



# VALUES ACTION TEAM



## 106<sup>TH</sup> CONGRESS REPORT

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# VAT 106<sup>th</sup> Congress Report

## Introduction

The Values Action Team was an offshoot of the Values Summit held in 1998. As a result of this summit, Majority Whip Tom DeLay identified the lack of coordination between the outside pro-life/pro-family coalitions and similar-minded Members of Congress. In turn, the Whip tapped then-freshman Representative Joseph R. Pitts (R-PA) to spearhead this new inside/outside coalition, which would come to be known as the Values Action Team (VAT).

The goal of this group was to unite conservative Members with pro-family coalitions by establishing legislative goals, identifying key tasks for Members and coalitions to perform, and executing action items that would lead to conservative victories. VAT has successfully followed this model, achieving pro-life/pro-family victories since the 2<sup>nd</sup> session of the 105<sup>th</sup> Congress.

This year-end report is intended to be a resource for Values Action Team Members and Coalitions. The following aspects of VAT will be documented:

- 1) Membership and structure
- 2) Legislative action

## Membership and Structure

### Members of Congress

A steering committee of House Members is formed at the beginning of each Congress to meet on an as needed basis.

#### **Requirements for VAT Members:**

- Strongly pro-life.
- Must assign one legislative staff member to attend weekly strategy luncheons.
- Be willing to follow-through with action items such as lobbying Members, signing letters, sending dear colleagues, etc.
- Be willing to address the Thursday VAT coalition meeting at least one time each year.

A VAT report is given by Chairman Pitts each week Congress is in session at the Conservative Action Team (CAT) meeting. As most VAT members also attend the weekly CAT meetings, it was determined that this was the more efficient way for Members to strategize on VAT issues rather than adding another meeting to their

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schedules. This has proven to be an effective way to better engage Members on pro-life/pro-family issues.

VAT Members' staffs meet weekly for a strategy lunch courtesy of the Family Research Council. The goal of these meetings is to strategize, educate, and assign action items for VAT Members and staff to complete.

### Outside Groups

The VAT outside coalition group has had a large attendance over the past three years. Weekly meetings, held on Thursdays when Congress is in session, now draw over 30 pro-family outside groups. These meetings include briefings from Leaders and prime sponsors of House and Senate bills, strategizing, assigning action items, and distribution of resource materials.

## Legislative Action 106th

With a five-vote Majority, VAT faced a difficult challenge entering the 106<sup>th</sup> Congress. However, having set realistic goals, VAT has been a part of many successes in 2000.

- FY 2000 Appropriations

### Background

In an effort to pass all 13 appropriations bills separately, VAT agreed to a strategy request of Leadership not to wage its pro-family battles in this arena this year. This strategy was different than years past in that some VAT Members and coalitions had been working, in some cases for an entire year, on numerous amendments, including:

- Title X Parental Notice (Istook)
- Collocation of Title X Clinics and Abortion Facilities (Tiahrt)
- Destruction of Living Human Embryos Through Stem Cell Research (Dickey)

However, VAT agreed to the strategy as long as there would be floor votes on important authorization bills and more hearings on VAT agenda issues in the next session.

Essentially, VAT acted defensively instead of offensively, protecting American families by ensuring each of the following:

1. Hate crimes legislation was not included in the Commerce, Justice, State bill.

2. National Endowment for the Arts (NEA) funding was not increased in the Interior bill.
3. Maintained all pro-life/pro-family measures that were contained in previous years' bills. The major loss in this category was the fact that UNFPA went from no funding in 1999 to \$25 million in FY2000.

#### Victories

- **Mexico City Policy**

While overall the FY 2000 appropriations process was not favorable to VAT goals, one major victory to highlight is the C.Smith/Leadership deal with the President to release United Nations' arrearage payments if the President would reenact the Mexico City policy. This deal resulted in a one-year statutory ban on U.S. population control funding for foreign non-governmental organizations (NGOs) that perform abortions (except in life of the mother, rape, or incest cases), or that engage in any activity or effort to change other countries' laws. (The Mexico City Policy, established by President Reagan in 1984, was in place until President Clinton took office, when he rescinded it and four other pro-life administrative policies on January 22, 1993.)

