OBAMACARE RULING OMINOUS; RELIGIOUS RIGHTS IN PLAY

The U.S. Supreme Court upholding the ObamaCare legislation puts Catholic rights in jeopardy. The only way Catholic nonprofits could have survived the encroachment of the federal government on their right not to buy insurance for services they deem immoral was if the entire ObamaCare legislation had been struck down. That did not happen.

The Supreme Court did not rule on the constitutionality of the right of the Obama administration to force Catholic non-profits to pay for abortion-inducing drugs, contraception, and sterilization in their insurance plans; this Health and Human Services (HHS) edict was issued after the high court accepted the ObamaCare bill. Eventually, this particular issue will reach the Supreme Court. Indeed, there are 23 lawsuits pending on this matter.

The United States Conference of Catholic Bishops raised objections to the ruling on three grounds: (a) in an unprecedented move, ObamaCare allows federal funds to be used in elective abortions and for plans that cover abortion (b) it does nothing to ensure conscience rights, thereby setting the stage for the HHS mandate to become operative, and (c) it does nothing to protect immigrant workers in need of healthcare.

While all three are troublesome, the most direct impact negating Catholic rights is the second objection. But there are three ways in which we may be spared this draconian HHS mandate: (a) the Obama administration could expand its definition of what constitutes a religious exemption (b) new laws could be passed guaranteeing religious liberty, and (c) the Supreme Court could eventually strike down the HHS mandate. It is important to note that in the high court ruling, Supreme Court Justice Ruth Bader Ginsberg said that enforcing this law must not trespass on the constitutional right to religious liberty. She seemed to signal to the Obama administration that they dare not tread on Catholic rights.

If the Supreme Court decision lacks clarity, the Catholic response will be anything but ambiguous: the battle lines between the bishops and the Obama administration are now brighter than ever. Fortunately, not only do practicing Catholics overwhelmingly support the bishops, tens of millions of non-Catholics also do.

ObamaCare may have survived, but it is by no means a lock that the HHS mandate will. It is one thing to levy a tax, quite another to level the First Amendment.

NETT MUST PAY

In December, the Catholic League filed a complaint against Rebekah Nett and Naomi Isaacson for anti-Catholic comments made in a Minnesota courtroom. Nett was counsel to Isaacson, herself an Orthodox Jewish attorney. In June, the Minnesota Office of Lawyers Professional Responsibility, the office that we filed complaint with, issued charges against Nett.

It is not certain what the outcome will be; the final decision is made by the Lawyers Board Panel. If there are sanctions, they could range from a reprimand to disbarment. We called for disbarment.

Nett called the judge, Nancy Dreher, and other court personnel, "dirty Catholics," adding that "Catholic deeds throughout the [sic] history have been bloody and murderous."

Dreher, who is not Catholic, was called by Isaacson "Popess Dreher," and "a secret Catholic Knight Witch Hunter." There were many other anti-Catholic smears made by these attorneys.

Nett got into further trouble when she refused to pay a \$5,000 fine; she wanted to pay \$300 a month, but was ordered by Judge Dreher to pay \$1,000 a month. Dreher agreed to a new pay schedule.

In April, we were asked by the Supreme Court of Wisconsin (Nett is licensed to practice law in Minnesota and Wisconsin) to reply to Nett's contention that she is really not anti-Catholic, and that she has Catholic friends. Bill Donohue wasn't buying it. He told the Supreme Court, "No doubt the Imperial Wizard of the Ku Klux Klan has been known to consort with his black buddies."

BLATANT INJUSTICES

FROM THE PRESIDENT'S DESK William Donohue

Some of the worst expressions of injustice occur between family and friends, outside the purview of others. Public forms of injustice, such as criminal behavior, are dealt with in the courts. Sometimes they mesh, such as when Ponzi schemes involving friends become front-page news. Worse still are examples of injustice that are right out in the open for everyone to see, and nothing is done about it. Lately, the Catholic community has certainly endured its fair share of blatant injustices. Here are a few examples.

Scores of Orthodox Jews in Brooklyn have been arrested in the past two years on charges of sexually abusing a minor, and

many of the offenders are rabbis. Yet the Brooklyn District Attorney, Charles Hynes, refuses to release their names, *including the names of the convicted*! He says to do so would lead to intimidation. Unfortunately, in this insular community, those who report such crimes—including in many cases the victims themselves—are punished for doing so.

