being hypocritical.

GINGRICH: I think pretty straightforward. Barney Frank was in public office with direct power over Freddie Mac. He exploited that power just as Chris Dodd was in public office when he got special bargains from Countrywide, a firm that went broke. They were using power. I was a private citizen, engaged in a business like any other business. Now, if you read the whole thing that they posted, I said they need more regulations and I want to go back to my point about helping people buy houses.

I worked for years with Habitat for Humanity. I think it's a good conservative principle to try to find ways to help families that are right at the margin learn how to budget, learn how to take care of a house, learn how to buy a house. And I -- I'm not going to step back from the idea that in fact we should have as a goal, helping as many Americans as possible be capable of buying homes. And when you look for example at electric membership co-ops, and you look at credit unions, there are a lot of government sponsored enterprises that are awfully important and do an awfully good job.

WALLACE: Congressman Paul you are -- and having been in this town for what 48 hours now, you are all over Iowa TV these days with a negative ad about Speaker Gingrich. You accuse him of selling access and playing the corrupt revolving door game. What about the explanation that you just heard, that he's in the private sector and this is free enterprise?

PAUL: Well he has a different definition of the private sector than I have. Because it's a GSE, government sponsored enterprise. That's completely different. It's -- it's a government agency. They get the money and the sponsorship. They get mixed up. It's -- it's the worst kind of economy.

You know, pure private enterprise, more closely probably to what Governor Romney is involved with, but if it's government-sponsored, it's a mixture of business and government. It's very, very dangerous. Some people say, if it goes to extreme, it becomes fascism, because big business and big government get together.

So, yes, they get money. And I was talking about that for a long time, the line of credit, the excessive credit from the Federal Reserve, the Community Reinvestment Act for 10 years or so. The Austrian economists knew there was a bubble. And at this time, nobody was listening or doing anything in the Congress.

And then to go to work for them and get money from them, it literally is -- it's literally coming from the taxpayer. They went broke. We had to bail them out. So indirectly, that was money that he ended up getting. They're still getting money from a government-sponsored enterprise. It's not a free-market enterprise.

WALLACE: Speaker Gingrich, 30 seconds to respond?

GINGRICH: Well, let me just go back to what I said a minute ago. The term government-sponsored enterprise has a very wide range of things that do a great deal of good. Go across this state and talk to people in the electric membership co-ops. Go across this state and talk to people in the credit unions. There are a lot of very good institutions that are government-sponsored.

And, frankly, the idea that anything which in any way has ever touched government could raise questions about doctors dealing with Medicare and Medicaid and a whole range of other government activities. There are many
things governments do. I did no lobbying of any kind for any organization. And that was -- that was a key part of every agreement we had.

WALLACE: Well, let me pick up with that with you, Congresswoman Bachmann, because you accused Speaker Gingrich of peddling his influence with congressional Republicans to help the companies that paid him tens of millions of dollars since he's left office. Given his denial over time and again tonight that he's -- denies ever having lobbied, what is your evidence, hard evidence that he engaged in influence-peddling?

BACHMANN: Well, it's the fact that -- that we know that he cashed paychecks from Freddie Mac. That's the best evidence that you can have, over $1.6 million. And, frankly, I am shocked listening to the former speaker of the House, because he's defending the continuing practice of Freddie Mac and Fannie Mae.

There's a big difference between a credit union and Freddie Mac and Fannie Mae. And they were the epicenter of the mortgage financial meltdown. I was trying to see these two entities put into bankruptcy, because they, frankly, need to go away, when the speaker had his hand out and he was taking $1.6 million to influence senior Republicans to keep the scam going in Washington, D.C. That's absolutely wrong. We can't have as our nominee for the Republican Party someone who continues to stand for Freddie Mac and Fannie Mae. They need to be shut down, not built up.

(APPLAUSE)

WALLACE: Speaker Gingrich?

GINGRICH: Well, the easiest answer is, that's just not true. What she just said is factually not true. I never lobbied under any circumstance. I never went in and suggested in any way that we do this.

In fact, I tried to help defeat the housing act when the Democrats were in charge of the House. And if you go back and talk to former Congressman Rick Lazio, he'll tell you, when we were passing housing reform while I was speaker, I never at any time tried to slow down the reform effort. In fact, I helped him pass the reform bill. And I think some of those people ought to have facts before they make wild allegations.

BACHMANN: Let me -- let me...

WALLACE: Yes, go ahead. Congresswoman?

BACHMANN: Well, after the debates that we had last week, PolitiFact came out and said that everything that I said was true. And the evidence is that Speaker Gingrich took $1.6 million. You don't need to be within the technical definition of being a lobbyist to still be influence-peddling with senior Republicans in Washington, D.C., to get them to do your bidding.

And the bidding was to keep this grandiose scam of Freddie Mac going. That's -- that is something that our nominee can't stand for. We have to shut down these government enterprises. And we've got to end them. And I think that's shocking that he's saying that.

GINGRICH: And let me just say two things...

BAIER: Speaker Gingrich, quickly.

(APPLAUSE)

GINGRICH: OK, I want to say two things. First, my policy is to break up both Fannie Mae and Freddie Mac. It is not anything like what she just
Second, I want to state unequivocally, for every person watching tonight, I have never once changed my positions because of any kind of payment. Because I -- the truth is, I was a national figure who was doing just fine, doing a whole variety of things, including writing best-selling books, making speeches. And the fact is, I only chose to work with people whose values I shared and having people have a chance to buy a house is a value I believe still is important in America.

BAIER: Now to Neil Cavuto with questions about the economy.

CAVUTO: Speaker Gingrich, not to make you a target, but you.

GINGRICH: It goes with being right here.

CAVUTO: You just responded this morning, sir, tweeted originally and with follow-up statements as a major break through of this plan on the part of Republican congressman Paul Ryan working with Democratic Senator Ron Wyden to find a sort of updated way to keep Medicare solvent. This would involve a choice, those who like the program as it is can stick with it. They will be a private option, et cetera.

But earlier on, this might have confused Congressman Ryan and others for whom you had said was the initial Medicare fix that it was right wing social engineering. Later on you backed off that comment, said there was much you could find in Mr. Ryan's plan to like.

Can you blame Governor Romney for saying you have a consistency problem on this issue?

GINGRICH: I'm not in the business of blaming Governor Romney. I'm in the business to try and understand what we can do as a policy. If you go back and look at the "Meet the Press" quote I didn't want reference him. And I'll come back and say it again, a free society should make very big decisions with the support of the people.

Now you can earn that support. You can win a communications argument. Reagan was very, very good at that. But the only point I was making on "Meet the Press" is when you are going to have a major change, you have to communicate with the American people in order to ensure that they are for you.

Now Governor Romney came up, frankly, with a very good variation on the Ryan plan which allowed the maintenance of the current system. Paul has adopted that. And I think did a very brave act by Senator Ron Wyden, you now have a Democrat willing to co-sponsor the bill. I've endorsed the concept today. I think it is a big step forward. And I think Governor Romney deserves some of the credit for having helped figure out a way to make this thing workable.

So, I think it's a nice thing to actually have a bipartisan plan in Washington that we could actually look at in a positive way and hope would help save Medicare.

CAVUTO: Governor Romney do you want to respond to that compliment?

ROMNEY: Yeah. Thank you.

Yeah, I hope people understand just how big today is for this country. We all understand that the spending crisis is extraordinary with $15 trillion now in debt, with the president that's racked up as much debt as all the other presidents combined.

But there is another problem we have, which is our national balance
sheet. Which are the obligations that we have made, that we have no funding
behind. And it adds up to $62 trillion.

And today Republicans and Democrats came together with Senator Wyden
and Congressman Paul Ryan to say we have a solution to remove that $62 trillion.
This is a big day for our kids and grand kids. It's an enormous achievement. It
means we finally have the prospect of dealing with somebody which has the
potential of crushing our future generations and a good Democrat and a good
Republican came together.

This is the impact of people on both sides of the aisle that care about
America at a critical time. And I applaud him. It's good news.

CAVUTO: Congressman Paul, as you have been warning, we are on the brink of
another government shutdown because of the spending that you call out of
control. But haven't you contributed to that spending problem yourself, sir,
supporting over the years earmarks that have benefited your district and your
state?

Back in 2009, you explained this by saying if I can give my district
any money back, I encourage that. I don't think that the federal government
should be doing it but if they are going to allot the money, I have a
responsibility to represent my people.

Isn't that what they call a mixed message, congressman?

PAUL: Well, it's a mixed question is the problem, because the real message
is you should include in your question also you have never voted once for an
earmark.

No, it's a principle that I deal with, because if the government takes
money from you and you fill out your tax form, you take your deductions. I look
at that the same way in our communities. They take our money, they take our
highway funds. and we have every right to apply for them to come back.

As a matter of fact, it's a bigger principle for me than that. I think
this whole thing is out of control on the earmarks, because I think the congress
has an obligation to earmark every penny, not to deliver that power to the
executive branch. What happens when you don't vote for the earmarks it goes in
to the slush fund, the executive branch spends the money then you have to grovel
to the executive branch and beg and plead and say oh, please return my highway
funds to me.

So if this whole principle of budgeting that is messed up, but I never
vote, I never voted for an earmark. But I do argue the case for my -- the
people I represent to try to get their money back if at all possible.

CAVUTO: But isn't that the same thing of having your cake and eating it too?
You can complain about earmarks but then if there are provisions there that help
your district or your state that's different? If 434 other members felt the
same way, how would we ever fix the problem?

PAUL: Yes, but you're missing the point. I don't complain about earmarks,
because it is the principle of the Congress meeting their obligation. But if
everybody did what I did, there would be no earmarks. The budget would be
balanced and we'd be cutting about 80 percent of the spending. So that would be
the solution.

(APPLAUSE)

PAUL: But you also want to protect the process. You want to emphasize the
responsibility of the Congress, and not delivering more power to the president.
I would be a different kind of president. I wouldn't be looking for more power.
Everybody wants to be a powerful executive and run things. I, as the president, wouldn't want to run the world. I don't want to police individual activities and their lifestyle. And I don't want to run the economy.

So that is an entirely different philosophy, but it's very, very much in our tradition and in a tradition of our Constitution.

(APLAUSE)

CAVUTO: Governor Perry, you said the only way to stop our spending problem is to get Congress to stop spending. Quoting you, sir, you said: "I vetoed 82 bills in my first year as governor of Texas. I have a record of keeping spending under control."

But as Texas agriculture commissioner, you oversaw a loan guarantee program that, as The Austin American-Statesman reported at the time, had so many defaults that the state had to stop guaranteeing bank loans to start-ups in the agribusiness, and eventually bailed out the program with the tax-payer money.

So aren't you guilty of the same behavior you rail against as a presidential candidate?

PERRY: Well, two things. Number one, don't believe everything you read in The Austin American-Statesman. And the second side of it is, we had that program put in place and the state did not bail out, those programs worked as they were supposed to work. Just like in any bank or any business, you are going to have some that fail.

But I want to go back and talk about just a second the issue of where we had a big back-and-forth about whether Newt was involved in untoward activity or not. And I'll be real honest with you, the issue we ought to be talking about on this stage is how you really overhaul Washington, D.C.

And the idea that you can't tell the difference between lobbying and consulting, the idea that we have Congress staying there as many days as they do and the salary that they have, that is the reason I have called for a part-time Congress.

Cut their pay in half. Cut their time in Washington in half. Cut their staff in half. Send them home. Let them get a job like everybody else back home has and live within the laws of which they passed.

(APLAUSE)

PERRY: We do that and you pass a balanced budget amendment to the United States Constitution, and the conversations that we've been having up here will be minor.

CAVUTO: By the way, Governor, they worked 151 days last year. How much more would constitute part-time?

PERRY: I would suggest to you maybe 140 days every other year like we do in Texas.

(LAUGHTER)

(APLAUSE)

CAVUTO: Governor Huntsman, as you're probable familiar, sir, the Chinese have just left huge tariffs of up to 22 percent on imports of some American sport utility vehicles, larger American cars.
Now as a former ambassador to China and one who has argued for an adult conversation with Beijing, how would you respond to what some are calling a childish move on the part of a country that routinely flouts international trade rules?

HUNTSMAN: Well, it's a large and complicated relationship. It's part trade, it's part North Korea, it's part Iran, part Pakistan, part Burma, part South China Sea, party military-to-military engagement. You move one end of the relationship, it impacts the other.

The best thing to do, invite a few dissidents who are seeking freedom and want to expand democracy in China to the United States embassy, the kind of thing that I used to do. That is what matters to the Chinese people who are looking for change and looking for reform these days.

That is the kind of thing that over time is going to create enough swell of change and reform in that country that is going to make the U.S.-China relationship successful longer term.

Because eventually, we need more than just a transactional relationship. We need shared values infused into this relationship. Let's face it, the 21st Century will only have two relationships that matter: the United States and China.

For that to succeed, we need shared values. That is democracy. That is human rights. That is recognition of the role of the Internet in society. That is greater tolerance toward religion, and so much more.

As president of the United States, I would drive that home. And I would make it a relationship that worked.

CAVUTO: Senator Santorum, right now American companies have trillions parked overseas because of the very high tax rates here. Would you support a tax holiday to bring that money back, but only under, as some Democrats have suggested, the condition that these companies hire workers with that money?

SANTORUM: Yes, what I proposed in the "Made in the USA" plan is that if money has been made overseas, that it can come back at 5.5 percent rate, which is what we did back in 2004, and it did cause a lot of money to come back. But I put a special rate, zero, if they bring it back and invest it in plant and equipment in America.

We need to rebuild the manufacturing base of this country. When I traveled around to all of these counties in Iowa, I went to a lot of small towns, like Sidney and Hamburg down in Fremont County, and I was in -- the other day in Newton, where they've lost jobs to overseas. Why? Because we're not competitive.

We need to have our capital be competitive and -- and come here free so they can invest it. We need to cut the corporate tax on manufacturers to zero. Why? Because there's a 20 percent cost differential between America and our nine top trading partners. And we -- and that's excluding labor costs.

We need to get our taxes down. We need to repeal regulations. I promise to repeal every single Obamacare regulation. Every single Obama regulation that cost businesses over $100 million, I can repeal it. I can't repeal laws, but as a president, you can repeal -- excuse me, regulations. And I will repeal every single one of them so business can get going in this country.

(APPLAUSE)

BAIER: Thank you, Neil.
This question is from Twitter. And it is for you, Governor Romney. @LeonJamesPage tweets, "Over the next 10 years, in what sector or industries will most of the new jobs be created?"

ROMNEY: The great thing is, the free market will decide that. Government won't. And we have in a president someone who, again, doesn't understand how the economy works and thinks that, as a government, he can choose, for instance, which energy sector is going to be successful. So he invests as a venture capitalist in certain car companies that have electric battery power, not understanding that perhaps Toyota and G.M. could do a better job than Tesla and Fisker.

The president decides to go into Solyndra because he thinks that solar power is going to be the future. Look, let markets determine what the future course of our economy will be.

What do I happen to think will be the future? I think manufacturing is going to come back. I think manufacturing, for some of the reasons Rick just indicated, it's going to come back to the U.S. I also think, of course, that high-tech is going to be an extraordinarily source -- extraordinary source of growth for a long time in this country.

And energy. We have extraordinary energy resources in this country. Opening those up -- our president holds them off, doesn't give them the permits to start drilling and getting the natural gas and oil -- those are some of the areas that are extraordinarily powerful. This economy has every potential to continue to lead the world. Our president thinks America is in decline. It is if he's president. It's not if I'm president. This is going to be an American century.

(APPLAUSE)

BAIER: Thank you, Governor Romney.

Now to Megyn Kelly with the next round of questions. And this is a new topic, the judiciary.

KELLY: This is something we have heard pressure little about in this election, but something that's an important issue for a lot of voters.

Speaker Gingrich, let me start with you. You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. And they used words like "dangerous," "outrageous," and "totally irresponsible." Are they wrong?

GINGRICH: Well, the first half is right. It alters the balance, because the courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people.

(APPLAUSE)

There's an entire paper at newt.org -- I've been working on this project since 2002, when the Ninth Circuit Court said that "one nation under God" is unconstitutional in the Pledge of Allegiance. And I decided, if you had judges who were so radically anti-American that they thought "one nation under God" was wrong, they shouldn't be on the court. Now, we have...
I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

We have a balance of three branches. We do not have a judicial dictatorship in this country. And that's what the Federalist papers promised us. And I would -- just like Jefferson, Jackson, Lincoln and FDR -- I would be prepared to take on the judiciary if, in fact, it did not restrict itself in what it was doing.

KELLY: What of the former attorney general?

(APPLAUSE)

These are conservative former attorneys generals who have criticized the plan, as I say, dangerous, ridiculous, outrageous, totally irresponsible.

GINGRICH: Sure. I'd ask, first of all, have they studied Jefferson, who in 1802 abolished 18 out of 35 federal judges? Eighteen out of 35 were abolished.

KELLY: Something that was highly criticized.

GINGRICH: Not by anybody in power in 1802.

(LAUGHTER)

(APPLAUSE)

Jefferson himself was asked, is the Supreme Court supreme? And he said, that is absurd. That would be an oligarchy. Lincoln repudiates the Dred Scott decision in his first inaugural address in 1861 and says, no nine people can make law in this country. That would be the end of our freedom. So I would suggest to you, actually as a historian, I may understand this better than lawyers. And as lawyers those two attorneys general are behaving exactly like law schools, which have overly empowered lawyers to think that they can dictate to the rest of us.

(APPLAUSE)

KELLY: Congresswoman Bachmann.

(APPLAUSE)

KELLY: You heard Speaker Gingrich -- you heard Speaker Gingrich reference the Ninth Circuit Court of Appeals and that is one of the courts that he has suggested abolishing. It is a left-leaning court and as he points out, as he has done before, he believes it's an activist court because in part it was the court that -- that issued a ruling striking down "under God" in the pledge years ago. A decision that was reversed by the Supreme Court leader.

Do you agree that the Ninth Circuit should be abolished? And if so, what would then happen if a Democratic president came into office and we had a democratically controlled Congress that later took aim at the right-leaning federal courts. Where would it end?

BACHMANN: Well where it needs to end is under the Constitution of the United States. That's the real issue. Are the courts following the Constitution or aren't they following the Constitution? It isn't just Congress that gets it wrong, it's the courts that get it wrong as well.

KELLY: But what do you do about it?
BACHMANN: Well what we need to do about it is have the -- both the president and the United States Congress take their authority back and I would agree with Newt Gingrich that I think that the Congress and the president of the United States have failed to take their authority. Because now we've gotten to the point where we think the final arbitrator of law is the court system. It isn't. The intention of the founders was that the courts would be the least powerful system of government.

And if we give to the courts, the right to make law, then the people will have lost their representation. They need to hold onto their representation. That's why I commend Iowans, because they chose not to retain three judges that decided that marriage would be...

(APPLAUSE)

BACHMANN: ...and Iowans decided to take their Constitution back. That's what the American people need to do, take the Constitution back and as president of the United States, I would only appoint judges to the Supreme Court who believe in the original intent of the Constitution.

KELLY: Congressman Paul let me ask you, do you believe in what the two candidates have said? That it would potentially be OK to abolish courts like the Ninth Circuit Court of Appeals entirely, or judges, impeach them if Congress and the president don't decide -- decide they don't like their rulings?

PAUL: Well the Congress can get rid of these courts. If -- if a judge misbehaves and is unethical and gets into trouble, the proper procedure is impeachment. But to subpoena judges before the Congress, I'd really question that. And if you get too careless about abolishing courts, that could open up a can of worms. Because it -- you -- there -- there could be retaliation. So it should be a more serious -- yes we get very frustrated with this. But the whole thing is, if you just say, well we're going to -- OK there are 10 courts, lets get rid of three this year because they ruled a -- a way we didn't like.

That -- that to me is, I think opening up a can of worms for us and it would lead to trouble. But I really, really question this idea that the -- the Congress could subpoena judges and bring them before us. That's a real affront to the separation of the powers.

KELLY: Governor Romney, many people believe that the way to reign in, so-called activist judges is to be careful in appointing or nominating the judges in the first place. As governor of Massachusetts, you passed over Republicans for three quarters of the judicial vacancies you faced, instead nominating Democrats or Independents. With that track record, why should Republicans believe that you will appoint conservatives to the bench if you become president?

ROMNEY: Well I have to let you know that in Massachusetts, I actually don't get to appoint the judges. I get to nominate them. They go before something known as the Governor's Council. It consists of, I believe, seven members, all of whom are elected Democrats. And so to be able to get my appointments through, I had to have people of both parties. And the people I put forward, all were individuals who I vetted very carefully to make sure they would follow the rule of law.

These were largely people going into criminal courts. I chose overwhelmingly people who had been prosecutors in their prior experience. And so we had that kind of justice. Now, let -- let me note that the key thing I think the president is going to do, is going to be with the longest legacy. It's going to be appointing Supreme Court and justices throughout the judicial system. As many as half the justices in the next four years are going to be appointed by the next president.
This is a critical time to choose someone who believes in conservative principles. Now I -- I don't believe that it makes a lot of sense to have Congress overseeing justices. The -- the -- the only group that has less credibility than justices perhaps is Congress. So let's not have them be in charge of overseeing the -- the justices.

(APPLAUSE)

ROMNEY: However -- however, we don't call it we the judges. We call it we, the people. And we do have the ability to remove justices that need to be impeached. We also have the ability to pass new amendments if we think a justice is taken the nation in the wrong direction. And where a statute has been misinterpreted, congress can write a statute that clarifies that point. We have ability to rein in excessive judges.

KELLY: All right. And I just want to go quickly down the line. With just a name, favorite Supreme Court justice. Senator Santorum -- current.

SANTORUM: I have to say of these folks over here have been talking about taking on the courts. I have done it. I actually campaigned in Iowa against those justices and I was the only one on this panel that did it, number one.

Number two, when the partial birth abortion status struck down by the Supreme Court, George Bush got elected we actually went back and I worked with Henry Hyde and we passed another bill, told the Supreme Court they were wrong. Passed it, George Bush signed it and it was overturned.

We can talk about reform and doing something to confront the courts, or you can actually go out and make it happen. I made it happen. And it's tops.

KELLY: And quickly down the line, favorite current Supreme Court justice.

PERRY: I'll be as quickly as I can, but when I talk about overhauling Washington, D.C., one of the things I talk about besides a part-time congress is no longer having lifetime terms for the federal bench. I think that is one of the ways that you keep these unaccountable legislators from rogues to try to dictate to the rest of us. And I would say, you know, you pick Alito, Roberts, Thomas, pick one.

KELLY: All right. Would you pick one, please.


KELLY: All right. Speaker Gingrich.

GINGRICH: I think that is a pretty darned good list. And I would sign up for those guys. Scalia is probably the most intellectual of the four. They're all four terrific judges.

I mean, if we had nine judges as good as those four we would be happy with the Supreme Court.

KELLY: Congressman Paul?

PAUL: From my point they're all good and they're all bad, because our country a long time ago split freedom up to two pieces -- personal liberty and economic liberty. And the judges, as is congress and as is nation, think it's two issues. It's but one issue. So therefore, congress is on this issue as well as our judges.

