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Feinerman Shares Supreme Court Insights with Packed Tenth Dems U Audience



Gary Feinerman at Tenth Dems U.
photo by Ravi Ganapathy

by Catherine Caporusso

On July 9, Tenth Dems University hosted attorney Gary Feinerman, partner at Sidley Austin and former law clerk to Justice Anthony Kennedy. Mr. Feinerman presented a fascinating course on the U.S. Supreme Court to a packed room at the Highland Park Library.

Mr. Feinerman began with an overview of changes in the membership of the predominantly conservative Supreme Court from 1986 to 2005 and stressed the importance of President George W. Bush's appointments of Chief Justice John Roberts and Justice Samuel Alito. He presented a compelling argument (supported by many legal commentators) that the Supreme Court is now truly the "Kennedy Court," basing this characterization on the number of 5-4 decisions in which Justice Kennedy provided the decisive swing vote.

He identified five key areas of focus for conservatives: restricting women's reproductive rights, eliminating affirmative

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Tenth News

AUGUST 2009 Illinois Tenth Congressional District Democrats Newsletter Volume 6, Edition 8

Mr. McNamara's History Lesson

by Ron Levitsky

Last month, Robert McNamara died at age 93. For many like me who came of age in the late 1960s, Secretary of Defense McNamara was the not-so-human face of the Vietnam War. With a mind as analytical as a computer, he combined technological skills with a moral certitude so exact that God must have checked His watch to see if it kept McNamara time. He had helped General Curtis LeMay greatly improve the accuracy of bombing strikes during World War II (and, in doing so, saved many American lives) and had helped turn around Ford Motor Company in the 1950s. With that resumé, McNamara was a cinch to stop the Vietnam domino from falling. I remember his ubiquitous face on television and in the newspapers, as emotional as a trout wearing glasses, lecturing us with charts and statistics that proved the U.S. was winning the war even as we were losing, while American casualties (and, with the bombing of North Vietnam, enemy civilian casualties) mounted obscenely. Even after McNamara realized the U.S. could not win the war militarily (something he revealed thirty years after the fact), he still acted as a shill for Lyndon Johnson, who desperately wanted not to be the first American President to lose a war.

Daniel Ellsberg said of his decision to expose the Pentagon Papers, "...the best way of helping the country was not necessarily helping the president do what he wanted to do, because the best way might be keeping him from doing what he wanted to do." Ellsberg wondered why McNamara hadn't voluntarily provided Congress with the Pentagon Papers or told the American people the truth about the war. Today, many of us are still wondering.

McNamara was followed by Secretary of State Henry Kissinger, who



Secretary of State Dean Rusk, President Lyndon B. Johnson, and Secretary of Defense Robert McNamara at a meeting in the Cabinet Room of the White House, February 9, 1968.

continued the failed policies of his predecessor yet somehow won the Nobel Peace Prize (which was like the Humane Society giving Michael Vick its Man of the Year Award). More recently, Dick Cheney and Donald Rumsfeld led the Bush administration's foreign policy with those same blinders. Had Galileo lived today, they probably would have burned him at the stake (after a douse of waterboarding) for failing to believe that the world revolved around the United States.

McNamara failed miserably as a foreign policy leader, but if our only history lesson from his mistakes is that politics and hubris go hand-in-hand, we wouldn't need McNamara. We know that from the example

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Toni Preckwinkle Speaks to Tenth Dems U on the Future of the Cook County Board

by Carolyn Coukos

She's running hard for Cook County Board President; been in the race since last December; and now thinks, as of the "last two weeks," that her chances of winning are good. That "she" would be 4th Ward Alderman Toni Preckwinkle, Tenth Dems University speaker on "The Future of the Cook County Board," at the Wilmette Public Library July 1.

In her opening remarks, Preckwinkle characterized herself as an independent-minded reform candidate, dedicated to transparency, openness, and increased efficiency in government. She described herself as "an independent Democrat in an organization town who has managed to stay in office for 18 years." She spoke with pride on her accomplishments in the 4th Ward, including securing funds for public schools and new commercial centers, and helping create 3600 units of new, mixed-income housing. She supported closing a non-performing 4th Ward school, even though it was a top basketball school. The school was successfully reopened as a magnet school.

Preckwinkle has been involved in politics since she was a high school student in St. Paul, Minnesota, where she grew up. A teacher suggested she work in the campaign of a black woman running for city office. Preckwinkle did so and has been involved in politics ever since. Her first Illinois campaign was Paul Simon's 1968 run for state treasurer. Toni was a history and government teacher for 10 years. She ran for alderman twice before she won and is now in her fifth term.

