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"With respect to the two words 'general welfare,' I have always regarded them as qualified by the detail of powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creators."

James Madison, "Father of the Constitution"

Federal Involvement in Preschool

[Dan Lips](#), Senior Policy Analyst in Education in the Domestic Policy Studies Department at The Heritage Foundation, published a [report](#) this week which examines the result of Federal involvement in early childhood education through the years. President Obama, throughout his campaign, and into his administration has expressed his interest in becoming more involved in early childhood education, [stating](#) "For every dollar we invest in these programs, we get nearly \$10 back in reduced welfare rolls, fewer health care costs, and less crime." On the [White House website](#), the Administration claims, "The President supports a seamless and comprehensive set of services and support for children, from birth through age 5." But what are these services? How do we know they will work?

The Heritage report addresses the services currently funded by the federal government regarding early childhood education programs, such as Head Start, which has received billions of dollars over the years. In fact, it is estimated that in the fiscal year 2009, the federal government has dished out over \$25 billion on early childhood education alone. This is an outrageous number when currently the majority of preschools are privately run, with most of those programs receiving no federal aid. So where is the money going and why do we need more programs?

Currently nearly 80% of 4-year olds are enrolled in a pre-school, and 80% of those students are [enrolled in a private institution](#), smashing the myth that there is a huge need to establish more programs or a government takeover of early child hood education. Yet, it seems that the Administration and Congress are eager to step into the lives of these youngsters. According to the Heritage article, "Congress is considering multiple bills that would increase federal funding for early childhood education and to create new federal programs." In fact, Representative Mazie Hirono (D-HI), introduced the Providing Resources Early for Kids Act of 2009 (PRE-K Act) (H.R. 702). This bill "would create a \$1 billion Department of Education program to provide grants to states that offer state-funded preschool." In order to qualify and receive the funds, states must "meet a number of federal requirements, including early learning standards, teacher qualifications, and class size."

If the current Administration truly wishes to promote "what works," then why have they not considered [Georgia or Oklahoma](#)? Both states currently have federally funded state preschool programs, and the results have been anything but successful. It would seem the "experts" are not looking at promoting things that work, such as giving the parents choices in their child's education, or tax credits, both having been proven to promote not only better quality of education but also higher parental satisfaction. Why would the federal government be so ignorant to ignore what works and instead be willing to pour in billions of dollars to start new early childhood programs, in which the giant arm of the federal government stretches itself into the homes of Americans, and squeezes away parental choice, parental rights, and parental responsibility?

Hate Crimes

As Democrat Senators made a political move to add a [“Hate Crimes” amendment](#) to the Defense Authorization (DOD) spending bill, Republicans fought hard to get several sub-amendments to be added to the “hate crimes” language. After much deliberation, the Senate Rules Committee finally allowed five different amendments to be added to the bill at the last minute. These sub-amendments regarded protection of religious liberty and religious speech (offered by Sen. Brownback), a hate crimes study (offered by Sen. Hatch), and three offered by Sen. Sessions dealing with the death penalty, military members, and a technical correction.

The controversial hate crimes bill seeks to allow those who violently attack a person based on that person’s “perceived” sexual orientation or “perceived” gender identity to be convicted of not only the crime they commit, but also to receive a heavier sentence due to their motive behind the crime. These “hate crimes” do not apply to veterans, senior citizens, pregnant women, or any other special group, only to crimes against a perceived sexual orientation or gender identity.

Conservatives oppose the bill for not just the obvious legal ramifications and the unconstitutionality of the protection of special interest groups, but also the infringements and threats it places on religious liberty and free speech. In response to the concern, Senator Brownback (R-KS) was able to [speak out on the Senate floor](#) and submit his amendment that states:

“Nothing in this section or an amendment made by this section shall be construed or applied in a manner that infringes any rights under the First Amendment to the U.S. Constitution, or substantially burdens any exercise of religion (regardless of whether compelled by, or central to, a system of religious belief), speech, expression, association, if such exercise of religion, speech, expression, or association was not intended to (1) plan or prepare for an act of physical violence; or (2) incite an imminent act of physical violence against another.”

The Brownback amendment passed 78-13, yet some are concerned that once the bill reaches conference, where both houses combine their versions of the bill, the protection will be thrown out. Republicans and conservative groups are working hard to ensure this protection of the First Amendment remains as part of the bill. As per the agreement which allowed the sub-amendments to be offered, the “hate crimes” amendment was adopted by the Senate. Should “hate crimes” remain part of the DOD bill after it goes through Conference, the President has indicated he will sign it into law as soon as it reaches his desk. If the bill were to be signed into law without the protection of the First Amendment rights (Sen. Brownback’s amendment), not only would the law favor special interests groups, but American’s rights would be squandered.