Part of the compromise with the White House provides that the \$385 million appropriated in FY 2000 for population (control) assistance would be distributed in accordance with the pro-life Mexico City Policy conditions, but the President could waive those conditions for up to \$15 million (or 4% of the total). However, when he decided to fund foreign organizations that perform or promote abortion, then \$12.5 million (3%) of the \$385 million was transferred from the population account and added to the child survival account for direct, measurable, and high impact programs to decrease child mortality and morbidity (such as oral rehydration, immunization and other life-saving treatments) – a cause that V AT has been working toward for several years.

- **Conscience Protection**

Additional conscience protection language to the contraceptive mandate for all Federal Employee Health Benefits (FEHBP) programs was included in the Commerce/Justice/State Section of the Omnibus Appropriations bill. This language expanded protections to individuals who are asked to provide services contrary to their religious or moral beliefs and had been accepted during House consideration of the Treasury Postal bill by voice vote. This provision was later dropped by conferees, and another vehicle was needed to include this added protection.

- **Protection against anti-Christian bigotry** in documents created for classrooms by the Justice Department.
- **Public School Choice** for students trapped in failing Title I schools.
- Increase in **abstinence education** funding by \$22 million.

**Pro-family restrictions retained from previous years**, including: restrictions on abortion funding, needle distribution and domestic partner benefits in DC, ban on human embryo research and level funding for NEA.

- FY 2001 Appropriations

## Background

In an effort to pass all 13 appropriations bills separately to send them to the president early, VAT again agreed to a strategy request of Leadership not to wage its pro-family battles in this arena. Instead, we focused on not losing ground in past victories, such as the pro-life Mexico City Policy, and also defending against the inclusion of anti-life/traditional family provisions, such as hate crimes.

## Victories

- **Mexico City Policy (Partial Victory)** – The final deal brokered by Reps. Callahan and Pelosi, with input from Rep. Chris Smith, includes dropping the lobbying restrictions on groups that receive U.S. population control funding with the caveat that FY 2001 funds would not be released until February 15, 2001. Thus, the incoming administration would decide whether or not to implement the pro-life protections. Unfortunately, although Rep. Chris Smith agreed to essentially postponing this decision until February, he opposed the additional funding also negotiated by Reps. Callahan and Pelosi, which increased population control by \$40 million from \$385 million to \$425 million. The last year of the Democratic majority, international population control was funded at \$541.6 million, which the Republicans cut the next year to \$356 million. It appears this funding is going in the wrong direction.
- **Needle Exchange in D.C. bill (Tiahrt)** – compromise language was included to make it unlawful to distribute needles within 1000 feet of a public or private elementary or secondary school. It also requires a monthly report on activity involving illegal drugs at or near any public housing sites where a needle exchange program is conducted.
- **No hate crimes**
- **Morning-After Pill Prohibition Amendment (Senator Helms)** – This amendment prohibits the distribution of the morning-after pill on school grounds. The House voted on this issue in the form of a motion to instruct Labor HHS conferees to accept Senator Helms' amendment on September 19, 2000. It passed by a vote of 250-170. The Senate originally passed this amendment 41-54 on June 29, 2000. Unfortunately, this provision was not included in the LHHS bill that was signed by the president.
- **Internet Filtering** – A Pickering/McCain/Istook/Santorum version was included in the LHHS bill that was signed into law by the President. This provision requires blocking of child pornography and obscenity, both illegal under federal law, when computers with Internet access are used in schools and public libraries that are supported by federal subsidies and support.
- **Earmark for the Protection Project to finish its work.**

## Losses

- **National Endowment for the Arts** -- Despite efforts by conservatives to block an increase in funding or to include language to help ensure that obscene "art" was not funded, the Congress will give the NEA a straight increase for the first time since the Republican Majority. The agreement included \$105 million for NEA, a \$7 million increase over last year's spending level.
- **Title X** – Went up \$15 million in the LHHS bill that was signed into law.
- **RU-486 Amendment to Agriculture Appropriations (Coburn)** -- Amendment sought to prohibit the development or approval of any drug intended solely for the chemical inducement of abortion. It failed in the House 182-187. Unfortunately, several pro-life Members missed this vote due to severe weather conditions that delayed their flights.

## Pro-Life

- Bills that Passed the House

H.R. 531, The Hope for the Children Act

This bill increases the adoption tax credit from \$5000 to \$10,000.

