



THE FOUNDATION

"The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." --James Madison, Federalist No. 45

PATRIOT PERSPECTIVE

(Editor's Note: Mark Alexander is away participating in a national security forum. This week's Patriot Perspective is a guest essay by Alexander's colleague Walter E. Williams. For the top conservative commentary on the Web, look no further than *The Patriot's* Opinion page.

States Rebellion Pending

By Walter E. Williams

Our Colonial ancestors petitioned and pleaded with King George III to get his boot off their necks. He ignored their pleas, and in 1776, they rightfully declared unilateral independence and went to war. Today it's the same story except Congress is the one usurping the rights of the people and the states, making King George's actions look mild in comparison. Our constitutional ignorance -- perhaps contempt, coupled with the fact that we've become a nation of wimps, sissies and supplicants -- has made us easy prey for Washington's tyrannical forces. But that might be changing a bit. There are rumblings of a long overdue re-emergence of Americans' characteristic spirit of rebellion.

Eight state legislatures have introduced resolutions declaring state sovereignty under the Ninth and 10th amendments to the U.S. Constitution; they include Arizona, Hawaii, Montana, Michigan, Missouri, New Hampshire, Oklahoma and Washington. There's speculation that they will be joined by Alaska, Alabama, Arkansas, California, Colorado, Georgia, Idaho, Indiana, Kansas, Nevada, Maine and Pennsylvania.

You might ask, "Isn't the 10th Amendment that no-good states' rights amendment that Dixie governors, such as George Wallace and Orval Faubus, used to thwart school desegregation and black civil rights?" That's the kind of constitutional disrespect and ignorance that big-government proponents, whether

they're liberals or conservatives, want you to have. The reason is that they want Washington to have total control over our lives. The Founders tried to limit that power with the 10th Amendment, which reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

New Hampshire's 10th Amendment resolution typifies others and, in part, reads: "That the several States composing the United States of America, are not united on the principle of unlimited submission to their General (federal) Government; but that, by a compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a General Government for special purposes, delegated to that government certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force." Put simply, these 10th Amendment resolutions insist that the states and their people are the masters and that Congress and the White House are the servants. Put yet another way, Washington is a creature of the states, not the other way around.

Congress and the White House will laugh off these state resolutions. State legislatures must take measures that put some teeth into their 10th Amendment resolutions. Congress will simply threaten a state, for example, with a cutoff of highway construction funds if it doesn't obey a congressional mandate, such as those that require seat belt laws or that lower the legal blood-alcohol level to .08 for drivers. States might take a lead explored by Colorado.

In 1994, the Colorado Legislature passed a 10th Amendment resolution and later introduced a bill titled "State Sovereignty Act." Had the State Sovereignty Act passed both houses of the legislature, it

would have required all people liable for any federal tax that's a component of the highway users fund, such as a gasoline tax, to remit those taxes directly to the Colorado Department of Revenue. The money would have been deposited in an escrow account called the "Federal Tax Fund" and remitted monthly to the IRS, along with a list of payees and respective amounts paid. If Congress imposed sanctions on Colorado for failure to obey an unconstitutional mandate and penalized the state by withholding funds due, say \$5 million for highway construction, the State Sovereignty Act would have prohibited the state treasurer from remitting any funds in the escrow account to the IRS. Instead, Colorado would have imposed a \$5 million surcharge on the Federal Tax Fund account to continue the highway construction.

The eight state legislatures that have enacted 10th Amendment resolutions deserve our praise, but their next step is to give them teeth.

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GOVERNMENT & POLITICS

Hope 'n' Change:

The (Toxic) Elephant in the Room

The nation's Kommissar of Economic Cheerleading, a.k.a. Treasury Secretary Timothy Geithner, unveiled his plan to save our ailing economy this week -- the so-called Public-Private Investment Program (PPIP). The announcement was punctuated by a much-ballyhooed 500-point surge in the Dow, an indication that the market, at least, likes PPIP. But why wouldn't it? Investors tend to appreciate "free" money.