Hynes was asked on CNN why he doesn't release the names of accused orthodox Jewish suspects. "Because in releasing the names, within days," he said, "magically, they find the name of the victim. And then the intimidation starts." When asked if he treats the Roman Catholic community the same way, Hynes replied, "No, there's never been any allegations of intimidation by Catholic priests." In other words, because we are civil, we are treated unjustly. The message is sick.

This reminds me of what happened in 2006 when virtually every media outlet refused to run the Danish cartoons that so upset Muslims. One newspaper after another said it was "insensitive" to offend Muslims. So why do these same newspapers regularly run cartoons that offend Catholics? Only one among them, the *Boston Phoenix*, had the guts to admit that the real reason why it didn't print the Danish cartoons was fear of death. The others lied.

Just as sick is what happened this spring in Hawaii. Last year, a bill was submitted to Gov. Neil Abercrombie that would have eliminated the statute of limitations for child sexual abuse. He vetoed it. But he signed one this year. What changed? The one last year applied to the public schools, as well as to private entities like the Catholic Church. The one this year gave the public schools a pass.

In other words, Abercrombie favored the bill that discriminated against the Catholic Church. He likes that. His lawyers made the pathetic argument that the state deals with thousands of people on an annual basis and often faces staff changes, making it difficult to find witnesses. To put it differently, it's a hassle. But it is quite convenient to nail the Catholic Church. That such blatant injustice can take place in broad daylight is highly disturbing.

The trial in Philadelphia of Catholic priests that has commanded such media attention is another example of blatant injustice. Indeed, it has been a witch-hunt from the very beginning. Why? Because the District Attorney in 2001 who got the first grand jury going, Lynne Abraham, was charged at the time with investigating the sexual abuse of minors "by individuals associated with religious organizations and denominations." But she chose to ignore her mandate and instead investigated only one religious organizations–ours. Imagine being authorized to investigate muggings in every racial and ethnic community, and deciding to just target blacks!

We recently took National Public Radio (NPR) to task when its religious correspondent who was covering the Philadelphia trial said that one of the priests was "accused of trying to rape a minor, which is not that unusual." Let's get this straight—it's "not that unusual" to find child-raping priests? When we complained, the reporter blithely replied that her remark was "inartfully written." So if another journalist says it is "not that unusual" to find machete-wielding Muslims, are we to believe that the best NPR would do is to say that the wording was "inartful"? It hardly needs to be said that it would never make such a comment in the first place. Fear has a way of keeping people honest.

What made the NPR incident so incredible was the way it responded to me—it went on the attack. To be specific, it objected to my use of the words, "doubly despicable," "unconscionable," and "bigoted," calling me out for the "slashing tone" of my response. But apparently there was nothing "slashing," or anything like it, when the reporter libeled over 40,000 priests. It even chided me for not recognizing that the reporter "is widely recognized for her sensitivity to religious beliefs and institutions." Among whom? Those who listen to NPR? No matter, her purported "sensitivity" obviously broke down this time. That is why it won't do to brush off her outrageous remark, much less attack the complainant.

The sad fact of the matter is that these examples do not exhaust the instances of blatant injustice that have come across my desk recently. Don't kid yourself: those who offend us know exactly what they are doing, but unless they pay a price for their offenses, they will continue. Their bill is overdue.

WHY CATHOLICISM MATTERS

Religious and ethnic loyalties are important to me. I am proud to be Catholic and proud to be Irish. I am also very proud to be an American. But pride absent an intelligent appreciation of one's roots quickly descends to tribalism, and that is not good for the individual or the society. For example, we need to know why it is rational to be proud of our religion. This is one reason why I wrote *Why Catholicism Matters*. And by "we," I don't mean just Catholics. I mean everyone.

There is much to be proud of. Down through the ages, the great philosophers have written widely on the quest for the good society. While it has never been achieved (and given the reality of original sin it can never be fully realized), it is nonetheless true that trying to craft the good society remains a noble enterprise. But we need to the right recipe. Fortunately, it has been available to us for two millennia: the teachings of the Catholic Church provide all the ingredients we need. Well, if the Catholic Church is so great, what about the sexual abuse scandal? I get this all the time. The short answer is this: every priest who failed us did so because he followed his id, not his vows. Had he followed the teachings of the Catholic Church, he could not have sinned. But we all do. That's why popes go to confession—they're human. In other words, beginning with the apostles, some of our teachers have failed us. However, the teachings manifestly have not. The distinction is crucial.