Preckwinkle said the city and county legislative bodies need full disclosure from the executive branch and are not getting it. She supports having an internal watchdog so issues can be identified "before the federal government does it for you." She supports providing resources to look at systemic problems, like technology problems. She asserted that a crisis of confidence exists now that makes it possible to do things that otherwise could not be done.

In response to a question about how she sees herself, Preckwinkle described herself as one of 50 city council members who has "worked to maintain good relationships." She continued, "Relationships matter. I work with people I disagree with, try to be fair with everyone and to work with everyone." She added that having an "outsider," which she considers herself to be, take over as County Board President "will make things better."

Preckwinkle described the Cook County budget as "bloated" and wants to reduce it by instituting zero-based budgeting. She said that the budget is drawn up based on the prior year's budget. She wants to start with a blank sheet of paper and look at each department to determine what the appropriate staffing levels are, with the goal that all employees put in a full day's work. When asked, she declined to say that she would eliminate patronage, but promised, over time, to reduce staff and build professionalism.

Preckwinkle said she would institute monthly financial reports for the county health system (which makes up more than 30 percent of the county's budget), including benchmarks for both revenue and expenses. She called the closing of hospitals all over the county in 2007 a "big mistake," pointing out that all county residents are affected by the health of others in the county.

In the area of criminal justice she said she would reduce chronic overcrowding at the Cook County Jail by funding more cost-efficient alternatives to incarceration. With respect to the sales tax she said it is a "mistake to think the only thing wrong with city government is the penny sales tax" but that, nonetheless, she voted against it and

supports repealing it over time. She said small business has suffered from the sales tax increases.

On the parking meter sale, Preckwinkle said she was one of five to vote against it. She was critical of the continued sale of public assets, such as the parking meters and the Skyway, calling it "easy money" resulting in a "lost income stream for our children and grandchildren." She also criticized how these issues have been presented to the Council. She pointed out that the parking meter issue was presented to the Council with no independent evaluation and the Council was expected to vote on it two days later.



Toni Preckwinkle talks to a Tenth Dems U Class July 1 about the goals she would work to achieve if elected to the Cook County Board. photo by Ravi Ganapathy

When asked about the Olympics, Preckwinkle volunteered that the Olympic village and natatorium are proposed for her ward where the site of the Olympic stadium would be across the street. She stated she has expressed concern about information that has not been forthcoming and was told that the Olympics would be financed by the private sector. She said that Mayor Daley sees the Olympics like Beijing, that it would raise the profile of the city as a tourist attraction and business location, and that it would enhance the economic growth of the city and region.

Preckwinkle pointed out that forest preserves are a responsibility of county government, are a line item on the county tax bill, and constitute 11 percent of the county's land. She advocates developing a single high standard for management of the preserves so that the land will be well preserved for future generations.

Kirk's Voting Record Will Be Exposed in Statewide Election

On July 20, long-time 10th District Congressman Mark Kirk formally announced his candidacy for Barack Obama's old Senate seat—currently held by Blagojevich appointee Roland Burris. This is not necessarily bad news for the Democrats.

Kirk has narrowly won five consecutive congressional races in the 10th District by straddling a fine line between the district's Republican and Democratic constituencies. His success in appealing to both of these diametrically opposed voter groups has hinged largely on his skillful use of cagey techniques which make him appear to support progressive policies that his actual voting record undermines. Kirk has also boosted his vote count in the district by touting his support for Israel to the district's comparatively large Jewish population.

Deceived by his skillful use of misleading information, doublespeak, and support for Israel, the vast majority of the 10th District's Democratic voters, who may not follow all legislative proposals to the House floor, still do not know the real Mark Kirk—a leader who only pretends to represent Democratic values.

A statewide Senate race is likely to correct this problem by exposing Kirk's voting record to more intense media scrutiny than ever before (see box). In the process, it will reveal the man behind the moderate façade—a staunch Republican who was a leading proponent of the war in Iraq and who condoned anti-democratic practices like domestic spying, the unlawful detainment of prisoners, and the unconstitutional expansion of executive power.

Heightened attention to Mark Kirk's voting record will also reveal a GOP leader who, since the start of the Obama administration, has attempted to thwart progress at nearly every turn. After opposing the President's economic stimulus plan in February, Kirk also voted in the midst of the mortgage crisis against legislation designed to help stem the tide of foreclosure. (See "The Truth about Mark Kirk from the People who Know Him Best," <http://www.tenthdems.org/index.php>.)

Kirk is now aggressively working on behalf of the insurance and healthcare industries to stop meaningful Democratic healthcare reform. (See "Mark Kirk Unveils Sham Legislation to Kill Healthcare Reform," http://www.tenthdems.org/newsletters/0906_nl.pdf and "A Town Hall Meeting Orchestrated by Frank Luntz," http://www.tenthdems.org/newsletters/0907_nl.pdf.)