At its core, PPIP provides investors with mega-leveraged government financing. Patterned roughly after the Resolution Trust Corporation (RTC) thrift bailout plan of the late '80s, PPIP is composed of two parts: The first part addresses "legacy" loans; the second, "legacy" securities. "Legacy," incidentally, is the new kinder-gentler buzzword for "toxic," as in "toxic assets," the former *nom du jour* for radioactive financial instruments like subprime mortgages and mortgage-derived securities.

PPIP offers private investors enormous amounts of cheap, taxpayer-backed financing for every dollar they put up of their own money. Under the program, government lends up to 85 percent of investor fund-

ing, with the Treasury "investing" one dollar of taxpayer money for each private capital dollar to cover the remaining 15 percent.

From an investor's standpoint, of course, there's no personal downside. Investors leverage government money at a 6-to-1 ratio and the lion's share of any losses generated are absorbed by taxpayers. Thus, if a borrower defaults on his mortgage, the government would only be able to seize the real estate -- private investors walk away relatively unharmed.

Independent of taxpayer liability, however, the program is not without risk. As indicated by Vincent Reinhart, American Enterprise Institute resident scholar and director of the Monetary Affairs Division of the Federal Reserve, PPIP assumes that "assets are troubled because their true values are obscured by irrational self-doubt and market illiquidity, and not by fundamental problems in the prospects of repayment. It also assumes that the solution to problems created by excessive leverage is for government to encourage more leverage."

Apart from PPIP, our strategic issue, the elephant in the room, is one of accountability. Helped by a willing media, the central focus has been shifting from Congress and the Executive branches to business. Still, for all the finger pointing at banks and insurers, and for all post-hoc economic crater repairing, we hope those as yet unenlightened Americans who have been blinded by the Obama media will soon learn the origins of this mess: government.

On Cross-Examination

"A year ago you could believe a quick fix for the banks might mean a soft landing for the economy. We're past that now. With industrial production plummeting around the world, and with trade flows dropping at the sharpest rates since the 1930s, the illness has metastasized far beyond the US banks. Meanwhile, fear of an uncontrolled US bank failure is off the table because, since last fall, all restraints have been broken through as the Fed's printing press has been hooked up as the system's respirator. What all this may sadly mean is that the Geithner plan amounts to little more than a shell game with respect to the real issue -- whether the economy will continue to fall apart. If it does, there will be massive loan losses ahead and the FDIC may face an impossible task trying to make good on all its commitments out of real (non inflationary) resources."
--Holman W. Jenkins Jr.

The AIG Saga Continues

The Senate this week significantly slowed the progress of a punitive 90 percent tax on bonuses for executives of companies receiving federal bailout money. Reflecting the cooling position of the White House, Majority Leader Harry Reid (D-NV) announced that the upper chamber would first debate a bill for national service followed by the 2010 budget. Last week, Reid planned to bring the bill to the floor right after it passed the House 328-93. So, what changed Harry's mind?

President Obama's recent statement that "We cannot govern out of anger" played a part, though this was also a significant change from what *he* had said just a few days prior. Obama first said he would "pursue every legal avenue to block these bonuses." Therein lies the problem. This tax may actually be unconstitutional, and if the White House is not going to support it, then the Senate is likely to retreat.

The Constitution specifically outlaws bills of attainder, measures that impose punishments on a select group through legislation without trial. The tax currently being proposed is a direct result of the revelation that American International Group, the poster child of the recent federal bailout craze, was about to pay \$165 million in bonuses to its top executives. Congress was outraged that AIG would have the nerve to make such a move, particularly after the federal government bought an 80 percent stake in the foundering company for the bargain price of \$170 billion. Claiming that their punitive tax is not a bill of attainder is a bit disingenuous. However, the statements of politicians alone cannot be counted on to hold up in court. After all, politicians will say anything. Therefore, the burden of proof in the constitutionality of the tax lies in its impetus. Is it meant to punish greedy AIG execs, or is it meant to protect the massive, and unsolicited, support of the taxpayers?