Name something that makes for the good society and invariably it will be shown to have Catholic roots; at the very least, Catholic embellishments can be ascertained. Take the Preamble to the U.S. Constitution. It speaks to a vision of society where justice, domestic tranquility, the common defense of the people, their general welfare, and the blessings of liberty reign supreme.

Justice is one of the cardinal virtues, and no institution has a better record in tending to the needs of the dispossessed than the Catholic Church. Domestic tranquility is not dependent on the police, but on the ability of people to police themselves; here the cardinal virtue of temperance is key. The common defense must allow for just wars, and the proper exercise of another cardinal virtue, namely fortitude, is a must. The general welfare of the people is best served by adopting the teleology, or ultimate purpose, of Catholicism-a "focus on the other." And without the most senior of all the cardinal virtues, prudence, the blessings of liberty, properly understood, can never be achieved.

From the founding of the first universities, to the triumph of the Scientific Revolution, the role of the Catholic Church has been seminal. Indeed, when it comes to understanding why Europe and North America have been home to almost every technological breakthrough in history, there is no better road map than the one Christianity affords. Moreover, the Church's contributions to art, architecture and music have proven to be legendary.

The section on prudence begins by discussing the Catholic Church's role in the makings of a free society. Freedom was not born in Greece-it was a byproduct of the Church's opposition to temporal powers. By contrast, so unknown was freedom to the Chinese and Japanese that they did not have a word for it until the nineteenth century. To be sure, slavery was a universal institution that was not condemned initially by any civilization or religion, though no entity did more to prudentially undermine it over time-through the promotion of natural law and natural rights-than the Catholic Church. Contemporary challenges to freedom, such as the false idea of abortion as a "right," have similarly been resisted by the Church.

Justice for the strongest has never commanded the resources of the Catholic Church, but justice for the weakest most certainly has. In this regard, the role of nuns has been pivotal. Whether by founding schools, foster care homes, asylums, hospitals, hospices, and the like, or by personally tending to the psychological and emotional needs of men, women, and children, nuns, along with priests and the laity, have a track record that has no equal anywhere in the world. Reaching out to the diseased, and to the stranger, especially immigrants, has always been a staple of Catholic social teachings. That many Catholics have made good on those teachings is a story that should make all Catholics cheer.

It took tremendous fortitude for Pope Pius XII to fight the Nazis, and no leader in the world won the plaudits of Jews, during and after the war, than he did. It is important to set the record straight—there have been so many lies told—by recounting all the brave words and deeds that this great pope delivered. Similarly, we need to give Pope John Paul II all the praise he deserves in helping to destroy communism in the Soviet Union and throughout Eastern Europe. The historical evidence is clear: Pius XII and John Paul II have secured their place in the annals of freedom. Few world leaders, and no religious ones, did more to combat totalitarianism than they did.

Temperance is a virtue that self-governing people need to inculcate if moral anarchy is to be checked. Here again, the teachings of Catholicism have proved indispensable. By offering a realistic interpretation of liberty, one that is grounded in our responsibilities to others, the Church offers a practical guide to the creation of a free society. The importance of marriage and the family, and a healthy appreciation of sexuality, beckons us all to give Catholic sexual ethics serious consideration.

These are just some of the subjects that bear examination. By moving from papal encyclicals to their faithful implementation, the reader learns how critically important the Church has been in world history. Priests, the religious, and the laity have bequeathed a stunning legacy, one that contrasts sharply with the failed record of secularism.

By comparing the Church's efforts to that of secular theorists and practitioners, we see ever more clearly why the Catholic voice must be heard in the third millennium. For example, had the secular idea of positivistic law, or law posited by government, prevailed after World War II, Nazis who obeyed orders by killing innocent Jews, Catholics, and others could not have been prosecuted. To do that, the Nuremberg courts had to turn to natural law, a concept that has been embraced by Catholicism for centuries. Similarly, government programs to help the poor have often created more poverty; when compared to Catholic programs, they look even more enfeebled.

