

Tony Perkins' Washington Update

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Gorsuch: A Justice for All

Looking back, there were probably a lot of things that motivated Americans to elect Donald Trump. But three biggest had to be Barack Obama, Hillary Clinton, and the empty seat in the U.S. Supreme Court. Bewildered by the radical policies of Obama, scared by the promises of Clinton to continue them, and worried that another activist justice who would expand them, voters made the choice no one expected. And the president returned the favor -- doing more for the preservation of the Constitution in one nomination, Neil Gorsuch's, than some men do in their entire term.

For millions of Americans who put the Court at the top of their concerns in 2016, April 10th of last year was a moment of extraordinary relief. President Trump, who went on to keep a lot of promises, fulfilled one of the biggest when Neil Gorsuch was sworn in. The strict constructionist is, as experts will tell you, the real deal. "I really don't think we could have seen a justice any more committed to textualism and originalism than he is," says a professor at Georgetown Law. "He has lived up to very high expectations."

That's even more astonishing when you consider whose shoes the Coloradan was filling: Antonin Scalia's. Few members of the Supreme Court have been -- or will be -- more adamant about interpreting the Constitution in its original form than the late Scalia. But in 12 short months, liberals are already pining for the outspoken Catholic, complaining that Gorsuch "makes [us all] miss Scalia." The 50-year-old is everything the longtime justice could have hoped for -- a humble, esteemed, and deferential jurist whose legacy will almost certainly outlast the president who appointed him.

"I can report," the rookie justice told the Federalist Society last November, a person can be both a committed originalist and textualist and be confirmed to the Supreme Court of the United States... Originalism has regained its place at the table of constitutional interpretation, and textualism in the reading of statutes has triumphed. And neither one is going anywhere on my watch." For Donald Trump, Gorsuch's swearing in was almost as significant as his own. It cemented the trust voters had already placed in the unorthodox president. For Trump, who's keeping promises almost as quickly as he's confirming judges (29 to Obama's six), it was another sign that voters -- and the president -- had chosen well.

As FRC's Ken Blackwell explains in his new Townhall op-ed, "Gorsuch has consistently argued in defense of Americans' constitutional rights. In oral arguments for *NIFLA v. Becerra* argument, Gorsuch raised objections to California's law compelling pro-life pregnancy centers to advertise where their clientele can obtain a free or low-cost abortion, arguing the law could 'compel' speech from a private speaker. He voiced similar concerns during oral arguments for *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, the case in which a state agency fined a baker for declining to express a statement that conflicted with his religious beliefs." He's fought for the religious liberty of churches in *Trinity Lutheran Church v. Comer* and stood up for Second Amendment rights.

But the best measure of Gorsuch's success is almost certainly the Left's constant grumbling.

Slate calls his legacy "already devastating," while People for the American Way complained that today is "an unhappy anniversary for our rights and liberties." One news outlet squawked that the former Kennedy clerk aligned with Clarence Thomas 100 percent of the time, making him "far to the right" of even Scalia. Others used the moment as a rallying cry to "stop Trump from placing another Neil Gorsuch on the Supreme Court."

With whispers that another justice's retirement may be imminent, the president may have an even greater chance to restore the Court -- and, potentially, hang on to Congress in the process. "We need more Republicans in 2018 and must ALWAYS hold the Supreme Court!" Trump tweeted, pointing to what could be a midterm election game-changer. With one in five Americans telling pollsters that the Supreme Court was "the most important factor" in their vote for president, there's plenty of reason to believe that another vacancy would help drive the turnout Republicans need to keep control of Congress. For that to happen, President Trump needs to acknowledge the high bar conservatives have set -- and assure them that his next pick would come from the same list that gave us Gorsuch.

Because, as even the president's GOP critics know: the best way to judge Trump is his judges. It remains, Jonathan Tobin wrote for NRO, "the single most potent argument in favor of voting for Trump two Novembers ago." The Never Satisfied Never Trumpers might find it impossible to separate "Trump the man and social-media creature... from Trump the president, who has governed as a conservative." But, Tobin insists, "conservatives must try to do so. Because Trump's presidency has seen a series of major conservative victories... And this year's SCOTUS docket is a reminder of how much good his election has done, too."

Mango Peels off Support from Pro-LGBT 'Republican'

Congress may be grabbing all of the midterm headlines, but there's a lot more at stake this November than the House and Senate. In Pennsylvania, the race to face-off against Governor Tom Wolf (D) has huge implications for Christians -- and not just in that state.

When Republicans squared off in a candidate forum this past weekend, Pennsylvanians got a good look at how conservative front-runner Scott Wagner is. The answer? Not very. In a primary that might come down to a single issue -- privacy -- Wagner's mask finally slipped. Before Saturday's debate, voters probably knew about the state's bathroom bill. But not many of them probably guessed that a Republican was behind it. In a column about Wagner's not-so-secret radicalism, American Principles Project's (APP) Frank Cannon called on conservatives to wake up.