*Sponsor: Rep. Tom Bliley*

A modified version of H.R. 531 was **included in the 2000 year-end tax package, H.R. 2614, which was adopted by the House** on October 26, 2000. The adoption tax credit provisions in this bill increase the non-special needs tax credit to \$6000 in 2001, \$7000 in 2002, \$8000 in 2003, \$9000 in 2004, and \$10,000 in 2005. The tax credit for special need is increased to \$8000 in 2001, \$10,000 in 2002, and \$12,000 in 2003 and years thereafter. Also, income eligibility for the tax credit is doubled from present law. For all taxable years after December 31, 2000, this bill provides a full credit for all adjusted gross incomes under \$150,000 and the credit is gradually phased out for incomes between \$150,000 to \$190,000. Unfortunately, on October 26, 2000, President Clinton issued a veto threat for the tax bill, so the Senate decided not to consider the package.

H.R. 1218, the Child Custody Protection Act.

This bill makes it a Federal crime to transport a minor (under 18) across a State line to obtain an abortion if the requirements of a law in the State where the individual resides, requiring parental involvement in a minor's abortion decision (as is the case in Pennsylvania), are not met before obtaining the abortion.

*Sponsor: Rep. Ileana Ros-Lehtinen (R-FL)*

This bill **passed the House** on June 30, 1999 by a vote of 270-159, but this bill was never considered in the Senate. Since Sen. Spencer Abraham (R-MI) was the sponsor of the companion bill, S. 661, and he was not reelected, another Senate sponsor will need to be identified for the 107<sup>th</sup> Congress.

H.R. 2260, Pain Relief Promotion Act of 1999

This bill would amend the Controlled Substances Act (CSA) to promote pain management and palliative care while clarifying that the CSA prohibits the dispensing or distribution of a controlled substance for the purpose of causing, or assisting in causing, the suicide, or euthanasia, of any individual.

*Sponsors: Reps. Henry Hyde (R-IL)*

This **bill passed the House** on October 27, 1999 by a vote of 271-156.

H.R. 2260 was drafted in response to the action by Attorney General Reno on June 5, 1998, in which she overruled a Drug Enforcement Administration (DEA) determination that the use of controlled substances to cause death would be a violation of the Federal CSA.

Senator Don Nickles introduced the Senate companion, S. 1272. A hearing was held in the Health, Education, Labor, and Pensions Subcommittee on October 13, 1999. As Senator Wyden had prevented floor consideration of S. 1272, pro-life Members have sought other ways to send this bill to the president's desk. In fact, it was included in the 2000 year-end House tax package. The president sent a letter to Leaders notifying of his intention to veto the tax package, but not mentioning any opposition to the Pain Relief Promotion Act.

H.R. 2436, Unborn Victims of Violence Act

This bill would amend federal law so that individuals who have committed crimes of violence prohibited under Federal law could also be prosecuted if their conduct resulted in death or bodily injury to an unborn child.

*Sponsor: Rep. Lindsey Graham (R-SC)*

This bill **passed the House** on September 30, 1999 by a vote of 254-172. A companion bill, S. 1673, was introduced by Senator DeWine. On February 23, 2000, the Judiciary Committee held a hearing, but the bill was not considered in Committee or on the Senate floor.

H.R. 4292, The Born-Alive Infants Protection Act

This bill would firmly establish that, for purposes of federal law, an infant will be considered to have been born alive if she is completely expelled or extracted from her mother and breathes, has a beating heart, a pulsation of the umbilical cord, or definite movement of the voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the baby was born as a result of natural or induced labor, cesarean section, or induced abortion.

*Sponsor: Rep. Charles Canady (R-FL)*

H.R. 4292 **passed the House** 380-15, 3 present, under suspension of the Rules on September 26, 2000. Senator Rick Santorum introduced it in the Senate, but no action was taken.

H.R. 4888, The Innocent Child Protection Act

This bill would prohibit any state from executing a woman who carries a child in utero.

*Sponsor: Rep. Ileana Ros-Lehtinen*

H.R. 4888 **passed the House** under suspension of the Rules 417-0 with 2 present on July 25, 2000. This bill was drafted in response to statements made in July 2000 by Vice President Al Gore suggesting that it would be permissible, under certain circumstances, for the government to kill an innocent human being – an unborn child – by executing a pregnant woman.