KELLY: Last chance to say a name.
PAUL: No, I'm not going to -- all of them are good and all of them are bad. How is that?

KELLY: Congresswoman Bachmann?

BACHMANN: Well, I do think that there are good justices. And I would put Antonin Scalia at the top of the list. I would also include Clarence Thomas and John Roberts and Alito. I think they are all marvelous. It could be easy to pick any one of them.

KELLY: Governor Huntsman?

HUNTSMAN: One of the reasons I'm optimistic about the future of this country is because we have rule of law. Let's face it. One of the great things that this country has that very few other countries have. So the Judiciary is critically important.

It's also important to note that governors actually some experience appointing judges. You got to make those hard decisions. And as I reflect on those who today serve I've got to say Justice Roberts and Justice Alito fit the bill very, very nicely.

KELLY: Thank you, all.

BAIER: That was a valiant effort.

KELLY: I tried. I tried.

BAIER: Coming up, there is a lot of ground to cover in this next hour. The threat from Iran and other foreign policy hot spots, up- and-down oil prices, immigration and border issues, and controversial social issues. Stay with us. Remember, tweet @bretbaier with a question or followup. We'll be right back.

(COMMERCIAL BREAK)

BAIER: Welcome back to Sioux City, Iowa, and the Republican presidential debate.

(APPLAUSE)

Fired-up crowd, they're ready for hour number two. And we begin hour number two with an important topic, foreign policy.

Congressman Paul, many Middle East experts now say Iran may be less than one year away from getting a nuclear weapon. Now, judging from your past statements, even if you had solid intelligence that Iran, in fact, was going to get a nuclear weapon, President Paul would remove the U.S. sanctions on Iran, included those added by the Obama administration. So, to be clear, GOP nominee Paul would be running left of President Obama on the issue of Iran?

PAUL: But I'd be running with the American people, because it would be a much better policy. For you to say that there is some scientific evidence and some people arguing that maybe in a year they might have a weapon, there's a lot more saying they don't have it.

There's no U.N. evidence of that happening. Clapper at the -- in our national security department, he says there is no evidence. It's no different than it was in 2003. You know what I really fear about what's happening here? It's another Iraq coming. There's war propaganda going on.

(APPLAUSE)
And we're arguing -- to me, the greatest danger is that we will have a president that will overreact and we will soon bomb Iran. And the sentiment is very mixed. It's -- it's very mixed even in Israel. You know, there -- the -- a head of the security for Israel, who just recently retired, said that it wouldn't make sense to do this, to take -- to take them out, because they might be having a weapon.

So I would say that the greatest danger is overreacting. There is no evidence that they have it. And it would make more sense -- if we lived through the Cold War, which we did, with 30,000 missiles pointed at us, we ought to really sit back and think and not jump the gun and believe that we are going to be attacked. That's how we got into that useless war in Iraq and lost so much in Iraq.

(APPLAUSE)

BAIER: Congressman Paul, the -- the question was based on the premise that you had solid intelligence, you actually had solid intelligence as President Paul, and yet you still at that point would -- would pull back U.S. sanctions and again, as a GOP nominee, would be running left of President Obama on this issue?

PAUL: Yes. All we're doing is promoting their desire to have it. Ehud Barak, the defense minister for Israel, said that -- that, if he were in -- in Iran, he would probably want a nuclear weapon, too, because they're surrounded, for geopolitical reasons. So that's an understanding.

So the fact that they are surrounded, they have a desire. And how do we treat people when they have a nuclear weapon? With a lot more respect. What did we do with Libya? We talked to them. We talked them out of their nuclear weapon. And then we killed them.

So, it makes more sense to work with people. And the whole thing is that nuclear weapons are loaded over there. Pakistan, India, Israel has 300 of them. We have our ships there. We've got to get it in a proper context. We don't need another war.

(CHEERING AND APPLAUSE)

BAIER: Understood. And you make that point quite a lot. I'm going to -- I'll try one more time. Iran is reportedly running exercises on closing the Strait of Hormuz, a key passage, as you know, for global trade. Now what should the U.S. response be if Iran were to take that dramatic step?

PAUL: This is -- the plans are on the book. All they talk about is, when are we, the West, going to bomb Iran? So why wouldn't they talk about -- they don't have a weapon, they don't have a nuclear weapon, why wouldn't they try to send out some information there and say, you know, if you come and bomb us, we might close the Straits of Hormuz down.

So already the president, and I think he is wisely backing off on the sanctions, because it's going to be an economic calamity if you take all the oil out of Europe. So I think that makes sense.

He knows these sanctions are overreaching. Sanctions are an act of war when you prevent goods and services from going into a country. We need to approach this a little differently. We have 12,000 diplomats in our services. We ought to use a little bit of diplomacy once in a while.

(APPLAUSE)

BAIER: OK. Just a reminder again, that little friendly beep is when you
wrap up. Senator Santorum, you have a very different thought about the threat from Iran. For several years, according to the U.S. military leaders, Iran has provided training, funding, and lethal arms to jihadists killing American soldiers in Iraq and Afghanistan. Are those acts of war?

SANTORUM: They have been continually. They just tried to plan an attack here in this country, killing the Saudi ambassador. They have been at war with us since 1979. The IEDs that have killed so many soldiers, they are manufactured in Iran.

This is -- Iran is not any other country. It is a country that is ruled by the equivalent of al Qaeda on top of this country. They are a radical theocracy. The principle virtue of the Islamic Republic of Iran, according to President Ahmadinejad, is not freedom, opportunity, it's martyrdom.

The idea, Ron, that mutual assured destruction, like the policy during the Cold War with the Soviet Union would work on Iran when their principle virtue is martyrdom, is -- mutual assured destruction with respect to Iran would not be any kind of, you know, idea of preventing a war. It would be an inducement to a war.

This is what their objective is. Their objective is to in fact create a calamity. This is what their theology teaches. They believe that it is their mission to take on the West. They don't hate us because of what we do or the policies we have. They hate us because of who we are and what we believe in.

And we need to make sure that they do not have a nuclear weapon. And we should be working with the state of Israel right now. We should use covert activity. And we should be planning a strike against their facilities and say, if you do not open up those facilities and not close them down, we will close them down for you.

(CHEERING AND APPLAUSE)

BAIER: Governor Romney, this week President Obama said the U.S. asked Iran to give our downed high-tech drone back. As you know, the Iranians have it on display. They claim they are extracting data from it and they have no intention of giving it back.

Yesterday you called the president's response, quote, "extraordinarily weak and timid." Now in your book you write, quote, "weakness invites challenges, acts of intimidation, acts of aggression, and sometimes war."

So in this case, are President Obama's actions inviting war?

ROMNEY: Absolutely. Does timidity and weakness invite aggression on the part of other people? Absolutely. A strong America, a strong America is the best ally peace has ever known. This is a president with -- the spy drone being brought down, he says pretty please? A foreign policy based on pretty please? You have got to be kidding.

This is a president who fundamentally believes that this next century is the post-American century. Perhaps it's going to be the Chinese century. He is wrong. It has to be the American century. America has to lead the free world.

(APPLAUSE)

ROMNEY: And the free world has to lead the entire world. The right course under President Obama's plans is to shrink our military, thinking somehow if we appease or accommodate the tyrants of the world, that the world will be safer. He's wrong.
The right course for America is to strengthen our economy, our values, our families, and our military. We need to rebuild our Navy and go from nine ships a year to 15. We need to modernize our Air Force. We need 100,000 new additional troops in our military. We need to take care of our veterans in the way they deserve.

It is time for us to recognize once again a strong military does not create war. A strong America prevents people from trying to test us around the world.

(APPLAUSE)

BAIER: Congresswoman Bachmann, today is the official end of the U.S. military operations in Iraq, and there is real concern, as you know, about growing Iranian influence inside Iraq. Also, the deputy prime minister there has expressed concerns about the country possibly slipping into civil war. Are there any circumstances as president where you would send U.S. troops back in to Iraq?

BACHMANN: Well, I think clearly the biggest mistake that President Obama has made -- and there are many when it comes to foreign policy -- has been the decision that he made regarding Iraq. He was essentially given on a silver platter victory in Iraq, and he's choosing intentionally to lose the peace.

And we all know what's going to happen. We know that Iran is going to be the hegemon and try to come into Iraq and have the dominant influence. And then Iraq will essentially have dominance from the Persian Gulf all the way to the Mediterranean through its ally, Syria.

And with all due respect to Ron Paul, I think I have never heard a more dangerous answer for American security than the one that we just heard from Ron Paul. And I'll tell you the reason why.

(APPLAUSE)

And the reason -- the reason -- the reason why I would say that is because we know, without a shadow of a doubt, that Iran will take a nuclear weapon, they will use it to wipe out our ally, Israel, off the face of the map, and they've stated they will use it against the United States of America.

Look no further than the Iranian constitution, which states unequivocally that their mission is to extend jihad across the world and eventually to set up a worldwide caliphate. We would be fools and knaves to ignore their purpose and their plan.

(APPLAUSE)

BAIER: Congressman Paul?

PAUL: Obviously, I would like to see a lot less nuclear weapons. I -- I don't want Iran to have a nuclear weapon. I would like to reduce them, because there would be less chance of war.

But to declare war on 1.2 billion Muslims and say all Muslims are the same, this is dangerous talk. Yeah, there are some radicals, but they don't come here to kill us because we're free and prosperous. Do they go to Switzerland and Sweden? I mean, that's absurd.

If you think that is the reason, we have no chance of winning this. They come here and explicitly explain it to us. The CIA has explained it to us. It said they come here and they want to do us harm because we're bombing them.

What is the whole world about the drone being in Iran? And we're
begging and pleading, and how are we going to start a war to get this drone back? Why were we flying the drone over Iran? Why do we have to bomb so many countries? Why are we in -- have 900 bases, 130 countries, and we're totally bankrupt? How are you going to rebuild the military when we have no money? How are we going to take care of the people?

(APPLAUSE)

So I think -- I think this wild goal to have another war in the name of defense is the dangerous thing. The danger is really us overreacting. And we need a strong national defense. And we need to only go to war with a declaration of war, and just carelessly flouting it and starting these wars so often.

BAIER: Speaker Gingrich, is Congressman Paul...

(CROSSTALK)

BACHMANN: And the point would be -- can I respond to that? Can I...

BAIER: Go ahead.

BACHMANN: Can I respond? And the problem would be the greatest under-reaction in world history if we have an avowed madman who uses that nuclear weapon to wipe nations off the face of the Earth. And we have an IAEA report that just recently came out that said, literally, Iran is within just months of being able to obtain that weapon. Nothing could be more dangerous than the comments that we just heard.

(CROSSTALK)

BAIER: All right, 30 seconds, Dr. Paul.

PAUL: There is no U.N. report that said that. It's totally wrong on what -- what you just said.

BACHMANN: It's an IAEA report.

PAUL: That -- that is not -- that is not true. They -- they produced information that led you to believe that, but they have no evidence. There's no -- been no enrichment of these bombs.

BACHMANN: And if we agree with that...

(BOOING)

... if we agree with that, the United States' people could be at risk of our national security.

PAUL: OK. She took my time, so I'd like -- I'd like to finish. If she thinks we live in a dangerous world, she ought to think back when I was drafted in the 1962 with nuclear missiles in Cuba. And Kennedy calls Khrushchev and talks to them, and talks them out of this so we don't have a nuclear exchange.

And you're trying to dramatize this, that we have to go and -- and treat Iran like we've treated Iraq and kill a million Iraqis, and 8,000-some Americans have died since we've gone to war. You cannot solve these problems with war. You can solve the problems if we follow our constitution and go to war only when we declare the war, win them and get them over with instead of this endless fighting and this endless attitude that we have enemy all around the world.

BACHMANN: But as president, I stand on the side of...
BAIER: Thank you -- we have been liberal with our friendly ding.

Mr. Speaker, you have been openly critical of the United Nations. For example on the topic of Palestinian efforts for statehood at the U.S. you said, quote, "we don't need to fund a corrupt institution to beat up on our allies."

In a Gingrich administration would the United States leave the UN?

GINGRICH: No, but we would dramatically reduce our reliance on it. And we'd confront certain realities. People talk about a peace process. 11 missiles were fired in Israel last month, last month. Over 200 missiles fired at Israel this year. You think if we had 11 missiles fired in the United States we -- well, this president anyway would say gee, maybe we could communicate and you would like us more.

But I don't think there is -- you know, I think most of us, most Americans would say you know if you are firing missiles at me, that may not be a good gesture. OK? The United Nations camps that we have helped fund have been training grounds for terrorism.

As Congressman Bachmann pointed out the last time we debated, she was over there with textbooks that are clearly teaching terrorism that are indirectly funded by the United States through the UN.

We have no obligation to lie and every obligation to tell the truth about how bad the UN bureaucracy is and why it ought to be fixed or we ought to radically cut what we're paying.

BAIER: Governor Huntsman, do you agree?

HUNTSMAN: I think the United Nations serves a useful purpose in the area of peacekeeping and some humanitarian work. Beyond that, I hate the anti-Americanism. I hate the anti-Israel sentiment.

But let me tell you what this nation needs and what it is going to get under a Huntsman administration. It needs a new foreign policy. We need to update it a little bit. We are still trapped a little bit in the Cold War, George Tenet (ph) mind set.

I want to make sure that first and foremost we have a foreign policy, and a the national security strategy that recognizes that we have to fix our core here at home. We are weak. This economy is broken. When we are strong, we project values of goodness that transform and change people like no military can -- liberty, democracy, human rights and free markets.

We have got to fix this core first and foremost if we are going to be effective overseas. And that is what i want to focus on.

Second of all, I want to make sure that...

BAIER: Governor Huntsman, that is the time.

HUNTSMAN: Let me just get the second point.

Second of all, I want a foreign policy -- I want a foreign policy that is driven by economics first. Let me just tell you, its used to break my heart sitting in embassy in Beijing the second largest embassy in the world looking at Afghanistan with 100,000 troops. We are securing the place, the Chinese go in and they win the mining concession. There is something wrong with that picture.

We need to change the way we're doing business.
BAIER: OK. Two dings in that one.

Governor Perry, given the grim details of the recent United Nations report on the Syrian regime killing and torturing its own people, thousands of people said to be killed at the hands of the Assad regime. At what point should the U.S. consider military intervention there?

PERRY: Well, I have already called for a fly zone -- no fly zone over Syria already. They are Iran's partner. They are attached at the hip. And we have to stand firm with our ally in that region, Israel. There needs to be no space between the United States and Israel. And this administration has absolutely bungled.

It is the most muddled foreign policy that I can ever remember in my lifetime whether it was in '09 when we had the opportunity either covertly, overtly or other ways of helping the Iranian citizens as they were trying to overthrow that repressive regime, whether it was working with Mubarak, and trying to have a moderate to come in and replace him, whether it was leading from behind, as we have seen in Libya, and now we have seen this president, as Mitt and Newt have both talked about, asking the Iranians to give us back that drone.

What we should have done is one of two things -- we either destroy it or we retrieve it. He took a third route, which was the worst and the weakest, and that is to do nothing.

BAIER: Now to my colleague Neil Cavuto -- Neil?

CAVUTO: Candidates, I want to move on if we can to energy issues. And Speaker Gingrich, I would like to begin with you. As you know, the president, sir, has rejected any efforts to tie a payroll tax cut extension with the Keystone pipeline and to reopen it and to explore reopening it as well.

He says that any other way to connect the two would be akin to adding an extraneous issue. Given his opposition and -- and the likelihood that the Keystone issue could be up in the air for a year or more, how do you recommend Republicans deal with this to force the issue?

GINGRICH: You know, Neil, I sometimes get accused of using language that's too strong, so I've been standing here editing.

(LAUGHTER)

I'm very concerned about not appearing to be zany. And...

(LAUGHTER)

But -- but I want to paint a picture for all of us. The Iranians are practicing closing the Straits of Hormuz. The Canadian prime minister has already said to the American president, if you don't want to build this pipeline to bring -- create 20,000 American jobs and bring oil through the United States to the largest refinery complex in the world, Houston, I want to put it straight west in Canada to Vancouver and ship the oil direct to China, so you'll lose the jobs, you'll lose the throughput, you'll lose 30 or 40 years of work in Houston.

And the president of the United States cannot figure out that it is -- I'm using mild words here -- utterly irrational to say, I'm now going to veto a middle-class tax cut to protect left-wing environmental extremists in San Francisco, so that we're going to kill American jobs, weaken American energy, make us more vulnerable to the Iranians, and do so in a way that makes no sense to any normal, rational American.

(APPLAUSE)
CAVUTO: No offense, sir, but you didn't answer my question.

(LAUGHTER)

What would -- what would you do to try to move on this within a year?

GINGRICH: What -- what should the congressional Republicans do? They should attach it to the middle-class tax cut, send it to president, force him to veto it, send it a second time. We had to send welfare reform to Bill Clinton three times. He vetoed it twice. By the third time, the popular outrage was so angry, 92 percent of the country wanted to have welfare reform, he decided to sign it. It happened to be an election year.

I'd say to the president, you want to look like you are totally out of touch with the American people? Be my guest, but I'm not backing down when we're right and you are totally wrong.

(APPLAUSE)

CAVUTO: Governor Huntsman, on the same issue (inaudible) the delay, as you've pointed out, stands to threaten thousands of jobs, in a recent speech, you said potentially up to 100,000 jobs. But the president's supporters say a rushed decision could cost the environment a great deal more. What I'd like to ask you, Governor, is there any condition under which a President Huntsman would say the need to protect our land trumps the need to provide more jobs?

HUNTSMAN: It's always going to be a balancing act. We've got land that everybody respects and appreciates, but the job we've got to undertake as American people is to fuel our future.

We have no choice. I mean, our economy has hit the wall. I want to get rid of that heroin-like addiction we have based on imported oil. Three hundred billion dollars transfers every year from this country to a lot of unpredictable and relationships that are no more than transactional.

In order to get to where this country needs to be, we need a relationship with Canada from which we can draw raw materials. But I also want to make sure that I'm able as president to disrupt the oil monopoly. There's a one-product monopoly in terms of product distribution in this country. If we're going to achieve real energy independence, we're going to have to be able to draw from a multiplicity of products like natural gas.

We wake up to the reality (inaudible) in this country that we have more natural gas than Saudi Arabia has oil, I say, how stupid are we? When are we going to get with the picture and start converting to transportation, converting to manufacturing, converting to electricity and power generation? It is completely within our grasp.

It's going to require a president who understands that -- that delicate balance and who's going to be able to go out with an aggressive plan toward energy independence -- independence that gets it done for this country.

(APPLAUSE)

CAVUTO: Congresswoman Bachmann, you -- you were very critical, Congresswoman, of the extended shutdown after the BP oil spill that I believe lasted upwards of five, six months, in terms of a moratorium.

I was wondering, though, Congresswoman, if you were president and there were such a disaster again, what would be an acceptable period for oil drilling to cease, for you to get to the bottom of a problem?
BACHMANN: Well, what we needed to do was find out what the true cause of the problem was. And the Obama administration wasn't willing to have a true and thoughtful investigation to get to the bottom of it.

President Obama jumped to conclusions, and he put a moratorium on accessing American oil in the Gulf region that actually hurt the economy more than the original disaster. But I wanted to add something on Keystone. Keystone is extremely important, the pipeline.

This pipeline is one that would have brought at least 20,000 jobs, at least $6.5 billion worth of economic activity. And if I was president of the United States, I wouldn't have taken the decision that President Obama did. His entire calculus was based upon his reelection effort. Because quite frankly, the radical environmentalists said to President Obama, you pass Keystone, we're not going to do your volunteer door-to-door work.

That's what Barack Obama has done to this country. He's put his reelection over adding jobs and making the United States energy independent. I would have made the decision as president of the United States, we would put Keystone online immediately.

(APPLAUSE)

CAVUTO: Governor Perry, you -- you have railed against the special treatment of Ford and Solyndra as have the other candidates here tonight. And particularly the tax code incentives for green technologies and allowances that have been made for this industry. But it's nexus, governor you have afforded the same attention to the oil industry. Back in 2003, you signed a bill that reduced the tax paid by some natural gas companies that have helped them reap since, better than $7 billion in tax savings. So I -- I guess what I'm saying is, are you guilty of the same behavior as governor, favoring an industry, that you claim this president has, favoring the green industry?

PERRY: Today is the 220th anniversary of the signing of the Bill of Rights. And one of those, the Tenth Amendment, I like a lot. And the reason is because that's how our founding fathers saw this country set up. Where we had these laboratories of innovation. It -- it should be in the purview and the decision making process of a state. If they want to put tax policies in place that helps make them be more competitive.

PERRY: We did it not only for the oil and gas industry, but we also did it for the alternative industry -- alternative energy industry. And the wind industry. They came in droves, made Texas the number one wind energy producing state in the nation. But government shouldn't be picking winners and losers from Washington, D.C. That's the difference. If in the states -- I'll promise you Terry Branstad in this state, he knows how to put tax policy, regulatory policy in place to make his state be more competitive. And you need 50 states out there competing with each other and Washington out of their hair.

(APPLAUSE)

BAIER: Thank you Neil. And a reminder, go to Foxnews.com/debate to see how well the candidates are answering the questions with your votes. Coming up, we'll ask about border issues, immigration and a topic that got a lot of attention on Twitter, plus some controversial social issues as well. Stay tuned.

(APPLAUSE)

(COMMERICAL BREAK)

BAIER: Welcome back to Sioux City, Iowa. And our Republican presidential debate here in northwestern Iowa.
These people tend to like it I think so far. I think they do. You have to next round of questions on board issues and immigration.

KELLY: Thank you, Bret.

The question is for you, Governor Perry. This topic received traffic on Twitter. You have joined the 57 House Republicans who have called for the attorney general of the United States, Eric Holder, to resign in the wake of the failed federal gun tracking program Operation Fast and Furious.

So far, there is no clear proof that Mr. Holder knew about the controversial aspects of this operation. And he points out that he actually helped stop it when it came to his attention. Are you and other Republicans politicizing this issue as General Holder claims?

PERRY: If I'm the president of the United States, and I find out that there is an operation like Fast and Furious and my attorney general didn't know about it, I would have him resign immediately. You cannot, the president of the United States comes to El Paso, Texas, earlier this year and proclaims that the border of Texas and Mexico, the U.S. border with Mexico is safer than it's ever been. Well, let me tell you, I've been dealing with this issue for 11 years. I've sent Texas Ranger recon teams there. Our law enforcement men and women face fire from across the border or in the U.S. side from these drug cartels. It is not safe there. Our country is at jeopardy.

If we are going to be able to defend America, from Iran, from Hezbollah, from Hamas, that are using Mexico as a border, as a way to penetrate in the southern part of the United States. Venezuela has the largest Iranian embassy in the world there. We know what is going on. It is time for this country to have a real conversation about a Monroe Doctrine again like we did against the Cubans in the 60s.

KELLY: Senator Santorum, what say you to the attorney general's claim that the Republicans are politicizing this issue?

