

March 2025

Dear Friends and Supporters,

Many question Trump's actions. He has been quick with multiple and continuing executive orders in the early days of his presidency. No one can be right all of the time, but we must give the constitutional processes of government the opportunity to operate. I say "constitutional" meaning those processes intended by the founding fathers.

The separation of powers doctrine is foremost. We have the Executive (President), Legislative (U.S. Congress) and the Judiciary (Federal Courts). Each has an independent roll. Over time, those rolls have become blurred. President's have allowed bureaucratic agencies to rule, congress has dedicated or permitted it's powers to be owned by unelected bureaucrats, and judges have followed the lead of the political party who appointed them.

The abuse of the process was never more obvious during Obama's and, particularly, Biden's presidency. Trump's first term was more that of the novice. The one thing he did then that has had a proper impact was the appointment of SCOTUS Justices who have more appreciation for the Constitution, than politics.

We saw the results of that in two cases. In *Loper Bright v. Raimondo* the court overruled *Chevron v. NRDC*, returning to the judiciary the power to interpret laws. *Chevron* had required courts to follow interpretation of laws by agency bureaucrats. In *West Virginia v. EPA*, the court struck down the Obama, then Biden "Clean Power Plan," which gave the EPA too much power. The "Plan" violated the "major questions doctrine" giving the EPA authority to make "decisions of vast economic and political significance," authority which should be reserved to congress.

Trump's DOGE efforts are focused on the right direction. We expect and are seeing many legal challenges in the courts. We are hopeful the end result will be a decrease in the size, cost and influence of the federal government. The 10th Amendment reserves power to the states. The design of the Constitution is to limit federal government authority. That design has been imperiled and reestablishing it comes with conflict. Much of it is personal and not wanting to lose one's benefits. But, in reality, the opposition is driven by those who do not respect or want our form of government. It remains a cultural struggle. Who's values will rule?

One of the early victims of Biden's cultural war is the DOJ attack on the Vulnerable Child Compassion and Protection Act (VCAP). This month's Educational Update is an order with our comment of the DOJ dropping it's attack on Alabama's minor children.

Yours very truly,

A. Eric Johnston

AEJ/pkh