Mr. Gore was asked, on the July 16 edition of NBC's *Meet the Press*, whether he agreed with the 1994 statute [18 U.S.C.A. Sect. 3596] that prohibits a federal execution from being carried out on a pregnant woman. Mr. Gore laughed and said, "I'd want to think about it." The next day, Mr. Gore announced his position on the question, as reported in the July 18 edition of *The New York Times*: "Mr. Gore said he favored allowing a pregnant woman to choose whether to delay her execution until she gave birth. 'The principle of a woman's right to choose governs in that case,' he said."

If Mr. Gore's position were carried out, it would nullify a legal principle that goes back hundreds of years. As the U.S. Supreme Court noted in *Union Pacific Railway v. Botsford* (1891), the common law barred execution of a pregnant woman "to guard against the taking of the life of an unborn child for the crime of the mother." Mr. Gore's position also contradicts the promise made by the U.S. in 1976, when it became a signatory to the International Covenant on Civil and Political Rights and explicitly endorsed the prohibition, "Sentence of death . . . shall not be carried out on pregnant women." There is, of course, only one rationale for such a prohibition – the recognition that failure to delay the execution would result in the death of an innocent party, the unborn child.

- Bills that Passed the House and Senate

H.R. 3660, The Partial-birth Abortion Ban Act

This bill bans partial-birth abortion except in order to save the mother's life.

*Sponsor: Rep. Charles Canady (R-FL)*

H.R. 3660 **passed the House** 287-141 on April 5, 2000. Senator Rick Santorum introduced the Senate version. An amendment was offered by Senator Harkin, which expressed the sense of Congress in support of the Supreme Court's decision in *Roe v. Wade*. The Harkin amendment passed the Senate 51-47, and the bill passed 63-34 on October 21, 1999. No conference report was ever filed. However, as President Clinton had already **vetoed the partial-birth abortion act twice**, it was expected that he would veto the bill again this year if given the opportunity.

- Other Pro-life Bills

H.R. 2901, The Women and Children's Resources Act

This bill will establish an \$85 million formula grant program within LHHS to provide pregnant women assistance such as crisis pregnancy center services, maternity home stays, and adoption services.

*Sponsor: Rep. Joe Pitts*

H.R. 2901 was not considered in the House during the 106<sup>th</sup> Congress. The Senate companion bill, S. 1605, was introduced by Senator Rick Santorum.

H.R. 3302, The State's and Parental Rights Improvement Act

This bill allows states to place safeguards on the distribution of prescription drugs to minors and requires federal programs to obey those state laws.

*Sponsor: Rep. Kevin Brady (R-TX)*

H.R. 3980, The Human Fetal Tissue Disclosure Act

This bill requires entities that are to receive fetal tissue for any purpose, other than solely for purpose of pathological examination, to file a disclosure statement with the Secretary of Health and Human Services that contains: (1) a list of each entity that has obtained possession of the tissue prior to possession by the filing entity; (2) a description of the use to be made of such tissue and the end user; (3) a verification that the tissue was obtained with the donor's legal consent; (4) a description of the type of tissue involved, including a determination of whether it was obtained from an induced abortion; (5) a description of the quantity of tissue involved; (6) a description of the money or any other consideration of value transferred as a result of the transference of the tissue; and (7) any other information determined appropriate by the Secretary.

*Sponsor: Rep. Tom Coburn*

This bill arose out of information indicating that baby body parts were being sold for profit. The Commerce Committee held a hearing entitled, "Fetal Tissue: Is It Being Bought and Sold in Violation of Federal Law?" in March 2000. No action was taken on H.R. 3980.

H.R. 5385, The RU-486 Patient Health and Safety Protection Act

This bill would enact many of the health and safety guidelines the FDA originally proposed for RU-486, but dropped after pro-abortion activists launched an aggressive lobbying campaign to kill the provisions. Provisions include: 1) a requirement that only physicians trained in surgical abortions would be allowed to prescribe the drug; 2) prescribing physicians must be credentialed in ultrasound administration; 3) prescribing doctors must have admitting privileges at a hospital within one hour of their offices; 4) a follow-up study of all women who have medical abortions. European countries like Britain and France have established even more stringent provisions.