ACTION: Please call your [Senators](#) and express the significance and necessity of maintaining the Brownback Amendment to the Hate Crimes language.

Defund Planned Parenthood

With nearly \$350 million taxpayer dollars being funded to Planned Parenthood, the largest recipient of Family Planning (Title X) money and also the largest abortion provider in America, Congressman Pence of Indiana has introduced an amendment that would defund the massive organization and prohibit any tax-payer monies to be used for public abortions.

Currently under investigation in over four different states, Planned Parenthood is up against indisputable evidence that shows its policies and staff violating state sexual assault and child abuse reporting laws. Evidence shows staffers encouraging girls to lie about their age while also allowing donations to go towards “minority” women, in order to reduce the African- American population.

Congressman Pence’s amendment simply states that “None of the funds made available in this Act shall be available to Planned Parenthood for any purpose under title X of the Public Health Services Act.”

Read the op-ed “It’s Time to Defund Planned Parenthood” by Rep. Mike Pence [here](#).

ACTION: Please call your Representative and urge him to Support the Pence Amendment to Defund Planned Parenthood!

Sotomayor Hearing

Last week, the Senate Judiciary committee held a three day hearing on the Supreme Court nominee Judge Sonia Sotomayor. The week consisted of all members of the committee asking Sotomayor questions well anticipated, and reviewing the nominee's record. While there is little doubt the nominee will be confirmed, Senators who oppose Sotomayor are using the process not only as a way to educate the American people on the judicial process, but are also working to send a clear signal to President Obama that any other possible nominees to be named in the future, should be more moderate than the one currently sitting before the senate for confirmation.

The biggest issue that came before the nominee was the recent ruling of the Supreme Court which [overturned her ruling](#) from the appeals bench. In the case, Judge Sotomayor ruled against over a dozen Caucasian firefighters from receiving a promotion, due to the lack of minorities in the group. Her decision was overturned by the U.S. Supreme Court and all judges disagreed with Judge Sotomayor's reasoning for her decision. Senators were also disappointed with her "muddled" [answers to questions](#) on abortion and gun rights.

Some Senators were concerned with the 'empathy' she has used to decide cases in the past. She however, stated she would pledge "[fidelity to the law](#)" when deciding cases in the highest Court of the land. Although she is expected to pass through the Senate with little hesitation, Conservatives aren't backing down yet, mainly due to the opportunity it presents to teach the American people what should be expected in a Supreme Court nominee. One can only hope that her past statements and actions will be reprimanded once she finds a seat on the bench, and that the [oath](#) she takes to "administer justice without respect to persons, and do equal right to the poor and to the rich," and to, "faithfully and impartially discharge and perform all the duties incumbent" upon her, will be fulfilled in her service as Supreme Court Justice, as it was not in her past judiciary career.

"In God We Trust" Lawsuit

Just a few weeks after a Concurrent Resolution passed both Houses of Congress, requiring the Architect of the Capitol to engrave the Pledge of Allegiance and the National Motto, "In God We Trust" in the new Capitol Visitors Center, the Freedom from Religion Foundation [filed a lawsuit](#) challenging the directive on a basis of unconstitutionality in violation of the Establishment Clause. The law suit not only challenges the actions of the House and Senate where it was voted upon with overwhelming support, with a vote of 410-8 in the House, and by unanimous consent in the Senate, but it will ultimately be facing the defense of the Department of Justice.

Ultimately this suit will threaten any attempt to educate or simply acknowledge the important role religion has played in the founding and maintaining of our great nation. In an effort to restore the accurate facts and influences of our heritage, the Becket Fund is filing an *Amicus* (friend-of-the-court) brief on behalf of members of Congress who support the engraving of the pledge and motto into the visitor's center. The brief states both the pledge and motto accurately emphasize the role religion has played in our nation and does not in any way infringe upon the Establishment Clause.

Between now and four months, the Department of Justice will likely file a motion to dismiss the suit. Shortly after that is filed, *amici* can also file a brief in support of that motion. While it is likely that the suit will be dismissed and will never be brought into the courtroom, the motion to even file a suit against the public display of our national pledge and motto in a federal building is appalling and frightening. Thomas Jefferson not only understood the importance of recognizing the role religion plays in our nation, but he also understood the importance of attributing our nation's greatness to a sovereign God, and warned of the dangers of removing such recognition.

God who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God? Indeed I tremble for my country when I reflect that God is just, that his justice cannot sleep forever.

-Thomas Jefferson, Notes on the State of Virginia, 1781-1782

In Case You Missed It:

[Why the Founding Fathers Would Want President Obama's Policies to Fail](#)

[Health Care Reform and Families](#)

[Abstinence Funding Amendment Fails](#)

[Abortion Issue could Derail Healthcare Reform](#)



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