



# The Phyllis Schlafly Report



VOL. 43, NO. 5

P.O. BOX 618, ALTON, ILLINOIS 62002

DECEMBER 2009

## Obama's Radical Rogues Gallery

Another kooky Barack Obama appointee became publicly known last month and quickly was thrown or voluntarily threw herself under the bus. Anita Dunn, the White House communications director (who led Obama's war on Fox News), said that Mao Tse-tung was one of her two favorite "political philosophers" whom "I turn to most" for answers to important questions.

History identifies Mao as a ruthless savage, not as a philosopher. He probably holds the record for ordering the mass murder of more people (50 to 100 million) than anyone else in history.

Dunn tried to claim that her statement was a joke, but anyone can look at her actual statement on YouTube and see that she spoke in deadly earnest. Dunn was part of Obama's inner circle and a senior media adviser during the 2008 presidential campaign.

Dunn's husband, Bob Bauer, an expert on campaign financing, fundraising, and voter mobilization, is Obama's personal lawyer. He has just been appointed White House Counsel where he will be in charge of vetting Obama's appointees.

Obama's Green Jobs Czar, Van Jones, had to exit in disgrace after he admitted that "I was a Communist." We can thank Glenn Beck for exposing him.

Obama's Regulatory Czar, Cass Sunstein, wrote a book in 2008 in which he declared that the government "owns the rights to body parts of people who are dead or in certain hopeless conditions, and it can remove their organs without asking anyone's permission." So, after the death consultants authorized in Nancy Pelosi's health care bill convince you to reject life-saving procedures, the organ-transplant team can remove your body's organs immediately.

Czar Sunstein also argues that animals are entitled to have lawyers to sue humans in court. Bow, wow; more business for trial lawyers. His wife, Samantha Power, is now on Obama's National Security Council. She is famous for writing a Pulitzer Prize-winning book about genocide, which she defined so narrowly that it excluded Stalin and Mao.

Obama's nominee for the Equal Employment Opportunity Commission, Chai R. Feldblum, signed a 2006 manifesto endorsing polygamous households. This lengthy document, called

"Beyond Same-Sex Marriage," argues that traditional marriage should not be "privileged above all others."

Obama's education appointments, who came out of the Chicago political machine right along with Rahm Emanuel and David Axelrod, will have nearly \$100 billion in new money to indoctrinate America's youth. Obama's Secretary of Education Arne Duncan is notorious for trying to start a gay high school in Chicago.

Obama's Safe Schools Czar, Kevin Jennings, founded the Gay, Lesbian, Straight Education Network (GLSEN), a homosexual activist group that now has thousands of chapters at high schools across the nation.

GLSEN chapters and materials have promoted sex between young teens and adults and sponsored "field trips" to gay pride parades. Jennings was the keynote speaker at a notorious GLSEN conference at Tufts University in 2000 at which HIV/AIDS coordinators discussed in detail, before an audience including area high school students, how to perform various homosexual acts.

Obama's Science Czar wrote in a college textbook that compulsory "green abortions" are an acceptable way to control population growth. We assume that what makes an abortion green is when the motive for the killing is population control to serve environmentalist dogma.

Affirmative action is in vogue in Obama's administration: his Diversity Czar has spoken publicly of getting white media executives to "step down" in favor of minorities. Obama's first appointment to the U.S. Supreme Court is a woman who said repeatedly that a "Latina woman" would make better judicial decisions than "a white male."

Obama's top lawyer at the State Department, Harold Hongju Koh, calls himself a transnationalist. That means wanting U.S. courts to "domesticate" foreign and international law, *i.e.*, integrate it into U.S. domestic law binding on U.S. citizens.

Koh is eager to put us under a global legal system that would diminish our "distinctive rights culture" such as due process, trial by jury, and our First Amendment "protections for speech and religion" that give "far greater emphasis and judicial protection in America than in Europe or Asia." Under glo-

bal governance, the United States will be forbidden to allow more freedom and constitutional rights than other countries.

When Obama's appointee for the Seventh Circuit Court of Appeals, David Hamilton, was a District Court judge, he prohibited the Indiana State Legislature from giving an invocation that mentioned Jesus, while mention of Allah was allowed. Hamilton worked for ACORN and the ACLU, and even the liberal American Bar Association rated him "not qualified."