As Steven Singiser wrote in his July 8 *DailyKos* blog, "It's hard to imagine Cook County voters, or voters ANYWHERE in the state of Illinois, preferring a candidate whose economic policies are inseparable from George W. Bush and diametrically opposed to favorite son Barack Obama." We're confident Singiser is right!



According to *The Washington Post* Congressional Votes Database, Kirk voted with his party nearly 87% of the time between 2001 and 2008. A sampling of Kirk's votes during his five terms in the House of Representatives follows. These votes belie Kirk's claims to being moderate and independent. To the contrary, the votes underscore Kirk's steadfast allegiance to the GOP and the special interests it represents:

- Against the 2008 Intelligence Authorization Act which prevented the CIA from using waterboarding and other harsh interrogation tactics. (See "Mark Kirk is No Champion of Human Rights and Civil Liberties," http://www.tenthdems.org/newsletters/0801_nl.pdf.)
- For the Military Commissions Act—the law that enabled the horrific detainment of prisoners at Guantanamo Bay. (See "Mark Kirk is No Champion of Human Rights and Civil Liberties," http://www.tenthdems.org/newsletters/0801_nl.pdf.)
- For the passage of the Protect America Act—the law that gives the government the authority to wiretap anyone, including U.S. citizens, as long as they are believed to be located outside the U.S. (See "Mark Kirk is No Champion of Human Rights and Civil Liberties," http://www.tenthdems.org/newsletters/0801_nl.pdf.)
- Against extending unemployment benefits during the worst economic crisis since the Great Depression. (See "Mark Kirk Opposes Extension of Unemployment Benefits," http://www.tenthdems.org/newsletters/0807_nl.pdf.)
- Against President Obama's stimulus plan. (See "Mark Kirk Opposes the Economic Recovery Legislation," http://www.tenthdems.org/newsletters/0903_nl.pdf.)
- Against The Helping Families Save their Homes Act of 2009. (See "Mark Kirk Happy to Help Mortgage Lenders," http://www.tenthdems.org/newsletters/0904_nl.pdf.)
- Against curtailing bonuses of executives at financial institutions receiving TARP funds. (See "Kirk's Support of Republican Legislative Agenda Appears Steadier than Ever," http://www.tenthdems.org/newsletters/0905_nl.pdf.)
- Against fair pay for women. (See http://www.tenthdems.org/newsletters/0902_nl.pdf.)

McNamara *continued from page 1*

set by our previous two governors. What made McNamara breathtakingly unique was what he did after his failure, albeit three decades later—something incredibly brave, especially for a man nearing eighty. McNamara wanted to learn what had gone wrong under his tenure as Secretary of Defense.

So in 1992, he went to Cuba and met with Fidel Castro and others who had been Cuban officials during the Missile Crisis. In a series of candid exchanges, he learned that each side had seriously misjudged the other's intentions due, in part, to a lack of understanding of the other country's history and worldview. McNamara also learned for the first time that Cuba actually had tactical nuclear missiles and would have used them against a U.S. invasion—in all probability

leading to nuclear war. Visibly shaken (see his reaction, as he discusses this point, in the Academy Award-winning film, "The Fog of War"), McNamara—the same man who bore a great deal of responsibility for beginning the nuclear arms race in the early sixties—became an outspoken proponent of nuclear disarmament.

A few years later, traveling to Vietnam to meet with North Vietnamese leaders who had fought against the U.S., McNamara learned the same sad lesson. Both sides had misunderstood one another. Tragically, the U.S. had based the war on the domino theory—that the North Vietnamese had been acting as agents for the Communist Chinese. But as one of his former antagonists reminded McNamara, the Vietnamese had been under Chinese domination for over a thousand years. They had fought for freedom against the Chinese,

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Our Former Interns: Where Are They Now?

by Eliza Brown, Carolyn Cerf, Chelsea Fesik, Amanda Koziel, Francesca Moree, Kirsten Musetti, Ben Seitelman, and Jessica Werley

In addition to a record-breaking number of interns this summer, Tenth Dems also boasts an impressive history of interns who have gone on to accomplish great feats. Clearly, candidates for public office are not the only ones who benefit from our network of support and activism. This month, we feature updates on former interns and hope that they continue to succeed in life.

Ben Struhl first interned with the Tenth Dems in 2004. After learning the ropes that first year, Ben gained more responsibility, managing the office and other interns through 2008. Ben also worked on and off for three years for Dan Seals, including writing policy papers and traveling to Washington, D.C. In Rhode Island, while a student at Brown University, he worked for Senator Sheldon Whitehouse and for the Annenberg Institute for School Reform. This fall, he will attend Georgetown University to pursue a Masters in Public Policy. He feels that working with the Tenth Dems helped build his understanding of political work and expand his interest in politics. He gained an added respect for what it takes to build a grassroots organization, which he described as a combination of “legwork and interesting people.”