SANTORUM: I would agree with Governor Perry that if he was the attorney general under me, I would have him -- I would fire him. I wouldn't have him resign, I'd fire him. This is something he should have been aware of, something that should have been stopped, it shouldn't have started in the first place.

I think Governor Perry is also right. And this is something I've been saying now for many years, which is we need to pay much more attention to what is going on in our own hemisphere, not only do they have the largest embassy in Venezuela, there are flights from Tehran, from Damascus to Caracas. And those flights stop at a military base before they come into the civilian base.

There are training camps, jihaddin training camps in Central and South America. They're working with the drug cartels. And they are planning assaults on the United States. That is what we know is going on right now. And we are doing -- this president has ignored that threat. Has insulted our allies like Honduras and Colombia, deliberately. Has embraced -- as he has the other scoundrels in the Middle East, has embraced Chavez and Ortega and others in Central and South America, not promoting our values and interests.

We need a brand new initiative, an initiative that says that we will promote our values in this region and we will stop the spread of terrorism in Central and South America.

(CHEERING AND APPLAUSE)

KELLY: Governor Romney, last week you said that the 11 million illegal
immigrants now in this country must return to their countries of origin before they can apply for legal status.

You also said that we are not going to go around and round up the 11 million. Why would these illegal immigrants voluntarily leave America just to apply for a chance at legal status, especially when they have your assurance that if they stay put we are not going to round them up?

ROMNEY: Let me tell you how that works. We are going to have an identification card for people who come here legally. The last campaign, actually, Rudy Giuliani talked about this time and time again.

We would have a card, a little plastic card, bio-information on it. Individuals who come here legally have that card. And when they apply for a job, they are able to show that to the employer. The employer must then check it with E-Verify or a similar system.

Newt Gingrich points out, let Federal Express -- or not Federal Express, American Express or MasterCard or Visa process that, immediately determine if the card is valid or not.

So people come here legally, they've got that card. If employers hire people without that card, the employer gets sanctioned just like they do for not paying taxes. Very serious sanctions.

So you say to people who are here illegally today, you are not going to be able to work here unless you register, unless -- and we will give you transition period of time, and then ultimately you have got to go home, apply for permanent residency here or citizenship, if you want to try and do that, but get in line behind everyone else.

My view is, people who have come here illegally, we welcome you to apply but you must get at the back of the line, because there are millions of people who are in line right now that want to come here legally. I want those to come here legally. Those that are here illegally have to get in line with everybody else.

(APPLAUSE)

KELLY: Speaker Gingrich, is that realistic?

GINGRICH: Well, let me start and say that Congressman Steve King has just introduced the IDEA act, which would in fact reinforce this model. Because it would take away all tax deductibility for anyone who is employed illegally, and once you have something like E-Verify effectively working, you really build a big sanction.

We disagree some on what you do with very, very long-term people here. I think somebody who has been here 25 years and has family here and has local family supporting them ought to have some kind of civilian certification.

But let me say on this whole issue of immigration. On day one, I would drop all the lawsuits against Arizona, South Carolina, and Alabama. It is wrong for the government.

(CHEERING AND APPLAUSE)

GINGRICH: I would propose -- I would propose cutting off all federal aid to any sanctuary city that deliberately violated federal law.

(CHEERING AND APPLAUSE)

GINGRICH: And I would begin the process of completing control of the border
by January 1st, 2014. Those steps would begin to fundamentally change the entire way of behavior towards getting control of legality in the United States.

(APPLAUSE)

KELLY: Governor Huntsman, a recent FOX News poll showed that 66 percent of voters believe that the government should allow a pass to citizenship for the illegal immigrants who are already here in this country.

Nearly three-quarters of Latinos agree. Given these majorities and given the growing importance of the Latino vote in the general election, does the Republican presidential candidate need to take a more moderate approach on this issue if he hopes to defeat President Obama?

HUNTSMAN: Well, I think the Republican candidate has to speak based on our values, the values of the Republican Party. Limited government, pro-growth, these are the things that the Hispanic and the Latino populations are going to be looking for.

You don't need to pander. You just need to be -- we need to be who we are. But in terms of immigration, and illegal immigration, this president has so screwed up this economy, nobody is coming anymore. There is nothing to come for. I mean, there's not a problem today. Just take a look at the numbers coming across.

I mean, the numbers, it was posted the other day, lowest in four decades. So I say, you know, we have got to secure the border, of course. We have got to deal with the 11, 12 million people who are here.

But let's not lose sight of the fact that legal immigration is an engine of growth for this country. Half of the Fortune 500 companies in this country today were founded by immigrants.

We have lost probably -- well, our market share of travel and tourism has gone from 7 (ph) percent to 12 percent because our visa system is so screwed up in this nation. So you've got to look at the Department of Homeland Security.

You've got to completely remake the way that people are moving back and forth, our H1-B visa system, how we are dealing with the movement of people, how we are dealing with immigration. This is an economic development opportunity and we are missing it.

(APPLAUSE)

BAIER: Chris Wallace has the next round of questions.

WALLACE: Thanks, Bret. Governor Romney, you have changed your position in the last 10 years on abortion, on gay rights, on guns. You say keeping an open mind is a strength, but some of your critics say that every one of these moves has been to your political advantage. When you were running in Massachusetts, you took liberal positions. Running now as president, you take more conservative positions. Is that principle or is it just politics?

ROMNEY: Well, I'll begin by taking exception with your list there. I did change my...

WALLACE: Which -- which one?

ROMNEY: Gay rights.

WALLACE: Well...
ROMNEY: I'm firmly in support of people not being discriminated against based upon their sexual orientation. At the same time, I oppose same-sex marriage. That's been my position from the beginning.

With regards to abortion, I changed my mind. With regards to abortion, I had the experience of coming in to office, running for governor, saying, you know, I'm going to keep the laws as they exist in the state. And they were pro-choice laws, so effectively I was pro-choice.

Then I had a bill come to my desk that didn't just keep the laws as they were, but would have created new embryos for the purpose of destroying them. I studied it in some depth and concluded I simply could not sign on to take human life. I vetoed that bill.

(APPLAUSE)

I went to the -- to the Boston Globe. I described for them why I am pro-life. Every decision I took as governor was taken on the side of life. I am firmly pro-life.

I've learned over time, like Ronald Reagan and George Herbert Walker Bush and others, my experience in life over, what, 19 -- 17, 18, 19 years has told me that sometimes I was wrong. Where I was wrong, I've tried to correct myself.

WALLACE: If I may just pick up, you say the one issue which I was wrong on was gay rights. Correct, sir?

ROMNEY: Mm-hmm. What was the -- what was the -- I don't recall the whole list, but I...

(CROSSTALK)

WALLACE: It was abortion, gay rights, and guns.

ROMNEY: You know, I've always supported the Second Amendment. And -- and we had a piece of legislation that came to our desk that would have -- that provided an assault weapon ban. The gun lobby favored it because it also did things that the gun lobby wanted. Working with them, we decided to sign the bill. So you can say, well, I've changed my position on that, but I've been pro-gun and continue to be pro-gun.

WALLACE: If I may, sir, in 1994, when you were running for the Senate, you wrote a letter to the Log Cabin Republicans in which you said, "I am more convinced than ever before that, as we seek full equality for America's gay and lesbian citizens, I will provide more effective leadership than my opponent," who was Ted Kennedy.

In 1994, you also said you supported not only an assault weapons ban, but also a five-day waiting period. And in 2002, when you were running as governor, you said that you supported the tough gun control laws in Massachusetts. And then as you say in 2004, you also signed an assault weapons ban.

So you are still more of a champion of gay rights than Ted Kennedy was?

ROMNEY: I think -- I think -- I think you just said exactly what I said, which is this.

WALLACE: I...

ROMNEY: Let me -- let me go back and say that. I do not believe in discriminating against people based upon their sexual orientation. There are
some people that do. I had a member of my administration, my cabinet who was -- who was gay. I didn't ask justices that I was looking to appoint -- rather, people who are applicants for jobs -- what their sexual orientation was.

I believe as a Republican, I had the potential to fight for antidiscrimination in a way that would be even better than Senator Kennedy, as a Democrat, was expected to do so.

At the same time, Chris, in 1994 -- and throughout my career -- I've said I oppose same-sex marriage. Marriage is a relationship between a man and a woman. My view is -- let me tell you -- protects -- protect the sanctity of marriage, protect the sanctity of life. That's my view. I've had it for many years.

Thank you.

(APPLAUSE)

WALLACE: Senator Santorum, you have campaigned on social issues as much or perhaps more than any other candidate on this stage. Are you persuaded that Governor Romney has made these changes or what he says in some cases are not changes, based on principle and not political expedience?

SANTORUM: Governor Romney, when he was governor of Massachusetts, was faced with a Supreme Court decision that said that same-sex -- that traditional marriage was unconstitutional. In that court decision, the court said that they did not have the power to change the law in Massachusetts and rule same-sex marriage legal. Why? Because in the Massachusetts constitution, it states specifically that only the governor and the legislature can change marriage laws.

Governor Romney -- the court then gave the legislature a certain amount of time to change the law. They did not. So Governor Romney was faced with a choice: Go along with the court, or go along with the constitution and the statute. He chose the court and ordered people to issue gay marriage licenses, and went beyond that. He personally as governor issued gay marriage licenses. I don't think that is an accurate representation of his position of saying tolerance versus substantively changes in the laws.

I've had a strong, consistent track record of standing up for the values of this country, not discriminating. It had a no-discrimination policy in my office. But we're not talking about discrimination. We're talking about changing the basic values of our country.

(APPLAUSE)

WALLACE: Governor Romney, 30 seconds to respond, sir.

(APPLAUSE)

ROMNEY: That is a very novel understanding of what our Supreme Court of Massachusetts did. I think everybody in Massachusetts and the legal profession in Massachusetts and my legal counsel indicated that the Supreme Court of Massachusetts determined that under our constitution, same-sex marriage was required. And the idea that somehow that was up to me to make a choice as to whether we had it or not is a little unusual. We got together with our legislature and I fought leading an effort to put in place a constitutional amendment in Massachusetts to overturn the court's decision to make marriage as a relationship between a man and a woman.

This is something I battled in the year I had after their decision. I fought it every way I possibly could. I went to Washington, testifying in favor of a federal amendment to define marriage as a relationship between man and a woman.
Let me tell you, I want to make it very clear, I have been a champion of protecting traditional marriage that continues to be my view. If I somehow missed somewhere I'm happy to get corrected. But that is something I feel very deeply.

WALLACE: All right. Congresswoman Bachmann, you say that Speaker Gingrich has a, quote, "inconsistent record on life" and you singled out comments he made recently that life begins with the implantation of a fertilized egg, not at conception. What is your concern?

BACHMANN: Well, my concern is the fact that the Republican Party can't get the issue of life wrong. This is a basic part of our party. Just last night we gathered in Des Moines to talk about this issue, because it's that crucial to our party. And one of the concerns that I had is that when Speaker Gingrich was Speaker of the House he had an opportunity to de-fund Planned Parenthood. And he chose not to take it. That is a big issue.

And also I think even more troubling when he was in Washington, D.C., he made an affirmative statement that he would not only support but he would campaign for Republicans who are in support of the barbaric procedure known as partial birth abortion. I could never do that.

And as a matter of fact, George Will asked the question of Speaker Gingrich. he said this: he said, "is it a virtue to tolerate infanticide?" This is a seminal issue and something we can't get wrong. As president of the United States, I will be 100 percent pro-life from conception until natural death.

WALLACE: Speaker Gingrich?

GINGRICH: Sometimes Congressman Bachmann doesn't get her facts very accurate. I had ad 98.5 percent right to life voting record in 20 years. The only ...

WALLACE: Go ahead. I'm...

GINGRICH: The only difference was that they didn't like the initial welfare reform bill, which every other conservative group had said had nothing in it on abortion. Period. That's the only one in 20 years.

I believe that life begins at conception. The conversation we're having which is an ABC interview, I was frankly thinking about proposing a commission to look at fertility, because I think there is a challenge with what happens to embryos, who I think should be regarded as life because by definition they have been conceived. I am against any kind of experimentation on embryos. And I think my position on life actually has been very clear and very consistent.

WALLACE: Let me just ask you -- no. I want to ask you a direct question, if I may, speaker. That was your rebuttal to Congresswoman Bachmann.

BACHMANN: Can I rebuttal, because have a rebuttal for getting my facts wrong?

WALLACE: Absolutely, congresswoman.

BACHMANN: Because this isn't just once, I think it's outrageous to continue to say over and over through the debate that I don't have my facts right. When as a matter of fact, I do. I'm a serious candidate for president of the United States. And my facts are accurate.

Speaker Gingrich said that he would actively support and campaign for Republicans who got behind the barbaric practice of partial birth abortions. This is not a small issue. This is a big issue.
I think George Will was right when he asked that question. What virtue is there in tolerating infanticide?

WALLACE: We are way over time. So I'm just going to ask you for 30 seconds to respond on that specific issue.

GINGRICH: Well, first of all, what I said on that particular issue is I wouldn't go out and try to purge Republicans. Now, I don't see how you are going to govern the country if you are going to run around and decide who you are going to purge. The fact is, twice when I was speaker we moved the end of partial-birth abortion. Clinton vetoed it. We worked very hard. And Rick Santorum has been a leader on this issue.

I have consistently opposed partial birth abortion. I, in fact, would like to see us go much further than that and eliminate abortion as a choice. And I said as president I would de-fund Planned Parenthood and shift the money to pay for adoption services to give young women a choice of life rather than death.

WALLACE: Thank you, speaker.

GINGRICH: Thank you, Chris. Candidates, Ronald Reagan famously espoused his 11th Commandment: Thou shall not...

PROTESTER: (OFF-MIKE)

BAIER: I'm sorry. Thank you. Thank you very much.

PROTESTER: (OFF-MIKE)

BAIER: Thank you very much. Well -- well, let me just finish this question. We're running out of time.

Ronald Reagan famously espoused the 11th Commandment: Thou shall not speak ill of another Republican. Yet to varying degrees, during this campaign, you've all broken that one way or another, broken that vow. So I guess the question is, how do you balance on the one hand trying to win the nomination with on the other hand not weakening the eventual nominee to the point where he or she is less electable than President Obama?

Down the row, Senator Santorum?

SANTORUM: We have a responsibility to vet the candidates. That's what -- look, I've been at 350 town hall meetings. I've been kicked pretty hard by a lot of Iowans about the positions I hold, and that's what -- that's the process. The process is, let's find out who can stand up. Let's find out who has the best record, who's the most -- who's the person that can have that -- the consistency of -- of going out there and finding for the principles that we believe in.

Because I -- let me assure you, the other side's going to kick very, very hard, and we have to have someone who can stand up for it, fight, and holds those convictions deep so they can fight the good fight in the fall and win this presidency.

BAIER: Governor Perry?

PERRY: Yeah, there's a -- there's an -- as a matter of fact, I think that was the Republican chairman, not Ronald Reagan, that actually said that.

BAIER: Well, he espoused it. That's what I said.
PERRY: Right, indeed he did. But there's an NFL player -- his name doesn't come to mind -- but he said, if you don't get your tail kicked every now and then, you're not playing at a high enough level. And I just want to give all of you all credit for letting me play at a high enough level and for training me (ph) the way that you have.

(LAUGHTER)

BAIER: Governor Romney?

ROMNEY: Yeah, we can handle it. And -- and there's nothing -- there's nothing that's been said by -- by these folks on this stage about me that I'm not going to hear 100 times from -- from President Obama. He's going to have a -- what, $1 billion to go after me or whoever our nominee is? We're -- we're going to give each other what we need to for people to understand who we are.

But let's not forget this. Let's every day remember that, time and time again, this -- it's President Obama we've got to be talking about. He has unveiled himself as a president that's not -- not the right person to lead this country.

(APPLAUSE)

BAIER: Speaker Gingrich?

GINGRICH: Well, I think it's pretty clear, if you look at my ads, if you look at my website, if you look at what -- how I've operated in the debates, that while I reserve the right to correct attacks against my -- against me, overall I've tried very hard to talk about very big solutions to be -- to go to the American people with the communication about, what do we need to do?

And I've said consistently, these are all friends of mine. Any of these folks would be better than Barack Obama in the White House. Any of them would be great in the next administration.

(APPLAUSE)

Our only opponent is Barack Obama. And we need to come out of this process remembering: Beating him is what we collectively have to do.

(APPLAUSE)

BAIER: Congressman Paul?

PAUL: You know, the media has a responsibility and we have a responsibility, and I think exposing our opponents to what they believe in and their flip-flop, I think the reason maybe that we had to do more this year is maybe the media is messing up and they haven't asked enough questions, that we have to fill in and ask these questions and get this information out.

So, no, I think it's a responsibility on us. I think there should be lines drawn. I think there are some things below the belt. I don't think -- but I don't like the demagoguing, the distortion, and taking things out of context. I don't like that. But when they disagree on an issue, important issues, then we should expose it.

BAIER: Congresswoman Bachmann?

(APPLAUSE)

BACHMANN: Ronald Reagan also brought clarity to the -- his opponents that he had in his primaries, as well. And he famously asked the question, in 1980, are we better off today than we were four years under Jimmy Carter? And I think the
The republic is in far worse shape today under Barack Obama's leadership.

That's what we're exposing now. Who will be -- who will continue that legacy of Ronald Reagan? And who will take Barack Obama on toe to toe and hold him accountable? And I think that I'll be the best one to do that on the stage.

BAIER: Governor Huntsman?

HUNTSMAN: I actually worked for Ronald Reagan. And I think he would have been the first to stand up and say: Debate is good. It must be respectful, and it must be rigorous.

A rigorous debate will lead to greater trust. And the one thing this nation needs desperately today is heightened trust, in our institutions, in our tax code, in our wars abroad, in Congress, toward Wall Street.

And I'm here to tell you that this kind of debate over time is going to elevate the trust level in whomever makes it out as the nominee. That will allow us to beat Barack Obama.

Thank you.

(APPLAUSE)

BAIER: Well, that is it for our debate tonight. Thank you all very much. Our thanks to the candidates, their staffs, the Iowa Republican Party, and to all the great people here in Sioux City, and, of course, in Iowa. They could not have been more hospitable.

Our next debate is in South Carolina January 16th. But after the holidays, we'll be right back here in Iowa for extensive coverage of the caucuses, then in New Hampshire for the primary. Stay with Fox News Channel, America's election headquarters, all the way through the conventions, the general election, and, of course, the inauguration in 2013. Post-debate analysis is on the way. Keep it here. Thank you.

END
SEAN HANNITY, HOST: And thanks, and welcome to the special post-debate edition of "Hannity Live." We are in Sioux City, Iowa tonight. And this evening, seven remaining GOP candidates, they duked it out on stage in the most important debate so far of the primary cycle.

Now, over next hour, you'll hear directly from many of the candidates, Newt Gingrich. We will hear from Mitt Romney, Ron Paul and Michelle Bachmann. But first, Frank Luntz is here with reaction to tonight's debate. This is an important night.

FRANK LONTZ, LONTZ GLOBAL: It's the most important night. This will be the most-watched debate. And you, who are watching right now, are going to have the opportunity to weigh in. If you go to weigh in, way in, there db a series of questions, so, find out who do you thought who won this debate.

Again, weigh in. Way in.

HANNITY: And we can get some result by the end of the program.

We'll have results before the program is over.

HANNITY: OK. What don't we go person by person? Let's start with front runner as of right now. That's Newt Gingrich, although it's very tight here in Iowa. You've got Gingrich, Mitt Romney, Ron Paul neck and neck. Strongest moments, weakest moments for Newt Gingrich tonight.

LONTZ: I have to start with weakest moments because it's the thing people are focused on with him and his relationship to Freddie Mac. That they came after Michelle Bachmann came after him. Ron Paul came after him and even some of the panelists came after him. There are five straight minutes of negative on him. I'd like to replay a clip one of those clips because you'll get an understanding and what is key about this, Sean is that there was no sound. No applause after his response.

HANNITY: Wait, I got to get to any of the substrate but let me -- let me just ask you this. So, but did he have a good opening? I thought he had a strong opening. Obviously, his answer on judges, what did you think of the answer?

LONTZ: The answer on judges. The answer on the pipeline when he was focused on Barack Obama, he was at his most effective. And the fact, the judge's response, got among the highest applause. Also, his position on Iran is clearly in the main stream of the Republican Party. For Newt, the second half of the debate was redefining for him. The first half was tough.

HANNITY: What about the issue, you know his funny, I think he joked about you know, zany on editing, amusing mild words then used tough words here. That it was mindless especially and irrational, the president's policy I believe at this point it was on energy.

Obviously, responding to Mitt Romney. When he's on stage and obviously, he's risen to the polls because of the debates. When on stage does he counter that argument? That narrative his opponents are trying to advance?
LUNTZ: Absolutely. When he's playing a historian, that's why he went from four percent of the polls up to over 30 percent. But when he is put in the position of politician, and on defense, that is the negative he wants to try to change. For him, narrative is it about ideas or about his politics? Ideas win, the politics tied.

HANNITY: OK. Let's go to Mitt -- Governor Mitt Romney, strongest, weakest moment tonight?

LUNTZ: Strongest moment for him is when he talked about Barack Obama saying the country is in decline, if he remains as president it is. If I am president it won't be. It would be the single best line in the debate. And in fact, Mitt Romney was solid all the way through. The applause for him started to increase after about the first half hour. She did not attack virtually at all. His focus was on Barack Obama. And that is what the audience wants from him. Not to go after Newt Gingrich. They want him to go up to President Obama.

HANNITY: And one general observation though, because there were multiple opportunities for all the candidates to go after each other. And the only candidate that made a decision that they were going to go after someone was Michelle Bachmann against Newt Gingrich on a number of issues on life and you mentioned earlier, the Freddie Mac. You have been this focus groups said that has not been playing well with the focus groups.

LUNTZ: Because Republicans, their one focus -- their only focus is on President Obama. And they're so desperate to change the direction of the country and change the leadership of the country. To them, when you go at each other, it weakens you. It makes you less likely to defeat this president.

HANNITY: Mitt Romney in -- there is a poll out that said that only 24, 25 percent view him as conservative, 59 viewed Newt Gingrich as more conservative candidate. That issue came up tonight in the debate. Did he do a good job of maybe trying to win over some of the undecided conservative voters with those that maybe had doubt about whether or not his values are rooted in the principle conservatism?

LUNTZ: That -- a couple questions about that he changed his position on issues. I've never seen him so good as this evening in explaining those changes. Newt defines himself as Reagan conservative, Mitt Romney, the private sector conservative, Ron Paul, the civil liberties conservative. Rick Santorum, the conviction conservative, Jon Huntsman, the consistent conservative. Michelle Bachmann, the female conservative. And my favorite, Rick Perry, the Tim Tebow conservative.

HANNITY: That's a good line.

LUNTZ: Now, you have got a good laugh on them.

HANNITY: I thought they did.