The democracies, especially the U.S., fought fascism and communism, but without the efforts of the Catholic Church their ultimate demise would have taken longer to achieve. The secular approach to liberty, one that prizes individual autonomy, has delivered a lot less freedom to its adherents than those who have followed the Catholic approach. Indeed, it has spawned a condition closer to moral anarchy.

Hopefully this book may inspire us to turn to the great heritage of Catholicism as a platform for societal renewal. As indicated, the right recipe for the makings of the good society are right in front of us. There is no better time to show why Catholicism matters than right now.

WHAT THEY'RE SAYING ABOUT WHY CATHOLICISM MATTERS

Bill Donohue's Why Catholicism Matters offers a fresh and compelling look at how the teachings of the Catholic Church continue to provide the best guide for a healthy, happy society. Using the four cardinal virtues – prudence, justice, fortitude, and temperance – as a springboard, this insightful book delves into the issues facing the Church and the broader community, and shows how the Church is at the cutting edge of providing solutions to those issues. Why Catholicism Matters should eliminate the tired stereotype of the Church as being little more than a nagging nay-sayer. On the contrary, it reveals that the Church, and Dr. Donohue himself, give an emphatic YES! to all that is good, noble and uplifting in the human person.

His Eminence Timothy Michael Cardinal Dolan

One can rarely finish a commentary by Dr. William Donohue and remain unfazed. In these days of sharp attacks against the Catholic Church and her teachings and values, Bill can be counted on to weigh in, full-blast, and get the attention which our position too often finds ignored in the secular media. In *Why Catholicism Matters*, readers of every persuasion will find much to inform, deliberate, and, invariably, take issue with. For that, and for his unapologetic commitment to our Faith, I am personally grateful to Dr. Bill Donohue.

His Eminence Edwin Cardinal O'Brien

Why Catholicism Matters is an important contribution at a critical time. As a preeminent voice defending the Church, Dr. Donohue eloquently explains the beauty and importance of Catholic faith. On the canvas of the cardinal virtues, he presents a true and beautiful portrait of the Church that will benefit all people of faith."

His Eminence Donald Cardinal Wuerl

TV audiences know Bill Donohue as a scrapper; a vigorous defender of the Catholic faith in his public role as leader of the Catholic League. But he's also a gifted scholar and, as *Why Catholicism Matters* demonstrates, a thoughtful, vivid and compelling writer. This is a must-read book for anyone who wants to understand the role Catholics need to play in recovering key Christian virtues and renewing American society."

Archbishop Charles J. Chaput

With religious freedom under assault from many directions, what better moment to be reminded of Catholicism's wisdom, glories, and multi-faceted contributions to the common good? And who better to remind us than that tireless defender of the Catholic faith, Bill Donohue? Donohue is a treasure and his book is a gem.

Mary Ann Glendon, Harvard Law Professor

Bill Donohue has spent much of his life defending the Catholic Church — in his latest work he joyously celebrates it. This tour of the Church's forgotten virtues and the many gifts She has given society reminds us all why the Faith remains the prime mover in our time. It also demonstrates why Donohue matters!

Raymond Arroyo, Host of EWTN's "The World Over"

OBAMACARE vs. CATHOLIC CHURCH

Leading up to the Supreme Court's decision on ObamaCare, two developments offered new evidence that the confrontation between the Catholic Church and the Obama administration was nearing a collision course.

In May, attorneys for the United States Conference of Catholic Bishops (USCCB) made plain their objections to the alleged "accommodations" offered by the Department of Health and Human Services (HHS); a day later the Franciscan University of Steubenville announced that as a result of the HHS mandate it would drop student health care insurance programs starting in the next academic year.

Writing for the bishops, Anthony R. Picarello, Jr. and Michael F. Moses said, "We believe that this mandate is unjust and unlawful—it is bad health policy, and because it entails an element of government coercion against conscience, it creates a religious freedom problem." The two men listed six objections to the HHS mandate that would force Catholic non-profits to pay for morally objectionable services in their insurance plans.

One central objection was the "unprecedented" attempt to redefine religious employers as entities that hire and serve mostly people of their own religion. The so-called HHS religious exemption—what they called "improperly narrow and unlawful"—would effectively nullify the religious exemption traditionally afforded such institutions as Catholic social service agencies, hospitals and colleges.