Amanda Wall’s 2005 internship with Tenth

Dems introduced her to politics. Amanda graduated from the University of Chicago with a major in Political Science; she secured a Masters in International Politics last year and this fall will attend Georgetown University Law Center. She interned with Illinois General Assembly Majority Leader Barbara Flynn Currie and both Senators Durbin and Obama. Amanda also worked for the Democratic National Committee in Denver and pursued political research abroad at the Institute for Democracy in South Africa. She also did political research and work for Human Rights Watch and the D.C. Public Defender. Her overall experience with Tenth Dems helped her learn about Illinois politics, and meeting many of its major players helped her make significant connections.

Adam Didich joined Tenth Dems as an intern in the summer of 2007 before starting his undergraduate studies at Drake University. Adam volunteered for Barack Obama’s successful push to win the Iowa Caucuses. Working for Dan Seals’ U.S. Congressional campaign, Adam helped set up an intern program while simultaneously attending the College of Lake County. He will attend DePaul University in the fall. Adam noted that Tenth Dems’ internship program has a distinct advantage over working at larger organizations. “Because Tenth Dems is really grassroots, there is a lot more power and responsibility given to the interns... an intern’s work is much more diversified; you are not just a glorified volunteer—you ARE an organizer!” As anyone at Tenth Dems can tell you, our interns earn the kind of respect that can only come from working with a veteran political organizer like

Lauren Beth Gash, who challenges everyone to venture outside of his comfort zone. “Working with Lauren improves your courage,” he remarked. Through exposure to such a variety of tasks and skills as an intern, Adam explains that Tenth Dems can make you a political “jack of all trades.”

Bio Updates

It has been five years since Matthew Kriezelman interned for Tenth Dems. Though he studied Political Science and earned a B.A. in Government, his internship with the Tenth Dems helped him to “visualize how it all worked.” Matt’s favorite memory as an intern was meeting Barack Obama at a Tenth Dems event. Matt graduated from law school and is now an immigration attorney.

Since his 2004 internship, Brandon Maslov graduated from the University of Illinois and later from Harvard Law School. Brandon plans to join an antitrust law firm in Washington, D.C., this October. Interning with Tenth Dems made Brandon feel more connected to politics and improved his problem-solving skills.

Becky Marks interned in 2006. Her experience introduced her to working on a campaign and being motivated for local candidates. She will be a senior this fall at Emory University and is looking into nonprofit work.

As a 2006 Tenth Dems

intern, Doug Marks helped Sharon Narrod run for Lake County Clerk during which he learned about campaigns. Doug graduated from Indiana University with a degree in Political Science. He also worked for the Environmental Law and Policy Center where he learned to lobby in Springfield. He interned with the Illinois Student Environmental Coalition and volunteered for both the Obama and Dan Seals campaigns. Today, he works for a Hillel Center through the UIC student center.

Daniel Goldberg interned with the Tenth Dems in 2008 and reflects that two prized memories of his experience as a Tenth Dems intern include traveling to the Lake County Fair and marching in the Pride Parade in downtown Chicago. Daniel is now working as an intern for Invenergy, a clean energy company.

Jordan Silver interned in 2008 for Tenth Dems before graduating from Case Western Reserve University. The legal research he did while interning helped to cement his interest in law. This fall, he will attend George Washington University School of Law.

Towards the end of his first summer as an intern in 2008, Vlad Voskoboinikov worked directly on the Seals and Mark Walker campaigns. This year, he is still an intern but now has more of a management role because of his familiarity with Tenth Dems procedures. Even in his second summer as an intern, Vlad still learns a lot on a day-to-day basis about Tenth Dems, grassroots activism, and how things are really done in Illinois politics. Vlad will attend the University of Chicago in the fall.



A handful of our current interns, at the Arlington Heights July 4 parade: l. to r., Stephen Ark, Omar Jamil, Roban Taneja, Kirsten Musetti, Vlad Voskoboinikov, Jake Goodman, Francesca Moree.

Is Nuclear Power an Acceptable Option?

by George Rosenblit

This article is the third in a series examining existing and alternative sources of energy. It covers the negative view of nuclear power, and an article in the next issue will cover the positive position.

We should all be aware of the pros and cons of using nuclear power reactors to generate electricity as this issue is being seriously considered by our legislators in Congress. (See "GOP Goes off the Deep End, Proposes 100 New Nuclear Reactors in the U.S.," Harvey Wasserman, AlterNet, June 24, 2009 -<http://www.alternet.org/story/140713/>.)