On the other hand, the issue may just fizzle out. New York Attorney General Andrew Cuomo successfully persuaded at least 15 AIG bonus recipients to return up to \$50 million in bonus money. He hopes to recover up to \$80 million in total -- the other \$85 million was given to employees outside the U.S. and is therefore, as even he admits, out of his jurisdiction. Cuomo's efforts may thus save the constitutional law professor in chief from getting into a protracted argument over constitutional issues. After all, the president needs to preserve his diminishing political capital for another day.

One area in which Obama is considering spending some political capital is his idea to regulate pay for all executives, regardless of prior federal involvement. If he wants "Atlas Shrugged" to further come to life, that's one way to do it. Companies that cannot determine the salaries of their own management will take their business overseas, and executives who don't get paid what they are worth could go the way of Rand's protagonist, John Galt. Government has no business making decisions regarding pay in the private sector, any more than it does in making decisions on prices -- an unconstitutional folly perpetrated before.

An interesting addendum: AIG is suing the IRS to recover \$306 million in taxes, interest, penalties and court costs. AIG maintains that the IRS inaccurately determined the company improperly claimed \$62 million in tax credits and that the agency also billed AIG for taxes it claims the company should have paid. Many see the lawsuit as the high point of gall, but the fact is, if the company did indeed overpay its taxes or was improperly charged by the IRS, it has a duty to rectify the situation for its shareholders, who are now predominantly American taxpayers.

News From the Swamp:

A Big Believer in Big Deficits

Apparently Barack Obama thinks he can simply will the economy to grow despite (or, as he would say, *because of*) the largest government expansion in history -- that is, if you believe his budget projections. The Congressional Budget Office determined earlier this week that the Obama administration was, shall we say, overly optimistic about GDP growth and reining in spending in his budget proposal, resulting in a gap of \$2.3 trillion between the Obama and CBO deficit projections over 10 years. Also, according to the CBO, by the end of the next decade, more than \$800 billion annually will be necessary simply to service the debt. We wonder: Is *that* the change that Barack Obama is aiming for? Then again, he plans to increase federal revenue by \$300 billion by raising taxes (or, as he would say, tax "reform") -- by lowering deductions for the charitable giving of wealthier Americans.

Yet Obama stubbornly defended his plan in a prime-time press conference Tuesday evening, noting he was "confident ... that we're moving in the right direction." With his big-screen teleprompter positioned just behind the press corps, he also chided GOP critics about the \$1.3 trillion deficit he inher-

ited from the prior administration. Of course, he neglected to mention that his Democrat allies in Congress forge the budget each year, with the president's submission simply being a blueprint for desired spending.

Meanwhile, House Republicans introduced a budget of their own, which obviously has no chance of passing, but it shows voters what the alternative might be. Primarily, the GOP plan would restrain spending and keep tax rates where they are, among other things. Even some of Obama's Democrat allies are working to cut a few billion out of his budget, as many have to face their constituents again next year.

But The Hill reports, "The House Budget Committee approved the Democratic budget resolution on a party-line vote Wednesday, sending the \$3.55 trillion budget plan to the full House for consideration next week."

Speaking of taxes, The Washington Post reports, "D.C. Council member [and former mayor] Marion Barry owes the federal government more than \$277,000 in back taxes, interest and penalties and has failed in six recent months to make scheduled payments on taxes owed the D.C. government, according to federal authorities." Barry is a tried and true Democrat.

This Week's 'Alpha Jackass' Award

"The budget I submitted to Congress will build our economic recovery on a stronger foundation so that we don't face another crisis like this 10 or 20 years from now. We invest in the renewable sources of energy.... We invest in our schools and our teachers.... We invest in reform that will bring down the cost of healthcare for families, businesses and our government. And in this budget, we have to make the tough choices necessary to cut our deficit in half by the end of my first term, even under the most pessimistic estimates. At the end of the day, the best way to bring our deficit down in the long run is not with a budget that continues the very same policies that have led us to a narrow prosperity and massive debt. It's with a budget that leads to broad economic growth by moving from an era of borrow and spend to one where we save and invest." --President Barack Obama, who used the euphemisms "invest" or "investment" 18 times during his press conference to describe his massive spending increases

Retreading Continues in Obama Government

On the subject of change, it's worth noting that while President Obama is finally getting around to hiring some underlings for Treasury Secretary Timothy Geithner, he has had to do so by dredging up more retreads from the Clinton era. Both Neal Wolin, whom Obama tapped to be Geithner's deputy, and Lael Brainard, placed as the undersecretary for international affairs, had previously served under Bill Clinton. At that time Wolin served as a National Security Council lawyer and assistant to the national security adviser, while Brainard was a deputy national economic adviser for international affairs.

