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Bringing you **IMPORTANT** news from our nation's capitol

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A *For Faith & Family* Ministry Partner

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Our hearts go out to all the people suffering the catastrophic impact of Hurricane Katrina along the Gulf Coast. We have all been touched by the by heart-wrenching scenes of suffering and devastation in New Orleans and along the Mississippi and Alabama Gulf Coasts. Please join me in praying for those victims and also prayerfully considering making a donation to help those who are suffering such devastation. Southern Baptists are the third largest disaster relief organization in the nation and hundreds of volunteers are already traveling to the affected areas with mobile kitchens, shower units, cleanup and recovery units, and communication equipment from over 20 states. Please go to www.namb.net/dr to find ways you can help those who are suffering.

Dr. Richard Land
President, SBC Ethics & Religious Liberty Commission

[Bush selects Roberts as next chief justice](#) President Bush has named John Roberts to replace Chief Justice William Rehnquist, who died Sept. 3 after a lengthy illness.

[Rehnquist 'pillar' on high court, Land says](#) Chief Justice William Rehnquist, who died Sept. 3, stood firm for "truth and justice and the U.S. Constitution" in his 33 years on the Supreme Court, ERLC President Richard Land.

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Bush selects Roberts as next chief justice

President Bush has named John Roberts to replace Chief Justice William Rehnquist, who died Sept. 3 after a lengthy illness.

The President announced his selection of Roberts two days after Rehnquist's death. Bush had nominated Roberts in July to replace Associate Justice Sandra Day O'Connor, 75, who retired after 24 years on the Supreme Court. The President must select another replacement for O'Connor, who said she would serve until the Senate confirms a nominee for her position.

The Senate Judiciary Committee's hearings on Roberts' nomination will begin Sept. 12 and are expected to conclude by Sept. 16. They were postponed from their original starting date of Sept. 6 after Rehnquist's death and Roberts' nomination as chief justice.

Pro-life, pro-family advocates have given widespread support to Roberts, 50, who has served on the District of Columbia Circuit Court of Appeals since 2003. Though Roberts has not committed himself on the *Roe v. Wade* opinion legalizing abortion, social conservatives appear content to trust his judicial philosophy, which seems to be based on interpreting the text of the Constitution.

Abortion-rights and other liberal advocacy organizations are pushing senators to oppose the nominee. Barring any unexpected developments, however, it appears the federal appellate judge has the votes needed for confirmation.

Ethics & Religious Liberty Commission President Richard Land said he "began to wish that John Roberts could have been nominated for chief justice" even before that post came open.

"The more I discovered about John Roberts, the more he reminded me" of Rehnquist, Land said. "I believe that Judge Roberts has the judicial philosophy, depth of conviction and collegial temperament to be a great chief justice of the United States Supreme Court."

Among the possible nominees who have been mentioned to replace O'Connor either after her retirement or after Rehnquist's death are: Samuel Alito of the Third Circuit Court of Appeals; Janice Rogers Brown of the D.C. Circuit; Edith Brown Clement of the Fifth Circuit; Maura Corrigan of the Michigan Supreme Court; Miguel Estrada, who withdrew as a nominee to the D.C. Circuit after a filibuster; Emilio Garza of the Fifth Circuit; Alberto Gonzales, U.S. attorney general; Edith Hollan Jones of the Fifth Circuit; Michael Luttig of the Fourth Circuit; Michael McConnell of the 10th Circuit; Priscilla Owen of the Fifth Circuit, and J. Harvie Wilkinson of the Fourth Circuit.

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Rehnquist 'pillar' on high court, Land says

Chief Justice William Rehnquist, who died Sept. 3, stood firm for "truth and justice and the U.S. Constitution" in his 33 years on the Supreme Court, ERLC President Richard Land.

Rehnquist, 80, died after battling thyroid cancer since October. He was known as a conservative who sought to interpret the text of the Constitution and opposed judges acting as legislators.

"Judges usually fall into two categories - trees, which can both grow and bend with the changing winds of society, and pillars, which don't grow and don't bend," Land said. "Pillars just stand for truth and justice and the U.S. Constitution as they perceive it, regardless of whether they are in the minority or the majority or whether the editorial pages of *The New York Times* and *The Washington Post* approve of them.