Another major point, one which spoke directly to the concerns of Franciscan University, is that it mandates such organizations to "either drop out of the health insurance marketplace, potentially triggering crippling penalties, or to provide coverage that violates their deeply-held convictions." Fr. Terence Henry, the courageous president of Franciscan University, would not be bullied.

Both the crabbed redefinition of a religious institution, and the either/or conditions it offers Catholic non-profits, are classic Catch-22 politics. The goal, which is to punish Catholic organizations if they don't bow to the secular edicts of the Obama administration, couldn't be more transparent.

The war on religion continues. Anyone who thought it was fading away needs a reality check. We stand firmly with the USCCB.

PHILLY JURY SAYS NO TO CONSPIRACY

In late June, the jury in the trial of two Philadelphia Catholic priests reached a verdict. Msgr. William Lynn was acquitted of conspiracy; on the two charges of child endangerment, he was acquitted on one of them, and found guilty on the other. In addition to the decision on Lynn, the jury was deadlocked on two charges against Rev. James Brennan: one for attempted rape, and one for child endangerment.

The witch-hunt finally had come to an end, and those who were clamoring for blood lost big time.

What made this a witch-hunt was the decision of former Philadelphia District Attorney Lynne Abraham to summarily ignore what she was empowered to do in 2001: She was given the charge "to investigate the sexual abuse of minors by individuals associated with religious organizations and denominations." Had she done so, those cases of minors who may have been sexually molested by ministers, rabbis, and other religious leaders, would have been investigated. Instead, the focus was on the Roman Catholic Church and absolutely nothing was done regarding other religions.

In fact, on March 31, 2011, Bill Donohue sent Abraham a letter in the overnight mail asking her to identify which "religious organizations and denominations" she pursued other than the Roman Catholic Church. She never answered. After all, what could she say?

After the verdict was handed down, there were a number of stories on Abraham's role in bringing about the trial and ultimately Lynn's conviction. In none of those stories did they mention her singular focus on the Catholic Church which did not follow the initial parameters for the investigation.

The Survivors Network of those Abused by Priests (SNAP), and church-chasing attorneys like Marci Hamilton and Jeffrey Anderson, were the big losers. For years these groups—as well as pundits like Andrew Sullivan—have been trying to cast the notion that an intricate cabal exists from the pope to the parish priest, all for the purpose of covering up for the crimes of abusive priests. Following the Philadelphia decision, this idea has been shot dead.

Had this cabal existed, Cardinal Anthony Bevilacqua would have been indicted but he wasn't. If it existed, Lynn would have been convicted on conspiracy but he wasn't.

These groups also couldn't have cared less about getting Fr. Brennan, and they didn't care a whole lot more about getting Msgr. Lynn on child endangerment. They wanted the big prize-they wanted to nail a high-ranking clergyman on conspiracy. Had they won on this count, they would have been in the driver's seat to pursue other "conspirators" nationally. Looks like their car ran out of gas in Philadelphia.

CATHOLIC REBELLION IN FULL SWING

In late May dozens of lawsuits were filed against the Obama administration by a number of Catholic organizations. At the heart of these lawsuits is the constitutionality of the Health and Human Services edict seeking to force Catholic non-profits to pay for abortion-inducing drugs, contraceptive services and sterilization in their insurance plans.

It was a great day for those who believe in religious liberty. Suing the Obama administration for seeking to trash First Amendment rights of Catholics were 43 Catholic dioceses and institutions from all over the nation.

Among those who filed suit were: the Archdiocese of New York; the Archdiocese of St. Louis; the Archdiocese of Washington, D.C.; the Diocese of Rockville Centre; the Diocese of Dallas; the Diocese of Fort Worth; the Diocese of Pittsburgh; the Diocese of Fort Wayne-South Bend; the Michigan Catholic Conference (which represents all seven dioceses in the state); Catholic University of America; Franciscan University of Steubenville; and the University of Notre Dame. Entities ranging from retirement homes to publishing houses also joined the lawsuits.

With the filing of these lawsuits, Catholics were sending an unmistakable sign to President Obama, Kathleen Sebelius, et al. that we will not be obedient. We will not do as we are told. Instead, we will do what is just. Indeed, the Catholic rebellion is in full swing.