*Sponsor: Rep. Tom Coburn*

The House did not consider H.R. 5385 this Congress. Senator Tim Hutchinson introduced the Senate companion bill, S. 3157.

- Bills that have been signed into law

H.R. 2511, The Adoption Awareness Act

This bill authorizes \$7 million to train adoption counselors to ensure that the federal government is proactively supporting adoption.

*Sponsor: DeMint/Bliley*

A modified version of the Adoption Awareness Act was included in H.R. 4365, a bill addressing a wide range of children's health issues, and **signed into law** on October 17, 2000.

As signed into law, the Infant Adoption Awareness Act provides training for pregnancy counselors in adoption counseling so they can provide complete and accurate information on adoption. The training will enable pregnancy counselors to feel confident in their knowledge of the adoption process, relevant State and local laws, and the legal, medical, and financial resources that can be provided to women with unplanned pregnancies. This step should significantly advance the elimination of an anti-adoption bias in pregnancy counseling by providing lasting answers to difficult circumstances.

Furthermore, the bill provides for two studies, which will shed more light on pregnancy counseling practices in health clinics across the nation. While older studies indicate pregnancy counselors often omit adoption altogether or provide incomplete or inaccurate information on adoption, this Act requires a current study of the counseling practices of pregnancy counselors. The bill also calls for a follow up study to assess counselor practices following their training in adoption counseling.

- Other

H.Res.118, the Voluntary Family Planning Resolution

The resolution states that it is Congress' belief that all family planning programs should be completely voluntary, avoid numerical targets, and provide recipients complete information on methods (including telling recipients whether the methods are experimental), and generally respect individual values and beliefs as well as national laws and development priorities.

*Sponsor: Rep. Todd Tiahrt*

This resolution **passed the House** on March 23, 1999 by voice vote.

H.Con.Res. 253, The Holy See Resolution

This resolution expresses the sense of Congress strongly objecting to any effort to expel the Holy See from the United Nations as a state participant by removing its status as a Permanent Observer.

*Sponsor: Rep. Chris Smith*

H.Con.Res. 253 **passed the House** under suspension of the Rules 416-1 on July 11, 2000. This resolution was drafted to defend the Holy See from an attack by a pro-abortion group that was formed specifically to lobby the United Nations to remove State Permanent Observer Status from the Vatican. This group, called See Change, began attacking the Holy See's credentials, ignoring the fact that the Holy See has engaged in diplomatic relations since the 4<sup>th</sup> Century and currently exchanges diplomats the 177 nations. It was clear that the sole reason this group sought to oust the Holy See from the U.N. was that the Vatican has been a tireless advocate for the unborn.

H.Con.Res. 305, The Presence of Life Resolution

This resolution expresses the sense of the Congress that the presence of brain wave activity and spontaneous cardiac activity should be considered conclusive evidence of human life for legal purposes.

*Sponsor: Rep. Tom Coburn*

Although the Commerce Committee agreed to waive jurisdiction so that this resolution could be considered by the House, it is commonly known that a pro-abortion Republican blocked further action.

H.Res.350, A Resolution Regarding Trafficking in Baby Body Parts  
This resolution calls on the Congress to hold hearings "and take appropriate steps if necessary, concerning private companies that are involved in the trafficking of baby body parts for profit.

*Sponsor: Rep. Tom Tancredo (R-CO)*

This resolution **passed the House** by voice vote on November 9, 1999. Under the 1993 law, baby body parts cannot be sold for "valuable consideration," but money can be exchanged for fees involving transportation, implantation, processing, preservation, quality control, or storage. Despite the presence of this law, evidence has recently come forward that private companies are in fact making money by trafficking in baby body parts. One company even goes so far as to list prices for body parts such as eyes, livers, brains, and even skin, and provides discounts under certain conditions. Unbelievably, these businesses claim that they are acting with impunity and point to the very law Congress passed to stop this kind of profiteering in the tragedy of abortion as justification for their activities.

Conscience Clause Amendment to H.R. 1304

This amendment prohibits coercion by pro-abortion doctors to force a health plan to cover abortion services.

*Sponsor: Rep. Tom Coburn (R-OK)*

This amendment **passed the House** 213-202, with 1 present vote, on June 30, 2000. H.R. 1304 **passed the House** 276-136, with 2 present votes, but was not considered in the Senate.