LUNTZ: When Romney talked about GM, that the president bought GM, the government went in and laid off people, it was a very good analogy to what his job was. I just thought Romney was steady. He was consistent. Of all the debates I've seen on him, I think this one was his best.

HANNITY: Do you think this is Romney's best.

Alright, let's go to third-tier candidates. Michelle Bachmann, Rick Santorum, Governor Perry. They are not been doing as well in polls. Did they help the cause tonight, any of the three?

LUNTZ: Governor Perry had the best laugh lines of this evening and actually
did the most relaxed I've seen him. Michelle Bachmann was an attack, attack, attack.

HANNITY: Did that help her?

LONTZ: It helps solidify her vote but it doesn't help her gain more votes. It's not what Republicans want to hear, actions on. She was relentless. And Santorum didn't seem to be a part of the debate. It doesn't help you're at the very end, that you are actually stationed at the end. He had less time to speak. And there weren't really any memorable lines.

HANNITY: All right. Let's go to Ron Paul. Obviously, very different policy, especially on foreign policy. And he seems to get very animated during this debate. Did he help bring anyone, except his very strong and loyal supporters, did he win anyone over tonight to his side that maybe is not the strongest Ron Paul supporter going in?

LONTZ: In the first half of the debate, absolutely, because he talked about cutting a trillion dollars.

HANNITY: I mean, overall. When you add foreign policy?

LONTZ: But, that's the point. In the first half, yes. In the second half, he loses them. Because where he stands on economic policy with Republican primary left, he destroys himself on foreign policy and national security. But the fact is Sean that vast majority of Republicans wants a strong military. They want investment there. And Ron Paul is talking about cutting it by half.

HANNITY: It's good to see you. Thanks being with us.

LONTZ: And we'll come back with that polling data.

HANNITY: That is why the end of the show.

Also coming up, candidates are now entering behind me here in the spin room. Former house speaker, Newt Gingrich, he will be up first. Then, later you're going to hear from Mitt Romney, Ron Paul, Rick Perry, Michele Bachman and much, much more.

The special post-debate edition of Hannity, we're live in Sioux City, Iowa as we continue.

(BEGIN VIDEO CLIP)

GINGRICH: I've been working on this project since 2002 when the ninth circuit court said One Nation under God is unconstitutional, the pledge of allegiance and I decided if you judges who were so radically anti-American, that they thought One Nation under God was wrong, they shouldn't be on the court. Now we have...

(APPLAUSE)

GINGRICH: That's one a short course in the University of Georgia law school. I testified in front of sitting Supreme Court justices of Georgetown law school. I warned them, you keep attacking the core base of American exceptionalism; you're going to find an uprising against you which will rebalance the judiciary. We have a balance three apprehensions. We do not have a judicial dictatorship in this country.

(END VIDEO CLIP)

HANNITY: Welcome back to this special edition of "Hannity" live from Sioux City, Iowa. Joining me now is the candidate that is now leading in the polls in
Iowa and around the country. The man you just heard from, former speaker of the house, Newt Gingrich.

GINGRICH: How are you?

HANNITY: Welcome to the show.

GINGRICH: Great to be with you.

HANNITY: Did you enjoy the debate? Did you have fun?

GINGRICH: I thought it was a good debate. I thought, you know, we have all got to know everybody better. And so, there is camaraderie up there. It may not seem that way but we're on, but there's camaraderie and we are all in a journey together. And I think it was very good.

HANNITY: I did notice at times it was seemingly was opening for people to go after you. And they didn't take it. He one person out was going after you more than anybody obviously was Michele Bachmann.

GINGRICH: Yes. I think everybody has their own style. And I think that you know, because we're willing -- in general affection, I really like Rick Perry. I really like Rick Santorum. I have known him a long time. Mitt and I have gotten to be much closer and of course, Jon Huntsman and I did a great debate last Monday evening in New Hampshire, very substance, a lot of fun. So there is a camaraderie building, even other than -- I think the toughest odds against me are being run by Ron Paul. It's very hard to really dislike Ron Paul. He is just sort of who he is.

HANNITY: You know it's very interesting. At one point they're asking you about temperament and running for president and whether or not you're disciplined enough. Do you think in the course of these debates that you stayed disciplined and not going negative and you just answer the question that maybe you're proving some that narrative is false?

GINGRICH: I think people goring to watch us and they will render judgment. But as you know, because you've seen me for most of my career, I'm actually very disciplined. I work very, very hard. I have a real sense of purpose.

But it is true, when you're trying to get something as big as balancing the budget for four straight years, you do some zigzagging. Because you deal -- I was dealing with a liberal democratic president, you know. So, some of the guys who are furious saying well, wait a second, you actually did some things that Bill Clinton was willing to sign. Well, yes. I mean, if you want to get to a balanced budget with a democratic president we've got to find some way to find common ground that will work.

HANNITY: I found tonight was the first time in really honed in on your past record and wanted to get your side of the story out. I wanted to give you an opportunity to respond to Michele Bachmann in one more sense, because you said to her and she seemed to take offense later in the debate that when you said it was factually untrue, some of the allegations she was making about pro-life and in the earlier case about Freddie Mac. You say you're not a lobbyist. She's claiming you're influenced by them.

GINGRICH: I said that's just factually false.

HANNITY: Yes.

GINGRICH: And it's factually false for practical reasons. I've had a broad enough base of activities, and written 24 books, 13 bestsellers, made seven movies. We don't have time to stop. I have zero reason to ever once try to say to someone please give me money I'll go represent you, on any forum.
What I have done as a citizen is I've said what I believe the party needs to hear. I've said what I think the country needs to here. I spent six years working with the Bush administration on both health and national security. It was all for free.

HANNITY: What did you do for Freddie Mac?

GINGRICH: I advised them largely on two things. How do you explain government-sponsored enterprises and second how do you design a program that enables the poor to be able to afford to get into housing?

And my focus was how -- because I came out of a background of Habitat for Humanity. How do you teach them budgeting? How do you teach them how to set money aside? How do you teach them to take care of the house?

I watched families that don't have much money but they know how to take care of a house. And they can have a much bigger, much better house than a family that doesn't understand how to take care of a house.

HANNITY: Let me go back to the words you used that we are just playing aside earlier about the judiciary. You said arrogant, dictatorial. We should not have judicial dictatorship. And it was interesting because that not -- that had not, that I recall, come up in previous debates. And --

GINGRICH: Well, I commended Megan Kelly for raising it and staying on it.

HANNITY: Yes.

GINGRICH: So, this is tonight, is the first time, I think probably since Lincoln's debates in 1861, that you've seen a presidential candidate in this kind of a setting talking about in depth about the need to rebalance the judiciary, I think. And talking in a very serious sophisticated, when I just railing against liberal judges but saying the whole attitude of the judiciary, is out of sync.

They're not dictators. They don't define the constitution. They're one of three co-equal branches and we were promised that Federalist Papers, they'd actually the weakest of the three branches. When I look at Judge Barry in San Antonio who on June first said to students, not only can you not pray at graduation, you cannot use the word benediction, you cannot used the word in vocation, you cannot ask people to stand, you cannot mention God, you cannot ask for longer silence. And if you break any of these, I will pull your superintendent in jail. I thought this is an anti-American dictatorial ruling. That guy shouldn't be on the bench.

HANNITY: You said yesterday to me, when I was interviewing you on the radio, you had responded to Mitt Romney. And you said you felt you've got off your message. In other words for the day, because he said you're zany, et cetera. And you were joking about it tonight when you said zany, editing -- I'll use mild words. So obviously, you were joking about it tonight. What did you mean by that? Is that you got off--

GINGRICH: For a brief moment, frankly it got under my skin. And I responded in a way that made no sense, doesn't fit on my values. And made some reverences to date I've said, probably he's a good manager. He is a good businessman.

Well, you know, he got that round. He was scoring rounds of boxing. I give that round to Mitt but I then spent a day thinking it through. We issued a letter. We issued instruction going on charity. This campaign from day one has been based on very big solutions and a relentlessly positive approach. And I think people who watch debates know that.
HANNITY: Last question.

GINGRICH: I really work to that.

HANNITY: How do you get, if you become nominee, how will you convince Barack Obama with a Lincoln-Douglas style debate? I think you said what, seven of them. How are you going to get Barack Obama to agree to that?

GINGRICH: If he hasn't agreed by the time on second speech, for example, I will announce as of that evening the White House is my scheduler. And whenever he goes I will show up four hours later and take part his speech until he agrees to a debate.

HANNITY: You believe that will force him to --

GINGRICH: I think that is what Lincoln did to Douglas. That's Douglas agreed the debate. And so, I'm prepared to do it to Obama.

HANNITY: Mr. Speaker good to see you.

GINGRICH: Thank you very much.

HANNITY: Thank you so much for being with us.

And coming up former Massachusetts governor, I'm going to tell him you said you are giving him that round.

GINGRICH: Yes.

HANNITY: When we come back. As we continue from the spin room. We are in Sioux City, Iowa. Still to come tonight, former Governor Romney with check in with Rick Perry, Michele Bachmann and much more, please stay with us.

(BEGIN VIDEO CLIP)

MITT ROMNEY (R), PRESIDENTIAL CANDIDATE: This is a president who fundamentally believes that this next century is a post-American century. Perhaps it's going to be the Chinese century. He's wrong. It has to be the American century.

America has to lead the free world.

(APPLAUSE)

ROMNEY: And the free world has to lead the entire world. The right course under President Obama's plans is to shrink our military, thinking somehow if we appease or accommodate the tyrants of the world, the world will be safer, you're wrong.

(END VIDEO CLIP)

HANNITY: And welcome back to this post-debate spin room edition of "Hannity." We're live in Sioux City, Iowa.

Now, starting early in tonight's debate, former speaker -- former Massachusetts governor, Mitt Romney began making his case into why he believes he's the best candidate to take on President Barack Obama in 2012.

And joining me now is, the man himself, Governor Romney. How are you? Good to see you.

ROMNEY: Hi, Sean good to see you.
HANNITY: All right. So, Newt Gingrich was just on. And he actually said that you too have become -- he's come to really -- you guys have gotten closer. You know, I don't know necessarily, we didn't see all this on stage and he has come to respect you a lot. And he said when he responded to you yesterday with the Bain Capital, and which I asked him about, he said that he shouldn't have responded he gave that round to you. So --

ROMNEY: That is very nice of him. Look. I can handle almost anything that gets thrown to my colleagues in the stage because I know what going to come from President Obama is going to be a lot tougher. And, you know, I've got broad shoulders and I can handle it. And you know it's appropriate for us to talk about the various differences that have with candidates on stage. Let people take a chance to get an opportunity to see what we believe. But this is now the time foreclosing arguments here in Iowa, because people are going to be voting in just a couple of weeks and I want them to hear why I ought to be the nominee.

HANNITY: What I really took note of tonight was, you went after the president and said he was weak talking about foreign policy. You really went at him in a strong way tonight. Do you think he has adopted in appeasement mentality? Is he making the country more dangerous? Is he weak as a president?

ROMNEY: Well, the greatest threat that America faces in the near term is a nuclear Iran. And if we ask the question, have we somehow dissuaded Iran from their nuclear ambition, the answer is no. The president had an engagement policies both about it ever since. It's engagement policy. It's been in placed over the last three years. Things have gotten worse with Iran. They're moving towards nuclear capability. They supplied Hamas, Hezbollah, the Taliban. They were not in better position there.

And then, with regards to peace in Israel, are we closer there? He was very critical of President Bush for not establishing a Middle East peace agreement. But with the Palestinians and in Israel, we're no closer than we were under President Bush. And look at the relationship we have Russia. They continue to be reserved and aggressive. China is becoming assertive. This president has failed us in some of the most important arenas in the world.

HANNITY: Right after the debate, we had Frank Luntz on. And I said to -- I asked him to assess the strength and weaknesses of every candidate in the debates tonight. And he said no weaknesses for you. He thought tonight was your best performance.

Is it -- do you feel this was a strong night for you? As your update, do you feel you gain confidence as going on? Did you feel that yourself?

ROMNEY: Well, you know, we've had -- I don't know, 10, 12, 13 debates by now? And I've been pretty pleased with the debates before this. You really can't shape exactly which questions you get. And so, some probably are better than others but this is a good chance for me, and I think for the others to describe what they ought to become the nominee of our party. I think that questioner asks questions that are elicited our distinctive capabilities, that was -- that was a good thing.

HANNITY: There is a lot, obviously, that you, you all agree on together here. Here is interesting, one thing I didn't know that I learned about you tonight and I like to think I knew at this point, I've known everything about you. And I've -- I will not ask you about Romney care. I didn't know that it was 85 percent democratic legislature in Massachusetts?

ROMNEY: Yes.

HANNITY: And I didn't know the process of selecting judges either. When the question came up about three quarters of the judges in Democrats, I didn't know that process also included a lot of Democrats having approved.
ROMNEY: Yes. I mean, there are things that people in my legislature, I tell you. When I recognized, you know, you've got 85 percent Democrats in the legislature and my veto can be overturned at will. I vetoed some 800 times in Massachusetts.

HANNITY: That's a lot.

ROMNEY: But the legislature has power just to brush the society if they wish. And I found ways to use my power. I have some power of course. And I also found some persuasiveness and built a relationship with respect with leaders and so, we're able to work together. But you know, it's very different governing in a state where your legislature is the most one-sided democratic legislature, I believe in the country versus one where you have all Republicans.

HANNITY: Some people like me said in the table by Bob Beckel, that's --

(LAUGHTER)

HANNITY: I watched the last debate on Saturday night. And I thought that was a good debate. And then, I am watching the spin immediately thereafter. And the big news to come out of this debate tonight is Mitt Romney made a $10,000 bet with Rick Perry. And I'm thinking, how many times I've done that on TV which is quite often. I thought it was a bit (inaudible), a little petty, what did you think of the reaction to that? Were you surprised that became an issue of there the --?

ROMNEY: You know that's a nature of this process. You can't gauge what is going to get focused upon. And what -- if you will what main stream media is going to try and pop up, I know that's what the Democratic National Committee was trying to push. You know, you sort of laugh at that and brush it aside. You don't answer to me afterwards they give you a hug and kiss and said I did a great job. She said Mitt there are a lot of things you do well. Betting isn't one of them.

(LAUGHTER)

HANNITY: You said that?

ROMNEY: Yes. I said that.

HANNITY: And I almost did that when I threw black jack.

ROMNEY: So, I'm not going in for anymore bets in these debates.

HANNITY: You talked about something that really got my attention tonight to when you talked about an American century and then, comparing it to Barack Obama not America in decline. Do you think the world is viewing America in decline?

ROMNEY: No question.

HANNITY: And do you think that we -- how do you turn it into an American century, because you really talking about 180 degree turn around?

ROMNEY: Yes.

HANNITY: Most Americans think their kids would not be better off. This will be the first generation where we don't hand off a stronger country.

ROMNEY: The two influences to making this an American century are one, our values and our commitment to principal that freedom of opportunity, a merit-based society, a family-oriented society. That's one input.
The other input is an economy that leads the world. And for that to happen we have to make America the best place in the world for innovation, for entrepreneurs, for business small and business large. This president has made America less and less attractive for investment and innovation. And as a result, it’s going elsewhere. So that is what we have to do to make this an American century.

HANNITY: The president has been moving class warfare as you know. Because Republicans want dirty air, dirty water. He says Republicans want all people, kids with autism and down-syndrome to fend for themselves, pretty outrageous charges.

ROMNEY: It's really shameful.

HANNITY: Explain. And how do you counter that if you get this nomination?

ROMNEY: You know, I think the president has gone from being a failed presidency, a guy over his head to someone who is now so desperate to get re-election, that he's doing things that are very much counter to the interest of the country and he knows it.

In the past I think he was discounted. Now, I think he really knows that his decision for Afghanistan to pull the troops out couple of months earlier than commanders suggested, was not a wide thing for the country. The key is drone pipeline. He knows when he that order. He knows the consequences. But in order to hold on to his power, he's willing to tip his hat to the lobby in his party. It's really an unveiling at the president that is not a flattering picture that we see.

HANNITY: How important is Iowa? New Hampshire is viewed as a strong state. You're leading in the polls in New Hampshire. It's very tight here in Iowa. And one poll that came out today, it was one point very close.

How important is it? What position do you need to come in here going into New Hampshire?

ROMNEY: You know what? I know it's going to fly in the face of what everybody in the media wants to see, which is each state, you know, this state is be all and end all.

Look, everybody wants to win Iowa. You know, we all hope to do that. But the truth is, this process is going to go on for a while. We've got to get 1,100 delegates the way the Democrats did. It's the way we allocate our delegates now. This can go on quite a well.

I hope to do well early. I hope to get support of Iowa. But I'm counting on getting every state. I won't get early states.

I want to get as much support as I can and I want to make sure if big states come along, I've got the resources to carry a campaign forward and get the delegates. I need to become the nominee.

HANNITY: Governor, great to see you again. Thank you so much for being with us.

ROMNEY: Thanks, Sean.

HANNITY: Appreciate it.

ROMNEY: Good to see you.

HANNITY: And coming up, our post-debate spin room continues. We are live in Sioux City, Iowa. When we come back, Ron Paul will join me on the set.
And also coming up tonight, Rick Perry, Michele Bachmann, they'll be here as we continue.

(BEGIN VIDEO CLIP)

REP. RON PAUL (R-TX), PRESIDENTIAL CANDIDATE: I would be a different kind of president. I wouldn't be looking for more power. Everybody wants to be a powerful executive and run things. I as a president wouldn't want to run the world. And I don't want to police individual activities and their lifestyle. And I don't want to run the economy.

So that's a different philosophy but it's very, very much in our tradition and in the tradition of our Constitution.

(END VIDEO CLIP)

HANNITY: Welcome back to Sioux City, Iowa, tonight.

The GOP presidential hopefuls took to the stage and they were outlining their vision for getting America back on track.

And joining me now is the man just heard, that's Texas Congressman Ron Paul.

How are you? Good to see you.

PAUL: Nice to see you.

HANNITY: Thanks so much for being with us.

I noticed you never gave a full answer to, I think it was Megyn Kelly's question, will you promise if you don't win this nomination -- and you're doing well here in Iowa -- that you will support the Republican nominee and not run third party?

PAUL: Well, I'll give the same answer I've given 39 times now, that I have no intention of doing that. I plan to do my very best and see what happens in the next few months. So, I'm not making pledges.

HANNITY: I don't want to push you too hard. But when you say no intention, it leaves the door open. So, you're leaving the door open?

PAUL: I don't like absolutes. I don't like to say I absolutely will never do such and such. So, I'm just avoiding the absolute.

HANNITY: But you absolutely support the U.S. Constitution.

PAUL: Yes, that's true.

HANNITY: That's true.

PAUL: That's a little bit different than pledging to politicians. Politicians are --

HANNITY: But the thing is, you know that if you ran third party, and I think what people are looking are an answer. You would probably siphon off some of the anti-Obama vote. I don't think there's any doubt about it.

PAUL: But won't it be fair to ask moderate Republicans that are competing to ask the same question? John Anderson dropped out and ran and that's the significant --

HANNITY: But no intention means the door is open. So, you're saying tonight
that the door is open a little?

PAUL: Well, the door -- I cannot conceive of it.

HANNITY: You can't conceive of any certainty?

PAUL: I cannot vow to have absolutely no plans or thoughts of doing it.

HANNITY: All right. A lot came up tonight, got very heated on the issue of national security and Iran.

Let me ask you this question, with Iran killing Americans in Iraq, you argue we shouldn't have been there in the first place.

PAUL: Right.

HANNITY: But they're also fighting proxy wars through Hezbollah and other terrorist organizations. They were planning an assassination of a Saudi ambassador on our soil. They clearly have said they want to wipe Israel off the map.

Why do you think it wouldn't be dangerous if they got that nuclear weapon?

PAUL: I don't want them to get a nuclear weapon. It would increase the danger. But I don't think we should deal with that.

But as far as thinking that that should be the whole issue, I think you're losing the point, because there are a lot of nuclear weapons around the world. As a matter of fact, there are quotes about wiping Israel off the map. Just as a favor to me, look it up and check the real interpretation. They talk about getting rid of the regime of those people in --

(CROSSTALK)

HANNITY: He said eliminate the state of Israel. Wipe them off the face of the earth. That has been said by Ahmadinejad.

PAUL: He said getting rid of the regime and removed from the pages of time is different than Israel --

HANNITY: He's also a Holocaust denier?

PAUL: OK. No. I think they're acting in self-defense. Barak -- Barak -- you know, Ehud Barak said --

HANNITY: Ehud Barak, yes.

PAUL: -- Ehud Barak said that they're acting logically and they're acting in their self interest. And if he was an Iranian, he would probably think the same way.

So, they have a lot to contend with. They're saying -- and Barak said they were surrounded by nuclear missiles. Why wouldn't they have an (INAUDIBLE). But there is a gross distortions in this debate if they're on the verge of a nuclear weapon. There is no evidence that they're on the verge of nuclear weapon and we shouldn't be ready to start another war.

HANNITY: You talk about a declaration of war. I've read the Constitution. It doesn't say you have to use exact words. George Bush got the authorization for the use of force.

If you're going to use force, that seems to me to meet that definition.
PAUL: Yes. But it was explicit. They go after those responsible for 9/11. And I voted for it. I voted for that.

HANNITY: Did I hear you say tonight and I wrote it down, and I wasn't sure the context, I will admit my attention was diverted, that we killed millions of Iraqis?

PAUL: There was estimate -- you know, when Albright was asked that, you know, the subject that when we were bombing during '90s, they said there are 500,000 Iraqi children died because of our bombing and sanctions and blowing up their water plants and all. And she said but that's the price to pay we have to. So, for 10 years, we were bombing them.

And you -- don't you think we would be annoyed if someone bombed us for 10 years? So, in comparison, they can say that we have killed a lot of people. We got drones, you know, in Pakistan.

What if they did that to us? Would we be annoyed? That's not self-defense.

HANNITY: I'm a believer that no country has shed more blood in defense of freedom for Muslims around the world than the United States, nor has there ever been a country that has accumulated more power and abuse less than us.

PAUL: How many do we have to kill to --

(CROSSTALK)

HANNITY: I've got to get to this final question. This came up in 2008 when you ran. I've asked every question of Newt Gingrich involving his background, his controversies, everything. Same with Mitt Romney.

And I brought up and I really admire your fierce supporters, but when I brought up the issue of your newsletters from the early '90s, and some really outrageous things that have been written in there. And you had gone on record saying you had no idea what was in them. That kind of surprised me.

Why do you not take responsibility for the things that were in your individual newsletters?

PAUL: In 2002, the "Texas Monthly" reviewed that and they wrote a long, long article. And that's a real liberal newspaper. So, you read that and you'll find out, I didn't write it.

(CROSSTALK)

HANNITY: -- which is libertarian.

PAUL: I did not write it and I do not support those views and they're painted and makes me think that, you know, I'm a racist or something. But I'm the greatest --

HANNITY: But there's some racial things in it.

PAUL: I'm the greatest defender of civil liberties especially when it comes to the inequities in our judicial system, you know, with blacks, the imprisonments, with the drug wars, the number of blacks who get the death penalty.