"From the beginning of his service on the Supreme Court, Chief Justice William H. Rehnquist was a pillar," he said. "When he was a lonely figure urging judicial and federal restraint or in later years when there was more support for his conservative, federalist views, Chief Justice Rehnquist was a pillar."

Rehnquist was one of only two dissenters in the 1973 *Roe v. Wade* opinion, which struck down anti-abortion laws in the states. In that decision, Associate Justice Harry Blackmun wrote that a right to privacy found in the Fourteenth Amendment included the decision to have an abortion.

In *Roe*, the court's majority "had to find within the scope of the Fourteenth Amendment a right that was apparently completely unknown to the drafters of the Amendment," Rehnquist wrote in his dissent.

Rehnquist remained a staunch defender of the right of states to restrict abortion. After President Reagan promoted Rehnquist to the court's top post in 1986, it twice appeared the chief justice had marshaled a majority to strike a death blow to *Roe*. But in cases in 1989 and 1992, Associate Justices Sandra Day O'Connor and Anthony Kennedy, respectively, changed their minds and blocked majority opinions against the infamous decision.

Rehnquist joined the Supreme Court as an associate justice in 1972 after being nominated by President Nixon.

He is survived by three children and nine grandchildren. His wife, Natalie, died in 1991.

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FDA delays decision on 'morning-after' pill

The U.S. Food and Drug Administration has delayed a decision on whether to permit over-the-counter (OTC) sale of the Plan B "morning-after" pill.

Though described as an "emergency contraceptive," Plan B can act as an abortifacient, blocking implantation of a tiny embryo in the uterine wall. As a result, many pro-life advocates oppose its sale, especially without a prescription.

Plan B, which also works by restricting ovulation in a woman, now may be purchased by prescription only.

The FDA informed Barr Pharmaceuticals Inc. Aug. 26 it had decided to postpone action on the firm's application to sell Plan B without a prescription. The FDA's Center for Drug Evaluation and Research had decided current scientific evidence supports the distribution of Plan B over the counter for women 17 years of age and older, the agency's commissioner, Lester Crawford, announced. The agency, however, will seek public comment for 60 days on OTC sale of the drug for this age group and prescription sale for females 16 and under, Crawford said.

Only six weeks before Crawford's announcement, however, it appeared the FDA had set a Sept. 1 deadline for deciding whether it would permit OTC sale of Plan B. Michael Leavitt, secretary of the Department of Health and Human Services, said in a letter to U.S. senators the agency should have a decision by that date. After Leavitt's disclosure, Democratic Sens. Hillary Clinton of New York and Patty Murray of Washington announced they would release their hold on Crawford's nomination as FDA commissioner. The Senate subsequently confirmed Crawford.

After Crawford's announcement, Clinton and Murray said, "it is a breach of faith to have this administration give their word that a decision would be made and have that promise violated."

Crawford, however, said there were "unresolved regulatory and policy issues" that need to be addressed, especially regarding concurrent OTC and prescription use for the same purpose and in the same package.

Citizens may comment on the Plan B application by clicking on "Comment on Proposed Regulations" at www.fda.gov and following the directions. The docket number is 2005N-0345. The deadline for comments is Nov. 1.

The "morning-after" pill is essentially a heavier dose of birth control pills. Under the regimen, a woman takes two pills within 72 hours of sexual intercourse and another dose 12 hours later. In addition to Plan B, the FDA has approved prescription use of another "morning-after" pill, Preven.

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Bush proclaims day of prayer for hurricane victims

President Bush has issued a proclamation calling for Americans to pray Sept. 16 for the victims of Hurricane Katrina.

The President announced the National Day of Prayer and Remembrance for the Victims of Hurricane Katrina Sept. 8. He asked for memorial services and other observances to be conducted. Bush also encouraged Americans not only to pray but to give "their hearts and homes for those who now, more than ever, need our compassion and our support."

"I encourage all Americans to respond with acts of kindness in the days ahead," the President said in the proclamation. "By contributing time, money or needed goods to a relief organization and by praying for the survivors and those in recovery efforts, we can make a tremendous difference in the lives of those in need."

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