## Tax Relief

### Marriage Tax Penalty

Elimination of the Marriage Tax Penalty was one of VAT's top priorities. The Financial Freedom Act, passed by Congress and **vetoed** by the President during the 1<sup>st</sup> session of the 106<sup>th</sup> Congress, provided almost \$113 billion in tax relief to married couples by increasing the standard deduction and expanding the 15-percent tax bracket. Additional provisions brought the estimated total marriage-tax relief to almost \$150 billion.

This level of marriage tax penalty relief would not have been included if VAT coalitions and Members had not fought for significantly more relief than was originally included by the House Committee on Ways and Means.

In the 2<sup>nd</sup> session, marriage tax penalty was passed as a stand-alone bill. H.R. 6 passed the House in February. The Senate Finance Committee passed out their marriage tax penalty elimination bill S. 2346 and its provisions were included in a reconciliation bill in June. Then, the House and Senate versions were incorporated into a reconciliation bill, H.R. 4810, which passed both Houses in July and was **vetoed** by President Clinton on August 8, 2000.

The conference report would:

1. Amend the Internal Revenue Code (IRC) to provide that the basic standard deduction for a married couple filing jointly shall be twice the basic standard deduction for an unmarried individual, beginning in 2000.
2. Provide that the 15 percent regular income tax bracket for a married couple filing jointly shall be twice the size of the corresponding bracket for an unmarried individual. Set forth a graduated phase-in beginning in 2000 and fully effective in 2004.
3. Increase the beginning point of the phase-out range of the earned income credit for married couples filing jointly by \$2,000, beginning in 2000.

Eliminating this unfair tax on marriage will be a top priority of VAT in the 107<sup>th</sup> Congress.

#### Education Savings Accounts

The Taxpayer Refund and Relief Act would have raised the annual limit on tax-free contributions to ESAs from \$500 to \$2,000. This would have helped parents pay for education expenses such as tuition, tutoring, books and computers for their kids. The conference report, H.R. 2488, passed in September 1999 and was **vetoed** by the president.

In the 2<sup>nd</sup> Session, H.R. 7, the Education Savings and School Excellence Act of 2000 passed out of the Ways and Means Committee on March 22, 2000, but was not considered on the House floor. Rep. Nancy Johnson continued to threaten to offer her school construction bill as a substitute.

The Senate version, S. 1134, the Affordable Education Act of 2000 **passed the Senate** on March 2, 2000. Both bills would raise the annual contribution to education savings accounts from \$500 to \$2000 per year.

H.R. 2614, the House Year-End Tax Package for 2000

Among other tax relief provisions were two key pro-family/pro-life provisions:

- H.R. 531, The Hope for the Children Act (explained in pro-life section)
- H.R. 5544, The Pain Relief Promotion Act (explained in pro-life section)

This bill **passed the House** 237 to 174 on October 26, 2000. Unfortunately, President Clinton threatened to veto it before the Senate had even acted on the bill.

## Education

### The Education Reform Caucus

VAT Members Schaffer and Hoekstra have created the Education Reform Caucus to join reform-minded Members to strategically work to implement conservative education reforms in the House and to expose waste, fraud, and abuse at the Department of Education. Doug Mesecar was hired as a shared employee of the caucus and the Conservative Action Team. The creation of this caucus is expected to greatly increase education reform victories and allow for better defense against anti-reform, big-government proposals.

## ESEA Reauthorization

As the Elementary and Secondary Education Act of 1965 expired during the 106<sup>th</sup> Congress, the top priority of the Education Committee was to reauthorize this bill, which covers nearly all of Lynden Johnson's expansive federal agenda. The House Committee chose to divide this reauthorization into six parts:

- H.R. 2, The Student Results Act – **passed the House** 358-67 on October 21, 1999.
- H.R. 1995, The Teacher Empowerment Act – **passed the House** 239-185 on July 20, 1999.
- H.R. 2300, The Academic Achievement for All Act (Straight As) – **passed the House** 213-208 on October 21, 1999.
- H.R. 4141, The Education Options Act – passed out of Committee on April 13, 2000, but was **not considered on the House floor**.
- H.R. 3616, The Impact Aid Reauthorization Act – was added to the Defense Authorization bill and was **signed into law** on October 30, 2000.
- H.R. 3222, The Literacy Involves Families Together Act – **passed the House** on Sept. 12, 2000.