But the ultimate retread is an official who cooled his heels in the private sector for a time after leaving Freddie Mac. David Stevens, who currently serves as president and chief operating officer of the real estate company Long & Foster, is Obama's choice to run the Federal Housing Administration. Stevens' claim to fame at Freddie Mac was helping to create a program called "Home Possible Mortgages," where borrowers could buy a home with as little as \$500 down. We have to wonder whether someone on the White House staff ever asked, "Didn't that sort of program lead us into some economic trouble?"

Meanwhile, Obama is also moaning about how difficult the confirmation process is in this era of 24/7 news saturation. "[A] lot of people who we think are about to serve in the administration and treasury suddenly say, 'Well, you know what? I don't want to go through some of the scrutiny, embarrassment, in addition to taking huge cuts in pay.'" While Obama ignored the overdue tax bills many of his prospective appointees owed when assessing the "huge cuts in pay," we do have some empathy for his plight. Now he can see what practically every Bush-era appointee went through courtesy of his allies in Congress and his sycophants in the media. In Stevens' case, more scrutiny may be in order -- but we wager that due diligence won't come from the likes of Chris Dodd, Barney Frank or Harry Reid.

New & Notable Legislation

Sen. Benjamin Cardin (D-MD) introduced the Newspaper Revitalization Act, which he says could help save the ailing newspaper industry. Cardin's press release stated, "The Newspaper Revitalization Act would allow newspapers to operate as non-

profits, if they choose, under 501(c)(3) status for educational purposes, similar to public broadcasting. Under this arrangement, newspapers would not be allowed to make political endorsements, but they would be allowed to freely report on all issues, including political campaigns. Advertising and subscription revenue would be tax exempt and contributions to support coverage or operations could be tax deductible." That should work out swell.

Both houses of Congress may soon take up an important issue for the country -- the NCAA football championship system. The Bowl Championship Series (BCS) has irritated fans for more than a decade, but we're not exactly sure where Congress believes it gets the authority to regulate it. The legislation would prohibit the NCAA from naming a national champion unless it follows whatever playoff system Congress dictates. Worse, the House legislation was introduced by Rep. Joe Barton, Texas Republican, and Utah Republican Orrin Hatch is expected to introduce the Senate version. And the GOP wonders why its ranking has dropped.

From the Left:

More ACORN Allegations

While this could almost qualify as the bottom story of the week, a onetime ACORN employee has testified that fewer than half the voter registrations turned in by the group in the last election cycle were valid. Other allegations by Anita MonCrief, who was terminated by ACORN for improperly charging personal expenses to the group, include employees being fired if they didn't turn in 20 or more registration cards a day and violations of campaign finance law by soliciting donors who had already maxed out their contributions to Barack Obama and funneling their additional donations through ACORN's Project Vote program.

The original testimony was part of an injunction against ACORN in Pennsylvania that was denied, but her statements were reintroduced as part of a congressional hearing conducted last week.

Judicial Benchmarks:

McCain-Feingold Revisited

In 2002, we were told that the Bipartisan Campaign Reform Act, better known as McCain-Feingold, would improve the integrity of federal campaigns by removing filthy lucre from the process. To do so, it prohibited during crucial periods the use of issue ads, financed by corporations, non-profit issue groups or unincorporated such groups using corpo-

rate or union funds. If the ads name a federal candidate, they are banned within 30 days of a primary or caucus and 60 days of a general election. Supporters of the Constitution said that McCain-Feingold violated the First Amendment by limiting freedom of speech.