HANNITY: I got to run. Let me ask you one last question. Do you know who did write it? Do you repudiate what was in the letter?

PAUL: I do not. I do not believe anything of that have stuff that they quoted.
HANNITY: OK.

PAUL: How about tomorrow? Remember, December 16th, the anniversary --

HANNITY: Of the Tea Party.

PAUL: -- of the Tea Party, very important date. As when the Tea Party was started, four years ago, as the mother of Tea Party movement.

HANNITY: And for all your supporters, I asked every other candidate questions of controversy as well. Good to see you, Mr. Paul.

PAUL: Take care.

HANNITY: All right. Hang on one second and we still have lots more to come tonight as we are live in Sioux City, Iowa, tonight.

Coming up next: Texas Governor Rick Perry is here. And then later, we'll check in with Congresswoman Michele Bachmann, who was on the offense tonight.

That and much more, straight ahead.

(BEGIN VIDEO CLIP)

GOV. RICK PERRY (R-TX), PRESIDENTIAL CANDIDATE: There are a lot of folks who said Tim Tebow wasn't going to be a very good NFL quarterback. There are people who stood up and say, well, he doesn't have the right throwing mechanisms, or he doesn't -- you know, he's not playing the game right.

And, you know, he won who national championships, and that looked pretty good. We're national champions in job creation back in Texas. And so, but am I ready for the next level?

Let me tell you -- I hope I am the Tim Tebow of the Iowa caucuses.

(END VIDEO CLIP)

HANNITY: All right. We're coming to you live from Iowa, the site of tonight's Republican debate.

And joining me now is the Texas Governor Rick Perry.

How are you? Tim Tebow? That means you're going to run the ball a lot. Take a ball and run.

PERRY: I'll do whatever it takes.

HANNITY: Whatever it takes.

PERRY: Whatever it takes. I think Tim is the same kind of guy. I mean, he's just -- you know, I love him. I love he's been a man of faith who is not afraid to stand up and proclaim his faith.

You know, he's a great American in my opinion. Second best player on the Denver Broncos.

HANNITY: Who's the first?


HANNITY: I'm just checking. All right. I spoke to him the other day and said, you know, it's really. I'm a Jets fan, but I really was m pulling for you in all
of these games as you get beaten up, you know? I think he's a good role model.

PERRY: Yes, because Tim and Von Miller both have in (INAUDIBLE). I'm paying a lot more attention to Denver now. So --

HANNITY: I think the country is paying a lot attention to Tim Tebow.

You know, what's funny, in the beginning of this, you -- the question came up whether or not you're a good debater, ready to go up against Barack Obama. And, you know, maybe I'm very sympathetic to this because I had my -- I'm on radio three hours a day, TV one hour every night right here on FOX. I had a brain freeze moments.

I thought the media made so much of that. That it was difficult. But you really seem to have found your footing in these debates. Do you feel more comfortable?

HANNITY: Oh. Yes.

PERRY: Do you think you went in too early?

PERRY: You know, I'm not going sit and try to analyze why or what have you. I know last two, three debates, everyone has been better. And I think conversations that we've had tonight on the stage about the preparations and the hard questions and having to perform, whoever our nominee is and I intended to be me, is going to be very prepared to stand up and contrast themselves with this president that has driven America into the ditch.

HANNITY: I thought you got a really good reaction to your concept of a part time Congress.

PERRY: Yes. People get it. They understand it.

And listen, it works. When their initial response in Washington was, they don't talk about that. You know, we need to be up here, we got a lot of things going in, if they'll really think about it, being back home, having a regular job, spending time with your constituents, cut that pay, because that is a type of term limits.

I'm telling you, in the state of Texas, our legislature only meets 140 days every other year. We're paying them $600 a month. The average length of time I want to say is about six years that people come. They do their service and they go back home.

I think the same thing will happen in Washington, D.C., if we go to a part time Congress. And I am -- I am very serious about it. And I think Americans are ready for it. Our country will be better off.

HANNITY: You said, if we got two things, the part-time Congress and the balanced --

PERRY: Balanced budget amendment.

HANNITY: Well, first of all, there are different variations on the balanced budget amendment. I'm for that balanced budget amendment that reins in spending.

PERRY: Yes, sir.

HANNITY: And not one that opens for higher taxes --

PERRY: No, no. Absolutely.

HANNITY: -- to pay for more spending.
PERRY: Absolutely. You've got it.

In our plan, we laid the flat tax of 20 percent. We talked about cutting spending, 18 percent of gross domestic product by 2020.

You pass that balanced budget amendment that does exactly like you're talking without allowing for more spending and the tax plan we put in place. We can get this country back on track in a hurry. And particularly with the energy industry, I thought the panel did a pretty good job tonight as they talked about energy being one of the real keys to get America back on track.

HANNITY: All right. How important do you -- how important is Iowa? How well to do you need to do? You run a lot of ads here in the last number of weeks.

PERRY: It's going to be in 44 cities over the course of the next eight days, and then take a little break for Christmas.

HANNITY: Forty-four cities in Iowa?

PERRY: Oh, yes sir. I'm in Iowa until January 3rd except for three days I spend at home to celebrate Christmas with my family, and then I'm back here on the 27th until January the 3rd.

HANNITY: OK.

PERRY: So, there are a lot of Iowans who are going to have a chance to shake my hand talk and ask me questions. I really think that not only with momentum that we've got from the debates, the ground game that we got here, we're going to surprise some people in Iowa.

HANNITY: All right. Governor, good to see you. Thanks so much.

PERRY: It's always good to see you, Sean. God bless you, and merry Christmas.

HANNITY: Merry Christmas to you, too.

And let not your heart be troubled, Congresswoman Michele Bachmann is coming up next as we continue our post-debate spin room show live. We're in Sioux City, Iowa, as HANNITY continues.

(BEGIN VIDEO CLIP)

REP. MICHELE BACHMANN (R-MN), PRESIDENTIAL CANDIDATE: We know without a shadow of a doubt that Iran will take a nuclear weapon. They will use it to wipe our ally Israel off the face of the map and they've stated they will use against the United States of America. Look no further than the Iranian constitution which states unequivocally that their mission is to extend jihad across the world and eventually to set up a world-wide caliphate. We would be fools and knaves to ignore their purpose and their plan.

(END VIDEO CLIP)

HANNITY: Welcome back to this special post-debate edition of HANNITY. We are in Sioux City, Iowa. That was Minnesota Congresswoman Michele Bachmann. That was earlier tonight. And she joins us now from the spin room.

Congresswoman, how are you? Good to see you.

BACHMANN: Thank you.

HANNITY: Thanks for being with us.
BACHMANN: Good to see you, Sean.

HANNITY: You know, we just had Ron Paul and -- I like the idea when he says cut $1 trillion. His foreign policy scares me, though.

Iran is trying to get nuclear weapons. They are fighting proxy wars. They did kill American soldiers in Iraq. They did want to assassinate an ambassador on our soil.

And President Obama is begging for a drone back.

It's a little frightening if we don't take this seriously. What would you do if you were president now?

BACHMANN: As president of the United States, I'd have every option on the table. We won't be in the position we're in now because President Obama gave Iran the worst gift he can give them -- the luxury of time. Unimpeded for two-and-a-half, three years, they have been constructing a nuclear weapon. The whole world knows this. This isn't a shock.

HANNITY: Yes.

BACHMANN: For Congressman Paul and with all due respect to him -- I mean, I have a lot of respect for him, but he's absolutely wrong. Can you imagine getting this one wrong?

HANNITY: And if they have a weapon --

BACHMANN: This will change the course of history.

HANNITY: Well, potentially for me, I believe him when he says he wants to wipe Israel off the face of the earth.

BACHMANN: Sure.

HANNITY: He said earlier that perhaps I need to go back and look at the interpretation of Ahmadinejad's remarks. And I'm like interpretation, he said it repeatedly.

BACHMANN: As a matter of fact, he said in August. He said it in September. He was here at the U.N. General Assembly and said once again he is going to eradicate Israel off the face of the map. And if there is anything that history has taught us over the last 100 years, is when a madman speaks, we'd better listen.

HANNITY: It's very interesting tonight, because going into this, I would have bet that the debate would have been more confrontational. The only person that was willing to go after people in this debate seems like people are avoiding -- I don't know if you were playing it safe -- but you really wanted to go after Newt Gingrich on specific issues. Abortion was one of them, towards the end of the debate. Freddie Mac and Fannie Mae in the earlier part of the debate.

He was refuting everything you said, saying that you didn't have your facts right. When he say he has a 98.5 percent voting record and he says he's not that a lobbyist, that he can prove he wasn't a lobbyist because he wasn't registered, what is your answer to his rebuttal?

BACHMANN: Well, it was insulting for him to say that because my facts aren't wrong. We have facts and put it out in the media. And the fact is that in 1998, the Republican National Committee wanted to pass a resolution to say that they weren't going give money or funding to any Republican candidate if they support partial birth abortion. Newt Gingrich is the one who boldly strolled in to the RNC and said, look, I am going to campaign and I am going to support any
Republican candidate if they support the barbaric procedure of partial birth abortion that.

That is in fact what he did and you heard Newt Gingrich tonight admit as much. Because he said, I wasn't going to stand for a purge. At first, he didn't say that, but then he did make the admission. He did make that remark. And that's remarkable.

HANNITY: Is there a difference between his position and whether or not the Republican Party will have a litmus test on either abortion or specific part of the abortion debate or any other issue for that matter?

BACHMANN: Partial-birth abortion is the most reprehensible act that there is. And this got out to the public. That's why this was such a major issue, because the public understood across the United States then that the Republican Party wasn't going to get after other Republicans that were for partial-birth abortion.

This hurt us as a party, Sean, and it was because of Newt Gingrich who decided to say that he was going to campaign for people who backed partial-birth abortions. I'd never do that. That's why I brought up that quote from George F. Will. George F. Will couldn't believe that Newt Gingrich said this.

HANNITY: We're running out of time. You're from Waterloo, Iowa. You won the Ames straw poll. How important is your showing on January 3rd in this state?

BACHMANN: Well, I think very important. And we are starting a 99-county tour tomorrow.

HANNITY: Ninety-nine?

BACHMANN: Ninety-nine counties -- every county in Iowa. We're very ambitious. We're going to do it over next 10 days. And I am looking forward to winning --

HANNITY: You're not going to campaign on Christmas Day, are you?

BACHMANN: Not on Christmas Day or Christmas Eve. But we look forward to winning on January 3rd.

HANNITY: Thank you. Good to see you.

All right. That's all the time we have left. Thanks for being with us. From Sioux City, Iowa -- we'll see you tomorrow night.

LOAD-DATE: December 16, 2011
New Delhi, Dec. 15 -- BNA Tax & Accounting announces that the 2011 Franklin C. Latcham Award for Distinguished Service in State and Local Tax Law honors University of Connecticut Professor of Law Richard D. Pomp. The award was presented Dec. 12 at a meeting of the BNA Tax & Accounting Multistate Tax Advisory Board in New York City. The Latcham Award is named for Franklin C. Latcham, former Advisory Board chair and founder of BNA Tax Management’s State Tax Portfolio Series.

Professor Pomp is the Alva P. Loiselle Professor of Law at the University of Connecticut School of Law and serves as a highly regarded expert witness in state tax cases. He is also the former Director of the New York Tax Study Commission. Under his tenure, New York state restructured its personal and corporate income taxes and created an independent tax court.

"His brilliance, his wit, his genuinely friendly nature, and his academic leadership are an inspiration to all of us," said Multistate Tax Advisory Board Chair Paul H. Frankel. "The state and local tax profession is better—and we are all better—because he is part of it."

Professor Pomp is the author of State and Local Taxation, a casebook that has been used in more than 90 schools, state tax administrations, and major accounting firms for internal training. Portions of the casebook have been translated into Chinese, Dutch, German, Japanese, Spanish, and Vietnamese. He also has written more than 80 articles, numerous chapters in books, and various books and monographs. His writings have appeared in The New York Times, The Wall Street Journal, and the Financial Times.

"We have among us not only a scholar recognized for his acumen and ability to write, but also his ability to communicate," said Patrick R. Van Tiflin, partner with Honigman Miller Schwartz & Cohn LLP in Lansing, Mich.

Professor Pomp has served as counsel and a litigation consultant to law firms, corporations, accounting firms, and state tax administrations and has participated in various capacities in U.S. Supreme Court litigation. He also has served as a consultant to cities, states, the Multistate Tax Commission, the Navajo Nation, the U.S. Congress, the U.S. Treasury, the Department of Justice, the IRS, the United Nations, the IMF, the World Bank, and numerous foreign countries, including the People's Republic of China, the Republic of China, Indonesia, the Gambia, Zambia, Mexico, the Philippines, Pakistan, India, and Vietnam.

A summa cum laude graduate of the University of Michigan and a magna cum laude graduate of Harvard Law School, Professor Pomp also has taught at Harvard, New York University, Columbia, Texas, and Boston College. In addition, he has been a Distinguished Professor in Residence, Chulalongkorn Law School, Bangkok, Thailand, and a Visiting Scholar at the University of Tokyo Law School and at Harvard Law School.
Earlier recipients of the Latcham Award include Judge Bill Thompson, the Alabama Department of Revenue's chief administrative law judge; Prentiss Willson, former national director of Ernst & Young's State and Local Tax Practice and Procedure; Walter Hellerstein, professor of law at the University of Georgia Law School; James Buresh, former national partner in charge of sales and use tax practice for Deloitte and Touche; Jack Cronin, former partner in charge of Deloitte Tax's Multistate Tax Practice; Jean Walker, retired senior manager with Ernst & Young; William R. Brown, first executive director of COST; the late Paull Mines, general counsel with the Multistate Tax Commission; Joanne Garvey, member of Heller Ehrman White & McAuliffe in San Francisco; William Peltz, senior tax counsel for Shell Oil Corp.; Gerald Goldberg, former executive director of the California Franchise Tax Board; California tax attorney John Warren; the late educator and author Jerome Hellerstein; and Eugene Corrigan, first director of the Multistate Tax Commission.

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Newt Gingrich: Abolish Liberal, 'Anti-American' Courts

First Posted: 12/15/11 10:36 PM ET Updated: 12/16/11 12:19 AM ET

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Former House Speaker Newt Gingrich went off on the American judicial system during Thursday night's GOP debate, saying courts have become "grotesquely dictatorial, far too powerful and ... frankly arrogant in their misreading of the American people."

Gingrich has called for the abolition of the U.S. Court of Appeals for the Ninth Circuit, which is despised by conservatives for many of its liberal rulings.

Referencing the Ninth Circuit, Gingrich said judges who believe the phrase "One nation, under God" in the Pledge of Allegiance violates the separation of church and state are "radically Anti-American" and should not be wearing the robe.

"I taught a short course in this at the University of Georgia Law School, and I testified in front of sitting justices at Georgetown Law School and I warned them, 'You keep attacking the core base of the American exceptionalism, and you will find an uprising against you which will rebalance the judiciary.' We have a balance of three branches - not a judicial dictatorship in this country. ... I will be prepared to take on the judiciary if it in fact did not restrict itself in what it was doing."

Rep. Michele Bachmann (R-Minn.) said she agreed with Gingrich that the judiciary has become too powerful. She said it was up to Congress and the president to take the power back.

"Because now we have gotten to the point where we think the final arbiter of law is the court system. It isn't. The intention of the founders was that the courts would be the least powerful system of government. And if we give to the courts the right to make law, then the people will have lost their representation. They need to hold onto their representation."
Newt Gingrich: Abolish Liberal, 'Anti-American' Courts

http://www.huffingtonpost.com/2011/12/15/2012-newt-gingrich-deba...
Republican Debate: ‘Grotesquely Dictatorial’
Courts and More

The federal judiciary was a hot topic during the Republican presidential debate last night in Sioux City, the last before the primary season. Before we head to the soundbites, you may want a quick primer on proposals the candidates have made previously. Several deal with abolishing courts perceived as too liberal or curbing the Supreme Court.

In last night’s debate, Fox News anchor Megyn Kelly began with Newt Gingrich.

Kelly: You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. And they used words like “dangerous,” “outrageous,” and “totally irresponsible.” Are they wrong?

Gingrich: Well, the first half is right. It alters the balance, because the courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people.

(APPLAUSE)

There’s an entire paper at newt.org — I’ve been working on this project since 2002, when the Ninth Circuit Court said that “one nation under God” is unconstitutional in the Pledge of Allegiance. And I decided, if you had judges who were so radically anti-American that they thought “one nation under God” was wrong, they shouldn’t be on the court. Now, we have...

(APPLAUSE)

I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

We have a balance of three branches. We do not have a judicial dictatorship in this country. And that’s what the Federalist papers promised us. And I would — just like Jefferson, Jackson, Lincoln and FDR — I would be prepared to take on the judiciary if, in fact, it did not restrict itself in what it was doing.

(APPLAUSE)

Kelly: These are conservative former attorneys generals who have criticized the plan, as I say,
dangerous, ridiculous, outrageous, totally irresponsible.

Gingrich: Sure. I'd ask, first of all, have they studied Jefferson, who in 1802 abolished 18 out of 35 federal judges? Eighteen out of 35 were abolished.

Kelly: Something that was highly criticized.

Gingrich: Not by anybody in power in 1802.

(LAUGHTER)

(APPLAUSE)

Gingrich: Jefferson himself was asked, is the Supreme Court supreme? And he said, that is absurd. That would be an oligarchy. Lincoln repudiates the Dred Scott decision in his first inaugural address in 1861 and says, no nine people can make law in this country. That would be the end of our freedom. So I would suggest to you, actually as a historian, I may understand this better than lawyers. And as lawyers those two attorneys general are behaving exactly like law schools, which have overly empowered lawyers to think that they can dictate to the rest of us.

Note the dig on law schools. Now let's hear Ron Paul's bit.

Kelly: Congressman Paul let me ask you, do you believe in — in what the two candidates have said? That it would potentially be OK to abolish courts like the Ninth Circuit Court of Appeals entirely, or judges, impeach them if Congress and the president don't decide — decide they don't like their rulings?

Paul: Well the Congress can get rid of these courts. If — if a judge misbehaves and is unethical and gets into trouble, the proper procedure is impeachment. But to subpoena judges before the Congress, I'd really question that. And if you get too careless about abolishing courts, that could open up a can of worms. Because it — you — there — there could be retaliation. So it should be a more serious — yes we get very frustrated with this. But the whole thing is, if you just say, well we're going to — OK there are 10 courts, let's get rid of three this year because they ruled a — a way we didn't like.

That — that to me is, I think opening up a can of worms for us and it would lead to trouble. But I really, really question this idea that the — the Congress could subpoena judges and bring them before us. That's a real affront to the separation of the powers.

And now Romney.

Kelly: Governor Romney, many people believe that the way to reign in, so-called activist judges is to be careful in appointing or nominating the judges in the first place. As governor of Massachusetts, you passed over Republicans for three quarters of the judicial vacancies you faced, instead nominating Democrats or Independents. With that track record, why should Republicans believe that you will appoint conservatives to the bench if you become president?

Romney: Well I have to let you know that in Massachusetts, I actually don't get to appoint the judges. I get to nominate them. They go before something known as the Governor's Council. It
consists of, I believe, seven members, all of whom are elected Democrats. And so to be able to get my appointments through, I had to have people of both parties. And the people I put forward, all were individuals who I vetted very carefully to make sure they would follow the rule of law.

These were largely people going into criminal courts. I chose overwhelmingly people who had been prosecutors in their prior experience. And so we had that kind of justice. Now, let – let me note that the key thing I think the president is going to do, is going to be with the longest legacy. It’s going to be appointing Supreme Court and justices throughout the judicial system.

As many as half the justices in the next four years are going to be appointed by the next president.

This is a critical time to choose someone who believes in conservative principles. Now I – I don’t believe that it makes a lot of sense to have Congress overseeing justices. The – the – the only group that has less credibility than justices perhaps is Congress. So lets not have them be in charge of overseeing the – the justices.

(APPLAUSE)

However — however, we don’t call it we the judges. We call it we, the people. And we do have the ability to remove justices that need to be impeached. We also have the ability to pass new amendments if we think a justice is taken the nation in the wrong direction. And where a statute has been misinterpreted, congress can write a statute that clarifies that point. We have ability to rein in excessive judges.

Well, LBers, tell us what you think. If you had to vote tomorrow, based solely on the candidates’ thoughts on the federal judiciary, who’s the winner?
By Steve Benen

On Fox News this morning, Steve Doocy, reflecting on Newt Gingrich’s remarks in last night’s debate, said the disgraced former House Speaker “was brilliant” when “talking about out-of-control judges and the courts.”

I saw the same comments. “Brilliant” wasn’t the adjective that came to mind.

Megyn Kelly noted in her question to Gingrich that he’s proposed congressional subpoenas for judges who issue rulings that Republicans don’t like, as well as judicial impeachments and the prospect of eliminating courts the right finds offensive. Kelly reminded Gingrich that two conservative former attorneys general have characterized his approach as “dangerous,” “outrageous,” and “totally irresponsible.” He responded:

“[T]he courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people. […]

“I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.”

Gingrich added he’s “prepared to take on the judiciary” unless federal courts started issuing rulings that he agreed with. He went on to say he understands these issues “better than lawyers,” because he’s “a historian.”

Let’s note a few relevant angles here. First, it’s time to stop characterizing positions such as these as “conservative.” Gingrich doesn’t want to conserve anything; he’s eyeing a radical revolution of the separation of powers and the American branches of government, stripping the judiciary of its power as an independent branch.

Second, Gingrich is a losing historian. Real scholars tend to consider Gingrich’s crusade against the courts as a crackpot agenda.

And third, it was odd to see Ron Paul, of all people stand up last night as a voice of reason.

“Well, the Congress can get rid of these courts. If a judge misbehaves and is unethical and gets into trouble, the proper procedure is impeachment. But to subpoena judges before the Congress, I’d really question that. And if you get too careless about abolishing courts, that could open up a can of worms. Because there could be retaliation. So it should be a more serious — yes we get very frustrated with this, but the whole thing is, if you just say, ‘Well we’re going to — OK there are 10 courts, let’s get rid of three this year because they ruled a way we didn’t like.’

“That to me is, I think opening up a can of worms for us and it would lead to trouble. But I really, really question this idea that the Congress could subpoena judges and bring them before us. That’s a real affront to the separation of the powers.”

Yes, Ron Paul was the sensible one on the stage last night when it comes to the courts.

Great.

Steve Benen is a contributing writer to the Washington Monthly, joining the publication in August, 2008 as chief blogger for the Washington Monthly blog, Political Animal.
Gingrich Rates Iowa Debate Performance

By Sean Hannity
Published December 16, 2011 | FoxNews.com

Watch the latest video at FoxNews.com

This is a rush transcript from "Hannity," December 15, 2011. This copy may not be in its final form and may be updated.

(BEGIN VIDEO CLIP)

NEWT GINGRICH: I've been working on this project since 2002 when the Ninth Circuit Court said One Nation under God is unconstitutional in the Pledge of Allegiance. And I decided if you had judges who were so radically anti-American that they thought One Nation under God was wrong, they shouldn't be on the court. Now we have...