The proponents for using nuclear energy to generate electricity are motivated by a desire to reduce dependency on coal-fired power plants and to do so without polluting the environment. The opponents are concerned about the release of radioactive elements and debris into the environment due to operational accidents, earthquakes, tsunamis and terrorist acts—and the consequences for our human population.

The Birth of the Age of Atomic Energy

In the early morning darkness of July 16, 1945, the first atomic bomb was successfully detonated at Alamogordo, New Mexico. The incredible destructive powers, only a theory before this historic moment, were unleashed, a great new force to be used for good or for evil. The scientists involved felt a profound sense of responsibility about what they had created and resolved to dedicate their lives to the mission that atomic energy would always be used for good and never for evil. (See <http://www.eyewitnesstohistory.com/pfatomictest.htm>.)

The Peaceful Use of Atomic Energy

The scientists envisioned nuclear power as a safe, clean, cheap, and abundant source of energy that would end society's dependence on fossil fuels, primarily coal and oil. At the end of World War II, leaders called for the peaceful use of nuclear energy.

Congress passed the Atomic Energy Act of 1946, which shifted nuclear development from military to civilian government control. Very little development of commercial nuclear power occurred from 1946 to 1954 because the 1946 law maintained a federal government monopoly over the control, use, and ownership of nuclear reactors and fuels.

Congress amended the Atomic Energy Act in 1954 to encourage the private commercial development of nuclear power. The act ended the federal government's monopoly over nonmilitary uses of nuclear energy and allowed private ownership of reactors under licensing procedures established by the Atomic Energy Commission (AEC) and later the oversight by the Nuclear Regulatory Commission (NRC).

Private power companies did not rush to build nuclear power plants because they feared the financial consequences of a nuclear accident. Congress responded by passing the Price-Anderson Act of 1957, which limited the liability of the nuclear power industry and assured compensation for the public. With the passage of the Price-Anderson Act, power companies began to build nuclear plants. (See <http://legal-dictionary.thefreedictionary.com/p/Nuclear%20plant>.)

The Nuclear Fission Power Plant

Simply stated, the nuclear fission process produces heat within the fuel rods in the core of a nuclear fission reactor; the heat is used to boil water and produce steam to drive a turbine which generates electricity.

A more detailed explanation of a typical process is as follows: (1) Uranium ore is mostly U-238 and contains less than 1 percent U-235,

the active ingredient. (2) A typical fuel rod contains enriched Uranium pellets, 96 percent U-238 and 4 percent radioactive U-235. (3) The U-235 normally emits fast neutrons which pass through nearby U-235 atoms without interacting. (4) The fast neutrons must be slowed down by a moderator, such as graphite or water. A single slow neutron can split U-235 atoms, producing other radioactive elements (Barium and Krypton), plus three neutrons—a multiplication process, resulting in a self-sustaining chain reaction. This process is called fission (atom splitting). (5) A large amount of energy is released, heating the fuel rods by this process. (6) The heat must be controlled by a coolant, such as water. (7) Since this coolant water becomes radioactive (tritium), it must be used to heat non-radioactive water through a heat exchanger, (8) which in turn becomes steam to drive a turbine to make electricity. (See http://library.thinkquest.org/17940/texts/fission_power/fission_power.html.)

Nuclear Power Plant Accidents

Public confidence in the nuclear power industry suffered a major blow March 28, 1979, when the first accident in the U.S. occurred at the Three Mile Island (TMI) Nuclear Power Plant near Harrisburg, Pennsylvania. No one was hurt during the accident although some radioactive gases escaped through the plant's ventilating system. The accident did reveal, however, the nuclear power industry's lack of emergency preparedness up to that point. Following the incident, safety inspections were instituted, enforcement was stepped up, the retrofitting of systems to enhance safety was required, and emergency preparedness rules were developed. These regulations delayed the opening of new nuclear plants during the early 1980s.

Contributing events in the TMI accident were equipment malfunctions, design-related problems, and worker errors. This led to a partial meltdown of the TMI-2 core with small offsite releases of radioactivity. Governor Thornburgh of Pennsylvania wanted to play it safe; he advised pregnant women and preschool children within a five-mile radius of the plant to leave the area. (See <http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/3mile-isle.html>.)

Assuming the article referenced below is true, it's unconscionable that the industry and the government did not collect information on the magnitude of the release of specific radioactive elements. It claims that no epidemiology studies were made among the population. However, based on measurement of radioactive iodine in nearby animals, the nuclear industry estimates on inadequate data were grossly understated. (See "Three Mile Island: Exposing the Government's Cover Up of Our Most Infamous Nuclear Accident," Harvey Wasserman, AlterNet, March 31, 2009 - <http://www.alternet.org/story/134174/>.)