The issue is again before the Supreme Court in the case of Citizens United v. FEC. During the last presidential campaign, a conservative group, Citizens United, made a 90-minute documentary, "Hillary: The Movie." Citizens United wanted to pay for its documentary to be shown on home video-on-demand, and for ads promoting the movie to be shown in key states while the former New York senator was competing with Barack Obama for the Democrat presidential nomination. Federal judges said the movie should be regulated by McCain-Feingold, and that ruling was argued Tuesday before the Supreme Court.

Government lawyers argued that the documentary is a political ad just like traditional one-minute or 30-second spots and should therefore be regulated by McCain-Feingold. The test "does not depend on the length or the way it's communicated," said Deputy Solicitor General Malcolm Stewart.

Arguing that a movie and a campaign ad are the same could have adverse consequences for the McCain-Feingold law, Justice Anthony Kennedy said, adding, "If we think that the application of this to a 90-minute film is unconstitutional, then the whole statute should fall."

The justices also asked the next logical question: If the federal government can treat a movie like a political advertisement, then why not books? Amazingly, Deputy Solicitor Stewart said it could -- an answer that seemed to concern the justices. It also brought a retort by former Solicitor General Theodore Olson, arguing for Citizens United, who pointed out that violation of campaign finance laws is a felony that could bring prison time. Olson argued that campaign finance laws should not apply to the movie at all, calling it a "long discussion" that "informs and educates" interested people on Clinton's qualifications and record.

NATIONAL SECURITY

North Korea to Launch...

The lunatic regime of Kim Jong-Il appears poised to go ahead with a Taepodong-2 ICBM launch in the

next week to 10 days, despite protests and warnings from numerous countries. Japan and South Korea have lodged strong protests, and the Japanese even threatened to shoot down the missile if it crossed Japanese territory. Patriot readers may recall that in 1998 North Korea fired a Taepodong-1 MRBM that overflowed northern Japan. The United States has lodged equally strong protests, with Secretary of State Hillary Clinton warning of additional (yikes!) UN Security Council sanctions if North Korea goes ahead with the launch. The North Koreans raised the stakes by claiming that any UN Security Council efforts to punish them for the launch would be considered a hostile act, and they explicitly threatened to resume operations at their Yongbyon nuclear plant. The UN has remained silent on the issue, probably because former South Korean foreign minister Ban Ki-moon is the current secretary general of the UN.

Amid all the talk and threats about what might be done to punish North Korea *after* a missile launch, the United States this week indicated that it was positioning a unique instrument of national power to influence the Koreans and possibly stop the missile launch in flight. The U.S. Navy destroyers USS John S. McCain (DDG-56) and USS Chafee (DDG-90), both equipped with the SM-3 interceptor, have been deployed to the Sea of Japan, where they would be optimally positioned to intercept a North Korean missile.

This unique capability is the fruit of the last decade's worth of effort to develop missile defense technology, and a successful intercept would send a loud signal to Pyongyang, Tehran, Damascus and any other nations contemplating missile blackmail against the United States or our allies. It would also remind critics and doubters -- including, ironically, the very commander in chief who ordered the McCain and Chafee to take station -- of the importance of the planned U.S.-Polish missile defense system that would defend against Iranian missiles. The North Koreans have announced a launch window of April 4-8.

Department of Military Correctness: Murtha's Award

In yet another mind-boggling illustration that much of the upper echelon of American leadership, even some military leadership, is totally detached from reality, the United States Navy has given Rep. "Fightin'" John Murtha (D-PA) its Distinguished

Public Service Award, the highest public service recognition given to a non-employee by the Department of the Navy. This would be the same John Murtha who, in May 2006, slandered U.S. Marines by accusing them of war crimes, saying they were nothing but "cold-blooded killers" who "murdered innocent civilians."

The Navy's perverse citation says that Murtha "ensured" that the America's sailors and Marines "were provided the resources necessary to effectively conduct the global war on terrorism." Words fail us in trying to describe the juxtaposition of Murtha's award with his actions in the real world.