(GALLERY)

GINGRICH: That's why a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School, and I warned them, you keep attacking the core base of American exceptionalism and you're going to find an uprising against you which will rebalance the judiciary. We have a balance of three branches. We do not have a judicial dictatorship in this country.

(END VIDEO CLIP)

SEAN HANNITY, HOST: Welcome back to this special edition of "Hannity" live from Sioux City, Iowa. Joining me now is the candidate that is now leading in the polls in Iowa and around the country. The man you just heard from, former speaker of the House, Newt Gingrich.

GINGRICH: How are you?

HANNITY: Welcome to the show.

GINGRICH: Great to be with you.

HANNITY: Did you enjoy the debate? Did you have fun?

GINGRICH: I thought it was a good debate. I thought, you know, we have all gotten to know each other better. And so, there is camaraderie up there. It may not seem that way but we're on, but there's camaraderie and we are all in a journey together. And I think it was very good.

HANNITY: I did notice at times it seemingly was openings for people to go after you. And they didn't take it. The one person that was going after you more than anybody obviously was Michele Bachmann.

GINGRICH: Yes, I think everybody has their own style. And I think that you know, because we're wiling - there's genuine affection, I really like Rick Perry. I really like Rick Santorum. I have known him a long time. Mitt and I have gotten to be much closer over the course, Jon Huntsman and I did a great debate last Monday evening in New Hampshire, very substantive, a lot of fun.

So there is a camaraderie building. Even the -- I think the toughest ads against me are being run by Ron Paul. It's very hard to really dislike Ron Paul. He is just sort of who he is.

HANNITY: You know it's very interesting. At one point in the debate they were asking you about temperament and running for president and whether or not you're disciplined enough. Do you
think in the course of these debates that you stayed disciplined, not going negative and you just answer the question, that maybe you're proving some of that narrative is false?

GINGRICH: I think people are going to watch us and they will render judgment. But as you know, because you've seen me for most of my career, I'm actually very disciplined. I work very, very hard. I have a real sense of purpose.

But it is true, when you're trying to get something as big as balancing the budget for four straight years, you do some zigzagging. Because you deal -- I was dealing with a liberal Democratic president, you know. So, some of the guys who are purists saying well, wait a second, you actually did some things that Bill Clinton was willing to sign. Well, yes. I mean, if you want to get to a balanced budget with a Democratic president we've got to find some way to find common ground that will work.

HANNITY: I found tonight was the first time you in really honed in on your past record and wanted to get your side of the story out. I wanted to give you an opportunity to respond to Michele Bachmann in one more sense, because you said to her, and she seemed to take offense later in the debate, that when you said it was factually untrue, some of the allegations she was making about pro-life and in the earlier case about Freddie Mac. You say you're not a lobbyist. She's claiming you're an influence peddler.

GINGRICH: I said that's just factually false.

HANNITY: Yes.

GINGRICH: And it's factually false for a practical reason. I've had a broad enough base of activities, and written 24 books, 13 New York Times bestsellers, made seven movies. We're doing tons of stuff. I had zero reason to ever once try to say to someone please give me money I'll go represent you, on any forum.

What I have done as a citizen is I've said what I believe the party needs to hear. I've said what I think the country needs to hear. I spent six years working with the Bush administration on both health and national security. It was all for free.

HANNITY: What did you do for Freddie Mac?

GINGRICH: I advised them largely on two things. How do you explain government-sponsored enterprises and second how do you design a program that enables the poor to be able to afford to get into housing?

And my focus was how -- because I came out of a background of Habitat for Humanity. How do you teach them budgeting? How do you teach them how to set money aside? How do you teach them to take care of the house?

I watched families that don't have very much money but they know how to take care of a house. And they can have a much bigger, much better house than a family that doesn't understand how to take care of a house.

HANNITY: Let me go back to the words you used that we are just playing a SOT earlier about the judiciary. You said arrogant, dictatorial. We should not have judicial dictatorship. And it was interesting because that not -- that had not, that I recall, come up in previous debates. And --

GINGRICH: Well, I commended Megyn Kelly for raising it and staying on it.

HANNITY: Yes.

GINGRICH: So, tonight is the first time, I think probably since Lincoln's debates -- his inaugural in 1861, that you've seen a presidential candidate in this kind of a setting talking in depth about the need to rebalance the judiciary. I think -- and talking in a very, serious sophisticated way.
And not just railing against liberal judges but saying the whole attitude of the judiciary is out of
sync. They're not dictators. They don't define the Constitution. They're one of three co-equal
branches and we were promised in the Federalist Papers, they'd actually be the weakest of the
three branches.

When I look at Judge Barry in San Antonio who on June first said to students, not only can you
not pray at graduation, you cannot use the word benediction, you cannot use the word
invocation, you cannot ask people to stand, you cannot mention God, you cannot ask for longer
silence. And if you break any of these, I will pull your superintendent in jail. I thought to myself,
this is an anti-American dictatorial ruling. That guy shouldn't be on the bench.

HANNITY: You said yesterday to me, when I was interviewing you on the radio, you had
responded to Mitt Romney. And you said you felt you got off your message. In other words for
the day, because he said you're zany, et cetera. And you were joking about it tonight when you
said zany, editing -- I'll use mild words. So obviously, you were joking about it tonight. What did
you mean by that? Is that you got off--

GINGRICH: There was a very brief moment, frankly, he got under my skin. And I responded in a
way that made no sense, doesn't fit my values. And made some reverences to Bain, where I've
said publicly he's a good manager. He is a good businessman.

Well, you know, he got that round. If you were scoring rounds of boxing, I give that round to Mitt
but I then spent a day thinking it through. We issued a letter. We issued instructions to our entire
team. This campaign from day one has been based on very big solutions and a relentlessly
positive approach. And I think people who watch debates know I've really worked at that.

HANNITY: Last question.

GINGRICH: I really work to that.

HANNITY: How do you get, if you become nominee, how will you convince Barack Obama with a
Lincoln-Douglas style debate? I think you said what, seven of them. How are you going to get
Barack Obama to agree to that?

GINGRICH: If he hasn't agreed by my acceptance speech in Tampa, I will announce as of that
evening the White House is my scheduler. And whenever he goes I will show up four hours later
and take apart his speech until he agrees to a debate.

HANNITY: You believe that will force him to capitulate.

GINGRICH: He'll look absurd. This is what Lincoln did to Douglas. That's why Douglas agreed to
debate. And so, I'm prepared to do it to Obama.

HANNITY: Mr. Speaker good to see you.

GINGRICH: Good to be with you, Sean.

HANNITY: Thank you so much for being with us.

And coming up former Massachusetts governor, I'm going to tell him you said you are giving him
that round.

GINGRICH: Yes.
What You Missed While Not Watching the Final Iowa Debate

By MICHAEL SCHERER | December 16, 2011 | 191

Republican presidential candidates are introduced for the Fox News Channel debate at the Sioux City Convention Center on December 15, 2011 in Sioux City, Iowa.

1 minutes. “Coxcomb” is the O’Reilly Factor word of the day. It means “foolish dandy who is overly impressed by his own accomplishments,” and it flashes on the Fox News screen, just a moment before the start of the 13th Republican presidential primary debate, also known as the last debate before the Jan. 3 Iowa caucuses. Bill O’Reilly is either devilishly clever, or he’s such a coxcomb he knows not what he does. But still, he has done it. Another feather in his cap.

0 minutes. No-hassle Fox News has predictably whipped the audience in Sioux City into a raging fury for the opening shot, which shows America’s right-angle anchor, Bret Baier, getting down to business amid a riot. With brutal efficiency silences the mob, compresses the requisite Facebook and Twitter mentions, summarizes the broad sense of national despair, and dispatches with the candidate introductions. They are all there on stage, your lovable Republican field. But reality show is ending. By the next debate, several will be out of the race. What you’re feeling is nostalgia. Or dinner.

2 minutes. The debate begins with a segment that should be called: Why Do You Suck So Bad? (WDYSSB?) Former House Speaker Newt Gingrich gets the first question, about how lots of Republicans don’t think he is electable against Obama. “Well, first of all, let me just say to you and to all of our viewers, Merry Christmas,” Gingrich responds, meaning a holiday that won’t happen for 10 days. Then Gingrich starts in with the history lesson. He mentions Herbert Hoover’s 1932 defeat, Ronald Reagan’s 1980 success and mistakes Bill Clinton for Jimmy Carter. But let’s not kid ourselves. All anyone will remember is, “I hope that everybody across the country has a very joyous Christmas season.”

(PHOTOS: Newt Gingrich’s Life in Pictures)

4 minutes. Baier has WDYSSB follow-ups. What about the charge that Gingrich lacks discipline or is not reliably conservative? The former speaker dispatches with these by listing his resume, interspersed with the effective refrain, “Pretty conservative.” Which is true. As for his lack of discipline, Gingrich claims to be “the longest serving teacher in the senior military, 23 years teaching one and two-star generals and admirals the art of war.” Which is sort of true. He gues lectures, and has an honorary professor title. Half-coxcomb.

6 minutes. Texas Rep. Ron Paul gets the next WDYSSB. No one thinks you can be elected President, so how can you
convince them otherwise? Paul hits the current President, saying “anybody up here could probably beat Obama,” which way too optimistic, but far more credible now that the Pizza guy who fretted about Iran’s mountainous terrain is no lon on the stage.

7 minutes. Former Pennsylvania Sen. Rick Santorum’s WDWYSSB: “So far your campaign and you have failed to catch fi with the voters. Why?” There is no right answer. So Santorum riffs from his stump speech.

9 minutes. Minnesota Rep. Michele Bachmann sucks so bad because she can’t attract independents. “Well, it’s very cl in the last five years I have been in Congress,” she says. “I’m 55 years old. I spent 50 years as a real person.”

11 minutes. Former Utah Gov. Jon Huntsman sucks because people say he can’t excite conservatives, and he did not si

13 minutes. Former Utah Gov. Jon Huntsman sucks because people say he can’t excite conservatives, and he did not si

15 minutes. Thus concludes the WDWYSSB portion of the debate. Phase 2 calls for each of the candidates to say in 30 seconds how they would handle a similar situation to the current showdown between Republicans in Congress and President Obama over the payroll tax cut. Softball. Santorum says he would be a leader, and “tell a narrative,” which is 1

17 minutes. Minnesota Rep. Michele Bachmann sucks so bad because she can’t attract independents. “Well, it’s very cl in the last five years I have been in Congress,” she says. “I’m 55 years old. I spent 50 years as a real person.”

21 minutes. First commercial break. Baier promises to raise “a topic that has not been raised in any of the debates so f which is pretty much an admission that almost all of these debates are exercises in repetition. Will the candidates will b

23 minutes. We’re back. Almost. Iowa GOP chairman Matt Strawn gets a chance to build his party’s text message list, courtesy of Fox News. “So text ‘Iowa’ to 91919 to know the results and other updates.” And if you want Matt Strawn on your phone.

25 minutes. The debate continues with a sort of modified round of WDWYSSB. Romney is asked about the charge that I made millions “bankrupting companies and laying off employees,” which was leveled by Gingrich. Romney acts like he a

27 minutes. What about Gingrich’s record earning $1.6 million doing consulting for Freddie Mac? “I was a private citizen, engaged in a business like any other business,” Gingrich says, of the work for Freddie Mac that Gingrich previou

30 minutes. Paul is goaded into attacking Gingrich’s work for Freddie Mac, and says that government sponsored enterprises are bad. Gingrich responds by saying they are sometimes good. Bachmann joins the fray, claiming to be “shocked” that Gingrich is defending his work, and accuses him of influence peddling even though Gingrich never registered as a lobbyist. “He cashed paychecks from Freddie Mac,” she says. Gingrich responds by trying to belittle Bachmann. “I think some of those people ought to have facts before they make wild allegations,” he says. They are argui over a technicality. Gingrich clearly profited from the influence peddling industry.
35 minutes. A question about a recent bipartisan agreement to push a sort of Medicare reform that would give seniors voluntary voucher option. But it is framed as a way of getting Gingrich to talk about the Romney attacks on his common about Paul Ryan’s Medicare voucher plan in the spring. Gingrich doesn’t bite. “I think Governor Romney deserves some the credit for having helped figure out a way to make this thing workable,” he says. “Governor Romney do you want to respond to that compliment?” asks a Fox News anchor. “Yeah. Thank you,” says Romney. Not exactly at each other’s throats.

(MORE: What You Missed While Not Watching the GOP National Security Debate)

38 minutes. Ron Paul is asked to explain his decision to earmark funds for his home district in bills he votes against. ‘think the Congress has an obligation to earmark every penny, not to deliver that power to the executive branch,” Paul says “I would be a different kind of President. I wouldn’t be looking for more power.” That would be a change.

41 minutes. For the first time since his Tim Tebow moment, Perry gets a chance to speak. And he tries to attack Gingri over the Freddie Mac stuff. Then he says that’s why Washington needs to be changed, and Congress needs to turn into a part time job. “Let them get a job like everybody else back home has and live within the laws of which they passed,” he says. “By the way, Governor, they worked 151 days last year. How much more would constitute part-time?” asks the moderate. “I would suggest to you maybe 140 days each year like we do in Texas,” Perry says, apparently not joking.

43 minutes. Huntsman, the former ambassador to China, is asked how to get tough on China for flouting trade rules. Huntsman slogan breaks down in the face of reality. “It’s a large and complicated relationship,” he says before listing seven variables. Then he says he would keep doing what he used to do: Invite Chinese dissidents to the U.S. embassy. Doesn’t exactly sound like a solution.

44 minutes. More candidate specific questions. Santorum is asked if he supports a tax holiday for overseas corporate profits. (Yes.) Romney is asked what sector of the U.S. economy has the most upside job potential. (“The free market will decide that.”) Gingrich is asked about his plan to subpoena judges to testify before Congress about their controversial decisions. “It alters the balance, because the courts have become grotesquely dictatorial.”

(MORE: What You Missed While Not Watching the CNN Tea Party Debate)

49 minutes. This last answer lasts a while. Gingrich mentions a paper he wrote on his website, his teachings at the University of Georgia Law School, his testimony on the issue at Georgetown Law School, the federalist papers, and the actions of Presidents Jefferson, Jackson, Lincoln and Franklin Roosevelt to reign in the judiciary, including the 18 of 35 federal judgeships that were abolished by Jefferson in 1802. Classic coxcomb.

50 minutes. Bachmann says she mostly agrees with Gingrich on reining in judges. Paul says it’s a can of worms he won’t open. Romney says that Congress can deal with judiciary by writing more specific laws, without subpoenas. “The on group that has less credibility than justices perhaps is Congress,” Romney says, graciously leaving out the news media.

55 minutes. All the candidates are asked to name their favorite supreme court justice. They mostly babble on about one thing, and then give the expected answers: Thomas, Scalia, Roberts and Alito. Gingrich likes Anton Scalia, because he is “probably the most intellectual.” Paul won’t play this game.

58 minutes. Halfway. Another commercial break. That feeling of nostalgia has long ago dissipated.

(MORE: What You Missed While Not Watching the Reagan Library Debate)

62 minutes. We’re back. Foreign policy time, with a special focus on Iran and Paul’s refusal to do the tough-guy shtick. Even in the face of a hypothetical Iran-has-the-nuke question, Paul won’t budge. “It’s no different than it was in 2003,” says. “You know what I really fear about what’s happening here? It’s another Iraq coming. There’s war propaganda going on.”

67 minutes. Of course, the other candidates cannot abide this sort of talk. Santorum says Iran is a “radical theocracy” that is based on martyrdom. He says the message to Iran should be, “If you do not open up those facilities and not close them down, we will close them down for you.” Romney attacks Obama again, saying he is weak and timid and inviting v Bachmann says that, without a shadow of a doubt, Iran will use a nuclear weapon to “wipe out” Israel, which is something much less than certain, given Israel’s nuclear stockpile. Paul isn’t buying it. “I think this wild goal to have another war the name of defense is the dangerous thing,” he says. “The danger is really us overreacting.” Everyone on stage is applauded for their views, including Paul, just three years after the end of the presidency of George W. Bush.

75 minutes. Gingrich says he wants reform at the United Nations, with his usual rhetorical flash. “We have no obligation to lie and every obligation to tell the truth about how bad the U.N. bureaucracy is and why it ought to be fixed or we ought to radically cut what we’re paying,” he says.

78 minutes. Perry chimes in with his chest puffing, and no one can compete. He wants to enforce what he calls an “overfly zone” over Syria, and invade Iran to retrieve the lost spy drone. “What we should have done is one of two things we either destroy it or we retrieve it,” Perry says. Obama “took a third route, which was the worst and the weakest, and it is to do nothing.”
80 minutes. Gingrich is asked about the Keystone oil pipeline. He cracks a joke. “I sometimes get accused of using language that’s too strong, so I’ve been standing here editing,” Gingrich says. “I’m very concerned about not appearing to be zany.” This is funny, because Romney has attacked Gingrich for being zany. But then Gingrich lays into Obama, which always safe in these settings. He says Obama’s policies make no sense to “any normal, rational American.”

(MORE: What You Missed While Not Watching the CNBC “Oops” Debate)

83 minutes. Another Huntsman answer that is not memorable for any reason. Bachmann accuses Obama of putting “I re-election over adding jobs and making the United States energy independent,” even though both those things would help get Obama re-elected.

86 minutes. Perry is asked if he favored oil companies in Texas in the same way that Obama favored green energy companies. Perry basically says yes, but it’s totally different on the state and federal levels, given the 10th Amendment.

88 minutes. Break. Immigration when we return. This is always how it goes. Immigration at the end. Nothing new to be missed.

92 minutes. Perry gets another question about the Justice Department’s wayward Fast and Furious gun running program. Perry says Attorney General Eric Holder should be fired. Then he starts to talk about the dangerous southern border with Mexico, saying that radical Islamists are in South America, including an Iranian embassy in Venezuela. “It’s time for this country to have a real conversation about a Monroe Doctrine again like we did against the Cubans in the 60s,” he says. The Monroe Doctrine dates to 1823.

(MORE: What You Missed While Not Watching the Fox News/Google Debate)

96 minutes. Romney describes his plan for getting millions of undocumented Americans out of the country. Create an e-card for legal immigrants, and then force employers to check the cards, pushing undocumented immigrants off the rolls. They would then have to return to their home countries.

97 minutes. Remarkably, Gingrich, who battled with Romney over this issue a couple of debates ago, does not make an issue of it. “We disagree some on what you do with very, very long-term people here. I think somebody who has been here 25 years and has family here and has local family supporting them ought to have some kind of civilian certification,” he says.

100 minutes. Since Romney has basically taken no heat up to now, Romney gets a tough question. “You have changed your position in the last 10 years on abortion, on gay rights, on guns. You say keeping an open mind is a strength, but the dreams of your critics say that every one of these moves has been to your political advantage,” says Fox News Anchor Chris Wallace. Romney says he takes exception to the charge on gay rights because his 1994 promise of “full equality for America’s gay and lesbian citizens” did not include same sex marriage. On abortion, Romney admits to the change, saying he had a realization. On guns, he argues weakly that the gun lobby supported the limitations on gun ownership that he supported in Massachusetts. By the end of his answer, Romney is clearly tense. But he holds it together. “Thank you,” he says to Wallace.

104 minutes. Santorum tries to attack Romney again on the gay marriage stuff, making a complicated argument about actions Romney might have taken to prevent gay marriage in Massachusetts. But Romney is not bothered by this either.

(MORE: What You Missed While Not Watching the Las Vegas Debate)

106 minutes. Gingrich and Bachmann get into a back and forth about whether Gingrich is sufficiently pro-life, since Gingrich once said that he would not oppose Republicans who opposed a partial birth abortion ban. But the facts of Gingrich’s position pale between the interpersonal dynamics. Once again, Gingrich belittles Bachmann, saying, “Sometimes Congressman Bachmann doesn’t get her facts very accurate.” Bachmann is piqued. “Because this isn’t just once, I think outrageous to continue to say over and over through the debate that I don’t have my facts right,” she says. “When as a matter of fact, I do.” Though not always. “I’m a serious candidate for President of the United States,” she concludes. This last part implies that Gingrich is picking on her for her gender. But it’s subtle.

110 minutes. Final question. But the final question is interrupted by a heckler ranting about the Federal Reserve. The year of the protester. The last question is for all of the candidates: “How do you balance on the one hand trying to win the nomination with on the other hand not weakening the eventual nominee to the point where he or she is less electable than President Obama?”

111 minutes. It’s kind of a dud of a question. Santorum talks about himself. Perry uses another NFL analogy. Romney says, “We can handle it.” Gingrich says he is trying to stay positive. Paul says it’s all in the game. Bachmann says its okay to bring clarity to the race. Huntsman says, “Debate is good.”

115 minutes. That last statement is questionable, now that the 13th debate of the Republican nominating process is at close. The rumbling in your stomach was dinner all along.

(MORE: What You Missed While Not Watching the Iowa GOP Debate)
Auslander named Clarke state court judge

By BLAKE AUED - blake.aued@onlineathens.com
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Clarke County Magistrate Court Judge Charles Auslander is moving up to state court.

Gov. Nathan Deal appointed Auslander on Friday to replace retired Clarke County State Court Chief Judge Kent Lawrence. Ethelyn Simpson, who was the court's second judge under Lawrence, is now the chief judge.

Auslander said his work on the DUl/drug court Lawrence started motivated him to seek the state court job. The special court diverts non-violent offenders into supervised treatment programs in lieu of jail time. Deal, whose son runs a similar court in Hall County, has pushed to expand the program statewide.

The DUl/drug court reduces recidivism and offers offenders a chance to turn their lives around, Auslander said.

"I think the court makes a real difference in people's lives," he said.

State court handles a variety of cases, including civil lawsuits, criminal misdemeanors, probation violations and arraignments.

Auslander practiced law at the firm of McArthur and McArthur before becoming a magistrate judge in 2002. He holds degrees in economics and law from the University of Georgia. He is active in St. Joseph Catholic Church, the Athens Community Council on Aging and several legal organizations. He and his wife, Catherine, have two sons.

Auslander will be sworn in at 10 a.m. Wednesday at the state Capitol, but he said he did not know when he would begin the new job.

Chief Magistrate Patricia Barron will choose a replacement for Auslander, subject to approval by the county's three Superior Court judges.
State association honors Hall assistant public defender

Williams finds work ‘fulfilling’ in spite of long hours, low pay

Patrick Stoker
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December 17, 2011

Travis A. Williams never lacks motivation in the courtroom.

The 28-year-old's energetic approach to public defense recently earned him the honor of "Assistant Circuit Defender of the Year," an award given by the Georgia Association of Circuit Public Defenders.

"It's good to be recognized for your work," Williams said. "I'm just grateful and thankful that the Association of Public Defenders recognized me in this way."

This was the first year the award was presented, and Williams was among several hundred assistant circuit defenders to be nominated.