Radioactive Pollution Can Be Harmful

Four radioactive elements made in nuclear power plants are:

Radioactive Iodine 131, which was released at Three Mile Island, is radioactive and concentrates in leafy vegetables and milk. When it enters the human body via the gut and the lung, it migrates to the



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action, overturning campaign finance reform, weakening the Establishment Clause, and maintaining the death penalty. Using specific cases, he explained how both President Reagan's and the first President Bush's nominees failed to carry out that agenda. After Roberts' and Alito's appointments, however, conservatives won significant victories in all of those areas.

Ironically, President George W. Bush succeeded in advancing the conservative agenda where his father and President Reagan failed. In the area of reproductive rights, the Court had protected the basic



A packed house pays rapt attention to Gary Feinerman's Supreme Court presentation before launching into a spirited discussion. photo by Ravi Ganapathy

framework of *Roe v. Wade* but then upheld the ban on so-called "partial birth" abortions even if doctors believed they were necessary. Concerning affirmative action, the Court had approved considering race in college admissions but then decided in favor of the white firefighters in the recent case of *Ricci v. Stefano*. Regarding campaign finance reform, before Roberts and Alito were appointed, the Court had upheld most of the McCain-Feingold campaign law but later struck down its limits on political advertisements. As to the division between church and state, the Court had struck down the posting of the Ten Commandments inside a courthouse but subsequently dismissed a challenge to President Bush's Office of Faith-Based Initiatives. On the issue of capital punishment, the Court had struck down the death penalty for people who committed murders when they were juveniles, but then denied a challenge to lethal injection.

Mr. Feinerman discussed a Supreme Court topic on everyone's mind—the Sotomayor nomination—and explained that since she is replacing Justice Souter, we should not expect any significant changes in the Court's direction. Based on the ages of the current Supreme Court justices and their judicial philosophies, future vacancies in the Supreme Court during the Obama administration are also unlikely to result in any dramatic shifts.

The presentation concluded with a lively conversation, touching on such topics as campaign finance reform, the recognition of corporations as "persons" under the law, Court cases equating political donations with speech, the recent age discrimination case, the newly recognized right to carry handguns under the Second Amendment, the commerce clause, and cases involving environmental protections.

Based on the enthusiastic response of the audience, lawyers and non-lawyers alike learned a lot from yet another fascinating Tenth Dems U event!

Obama's Pro-Israel Record

by Steve Sheffey

When Barack Obama ran for president, the pro-Israel community supported him because of his strong record on Israel, in word and deed. Yet during the campaign, opponents of Barack Obama attempted to dissuade pro-Israel voters from supporting him by suggesting, through innuendo and guilt by distance association, that he would not continue to strengthen the U.S.-Israel relationship. Our Republican friends are entitled to their own opinions, but not to their own facts. Obama has been in office for nearly six months. Let's take a look at the record:

- No administration in history has come into office with a Vice President, Secretary of State, and Chief of Staff with stronger pro-Israel credentials than this one.
- Steve Rosen, AIPAC's director of executive branch relations for 23 years, has written that Obama's appointments are no cause for concern from a pro-Israel perspective.
- Rosen was very concerned about Chas Freeman, but that appointment by Dennis Blair was never final and was rescinded—exactly what we'd expect from a pro-Israel administration that listens to the pro-Israel community.
- Obama fulfilled his campaign promise to boycott Durban II—which had the potential to become an orgy of anti-Semitism—unless ALL of our conditions were met. Our conditions were not met, so the U.S. did not attend the Durban II conference on racism.
- On May 1, Obama renewed sanctions against Syria because it posed a continuing threat to U.S. interests. Obama, in a letter to Congress notifying it of his decision, accused Damascus of "supporting terrorism, pursuing weapons of mass destruction and missile programs, and undermining U.S. and international efforts with respect to the stabilization and reconstruction of Iraq."
- Obama was the first president to host a seder in the White House. To our right-wing friends who try to read "signals" the way the ancients read animal entrails: What signal do you think Obama was sending to the world?
- President Obama issued a proclamation deeming May Jewish American Heritage Month, the fourth year in a row a president has issued such a proclamation since the House and Senate, spearheaded by Rep. Debbie Wasserman Schultz (D-Fla.), passed resolutions urging that May be marked in such a manner.
- Obama will fully fund the development and production of the Arrow 3 ballistic missile defense system. United States officials told Israel of its decision on May 20 during a strategic dialogue between the two countries. The Arrow 3 will be a longer-range version of the Arrow system that the IDF currently operates, capable of intercepting missiles at a farther distance and a higher altitude from the Jewish state.
- On May 21, the Obama administration reiterated that it will maintain the U.S. policy of ambiguity regarding Israel's nuclear weapons.
- On June 4 in Cairo, President Obama told the Arab and Muslim world that America's bond with Israel is "unbreakable." He told the Arab and Muslim world, a world rife with Holocaust denial, that to deny the Holocaust is "baseless, ignorant, and hateful." He told them that threatening Israel with destruction is "deeply wrong." He said that "Palestinians must abandon violence" and that "it is a sign of neither courage nor power to shoot rockets at sleeping children, or to blow up old women on a bus." And he said that " Hamas must put an end to violence, recognize past agreements, and recognize Israel's right to exist."
- Rep. Eliot Engel (D-NY), a staunch supporter of the Jewish state, said