Needless to say, there are plenty of folks who are displeased with the Navy's actions. The director of the Vets For Freedom Educational Institute, Gabe Ledeen, who is also a Marine veteran of Operation Iraqi Freedom, has posted a "Don't Honor John Murtha" petition online, rightly saying that Murtha is unworthy of such an award. The petition calls on Murtha to "apologize for slandering the Marines ... and for undermining the efforts of those servicemen and women who fought in Iraq," pointing out that Murtha "has routinely and deliberately undermined the United States military, slandered servicemen serving in combat, and caused irreparable damage to our international reputation." If Murtha doesn't apologize, the award should be rescinded. Perhaps those in the Navy responsible for this decision should also apologize for giving a lying, treasonous coward one of its highest awards.

BUSINESS & ECONOMY

Regulatory Commissars:

Energy dependence

Leave it to the Left to come up with the wrong solution. President Obama and congressional liberals claim the U.S. will become energy independent by banning oil exploration, spending \$209 billion in taxpayer funds on alternative energy, and by regulating production of carbon dioxide. The EPA is proposing to regulate motor vehicles (the new mileage standard will be 27.3 miles per gallon for 2011, up from 25.3 currently) and electric power plants, in addition to the proposed cap-and-trade legislation in Congress, under the guise that carbon dioxide is a danger to public health.

While control over emissions is nothing more than a scheme to raise money for the government, the \$209 billion of unspecified money spent on Obama's

clean energy is being touted as a panacea for the country's energy woes. In making the case for entrenching future government spending, the White House said every dollar of tax benefit for private research and development yields \$2 in benefits to the U.S. economy and society in the long run. If that were true, why stop at \$209 billion?

At the same time the Obama administration is making grandiose claims about energy independence through government spending, Rep. Jay Inslee (D-WA), who serves on both the House Committee on Natural Resources and the House Committee on Energy and Commerce, stated the ban on offshore oil drilling will be restored by "any means necessary." Inslee also recommended a future ban on arctic drilling before there will be a rush for black gold. In his mind, banning energy production translates into an economic stimulus for the U.S. economy.

Obama Tries to Make Amends With Mexico

Now that Mexico has imposed tariffs on \$2.4 billion worth of U.S. industrial goods following President Obama's cancellation of the NAFTA-provided Mexico trucking plan, the administration is trying to mend relations with our southern neighbor by creating a new program allowing Mexican truckers on U.S. highways. The White House hopes to have a proposal completed by the president's planned April trip to Mexico, and according to a White House spokesman, the program "will meet the legitimate concerns of Congress and our [North American Free Trade Agreement] commitments."

Of course, a more honorable way to meet our commitments would have been to stand by them in the first place, while working to change NAFTA from the inside out -- a path Obama could have taken, particularly given the intensifying concern over violent drug cartel activity along the U.S.-Mexican border.

To help Mexican President Felipe Calderon's cartel crackdown, Obama plans to send federal agents and resources to the border. By leveraging this offer of support against NAFTA's provisions, Obama might have secured changes to the agreement instead of ignoring it. Instead, he must now repair a rift of his own making while somehow convincing Mexico that the U.S. won't repeatedly renege on existing agreements.

Currency Debate

In a week where the administration proposed granting the Treasury secretary the authority to seize non-bank financial institutions, such as large insurers, investment firms and hedge funds, readers might have missed a little story concerning the future of currency exchange. It seems that Zhou Xiaochuan, governor of the Peoples Bank of China, has decided that his country should not be constrained by the U.S. dollar. So in a spirit of openness, Zhou proposed that the IMF develop a universal reserve currency, something along the lines of an enhanced version of the Special Drawing Right currently administered by International Monetary Fund. As Zhou put it, "The desirable goal of reforming the international monetary system, therefore, is to create an international reserve currency that is disconnected from individual nations and is able to remain stable in the long run, thus removing the inherent deficiencies caused by using credit-based national currencies."

Notice that Zhou did not delve into the intricate details wherein the devil resides. How will this new international currency be administered? Who will set exchange rates? How will fluctuations in demand for various national currencies be balanced?

While Zhou's decree did not specifically mention the dollar, his pronouncement certainly caught the attention of Timothy Geithner, who first stated that it merited discussion. But when these comments caused the dollar to plummet, it prompted Geithner to say he didn't mean it and that he supports the dollar, which stabilized its value once again.