VAT had hoped that the reauthorization of ESEA would provide the opportunity to enact fundamental reform to our nation's ailing education programs. Our goals were to drive dollars and decisions to the local level, where teachers and parents can best respond to the needs of individual students and local issues. Unfortunately, with our slim majority and a liberal Administration, it proved difficult to implement the type of changes VAT sought. However, small steps were taken, thanks primarily to conservative Members on the Education Committee and the Expect Coalition – an education reform coalition composed primarily of VAT outside groups. The Senate never completed its version of ESEA reform.

H.R. 800, The Education Flexibility Partnership Act (P.L. 106-25)  
H.R. 800, known as "Ed-Flex" gives all 50 states the flexibility to design local education programs that meet the individual needs of schools and communities. "Ed-Flex" empowers states and local school districts to achieve this freedom by waiving federal education regulations for Titles I through VII of the Elementary and Secondary Education Act.

*Sponsor: Rep. Mike Castle*

H.R. 800 was **signed into law** on April 29, 1999.

H.R. 1150/H.R. 1501, The Juvenile Justice bill – Cultural Amendments

- **DeMint – First Amendment Right to Freedom of Expression**  
Ensures that students who exercise their First Amendment right to freedom of religious expression are not considered entities of the government and, therefore, are not in violation of the Establishment Clause. The amendment also requires that each side pay its own attorney fees in cases involving student freedom of expression when challenged under the Establishment Clause. **Passed the House** 238-189.
- **Aderholt – Ten Commandments**  
Allows states to publicly display the Ten Commandments under the Tenth Amendment to the Constitution. **Passed the House** 248-180.

- **Tancredo – Public School Memorials**  
Allows for memorials on public school properties to contain religious speech without violating the U.S. Constitution. **Passed the House** 300-127.
- **Hutchinson – Grants for “Restorative Justice”**  
Adds “restorative justice” as a new category of permissive uses for grant money to states and localities authorized under the Juvenile Accountability Block Grants. **Passed the House** by voice vote.
- **DeLay – Prohibiting Early Release**  
Prohibits Federal judges, in a civil action regarding prison conditions or overcrowding, from carrying out any order that would result in the release from, or non-admission to, a prison of any person subject to incarceration. **Passed the House** 296-133.
- **Green – Penalties for Sex Offenders**  
Requires mandatory life imprisonment for an offender convicted of a second sex offense against a child. **Passed the House** by voice vote.
- **Canady – Penalties for Sale of Obscene Materials to Minors**  
Raises the age of minors from 16 to 18 in 18 U.S.C. section 1470 that provides for penalties to those who transport and sell obscene materials to minors. **Passed the House** by voice vote.
- **Emerson – Condemning the Entertainment Industry**  
Sense of Congress that the entertainment industry has been irresponsible in marketing its products to American youth; must recognize the power and influence it has over children and young adults; and must do everything possible to curtail portrayals of pointless acts of brutality. **Passed the House** by voice vote.
- **Norwood – Amending the IDEA Act**  
Authorizes school personnel to discipline students with disabilities who have weapons or illegal drugs in the same manner, as they would discipline students without disabilities. **Passed the House** 300-128.
- **Fletcher – Character Education Programs**  
Allows state and local education agencies to form partnerships designed to implement character education programs that reflect the values of parents, teachers, and local communities, as well as incorporating elements of good character, including honesty, citizenship, courage, respect, personal responsibility and trustworthiness. **Passed the House** 422-1.
- **Franks/Pickering – Internet Filtering Devices in School and Libraries**  
Requires schools and libraries to install filtering or blocking technology on their computers to filter out material deemed harmful to minors, if they accept federal funds from the E-rate to connect to the Internet. **Passed the House** by voice vote.
- **McIntosh – Litigation Immunity for Teachers**  
Provides civil litigation immunity for teachers, principals, school board members, and other education professionals who engage in reasonable actions to maintain order, discipline, and a positive education environment in America’s schools. **Passed the House** 300-126.