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Nuclear Energy *continued from page 5*

thyroid gland in the neck where it can later induce thyroid cancer.

Strontium 90 lasts for 600 years. Like calcium, it concentrates in cow and goat milk. It accumulates in the human breast during lactation and in bone, where it can later induce breast cancer, bone cancer, and leukemia.

Cesium 137, which also lasts for 600 years, concentrates in the food chain, particularly meat. On entering the human body, it locates in muscle where it can induce a malignant muscle cancer called a sarcoma.

Plutonium 239, one of the most dangerous elements known to humans, is so toxic that one-millionth of a gram is carcinogenic. More than 200 kg is made annually in each 1000-megawatt nuclear power plant. Plutonium is stored in the liver, where it causes liver cancer, and in the bone where it can induce bone cancer and blood malignancies. On inhalation it causes lung cancer. It also crosses the placenta where, like the drug thalidomide, it can cause severe congenital deformities. Plutonium has a predisposition for the testicle where it can cause testicular cancer and induce genetic diseases in future generations. Plutonium lasts for 500,000 years, living on to induce cancer and genetic diseases in future generations of plants, animals, and humans. (See "Nuclear Power is the Problem, Not the Solution," Helen Caldicott, April 13, 2005 - http://www.wagingpeace.org/articles/2005/04/13_caldicott_nuclear-power-problem.htm.)

The question is, how much of these elements were released into the environment? If any, were the amounts significant for causing disease?

Spent Fuel Storage

Each typical 1000-megawatt nuclear reactor manufactures 33 tons of thermally hot, intensely radioactive waste per year.

The long-term storage of radioactive waste continues to pose a problem. The U.S. Congress in 1987 chose Yucca Mountain in Nevada, 100 miles northwest of Las Vegas, as a repository for America's high-level waste. But Yucca Mountain has subsequently been found to be unsuitable for the long-term storage of this waste because it is a volcanic mountain made of permeable pumice stone and is transected by 32 earthquake faults. Last week, a congressional committee discovered fabricated data about water infiltration and cask corrosion in Yucca Mountain that had been produced by personnel in the U.S. Geological Survey. These startling revelations, according to most experts, almost disqualified Yucca Mountain as a waste repository.

The proposed burial site for spent fuel at Yucca Mountain in Nevada has been declared off limits by Senator Harry Reid (D-NV); Energy Secretary Steven Chu told Congress that Yucca Mountain is no longer a viable option, and President Obama's 2010 budget does not include funding.

An alternative has been proposed by nuclear physicists at a recent meeting in Washington. They discussed a "fusion-fission" system of reactors that could allow the U.S. to leapfrog the idea of Yucca Mountain, which was designed only to sequester the high-level waste, and replace it with a fusion-based process that would dramatically reduce the volume and toxicity of the waste. These fusion reactors would not be designed for electricity production. Instead, their main purpose would be the production of neutrons that could be used to destroy the most dangerous nuclear wastes.

The process is just an idea at this time. If it works, and satisfactory containment is devised, Yucca Mountain may be reconsidered for storage. (See "If Reid, Obama Kill Yucca Mountain, Where Will Nuclear Waste Go? Think Fusion," *U.S. News & World Report*, June 24, 2009.)

Nuclear Power Plant Terrorism

With proper planning and implementation, the following dangers may be prevented:

THEFT—For starters, nuclear power plants pose the risk of proliferating the materials and skills to make nuclear weapons. There is a risk that rogue nations or terrorists may someday use the fuel to make bombs.

Already, more than 50,000 tons of highly radioactive waste sit in cooling pools next to the 104 U.S. nuclear power plants in 39 states, awaiting transportation to a storage facility yet to be found. We need to ensure that the pools holding spent fuel at domestic nuclear plants can be made safe from terrorists.

AIRCRAFT ATTACK—A full-sized passenger plane traveling at great speed with a full load of fuel could create enough damage to a reactor for a meltdown to occur, releasing large quantities of radiation. According to Edwin Lyman, a physicist with the Union of Concerned Scientists, a meltdown could kill more than half a million people.