And we thought the Rev. Jeremiah Wright and the 1960s bombthrower Bill Ayers were embarrassments to Barack Obama when he was running for President! We never dreamed Obama would actually appoint such a collection of weirdos.

### *If Obama Had Told Us*

If Barack Obama had campaigned on what he has actually done in his first 300 days in office, would he have been elected? That's the question so many are asking.

If Obama had told us that his Stimulus package is a sham because it does not create private-sector jobs (as a tax cut would do), so that the unemployment rate would rise to over 10%, with 15 million Americans unemployed plus another 11 million underemployed, could he have been elected? If Obama had told us that his promise to create "shovel-ready" jobs (in construction and infrastructure, where men have lost the majority of jobs) was a big lie because the Stimulus jobs he did create were inside jobs in education and government (mostly for women, who had not lost many jobs), would he have been elected?

If Obama had told us that he planned to fire all Republican and conservative civil service employees and replace them with friends of Obama, would he have been elected?

If we had known that Obama would be totally incompetent as commander-in-chief of his chosen war in Afghanistan, and would not speak to the general in the field for 70 days, ignoring his dire report for six weeks, would Obama have been elected?

If Obama had campaigned on increasing federal spending and debt from a multi-billion-dollar level to multi-trillions, would he have been elected? And what if Obama had told us that his promise to "spread the wealth around" would balloon his first year's budget deficit to \$1.6 trillion?

If Obama had told us that his promise to "spread the wealth around" meant wiping out the Republican welfare reform of 1996 and increasing annual welfare spending by 39% to almost \$1 trillion a year by the end of his first term, would he have been elected?

If Obama had told us he would have the government guarantee 90% of all U.S. mortgages, imposing \$5 trillion in off-budget debt on U.S. taxpayers who had faithfully made their own mortgage payments, would he have been elected? And what if Obama had told us he would make the taxpayers responsible for over 80% of all student loans at a cost of \$1

trillion over the next decade?

If Obama had told us he would take over the automobile industry faster than any socialist dictator ever nationalized an industry, fire the CEO of General Motors and replace him with a Democratic Party campaign contributor, would Obama have been elected? If Obama had campaigned on closing down thousands of profitable car dealers, nearly all Republicans, would we have believed that this vindictive financial retaliation against those who didn't vote for Obama could happen in America?

If Hugo Chavez, the Communist who nationalized most of Venezuela's industries, had said before the election (some claim he was joking) that "Comrade Obama" would nationalize General Motors — "Fidel, careful or we are going to end up to his right" — would anybody have believed it? If talk shows had warned against such a socialist takeover, would the Obama-loving media have accused them of McCarthyism?

If Obama had told us that he would make the U.S. government a major shareholder in Citigroup (one of the world's largest banks), would you have believed he could get away with this socialist takeover?

If Obama had told us he would spend \$3 billion in a Cash for Clunkers program that would use taxpayers' funds to buy mostly foreign cars, would he have been elected? If he had said he would grind up thousands of preowned American autos, thereby destroying the possibility of car ownership for those who can't afford a new car, would we have believed him?

If Obama had told us he would appoint 34 Czars, reporting only to himself and not vetted or confirmed in the constitutional way, building a powerful unitary executive branch of government, would he have been elected? What if he had told us that his Green Jobs Czar had been a Communist, that the Science Czar wrote in a college textbook that compulsory "green abortions" are an acceptable way to control population growth, and that his Regulations Czar would argue that animals are entitled to have lawyers to sue humans in court, would Obama have been elected?

If Obama had admitted that his health care plan would include the same provisions for which he ran negative TV ads against Hillary Clinton (a federal mandate requiring every American to buy health insurance) and against John McCain (a tax on high-cost employer-based plans), would Obama have been elected? And what if Obama had told us that his federal health plan would pay for abortions without regard to the Hyde Amendment, and provide full health care (including private doctor visits) for immigrants without requiring proof of legal residence?

If Obama had told us that he would push for "legal status" (a.k.a. amnesty) for 12 million illegal aliens (as announced by Homeland Security Secretary Janet Napolitano on November 13), would he have been elected?

What if Obama had revealed that his Secretary of the

(See *Had Told Us*, page 4)

## Eagle Forum's *Amicus* Briefs in 2009

A major project of Eagle Forum Education & Legal Defense Fund is the filing of *Amicus Curiae* (friend of the court) briefs in significant court cases. There are four major benefits of this very specialized work.