"IT'S THE FIRST AMENDMENT, STUPID"

The central issue in the fight between the Obama administration and the Catholic Church is the right of the federal government to redefine religious institutions as entities that hire and serve mostly people of their own faith. Secondarily, the fight is over forcing Catholics to pay for abortion-inducing drugs. But one looks in vain for the Church's critics to even acknowledge this reality. It's not contraception that is in play—"It's the First Amendment, Stupid."

In a recent editorial, the *New York Times* said the Obama mandate "specifically exempts houses of worship." Try telling that to Donald Cardinal Wuerl who runs the Archdiocese of Washington, D.C.; it is a self-insured entity and thus must be forced to pay for morally objectionable services. The Times said most American Catholic women do not agree with the Church's contraception stand, but failed to mention that *because of the Obama administration's disrespect for religious liberty*, support for Obama has dropped precipitously among Catholic women.

The same day that the Times ran its editorial, a column by Lisa Miller of the Washington Post argued that a "small group of very conservative bishops have hijacked the church," and cited Stockton Bishop Stephen Blaire as taking the other side. She was wrong. Three days before Miller's piece ran, Blaire issued a statement saying, "I stand solidly with my brother bishops in our common resolve to overturn the unacceptable intrusion of government into the life of the Church by the HHS Mandate."

But here is what was really driving the story. The secular critics of the Catholic Church, beginning with HHS Secretary Kathleen Sebelius, are so out of touch with Catholic sentiment today that they seriously misread the reaction to this issue. Moreover, they thoroughly underestimated the resolve of today's crop of bishops. Now they are trying to deflect what is really happening, but it's too late.

SOROS-FUNDED GROUP SET TO NAIL BISHOPS

June 21 marked the beginning of the "Fortnight for Freedom", the campaign for religious liberty conducted by the nation's bishops. Fair-minded persons may disagree with this effort, but there was something unseemly going on when those who work for a George Soros-funded group were quietly providing talking points to the media.

John Gehring is an official at Faith in Public Life, an organization that lives off the bounty of the left-wing atheist billionaire. On June 7, Gehring sent a memo to his buddies in the media (we received a leaked copy) instructing them on how to handle the bishops. They should begin by questioning the prelates why the Obama "accommodation" wasn't good enough. "You have to ask why the bishops can't take yes for an answer," he wrote.

Teaching them how to handle the "war on the Catholic Church,"

Gehring advised, "Several bishops have used inflammatory and irresponsible rhetoric that conflates a process of working through complex policy issues with a fundamental attack on the Catholic Church." He also fretted over the politicization of the religious liberty campaign, an effort made possible, he neglected to say, because of the politicization of religion by President Obama.

Not to be outdone, Gehring pressed his lackeys to victimize the victim, beckoning them to ask the bishops—all of whom refuse to prostitute their principles—"Are you willing to sacrifice Catholic charities, colleges and hospitals if you don't get your way on the contraceptive mandate?"

Finally, Gehring provided a list of go-to Catholic activists who can be counted on to subvert the bishops' message. It's what we would expect from a George Soros group.

ASSESSING THE DALLAS REFORMS

In June, the U.S. bishops met in Atlanta, ten years after they instituted reforms to combat the sexual abuse of minors. Though there is room for honest disagreement on why the problem has almost disappeared, it is indisputable that the Catholic Church has the best record of any institution today regarding this matter. In the last three years, there has been an average of 7 new credible accusations made against over 40,000 priests.

Millions of employees and children have gone through programs to combat abuse. The "zero tolerance" policy that was adopted has won praise, though in practice it has had a deleterious impact on the rights of the accused. Moreover, spurious accusations abound: An allegation was recently made in Montana against a nun who was said to fondle a boy in 1943.

Two years ago we investigated which entities in the media, education, and religion had adopted a "zero tolerance" policy for handling cases of sexual abuse. Few did, and none were analogous to the Dallas reforms.

Today attention has turned to the public schools where sex abuse is rampant, as well as to elite private schools such as Horace Mann in the Bronx; the Orthodox Jewish community is currently facing dozens of cases. Still, old cases involving priests get most of the press: in Philadelphia, Lynne Abraham, the D.A. who started the grand jury hearings over a decade ago, never once investigated other religions, though she was explicitly asked to do so.

In all of these institutions, homosexuals account for a disproportionate share of the abuse, yet it is almost never reported. The media even tagged Jerry Sandusky as a pedophile, though his first accuser identified the former Penn State coach as a homosexual.