"I was shocked when I found out," Williams said. "There's so many good public defenders in the state and in this office, so to be named the most outstanding for the year was something that really blew me away."

Williams is motivated by much more than awards, though.

Seeing his mother and other family members in and out of prison for much of his childhood, Williams made it his goal to defend people's rights.

"I had a lot of family members who were convicted felons and spent a lot of time in prison, so I wanted to be somebody who fought for the rights of people," he said.

After completing his law degree at the University of Georgia School of Law in 2008, the Fort Lauderdale, Fla., native immediately went to work for the Hall County Public Defender's Office.

Williams' duty is to keep innocent people out of prison, which can save the state thousands of dollars from falsely incarcerating a defendant.

"Hopefully, on my watch no innocent people go to prison," he said.

With a case load of about 130 clients at any given time, he doesn't often have time to bask in the glory of a successful defense.

He has made some memories, though. During closing arguments in a felony obstruction case, Williams wore an orange jumpsuit to portray a fight between his client and another person at the Hall County Jail. His client was convicted of affray, but Williams had that ruling reversed in the Court of Appeals.

"I said a jail wasn't a public place, and the Court of Appeals agreed with me, so I was able to make some law for the first time," Williams said.

Williams said he hopes he can be an influence to young African-Americans to follow in his footsteps, especially given the few that serve as attorneys in Hall County.

"Really, I hope that I'm an influence for African-Americans to get involved in public defense," he said.

It's not a profession for those seeking high salaries, though, he said.

Despite the relatively low pay and long hours, Williams said he plans to spend his professional life as a...
public defender.

"This is fulfilling work," he said. "This is something I want to invest my life in."

"There's always something new to uncover, and my clients deserve nothing but the best," Williams added. "I have to give my all. This is what I do. I don't eat, I don't sleep, I do this."
Gov. Ellis Arnold is remembered

Ellis Gibbs Arnall was born in Newnan on March 20, 1907, the son of Joseph Gibbs and Bessie Lena Ellis Arnall. He had one brother, Frank Marion Arnall II.

He attended public school in Newnan, then Mercer University and was graduated from the University of the South in Sewanee, Tennessee, graduating in 1928. He promptly entered Law School at the University of Georgia, where he served as president of his class, his legal fraternity, the student body and the Gridiron Club. He was graduated in 1931 and returned home to practice law.

In 1935 he married Mildred Dotsey Siemens and they were the parents of two children, Alvin and Alice.

In 1922 voters in Coweta County elected him to the Georgia House of Representatives when he was only 25 years of age. At the age of 31 years he was appointed as state's attorney general.

Ten years later he ran for governor of Georgia and won becoming the youngest governor in the United States. He became widely known as the "father of modern Georgia."

While in office, Gov. Arnall restored Georgia's institutions of higher learning, reformed the state penal system, repealed the poll tax, lowered the voting age, revised the state constitution, established a teachers' retirement system and paid off a long-standing state debt.

Upon leaving the governor's office, he founded the law firm of Arnall, Golden and Gregory in Atlanta, and though Gov. Arnall died in 1992 at the age of 85, this firm is still in business.

As the behemoth of the Newnan-Coweta Historical Society and the Georgia Historical Society a bronze marker in honor of Gov. Arnall was unveiled this past Fall. Project coordinator for the event was Elizabeth Beers. She was working for the two men from Coweta County who served as state governors, John Yates Atkinson, who served as governor from 1894-1898 and Arnall. The two historical markers are located on the Courthouse Square in Newnan, one facing north and south and one facing east and west.

In honor of Governor Ellis Gibbs Arnall, a bronze historical marker was unveiled on March 23, 1992 at the Newnan-Coweta County Courthouse. At the ceremony were his children, Alvin and Alice, 1932 voters in Coweta County elected him to the Georgia House of Representatives when he was only 25 years of age. At the age of 31 years he was appointed as state's attorney general.

Ten years later he ran for governor of Georgia and won becoming the youngest governor in the United States. He became widely known as the "father of modern Georgia."

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Newt's Wrong, But Not As Wrong As He Seems

One branch of government has the guns. Another has the purse. And another has nothing but trust, which is why it's the Least Dangerous Branch. That also makes it the easiest to bully, and Newt Gingrich's career, since he held the job of minority whip in Congress, was built on being a bully. He's good at it.

And that doesn't make him wrong. From the WSJ Law Blog:

Kelly: You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. And they thought "one nation under God" was wrong, they shouldn't be on the court. Now, we have...

(APPLAUSE)

Gingrich: Well, the first half is right. It alters the balance, because the courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people.

(APPLAUSE)

I taught a short course in this at the University of Georgia Law School. And I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

We have a balance of three branches. We do not have a judicial dictatorship in this country. And that's what the Federalist papers promised us. And I would — just like Jefferson, Jackson, Lincoln and FDR — I would be prepared to take on the judiciary if, in fact, it did not restrict itself in what it was doing.

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Kelly: These are conservative former attorneys generals who have criticized the plan, as I say, dangerous, ridiculous, outrageous, totally irresponsible.

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Gingrich: Jefferson himself was asked, is the Supreme Court supreme? And he said, that is absurd. That would be an oligarchy. Lincoln repudiates the Dred Scott decision in his first inaugural address in 1861 and says, no nine people can make law in this country. That would be the end of our freedom. So I would suggest to you, actually as a historian, I may understand this better than lawyers. And as lawyers those two attorneys general are behaving exactly like law schools, which have overty empowered lawyers to think that they can dictate to the rest of us.

It sounds insane at first blush, but it's not. It's not quite right, but it's not insane either. The "checks and balances" of the other branches of government over the judiciary include the nomination of judges by the President, the consent of the Senate to judicial appointment, and the funding of the court system by Congress. The first two suggest that the other branches pick wisely, but life tenure tends to change a person's way of thinking.

Certainly impeachment for bad behavior is a limit on what judges might do, but bad behavior doesn't usually cover decisions that others think are absolutely awful. On the other hand, the entire point of life tenure is to make sure that judges are free to make decisions based on law, without fear of ramifications for political or transitory concerns. They can't be removed because they anger someone in another branch with their decision, tempting them to be honest rather than appeasing. Similarly, there's no revote, after a while, to decide whether they're still as excellent a choice as they appeared at first.

But is that it? Put aside the fact that Activist Judge is an epithet tossed about with wild political abandon,
and consider that it's certainly conceivable that the least dangerous branch could, in some way that pretty much everyone agrees, be activist. Let's say a circuit decided that they just didn't like the Seventh Amendment any more and decided to cross it off the Bill of Rights. What to do?

The phrase "activist judges" has become a conservative mantra, used to confuse the ignorant into believing that the judiciary's job is to make popular decisions. Others realize that courts "make law" all the time, filling in the blanks that legislative bodies leave behind, often intentionally so that they won't bear the weight of ill-conceived laws, or to provide meaning to words that are sufficiently or inherently vague that they provide inadequate guidance.

Aside: For those who argue the "Constitution means what it says, no more, no less," you're neither going to grasp nor be persuaded here, so there's no point in my explaining this to your satisfaction. However, I leave you with the words written by Charles Lindbergh Dodson:

"When I use a word," Humpty Dumpty said, in rather a scornful tone, "it means just what I choose it to mean—neither more nor less."

You aren't likely to appreciate this quote either, but I like it, have the ability to include it, and so I do.

Had the founders intended the judicial branch to be wholly independent, they would have provided for the courts to fund themselves. They were well aware that control of the purse strings was a death grip, that could strangle a co-equal branch of government.

What preserves the integrity of the judicial branch is trust. The courts have no money of their own. No standing army, the few peashooters of the gendarmes is hardly a match for a decent tactical missile, which could destroy a politically-named courthouse in a flash. The words of judges matter only because we trust those words. We believe that somebody has to be honest, to rise above politics and disagreements and give us a final answer that we can trust.

If that trust is lost, or squandered, then the duty of the other branches is to use it's power to rein in, perhaps even eliminate, the out of control branch. In this respect, Newt is absolutely correct, the judiciary is not above the other branches, immune from violations of its trust.

If that trust is lost, or squandered, then the duty of the other branches is to use it's power to rein in, perhaps even eliminate, the out of control branch. In this respect, Newt is absolutely correct, the judiciary is not above the other branches, immune from violations of its trust.

Newt is wrong, however, to suggest that Americans are in favor of pulling the plug on the third branch of government every time a ruling rolls around that doesn't get three cheers from Georgia. Newt is wrong, however, to suggest that Americans are in favor of pulling the plug on the third branch of government even if they think the current one sucks and fails to reflect their sensibilities. They may not have great trust in the judiciary's judgment, but nobody is comfortable with the idea of the other two branches of government without a judiciary to smack them.

Yet the Judicial Branch of government should never be so comfortable in its existence and power to believe that it lies wholly outside the control of the People or is above the power of the other branches. Each branch should live in fear of the others. Each should be constantly vigilant that if it fails to retain the trust of the American people, its mandate ceases to exist. The Least Dangerous Branch is just as subject to checks and balances as its more dangerous brothers. And that's how it should always be.

Forget the details of Newt's plans. They're nuts. But at its core, his point is hardly as ridiculous as one might think. And judges need to remember that the judiciary is just as strong, and fragile, as any other branch of government.
UGA gets top marks from accrediting agency

By LEE SHEARER - lee.shearer@onlineathens.com
Published Sunday, December 18, 2011 Updated: Monday, December 19, 2011 - 12:09am

The process called accreditation usually is routine for major universities like the University of Georgia, but UGA's latest reaffirmation of accreditation was anything but routine, according to the university's president, Michael Adams.

"This was the cleanest, most positive reaffirmation report that I have ever seen," said Adams, who has been bragging about UGA's report at every opportunity over the past couple of weeks.

Accreditation is a kind of quality assurance in which an outside group comes in to make sure a college or school system is meeting the educational standards applicable to it. Without accreditation, a school's diplomas may not be recognized as valid. For UGA, the accrediting agency is the Southern Association of Colleges and Schools (SACS), which is the accrediting agency for about 800 colleges and universities in Texas, Florida, Georgia, North Carolina and seven other Southeastern states.

Every 10 years, UGA has to compile a report for the agency, answering questions on a checklist of hundreds of items, answering questions about things like admissions policies, educational policies, uses of technology and even whether the university's athletic programs and other related activities are effectively supervised by university administrators.

SACS reaffirmed UGA's accreditation, as usual, but the association's report reaffirming UGA accreditation was so positive, it may have even helped get a new job for the UGA administrator in charge of making sure UGA retained its accreditation, Adams said. Bob Boehmer, associate provost for academic planning and liaison to SACS, will become interim president of East Georgia College Jan. 1.

"To come through something like that, without even any recommendations, I've never seen anything like that in 30 years," Adams said.

UGA law professor David Shipley and genetics professor Rodney Mauricio also played big roles in assembling the lengthy report UGA submitted to the accrediting agency, the UGA president said.

The accrediting agency also sent a committee, chaired by University of Alabama president Robert Witt, to Athens earlier this year to see some of how UGA operates.

Even though the SACS report included no recommendations for improvement, the agency does require colleges to design a quality enhancement plan as part of its review.

UGA's plan was built around a new program for freshmen called "First Year Odyssey," which Adams said was one of the parts of the report the accrediting committee liked best.

Many of the classes UGA freshmen must take are in big groups of dozens or even hundreds of students, but the Odyssey program, launched this year, gives the first-year students a chance to take at least one course their first semester in a small group and taught by a senior faculty member.

"These are the kinds of things you expect to get at a good liberal arts college," Adams said of the Odyssey program, which has been popular with students in its first year.

Adams hopes the university will be able to offer more small classes for undergraduates in the future.

"We need more opportunities for students to be able to write and think in classes, which you can only do in smaller groups," he said.
Adams also wants more students to spend as much as a whole semester studying in a foreign country in the future.
Newt Gingrich has proposed many solutions to the ever growing power of our courts. Power that has surpassed the other two branches of government:

Kelly: You have proposed a plan to subpoena judges to testify before Congress about controversial decisions that they make. In certain cases, you advocate impeaching judges or abolishing courts altogether. Two conservative former attorneys general have criticized your plan, saying it alters the checks and balances of the three branches of government. And they used words like “dangerous,” “outrageous,” and “totally irresponsible.” Are they wrong?

Gingrich: Well, the first half is right. It alters the balance, because the courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people.

(Applause)

There's an entire paper at newt.org — I've been working on this project since 2002, when the Ninth Circuit Court said that “one nation under God” is unconstitutional in the Pledge of Allegiance. And I decided, if you had judges who were so radically anti-American that they thought “one nation under God” was wrong, they shouldn't be on the court. Now, we have...

(Applause)

I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary.

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Kelly: Something that was highly criticized.

Gingrich: Not by anybody in power in 1802.

(Laughter)

(Applause)

Gingrich: Jefferson himself was asked, is the Supreme Court supreme? And he said, that is absurd. That would be an oligarchy. Lincoln repudiates the Dred Scott decision in his first inaugural address in 1861 and says, no nine people can make law in this country. That would be the end of our freedom. So I would suggest to you, actually as a historian, I may understand this better than lawyers. And as
lawyers those two attorneys general are behaving exactly like law schools, which have overly empowered lawyers to think that they can dictate to the rest of us.

The right and the left are upset with his proposals but something must be done. Impeachment and the abolishing of courts is one way. Many are saying that the abolishment of courts is unconstitutional but if it’s a court Congress created, why can’t they abolish it?

Here is the white paper Newt was speaking about in PDF format. It’s an interesting read.

Matthew Franck argues that the abolishing of a court, and its federal judgships, may be legal but Newt apparently wants to abolish a court and then create a new one which wouldn’t be:

(Excerpt) Read more at flapngaces.net...

TOPICS: Government; Politics
KEYWORDS: court; judge; newt; scorus

1 posted on Monday, December 19, 2011 8:55:16 AM by Stannan417

To: Stannan417

Whole lot of Federal, State and local judges that should be lined up and shot.
IMHO

2 posted on Monday, December 19, 2011 8:57:57 AM by Joe Boucher ([FUBO])

To: Stannan417

Lawyers...Can’t live with 'em, can’t shoot 'em.

3 posted on Monday, December 19, 2011 9:01:59 AM by equaviator ("There's a (datum) plane on the horizon coming in...see it?")

To: Stannan417

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Kelly: Something that was highly criticized. By me said Kelly.

Gingrich: Not by anybody in power in 1802.

Newt bitched slapped the pretty, perky, smiley, smart Megan Kelly and she doesn’t like it.

As a lawyer and also a TV personality, she now has the long knives out for Newt, so anything she reports going forward will really be slanted and vindictive.

4 posted on Monday, December 19, 2011 9:08:50 AM by USS Alaska (Merry Christmas-Nuke The Terrorist Savages)

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A political consultant and commentator since the 1980s, Paul Begala has helped define progressive politics, most notably in his work to elect President Bill Clinton in 1992. He’s also lent his hand to the campaigns of Bob Casey Sr., Bob Casey Jr., Harry Wofford, Zell Miller and Frank Lautenberg, among others. In addition to working on those campaigns, Begala has worn more hats than most in Washington: “Crossfire” host, University of Georgia professor, George magazine contributing editor and author of seven books. He currently works as a CNN contributor and an affiliated professor at Georgetown University and has agreed to give POLITICO’s next “Answer This” interview.

Tell us your favorite joke.
Gov. Rick Perry says there are three kinds of Aggies: those who can count and those who can’t.

When’s the last time you used profanity?
About five f—ing minutes ago.

How many hours of sleep do you get?
6½ hours.

Describe your level of ambition.
Dangerously high for a normal person; average for a Washington politico.

You’re president of the United States for enough time to make only one executive decision.
What is it? Mandate a college football playoff.

What’s a common and accepted practice for Americans nowadays that you think we’ll look back on with regret?
Bashing gays in any way, including opposing their right to marry or serve in the military.

What is your favorite body part (on yourself) and why?
My right pinky finger. I busted it playing football as a kid. Now I can give directions on a winding road just by pointing that finger.

What would you attempt to do if you knew that you could not fail?
“Now batting for the Houston Astros in the seventh game of the World Series ... Paul Begala.”

What type of products do you never go cheap on?
Cowboy boots.

Describe a few pet peeves of yours.
Guys who vaguely recognize me in the men’s room, then turn at the urinal and say, “Hey! aren’t you that guy ...” They’ve ruined several pairs of my pants.

How often do you Google yourself?
Not as often as I check my Twitter mentions.

What do you know now that you wish someone had told you 10 years ago?
It turns out that Republicans are people, too.

What childhood event shaped or scarred you the most?
My parents moved the family to Texas when I was young. Growing up a liberal in Fort Bend
County, your fists get hard and your wits get keen.

**Would you rather ... live without music or live without TV?**

I could live without TV per se, but I can’t live without ESPN.

... be gossiped about or never talked about at all?

I’m not much of a subject for gossip: I’m still married to the girl I met in the student lounge at the University of Texas 31 years ago. I have four boys and a German shepherd. So I’d much rather not be talked about at all.

**Think of one of your least favorite people in Washington and, without naming him or her, describe what makes that person so unappealing.**

All mouth and no ears, all self-promotion and no self-deprecation, all “me” and no “you,” all career and no life.

**Let your mother know how much she means to you, in the form of a haiku.**

Adventuresome and fearless / She practices and preaches / Love and forgiveness
ATHENS, Ga., Dec. 19 -- The University of Georgia issued the following news release:

The University of Georgia School of Law Staff Council presented Debra G. Love with the 2011 Emma P. Terrell Distinguished Employee of the Year Award at the law school's Annual Holiday Luncheon and Employee Service Recognition Program earlier this month. The honor highlights staff members for their dedication and service to Georgia Law.

Love first joined the law school in September 1988 and served as an administrative assistant to several faculty members for three years. Then, after 13 years in the federal probation field, she returned to the law school in May 2004 as an administrative specialist to Associate Dean for Academic and Student Affairs and J. Alton Hosch Professor Paul M. Kurtz.

One of Love's nominators commented on her professionalism by saying, "I think [Love] is one of the truly 'unsung' heroes of the law school. She is courteous and kind and is always thinking of the little details and the appearance of the law school in the eyes of those from the community."

Another nominator remarked on her character and devotion to her work describing her as a "team player," not taking "herself too seriously," being "very organized," possessing "an excellent sense of humor" and being "courteous to all the various types of people she must interact with in her position."

Love also serves as the City Clerk for her hometown of Arnoldsville, Ga. She is married to Georgia Law 1991 graduate J. Danny Love and has three children and four grandchildren.

The Law School Staff Council presents the Terrell Award annually to recognize staff members who demonstrate an outstanding work ethic, commitment to service and exceptional job performance in addition to the cooperation necessary to increase the quality of education and service provided by the law school. Formerly known as the Employee Distinguished Service Award, this honor was renamed in February 2005 in memory of the late Emma P. Terrell, a longtime employee remembered for her dedication to and enthusiasm for the law school. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com
New Delhi, Dec. 15 -- BNA Tax & Accounting announces that the 2011 Franklin C. Latcham Award for Distinguished Service in State and Local Tax Law honors University of Connecticut Professor of Law Richard D. Pomp. The award was presented Dec. 12 at a meeting of the BNA Tax & Accounting Multistate Tax Advisory Board in New York City. The Latcham Award is named for Franklin C. Latcham, former Advisory Board chair and founder of BNA Tax Management's State Tax Portfolio Series.

Professor Pomp is the Alva P. Loiselle Professor of Law at the University of Connecticut School of Law and serves as a highly regarded expert witness in state tax cases. He is also the former Director of the New York Tax Study Commission. Under his tenure, New York state restructured its personal and corporate income taxes and created an independent tax court.

"His brilliance, his wit, his genuinely friendly nature, and his academic leadership are an inspiration to all of us," said Multistate Tax Advisory Board Chair Paul H. Frankel. "The state and local tax profession is better-and we are all better-because he is part of it."

Professor Pomp is the author of State and Local Taxation, a casebook that has been used in more than 90 schools, state tax administrations, and major accounting firms for internal training. Portions of the casebook have been translated into Chinese, Dutch, German, Japanese, Spanish, and Vietnamese. He also has written more than 80 articles, numerous chapters in books, and various books and monographs. His writings have appeared in The New York Times, The Wall Street Journal, and the Financial Times.

"We have among us not only a scholar recognized for his acumen and ability to write, but also his ability to communicate," said Patrick R. Van Tiflin, partner with Honigman Miller Schwartz & Cohn LLP in Lansing, Mich.

Professor Pomp has served as counsel and a litigation consultant to law firms, corporations, accounting firms, and state tax administrations and has participated in various capacities in U.S. Supreme Court litigation. He also has served as a consultant to cities, states, the Multistate Tax Commission, the Navajo Nation, the U.S. Congress, the U.S. Treasury, the Department of Justice, the IRS, the United Nations, the IMF, the World Bank, and numerous foreign countries, including the People's Republic of China, the Republic of China, Indonesia, the Gambia, Zambia, Mexico, the Philippines, Pakistan, India, and Vietnam.

A summa cum laude graduate of the University of Michigan and a magna cum laude graduate of Harvard Law School, Professor Pomp also has taught at Harvard, New York University, Columbia, Texas, and Boston College. In addition, he has been a Distinguished Professor in Residence, Chulalongkorn Law School, Bangkok, Thailand, and a Visiting Scholar at the University of Tokyo Law School and at Harvard Law School.

Earlier recipients of the Latcham Award include Judge Bill Thompson, the Alabama Department of Revenue's chief administrative law judge; Prentiss Willson, former national director of Ernst & Young's State and Local Tax Practice and Procedure; Walter Hellerstein, professor of law at the University of Georgia Law School; James Buresh, former national partner in charge of sales and use tax practice...
for Deloitte and Touche; Jack Cronin, former partner in charge of Deloitte Tax's Multistate Tax Practice; Jean Walker, retired senior manager with Ernst & Young; William R. Brown, first executive director of COST; the late Paull Mines, general counsel with the Multistate Tax Commission; Joanne Garvey, member of Heller Ehrman White & McAuliffe in San Francisco; William Peltz, senior tax counsel for Shell Oil Corp.; Gerald Goldberg, former executive director of the California Franchise Tax Board; California tax attorney John Warren; the late educator and author Jerome Hellerstein; and Eugene Corrigan, first director of the Multistate Tax Commission.

LOAD-DATE: December 19, 2011

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Send To: MURPHY, HEIDI
UNIVERSITY OF GEORGIA LAW SCHOOL
HERTY & BOCOCK DRIVE
ATHENS, GA 30602-6018
States News Service
December 19, 2011 Monday

LENGTH: 343 words

HEADLINE: UGA SCHOOL OF LAWS DEBRA LOVE RECOGNIZED FOR SERVICE

BYLINE: States News Service

DATELINE: Athens, GA

BODY:

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LOAD-DATE: December 20, 2011

********** Print Completed **********
Second Gainesville man named to state DNR Board

ATLANTA - A second Gainesville resident has been named to the state Board of Natural Resources.

William Bagwell, Jr., was appointed to the board by Gov. Nathan Deal Wednesday. Jim Walters of Gainesville already serves on the board.