First, our *amicus* briefs educate the judges who are deciding the case, particularly about issues that the litigants may not have used or emphasized. Second, our *amicus* briefs offset a usually greater number of liberal *amicus* briefs. Liberal *amicus* briefs typically outnumber conservative briefs in key cases by a two-to-one or often larger margin.

Third, our *amicus* briefs force the other side to address our arguments, when they would prefer to ignore conservative arguments. Fourth, our *amicus* briefs are often circulated and discussed on the internet, which educates a public audience.

Eagle Forum's briefs have focused on the most important issues decided by the courts in recent years: marriage, immigration, abortion, education, the Second Amendment, the Establishment Clause, parents' rights, feminism, affirmative action, private property, and patent rights. Often we are the only conservative group filing in the case, or the only group willing to make strong and principled arguments.

Eagle Forum thanks Andy Schlafly (Harvard Law School, J.D. 1991) for writing many of these excellent *amicus* briefs.



Eagle Forum's *amicus* briefs in cases decided by the U.S. Supreme Court in the past 18 months:

*District of Columbia v. Heller*. In this biggest decision of recent years, we submitted an *amicus* brief to win a 5-4 victory for the **Second Amendment**. In *McDonald v. Chicago*, we filed another brief to apply this ruling against Chicago.

*Ricci v. DeStefano*. We helped win a huge 5-4 victory against **affirmative action**. The Supreme Court invalidated the City of New Haven's decision to throw out the better test results of certain Fire Department applicants based solely on their race. The Yale University newspaper, located in New Haven, gave particular attention to our *amicus* brief.

*Horne v. Flores*. We helped win a huge victory against **bilingual education and judicial supremacy**. A federal judge had held the Arizona legislature in contempt for not spending more money on the misguided and unpopular bilingual education. The Court voted 5-4, making the presence of our *amicus* brief especially important.

*United States v. Hayes*. This **Second Amendment** case concerned an appeal from overly harsh punishment imposed by federal law based on the peaceful possession of a firearm by someone who had, many years earlier, pled

guilty to an overzealous prosecution of a domestic disturbance. Our brief forced the United States to devote much of its reply brief to responding to our arguments. We lost this case but gained two key votes: Justices Roberts and Scalia, and we possibly persuaded Justice Thomas not to join all of the majority decision.



Eagle Forum has also filed *amicus* briefs filed in cases pending before the U.S. Supreme Court in the upcoming term:

*Salazar v. Buono*. In this **Establishment Clause** case, the Supreme Court reconsiders a Ninth Circuit decision that banned a cross in the remote Mojave desert, even though the cross had been transferred to private ownership by a special Act of Congress. We hope our brief might help persuade five justices to reinstate the cross and end the atheistic interpretation of the Establishment Clause.

*Bilski v. Doll*. This appeal about our **patent law** is a very important case for inventors' constitutional rights. Eagle Forum filed an *amicus* brief in support of small inventors and the rights of private (intellectual) property. America's future wealth depends in large part on continued respect for our patent system, which helps to continue our nation's technological leadership. Our brief defends this system that has worked well for over 200 years. After we filed, one attorney called to compliment us on our brief among many that were filed.

*Stop the Beach Renourishment v. Florida*. Eagle Forum's brief defends **private property** and requests recognition of the problem of "judicial takings," whereby judicial supremacy is taking private property away from people without just compensation despite the Fifth Amendment. In this case the notoriously liberal Florida Supreme Court held that a receding shoreline belongs to the State, not to the property owners along the shore. We hope this judicial seizure of property will be overturned, with the help of our brief.

*Schwarzenegger v. Video Software Dealers Association*. We were the only organization to file a timely *amicus* brief in support of a petition for *certiorari* to overturn a supremacist decision that struck down a good California law protecting minors against extremely **violent video games**. About ten federal courts have struck down good state laws designed to protect children against the increasingly graphic and offensive video games that addict our youth. In an example of how influential our *amicus* briefs are, the filing of our brief then spurred a California legislator to contact us (through his attorney) and to file another *amicus* brief, along

with several psychiatric groups, in support of our position. Our brief also generated a huge discussion on the internet, bringing attention to growing problem of bad video games.



**E**agle Forum's *amicus* briefs filed in recent cases before courts other than the U.S. Supreme Court:

*Proposition 8:* In perhaps the most important case of the decade, we helped persuade the California Supreme Court to sustain Proposition 8 and thereby end **same-sex marriage** in that state. Attorney Ken Starr, who argued in favor of traditional marriage, favorably cited our brief out of many that were filed. This decision was a severe blow to the advocates of same-sex marriage.