"The leading Republican candidate in the race, Scott Wagner, openly supports so-called SOGI 'non-discrimination' legislation -- code for discrimination against Christians -- and opposes religious liberty. He even voted down an amendment that would have provided protections to people of faith and protected girls and women's privacy in showers, locker rooms, battered women's shelters, and bathrooms." Although Wagner's numbers are slipping because of his transgender extremism, the media is doing everything they can to keep voters in the dark about it.

"Wagner is straight-up lying about what the bill he has supported actually does," a frustrated Cannon writes. "That's the only way he can win -- he needs GOP primary voters to either never hear about it, or never have enough information to know the truth." Both will be much harder after his embarrassing showing at the GOP's forum. The state senator must have gone to Nancy Pelosi's school of public policy, where you have to "pass a bill to find out what's in

it," because Wagner had no clue what his bathroom bill even does! (Or so he told Pennsylvanians.)

Pressed about his controversial sexual orientation/gender identity (SOGI) language, Wagner didn't even know what "sexual orientation" was! "I'm an employer," he said in the video (privacy portion begins at 1:12:15). "I employ hundreds of people. [My bill is] about discrimination. Housing, employment, public accommodations. What you talked about -- the -- what was your term, the orientation?"

It was a jaw-dropping moment, and hopefully, a defining one. Not only does Wagner seem ignorant about the most basic parts of his legislation, but he told one whopper after another about its impact. "I keep hearing 'bathroom bill...'" There is no such thing. There is no such thing," he told the moderators. "I'm a cosponsor on a bill that has to do with anti-discrimination for housing or discrimination."

That's interesting, since our friends at the Pennsylvania Family Council spend 12 pages describing how the "Fairness Act" would destroy privacy and religious liberty. Not to mention, Frank argues, this isn't exactly Wagner's first try on the issue. "Scott Wagner has introduced SOGI laws *three times* and voted against an amendment that would provide protections for privacy and religious liberty."

His opponent, true conservative Paul Mango (R) blasted Wagner's legislation for "treat[ing] people of faith like bigots, subjecting people of faith to lawsuits and worse" and "infring[ing] on the privacy and security of our children, as well as parental rights. I will not," Mango vowed, "let people, by gender identity, come into our girls' locker rooms in schools in the name of generating business in Pennsylvania. I'm going to keep our kids safe and secure. I'm not going to advance that bill, his bathroom bill, at all."

Maybe, Frank writes, "you don't take this threat seriously. After all, this is America. It could never happen here. But it is. It's happening in Maine. In California. In Illinois. In Michigan. And yes, in Pennsylvania... [I]f we continue to stay disengaged and hope for the courts to save us, religious liberty in America will be lost. Not in some distant theoretical future, but right now. In 2018. Pennsylvania is ground zero."

Pro-lifers Speak up by Walking out!

"If we don't stand up for them, who will?" That was 16-year-old Luke Gutierrez's answer when people asked him why he was organizing a pro-life walk out for his school tomorrow. He's usually a shy guy, he admits, and doesn't like to get out of his comfort zone. But, he points out, "There are issues in life you have to stand up for." And at 10 a.m. Wednesday, he'll have a lot of company.

The idea started with Brandon Gillespie, a California student whose teacher got suspended for wondering what would happen if they walked out for 17 minutes like the kids protesting gun violence earlier this year. "I have officially announced the pro-life walkout that I am organizing," he posted on Twitter. "It is going to take place on Wednesday, April 11th at 10:00 am. The walkout will last for 17 minutes. We encourage students across the country to participate in a stand for #life." Since then, the protest has caught fire in schools across America, thanks to help from Students for Life (SFL) and other groups.

On last Friday's "Washington Watch," SFL spokeswoman Kristi Hamrick said she understood how some people might be reluctant to join in. "The point is not to say you need to

walk out. The point is to say that we need to respect rights equally. And these pro-life students have every right to express their sentiment..." You know, she went on, "What's interesting about this -- and this is a tragic fact -- when you look at the causes of death of teenagers across the country, it's about 133,000 dead a year. And it's in the millions [for] those who die from abortion... For those motivated to protest death in that volume, this is an appropriate thing for them to do."

At least 140 schools and colleges are joining in. "I really want to test and see if there is a double standard at schools because the previous walkout on March 14 was school-sanctioned and it was for gun control," Brandon told Breitbart. "So, I wanted to test the schools and see if they would allow a more conservative topic." If any students do run into any legal trouble, Thomas More Society's attorneys say they will be there to help -- for free.

If you haven't signed up, check out the website ProLifeWalkOut.org!

Tony Perkins' Washington Update is written with the aid of FRC senior writers.