In addition, Gov. Deal named Janace A. Harding of Gainesville to the state Board of Architects and Interior Designers and Gwinnett County Fire & EMS Chief George Bill Myers IV and Mountain Judicial Circuit District Attorney Brian Rickman to the state Board of Public Safety.

In all, Deal announced eleven board appointments Wednesday:

Janace A. Harding, Board of Architects and Interior Designers
Harding is the founder and president of jh IDEAS, an interior design firm in Gainesville. She is the president of the Georgia Alliance of Interior Design Professionals and is currently serving on the National Legislative and Codes Advisory Council. She has served on the board of directors of Commercial Real Estate Women of Atlanta and is a past officer of the American Society of Interior Designers. She is also a past member of the Buckhead Rotary where she was a Paul Harris fellow, a Will Watts fellow and the recipient of the International Service Award. Harding earned a bachelor’s degree in Interior Design from the University of Memphis. She resides in Gainesville.

William Bagwell, Jr., Board of Natural Resources
Bagwell is a managing member of Homestead Investments. In addition to Homestead Investments, he currently manages property for Northeast Georgia Real Estate and is involved in a family timber operation. He previously owned and operated Homestead Farms in Canon. While employed at the Greater Hall Chamber of Commerce in Gainesville, he held the offices of vice president of economic development, vice president of existing industry and vice president of government affairs. Bagwell is a deacon of the First Baptist Church in Gainesville and a member of the Gainesville and Hall County Economic Development Council. He also serves on the board of directors of the First Century Bank and the Lanier Technical College Foundation. He is a graduate of Presbyterian College. He and his wife, Jennifer, have two children. They reside in Gainesville.

J. Mark Mobley, Jr., Board of Natural Resources
Mobley is the owner and president of Mobley Gin Co. in Doerun. He serves on the board of directors of the Georgia Development Authority, the board of directors of the Ameris Bank, the board of trustees of Abraham Baldwin Agricultural College, and the Colquitt County Hospital Authority. Mobley attended the University of Georgia. He and his wife, Judy, have four children, John Mark, Matthew, Tyler, and Daniel. They reside in Moultrie.

George Bill Myers IV, Board of Public Safety
Myers was appointed fire chief of the Gwinnett County Department of Fire and Emergency Services in 2009. He began working with Gwinnett County in 1983 after serving in the U.S. Navy. He is a member of the International Association of Fire Chiefs, the Georgia Fire Chiefs Association, and the Georgia Association of Emergency Medical Services. Myers earned a bachelor’s degree in Safety Engineering from Kennedy-Western University, a master’s degree in Public Administration from Madison University, and is a graduate from the National Fire Academy’s Executive Fire Officer Program. He and his wife, Jami, have two children. They reside in Lilburn.

Brian M. Rickman, Board of Public Safety
Rickman is the district attorney for the Mountain Judicial Circuit. Prior to his appointment, Rickman served as an assistant district attorney and partner in the law firm Stockton & Rickman. He serves on the board of trustees of Piedmont College and is the recipient of the Piedmont College Alumni Pacesetter Award. He is a graduate of the 127th Session of the Northeast Georgia Police Academy and P.O.S.T certified Georgia Peace Officer. Rickman earned a bachelor’s degree from Piedmont College and a juris doctorate from the University of Georgia. He and his wife, Maggie, have two children, Henry and Molly. They reside in Tiger.

Gary C. Vowell, Board of Public Safety
Vowell is the sheriff of Tift County. Prior to becoming sheriff, he served 20 years with the Georgia State Patrol. He is a member of the National Sheriffs Association and the Georgia Sheriffs Association. He previously served on the Traffic Safety Committee and the Crime Prevention Committee for the National Sheriffs Association. Vowell attended Abraham Baldwin Agricultural College and is a graduate of the 51st Trooper School. He and his wife, Beth, have three children and one grandchild. They reside in Tifton.

Jessie I. Pennington, Board of Public Safety
Pennington is the chief of police for Thunderbolt. Prior to becoming chief, she served as a major for the Chatham Metropolitan Police Department. She has a worked for over 37 years in law enforcement. Pennington is a graduate of the FBI National Academy, the 168th Session and Session 19A of the Georgia Law Enforcement Academy. She earned a bachelor's degree from Columbus University and a master's in Public Administration from Command College. She and her husband, Frank, have two children and one grandchild. They reside in Savannah.

Ellis G. Wood, Board of Public Safety (reappointment)
Wood is the president of Ellis Wood Contracting, Inc. He is chairman of the Statesboro-Bulloch County Airport Committee, on the board of trustees of the Guido Evangelistic Association, and a member of the board of deacons of the First Baptist Church of Statesboro. He previously served on the State Board of Corrections. Wood earned a bachelor's degree in Agricultural Engineering from the University of Georgia. He and his wife, Kathy, have two children and four grandchildren. They reside in Statesboro.

Kathleen A. Bennett, Child Fatality Review Panel

Bennett is the disabilities and mental health specialist for the Central Savannah River Area Economic Opportunity Authority's Head Start Program. She has been with Head Start for 32 years. She currently serves as treasurer for the Georgia Head Start Association and is the staff representative from the Georgia Head Start Association to the Region IV Head Start Association. She is a member of the Consolation Ministry, the Rosary Ministry, and St. Mary on the Hill Catholic Church. Bennett earned a bachelor's degree in Home Economics from Georgia Southern College. She resides in Augusta.

Felker W. Ward, Jr., Board of Economic Development
Ward is a retired corporate lawyer and Army veteran. He retired after 20 years of service in the U.S. Army with the grade of lieutenant colonel. He has been awarded the Legion of Merit award and the Vietnamese Cross of Gallantry Medal. Ward currently serves on the board of trustees of Tuskegee University and on the board of trustees of the Morehouse School of Medicine. He is also chair of the Fort McPherson Implementing Redevelopment Authority and serves on the Georgia Research Authority. He has previously served as the chair of the Georgia Human Relations Commission, on the Judicial Nomination Commission, the Board of Natural Resources, the Georgia Board of Offender Rehabilitation, and the board of trustees of Emory University. He and his wife, Mary, have four children and five grandchildren. They reside in Riverdale.

J. Rayburn Saunders, Georgia Firefighter Standards and Training Council (reappointment)
Saunders is a county commissioner for Colquitt County and the owner and operator of Saunders Brothers Farms. He serves as chairman of the Colquitt County Recreation Department. Saunders is the past state chairman of the Farm Service Agency. He and his wife, Marie, have two children. They reside in Doerun.
Eye of Newt

Posted by Steven Harper

This post is not about politics. It's about much more.

The Republican presidential debates have generated many surprising applause lines, but Newt Gingrich delivered this one on December 15 and it should scare all freedom-loving Americans. So should the crowd reaction.

"The courts have become grotesquely dictatorial, far too powerful, and I think, frankly, arrogant in their misreading of the American people," Gingrich proclaimed in the final debate before the Iowa caucuses. "I taught a short course in this at the University of Georgia Law School. I testified in front of sitting Supreme Court justices at Georgetown Law School. And I warned them: You keep attacking the core base of American exceptionalism, and you are going to find an uprising against you which will rebalance the judiciary."

["Testified in front of sitting Supreme Court justices at Georgetown Law School"? Maybe he means "giving testimony" in his newly found religious sense.]
Anyway, Gingrich—the man who racked up a $500,000 Tiffany's tab, but decries "elites"—then proceeded to explain exactly how he'd accomplish a "rebalance": abolish courts that disagreed with his views; subpoena sitting judges for congressional appearances; ignore Supreme Court decisions that he didn't like.

For a candidate who fancies himself a historian, ironies abound. For someone who is given to rhetorical flourishes while comparing himself to Winston Churchill and analogizing his potential adversary's policies to Nazism, the remarks are astonishing. They'd be funny, too, if they weren't so frightening.

Newt justice

Stalwart conservatives, including Ann Coulter, Bill O'Reilly, and former Bush administration attorneys general Alberto Gonzalez and Michael Mukasey roundly condemned Gingrich's assault on the federal judiciary. So did the National Review.

Lest you think that his Iowa remarks were impromptu outbursts, Newt's October 7, 2011, white paper, "Bringing the Courts Back under the Constitution," lays it all out. (Gingrich brags about not being a lawyer; unfortunately for Vince Haley, a 1992 University of Virginia Law School graduate, the white paper lists Haley as its senior editor.)

This post considers just one of Newt's ideas: subpoenaing judges to appear before congressional committees so that they can explain their reasons for decisions that he doesn't like. His white paper describes it this way:

Judicial Accountability Hearings

Congress can establish procedures for relevant congressional committees to express their displeasure with certain judicial decisions by holding hearing [sic] and requiring federal judges to appear before them to explain their constitutional reasoning in certain decision [sic] and to hear a proper congressional constitutional interpretation.

Problematic grammar aside, the stated rationale is disingenuous. In decisions that matter, federal judges routinely explain their reasoning in written opinions. The losing party may disagree, but the process is transparent. If there's an appeal, at least three more judges review the case; they usually explain themselves, too. A few cases reach the Supreme Court, where yet more judicial elucidation occurs.

Unless their purpose is to pursue judicial impeachment—the constitutional remedy for misconduct—anyone who seeks to command a sitting judge's appearance before Congress has a single goal: winning through intimidation. That brings me to Newt the historian, who sometimes ignores history's most important lessons.

Precedent

Following World War I, Germany's Weimar Constitution established an independent judiciary. On August 20, 1942, Adolf Hitler appointed Otto Thierack as Reichminister of Justice. Six weeks later, Thierack issued the first of his "Letters to All Judges." According to an article produced by the U.S. Holocaust Memorial Museum, these letters set forth "the state's position on political questions and on the legal interpretation of Nazi laws." German judges understood the importance of following those "suggestions."

But the Holocaust Museum article also notes that even Hitler's SS grasped the potentially explosive implications of Thierack's intrusions. The fear of a public backlash led to classifying his letters as state secrets. As a May 30, 1943, report from the Security Service of the SS declared. "The people want an independent judge. The administration of justice and the state would lose all legitimacy if the people believed judges had to decide in a particular way."

During the final Iowa debate, Gingrich listed U.S. Supreme Court justices Roberts, Scalia, Thomas, and Alito as his favorites. That endorsement should make them squirm and, as another history lesson confirms, react publicly:

"First they came for the Socialists, and I did not speak out—because I was not a Socialist..."

Steven J. Harper is an adjunct professor at Northwestern University and author. He recently retired as a partner at Kirkland & Ellis, after 30 years in private practice. His blog about the legal profession, The Belly of the Beast, can be found at www.thebellyofthebeast.wordpress.com. A version of the column above was first published on The Belly of the Beast.
WAYNESBORO, Ga.- Preston Brooks Lewis, Jr. died on December 25, 2011 at the age of 81. Born on May 2, 1930 in Augusta, Georgia and raised in Waynesboro, Burke County, Georgia, he graduated from Waynesboro High School in 1947. He received his Bachelor of Business of Administration degree from the University of Georgia in 1955 and his Law Degree from the University of Georgia Law School in 1958. 

Lewis' military service began with his graduation from Submarine School, US Navy in 1949 followed by active duty in the US Army during the Korean War 1952-1953 where he was awarded the Bronze Star and attained the rank of Captain. He joined his father and uncle in the Waynesboro Law firm Lewis & Lewis in 1958 and actively practiced law until 2009. During the last 30 years of law practice he was joined by his son Preston Lewis, III. He served as Burke County Attorney and Juvenile Court Judge of Burke County for more than 30 years.

Lewis served six terms in the Georgia House of Representatives and a term in the Georgia State Senate. He was a past president of the Waynesboro Shrine Club, a Rotarian and a member of Waynesboro Masonic Lodge, American Legion, and First United Methodist Church. While a student at the University of Georgia he was President of his law school class and Phi Delta Phi Legal Fraternity, and was inducted into Gridiron Secret Society.

Lewis was the son of Preston Brooks Lewis and Clifford Gray McElmurray Lewis. He married Katherine "Honey" Hill of Valdosta, Georgia in 1953 and is survived by his wife and their four children, Preston Brooks Lewis, III (Carol), Clifford Ellis Lewis (Sonya), both of Waynesboro, GA, Julian Carlton Lewis (Janet) of Greenville, SC, and Katherine Virginia Lewis Jones (Willis) of Warner Robins, GA. He is also survived by 11 grandchildren, and a sister Betty Lewis Palmer. He was preceded in death by his sister, Dr. Clifford Gray Lewis.

The family will receive friends from 5:00 until 7:00 pm, Monday, December 26 at DeLoach-McKerley Funeral Home.

The funeral will be at 11:00 am, Tuesday, December 27 at First United Methodist Church, 802 North Liberty Street, Waynesboro, GA. The Reverend Jimmy Cason will officiate. Intermment will follow at Magnolia Cemetery. Pallbearers will be Jesse Palmer III, Dr. Charles H. Coleman, Jr., Dr. Charles G. Green Jr., Stephen Murray, Joseph D. "Jody" Cooley III, and Henry Hopkins III.

In lieu of flowers, memorials may be made to the First United Methodist Church General Fund, PO Box 420, Waynesboro, GA 30830.

DeLoach-McKerley Funeral Home & Cremation Service, 842 N. Liberty Street, Waynesboro, GA 30830 (706-554-3531). You may sign the family's personal guestbook at www.deloaechfuneralhomes.com

The Augusta Chronicle - Monday, December 26, 2011
Barrow County lawyer William Healan Jr. died Monday after a lengthy illness.

Healan served on the Barrow County Commission and as the county's attorney, but he may be remembered best as a devoted family man and loyal friend.

"He coached all of our Little League football and baseball teams," said son and law partner William Healan III. "He always had time to take us fishing and spend time with family. He was a very good father."

Lifelong friend Terrell Sailors of Winder recalled Healan as someone he could always count on.

"If you had Billy as a friend, he would be there with you in bad times and good times," Sailors said.

"Their house wasn't just a house, it was a home," said another friend, Mike Rice.

The Healan house was always open to neighborhood children and friends, said Rice, chairman of the Winder Downtown Development Authority.
Former Barrow County attorney, commissioner Healan dies

Online ... http://onlineathens.com/local-news/2011-12-27/former-barrow-count...

Although family came first, Healan, 66, was also involved in public life.

Healan was the Barrow County attorney from the early 1980s to the early 1990s, and later served a term as a Barrow County commissioner, running as a Democrat in heavily Republican Barrow County. He also served for a time as chairman of the Democratic Party of Barrow County.

Healan lost his seat after four years to Republican Steve Worley, who unseated Healan in 2008, but the two remained friends, Sailors said.

A lifelong Barrow County resident, Healan was a star athlete, a football player and the starting catcher when Winder-Barrow won the state high school baseball championship in 1960. He was also elected president of his 1963 senior class at the high school.

After graduating from Winder-Barrow High School, Healan went on to graduate from the University of Georgia and the UGA School of Law.

Healan is survived by his wife Patricia Healan, sons William Healan III of Jefferson and Michael Healan of Barrow County, daughters Cynthia Healan Robarge of Greer, S.C., and Erin Healan Kendall of Mt. Pleasant, S.C., and seven grandchildren.

Visitation is scheduled for Thursday from 5 p.m. to 8 p.m. at Smith Funeral Home in Winder. Funeral services are set for 4 p.m. Friday at Smith Memory Chapel with Rev. Wally Hostetter officiating. Interment will follow in Winder's Rose Hill Cemetery.

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Local judge, state legislator Preston Lewis Jr. dead at 81

By Gracie Shepherd
Staff Writer
Tuesday, Dec. 27, 2011 8:31 PM
Last updated 12/28/11 9:21 PM

Preston Brooks Lewis Jr., an attorney, judge and legislator, died Sunday at age 81.

Lewis served as Burke County attorney and Juvenile Court judge for more than 30 years, served in the Georgia House of Representatives and one term in the Georgia Senate.

“He’s one of the best lawyers I have ever known,” Augusta Circuit Chief Judge J. Carlisle Overstreet, who as a Juvenile Court judge, he was above reproach and handled Juvenile Court very professionally, but also took into consideration the needs of the community with the juveniles they had.”

Overstreet serves as a Superior Court judge, which oversees the selection of Juvenile Court judges.

“I will surely miss him as a friend and as a colleague,” he said.

Lewis graduated from Waynesboro High School in 1947 and the U.S. Navy Submarine School in 1952. In the Army during the Korean War from 1952 to 1953, received the Bronze Star and attained the rank of major. He graduated from the University of Georgia with a bachelor’s degree in business administration in 1952 and received a law degree from UGA Law School in 1958 and joined his father in practice at Lewis & Lewis after. His son, Preston Lewis III, joined him in his practice for the last 30 years of his work, and he practiced law until 2009.

Lewis was a past president of the Waynesboro Shrine Club, a Rotarian and a member of Waynesboro Lodge, American Legion, and First United Methodist Church. He was also president of his law school alumni association and a member of the Phi Delta Phi legal fraternity.

He is survived by his wife of 58 years, Katherine Honey Hill, and their four children, Preston Brook Ellis Lewis, Julian Carlton Lewis and Katherine Virginia Lewis Jones. He is also survived by his grandchildren and a sister, Betty Lewis Palmer.
Former Barrow Commissioner Dies


December 27, 2011


A lifelong resident of Barrow County, the newspaper reports Healan was a star athlete at Winder High School before graduating from the University of Georgia and UGA’s School of Law. He served as the county attorney from the early 1980s to the early 1990s, and later served a term as a county commissioner.

Healan is survived by his wife Patti Healan, sons Bill Healan and Mike Healan, daughters Cindy Robarge and Erin Kendall, and seven grandchildren.

Smith Memory Chapel is handling the arrangements.
Preston Brooks Lewis Jr., an attorney, judge and legislator, died Sunday at age 81.

Lewis served as Burke County attorney and Juvenile Court judge for more than 30 years, served six terms in the Georgia House of Representatives and one term in the Georgia Senate.

"He's one of the best lawyers I have ever known," Augusta Circuit Chief Judge J. Carlisle Overstreet said. "As a judge, he was above reproach and handled Juvenile Court very professionally, but also took into consideration the needs of the community with the juveniles they had."

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He graduated from the University of Georgia with a bachelor's degree in business administration in 1955, received a law degree from UGA Law School in 1958 and joined his father in practice at Lewis & Lewis shortly after. His son, Preston Lewis III, joined him in his practice for the last 30 years of his work, and he practiced law until 2009.

Lewis was a past president of the Waynesboro Shrine Club, a Rotarian and a member of Waynesboro Masonic Lodge, American Legion, and First United Methodist Church. He was also president of his law class and a member of the Phi Delta Phi legal fraternity.

He is survived by his wife of 58 years, Katherine Honey Hill, and their four children, Preston Brooks Lewis III, Clifford Ellis Lewis, Julian Carlton Lewis and Katherine Virginia Lewis Jones. He is also survived by 11 grandchildren and a sister, Betty Lewis Palmer.

Reach Gracie Shepherd at (706) 823-3217 or gracie.shepherd@augustachronicle.com

LOAD-DATE: January 5, 2012

***** Print Completed *****
Alfred A. Quillian, former attorney and United States Administrative Law Judge, died suddenly at his home in Winder, Georgia on December 26, 2011. He was 85 years old. Judge Quillian graduated from Winder High School. He volunteered and served in the United States Navy during World War II and was in the United States Air Force during the Korean Conflict serving in the JAG Corps. He graduated from the University Of Georgia School Of Law in 1951 and joined his father's law practice in Winder. Judge Quillian served as Solicitor General (known today as District Attorney) for the Piedmont Judicial Circuit from 1957 to 1964. He served as President of the Georgia Solicitor General's Association. After his service as Solicitor General was completed he returned to the private practice of law with his brother, Kelley J. Quillian, until his brother's appointment to the Georgia Court of Appeals. He continued private practice with his mother, Tabitha S. Quillian, until his appointment as United States Administrative Law Judge in 1973. He retired from that position in 1994. He was a member of the local Masonic Lodge, Kiwanis Club, Gridiron Society and Sigma Chi Fraternity. After his retirement, he rediscovered his love for golf and was beloved by his regular foursome. He was a lifelong fan of University of Georgia football. Judge Alfred Quillian was known for his sense of humor and was a symbol of integrity in both his personal and professional life. He was a member of the Winder First United Methodist Church where he taught Sunday School for many years. During the church's recent anniversary celebration, he was recognized as the church's longest active member. He is survived by his wife of 62 years, Elsie Harben Quillian; a daughter, Kimberly Q. Rogers and her husband, Wayne Rogers of Watkinsville; a son, Alfred A. Quillian, Jr, his wife Thea McGlon Quillian of Atlanta; four grandchildren: Ellen Rogers Brown and her husband Don Brown of Seymour, TN; Jennifer Rogers of Smyrna, GA; Drew Quillian and Kathleen Quillian of Atlanta and one great-grandson, Coleman Michael Brown of Seymour, TN; sister Miss Alma Adelia Quillian of Madison, GA. In lieu of flowers contributions may be made to the Building Fund of the Winder First United Methodist Church, Winder, GA. Visitation for friends and family will be at the Smith Funeral Home in Winder, Georgia on Wednesday, December 28 from 6:00 PM to 8:00 PM. Funeral Service will be at 11:00 AM Thursday, December 29, 2011, at the First United Methodist Church of Winder with Rev. Larry Rary officiating. Interment will be in Rose Hill Cemetery, Winder, GA. Smith Funeral Home is in charge of arrangements.
William D. Healan, Jr.

William D. Healan, Jr., age 66, of Winder, GA passed away on December 26, 2011. Mr. Healan was a 1963 graduate of Winder Barrow High School, was Senior Class President, a member of 1960 WBHS Baseball team state champs and was 1962-63 WHBS football player of the year. Mr. Healan graduated from the University of Georgia School Of Law in 1975, and opened his Law Office in Winder at that time. He served as the former chairman of the Democratic Party of Barrow County, served as attorney for Barrow County for several years, and later served as a Barrow County Commissioner. Mr. Healan is preceded in death by his parents, William Doyle Healan Sr. and Doris E. Wall Healan, and brother Charles Healan. Mr. Healan is survived by wife Patricia N. Healan, of Winder who he married in 1968; sons, William D. Healan III and wife Carla of Jefferson, Michael Naylor Healan and wife Laurie of Winder; daughters Cynthia Healan Robarge and husband Roby of Greer, SC, Erin Healan Kendall and husband, James of Mt. Pleasant, SC; grandchildren Lillian & Michael Healan, Sydney and Eliza Healan, Millie, Spencer and Sally Robarge; brother Jerry Healan and wife Carol of Auburn; sister Peggy Reynolds and husband Ronnie of Winder. Visitation will be Thursday, December 29, from 5 to 8 pm at Smith Funeral Home. Funeral service will be 4:00 pm, Friday, December 30, 2011 in Smith Memory Chapel, with Rev. Wally Hostetter officiating. Interment will be in Rose Hill Cemetery. Smith Funeral Home is in charge of arrangements.

Published in Athens Banner-Herald on December 29, 2011