Oddly enough, in principle, Zhou's idea is not new. Though abandoned in 1971, the universal standard for currency for thousands of years was gold.

CULTURE & POLICY

Village Academic Curriculum:

Notre Dame and Churchill

The University of Notre Dame is under immense scrutiny from students, alumni and the Catholic community at large for its decision to invite Barack Obama to give the school's commencement speech on 17 May, along with the planned presentation to Obama of an honorary law degree. At issue is Obama's ardently pro-abortion stance and policies, at direct odds with the university's Catholic roots. So far, 11 Notre Dame campus groups have formed

a coalition to protest the decision, and student leaders say that number will increase. "[Y]ou cannot honor someone who violates the fundamental moral principles of the Catholic Church at a Catholic institution," said the editor of the Notre Dame student journal, "Beyond Politics," Kathleen Donahue. "[I]t's kind of a conflict of interest for a Catholic institution such as Notre Dame."

In other Village news, former Colorado University professor Ward Churchill testified in court this week in his wrongful termination lawsuit against the school. As readers may remember, Churchill drew national attention in 2005 by referring to the victims of 9/11 as "little Eichmanns," but the university maintains that Churchill was fired because he plagiarized, and falsified and fabricated research. Members of the faculty committee that investigated Churchill's research testified about unsubstantiated claims in his academic work. "We leaned over backwards to give Professor Churchill the benefit of the doubt, to give him a break where a break was needed," said Dr. Michael Radelet, whom Churchill had recommended for the review committee. "It was just sad to see a person like this, beloved like this, with many talents. But he just cheated."

Taking the stand, Churchill defended his 9/11 remarks by saying, "If you make a practice of killing other people's babies for personal gain, they will eventually give you a taste of the same thing." Closing arguments will take place on Monday.

Faith and Family:

Plan B Available to Girls at 17

Judicial activism is alive and well, as was evidenced in New York's Eastern District on Monday when a federal judge ruled that the FDA must lower the age limit on over-the-counter sales of the Plan B pill. Under the Bush administration, a woman had to be at least 18 in order to purchase the pill without a prescription. In his opinion, Judge Edward Korman not only ruled that the Food and Drug Administration must lower the age restriction, but also admonished the FDA for its "political considerations, delays and implausible justifications" in not allowing the drug to be sold without a prescription earlier. Clearly, Judge Korman has allowed his own "political considerations" to factor into his role on the bench.

Plan B is a "morning after" pill that can prevent pregnancy if taken within 72 hours of unprotected sex, but it remains a controversial subject to groups that say it could, in fact, cause an abortion. In 2006 the FDA made the pill available without a prescription to women 18 and over. The conservative Family Research Council has objected to Korman's ruling, saying it "jeopardizes girls' health and the ability of parents to care for their daughters' physical and emotional well-being."

The Obama administration can appeal the ruling; if it does not, the Plan B case will become the latest in a string of hot-button health care changes since Obama took office two months ago. In the meantime, the FDA is reviewing the decision.

And Last...

It seems there are those in our government who are operating at cross-purposes. On the one hand, Congress has authorized the spending of billions to save and create American jobs; on the other, they are giving those jobs away. For years the U.S. Agency for International Development has been giving condoms to impoverished nations in order to fight the spread of AIDS. Those condoms were manufactured by Alatech, an Alabama-based company. Now, USAID is considering dropping Alatech in favor of two other companies -- one in South Korea, the other in China, resulting in the loss of approximately 300 American jobs. A representative of USAID said the agency would save three cents per condom if they buy those manufactured overseas. That's all well and good, but as "Tonight Show" host Jay Leno quipped, "If Chinese condoms are so good, why are there over one billion Chinese people?"

Veritas vos Liberabit -- Semper Vigilo, Fortis, Paratus, et Fidelis! Mark Alexander, Publisher, for *The Patriot's* editors and staff.

(Please pray for our Patriot Armed Forces standing in harm's way around the world, and for their families -- especially families of those fallen Soldiers, Sailors, Airmen, Marines and Coast Guardsmen, who granted their lives in defense of American liberty.)