Has the government mandated monitored no-fly zones, anti-aircraft protection and structural changes in reactors? Not as of 2005, according to the latest published data.

INFILTRATION—Saboteurs with sophisticated weapons could penetrate a nuclear facility. With access to the control room, the flip of a switch could set off a chain of events to cause a meltdown.

SECURITY—If a terrorist were somehow hired as an employee in any capacity, despite careful screening, and that individual gained access to the control room, he/she could flip the switch. (See "Nuclear Power is Not the Answer," Helen Caldicott, *The New Press*, New York, page 88.)

McNamara *continued from page 3*

just as they were doing against the Americans. Anyone with a sense of history would have known that the Vietnamese would never trust the Chinese, let alone work for them.

Late in life, McNamara learned how to think like a historian—to put events into context, to consider the source (who said what, and why), and to utilize multiple perspectives. He also emphasized the need for empathy—not necessarily to agree with your opponent but to see things as he does. The failure to do so led to the tragedy of Vietnam, and it has led to a catastrophe in Iraq.

Although the philosopher George Santayana famously said, "Those who do not learn from history are condemned to repeat it," Hegel may have made the more telling comment, "The only thing one learns from history is that nobody learns anything from history." That is certainly true of former President George W. Bush, who lacked what he would doubtless call, "that curiosity thing."

The impact of his lack of knowledge or curiosity about history was evident only a few days after 9/11 when he called the war on terror an American "crusade." As James Carroll reminds us in an article he wrote for *The Nation*, "The Crusades were a set of world-historic crimes, as brutal toward Muslims (and Jews) as those perpetrated by the terrorists we sought to defeat." It was a buzzword likely to alienate many moderate Muslims who themselves abhorred the 9/11 attacks.

When Bush announced, in May of 2003, that major hostilities had ended in Iraq, with the Mission Accomplished banner fluttering in the background, his administration had planned for only a few months' reconstruction of Iraq. Yet, a month after the U.S. invaded Iraq (April 2003), the United States Institute of Peace published a booklet entitled, "The Road Ahead—Lessons in Nation Building from Japan, Germany, and Afghanistan for Postwar Iraq." Author Ray Salvatore Jennings warned that the reconstruction of both post-World War II

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Germany and Japan took seven years, and that was with a cooperating population and an American government that had carefully planned and allocated the necessary resources for the task. Such planning had included long, massive, immediate aid; concern for human rights; a sowing of democracy from the bottom up; and a commitment to the process for the long haul. Of Iraq, Jennings wrote (again—before the war had even ended), “Without an external presence able to impose at least temporary order in the postwar power vacuum, violent political competition will be inevitable.”

Yet, the Bush administration lacked this understanding from history and made mistake after mistake. William Polk, who has studied Iraq for over 60 years (read his superb treatise, “Understanding Iraq”), explains why Iraqis, like the Vietnamese in the days of McNamara, might easily have mistrusted the United States as just another imperial power, in this case replacing Great Britain. In the early twentieth century, the British had imposed a king on the Iraqi people, arbitrarily created a “constitution,” placed political puppets in charge of local affairs while controlling the country’s foreign policy, supervised finances and the army, and generally “debased the very concept of representative government.” Sound familiar? Of course, it was the United States that had propped up Saddam Hussein in his 1980s war against Iran and, after deposing Saddam, had kept open for business the dictator’s torture center, Abu Ghraib. Is it any wonder that so many Iraqis doubted our sincerity? Just read your history.

Robert McNamara finally got around to reading his. We can hope that his real legacy is not his failure as a foreign policy leader but his example as someone with the curiosity and humility to learn what he does not know. That surely is a lesson for us all.

Pro-Israel *continued from page 6*

in an interview that it was no small thing for a U.S. president to offer an extended defense of Israel before a Muslim audience. “If you’re delivering a speech in Cairo directed to the Arab world and you mention in the speech that Israel has a right to exist and right to exist in security, that it grew from the ashes of the Holocaust and that America has an unbreakable bond, that demonstrates extraordinary courage,” said Engel.

- Dennis Ross, a key pro-Israel advisor to Obama during the campaign, will be playing a major role in Middle East matters in the Obama administration, *The Washington Post* reported on June 24.
- The Obama administration assured Israel it will continue defending Israel at the United Nations despite the allies’ dispute over West Bank settlements, Israel’s U.N. ambassador said on June 29.
- On June 30, the United States reapproved loan guarantees for Israel.
- On July 5, Vice President Biden said that the United States would not stand in Israel’s way if Israel decided to attack Iran.

This is a strong, pro-Israel record that is consistent with the principles of the national Democratic platform. It is a record that all Democrats and all Americans should be proud of.

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