*Lozano v. City of Hazleton.* Hazleton, a small community in Pennsylvania, doubled in size due to a sudden influx of immigrants, followed by some shocking crimes. With the encouragement of Mayor Lou Barletta, the city council passed some sensible **laws to protect the citizens** by discouraging landlords from renting to illegal aliens, and discouraging businesses from hiring them. A lawsuit challenging these good laws was filed, and then the case was appealed to the Third Circuit. We filed an *amicus* brief in support of the city's laws, while many, many liberal *amicus* briefs were filed in support of the illegal aliens, attacking our brief. Over a year later, we still await a decision.

*Gray v. City of Valley Park.* Similar to Hazleton (and hundreds of other towns), the City of Valley Park, Missouri, enacted **laws to protect its citizens** against an influx of illegal aliens. The ACLU led a challenge against these laws, but the trial court held against the ACLU and it appealed to the Eighth Circuit. The ACLU then realized its case was going badly in the Eighth Circuit, one of the most conservative circuits. The ACLU filed a petition to exclude Eagle Forum's brief, but the court rejected that effort. The Eighth Circuit then ruled to uphold Valley Park's laws.

*Kevin Roach v. Stouffer.* A former Eagle Forum Collegian, Kevin Roach, sued to challenge Missouri's denial of **"Choose Life" license plates**. Eagle Forum filed an *amicus* brief in his support, and the Eighth Circuit ruled in favor of us and "Choose Life" plates in Missouri.

*Mansourian v. Regents.* Our brief exposes and opposes the many injustices caused by the feminist interpretation of **Title IX for public school sports programs**. The feminists have been using Title IX in ways never intended by this federal law, namely, to eliminate hundreds of men's sports teams in colleges. The feminists are now going after the high schools. In this case, the feminists demanded that women have access to participate in college wrestling just like men.

*Martinez v. Regents.* Eagle Forum's *amicus* brief opposes the practice in California of granting the lower **in-state tuition rates to illegal aliens**. Congress passed a law prohibiting the wrongful practice of treating illegal aliens more favorably than American citizens from out of state, but California schools still give preferences to illegal aliens.

*CPLC v. Candelaria.* We filed an *amicus* brief in this immigration case in the Ninth Circuit in order to defend and preserve a surprisingly good decision by the Ninth Circuit, which upheld the **Legal Arizona Workers Act**. This Act placed conditions on state licensure of businesses. The Court found that this law is consistent with federal law (the Immigration Reform and Control Act of 1986). Liberals sought reconsideration by the Ninth Circuit. Our brief defended the good ruling by the Ninth Circuit, and the case is now on petition to the U.S. Supreme Court, which recently embarrassed the Obama Administration by forcing it to state its position.

*Crespo v. Crespo.* Our brief concerned the important standard of proof for restraining orders in **domestic violence cases**. Perhaps due to our arguments, the case has made its way to the New Jersey Supreme Court where we plan to file again.



## Had Told Us (Continued from page 2)

Treasury (who hadn't paid all the taxes he owed) would go to a March 25 meeting of the Council on Foreign Relations and say, "We're actually quite open to that suggestion" of moving away from the dollar as the world's reserve currency, would Obama have been elected?

If Obama had declared during his campaign that his first major speech abroad would be to the Muslim world, and that he would proclaim in Muslim Turkey that "one of the great strengths of the United States is . . . we do not consider ourselves a Christian nation," would he have been elected?

What if Obama had declared that, soon after his election, he would illustrate his claim to be a "citizen of the world" by apologizing for America all over the world, and then bowing obsequiously to the King of Saudi Arabia and then to the Emperor of Japan, would Obama have been elected?

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PO Box 618, Alton, Illinois 62002  
ISSN0556-0152

Published monthly by the Eagle Trust Fund, PO Box 618, Alton, Illinois 62002. Periodicals Postage Paid at Alton, Illinois. Postmaster: Address Corrections should be sent to the Phyllis Schlafly Report, PO Box 618, Alton, Illinois 62002. Phone: (618) 462-5415.

Subscription Price: \$20 per year. Extra copies available: 50¢ each; 10 copies \$4; 30 copies \$8; 100 copies \$15; 1,000 copies \$100.

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