- **Salmon/Weldon – Aimee’s Law**  
Provides additional funding to states that convict a murderer, rapist, or child molester, if that criminal had previously been convicted of one of those same crimes in a different state and was released. **Passed the House** 412-15.
- **Cunningham – Matthew’s Law**  
Directs the U.S. Sentencing Commission to increase the penalties for criminals who commit violence against children under the age of 13. **Passed the House** 401-27.

As the Juvenile Justice bill was not expected to be completed in the 106<sup>th</sup> Congress, separate action was taken on three of these amendments. They are as follows:

- **H.R. 894, Aimee’s Law (Salmon)** – included in H.R. 3244, the Victims of Trafficking and Violence Protection Act of 2000 that was **signed into law** on October 28, 2000.
- **H.R. 4047, The Two Strikes and You’re Out Child Protection Act (Green)** – **passed the House** by voice vote on July 25, 2000.
- **Internet Filtering** – was included in the LHHS bill as **signed into law**.

H.R. 1494, the Dollars to the Classroom Act

This \$2.87 billion bill consolidates 31 federal K-12 education programs into flexible grants to the states, requiring that 95 percent of the funding is directed to our nation’s classrooms to directly improve student’s learning. Dollars to the Classroom, which is the top priority of education reformers in Congress, is necessary because more than 30 cents of every federal education dollar never reaches classrooms and is lost in bureaucracy rife with waste, fraud, abuse, and mismanagement.

*Sponsor: Rep. Joe Pitts*

Although this bill passed the House during the 105<sup>th</sup> Congress and remains a top priority of the VAT coalition, it was not considered during the 106<sup>th</sup> Congress. VAT will continue to work for its consideration in the 107<sup>th</sup> Congress.

H.R. 2300, The Academic Achievement for all Act (Straight A’s)

This 10-state pilot program that will allow parents, teachers, and local school leaders – not the federal bureaucracy – to make decisions on how to spend education dollars to best meet the needs of their students. Straight A’s allows states or local school districts to combine funds and escape the regulations of up to fourteen K-12 federal education programs if they establish five-year performance plans to increase student achievement and narrow achievement gaps. Charter schools operate under this concept, which can be summarized as: Freedom + Accountability = Results. This bill would allow states to target an additional \$4.4 billion to Title I, Education of the Disadvantaged, of the Elementary and Secondary Education Act.

*Sponsor: Rep. Bill Goodling*

H.R. 2300 **passed the House** in October 1999. It was not considered in the Senate. VAT was disappointed that this bill was significantly weakened by a compromise with Rep. Castle, which resulted in the limitation of this flexibility to 10 states, rather than all 50 states.

H.R. 4055, The IDEA Full Funding Act

The Individuals with Disabilities Education Act (IDEA) became law in 1975 to provide children with disabilities access to a quality public education; it pledged federal contributions of 40 percent of the average per pupil expenditure to assist states and local schools with the extra costs of educating such children. The IDEA Full Funding Act sets a schedule for fully funding the federal government's portion of IDEA by providing \$2 billion a year increases until 2010.

*Sponsor: Rep. Bill Goodling*

H.R. 4055 **passed the House** under suspension of the rules 421-3 on May 3, 2000. Under the Republican-led Congress, funding for IDEA has reached historically high levels. Since 1995, Republicans have increased the total IDEA funding over 136 percent. Between FY 1997 and FY 2000, Republicans have provided an average increase of 16.4 percent above the president's request. By devoting more funding to the federal government's share of IDEA, local schools will be able to meet more of their individual needs instead of struggling beneath the burden of this massive, unfunded federal mandate.

H.R. 4079, The Department of Education Fraud Audit Bill

Directs the Comptroller General to: (1) conduct a fraud audit of selected accounts at the Department of Education that the Comptroller General determines to be particularly susceptible to waste, fraud, and abuse; and (2) report audit results to specified congressional committees.

*Sponsor: Rep. Pete Hoekstra*

H.R. 4079 **passed the House** 380-19 under suspension of the rules on June 13, 2000. A companion bill, S. 2829, was introduced by Senator Hutchinson. According to the bill's sponsor, the Education Department's failure to receive a clean audit in each of the past two fiscal years, coupled with a large number of cases of waste, fraud, and abuse at the department, demand swift action.

H.Con.Res. 84, IDEA Full Funding Resolution

This resolution urges the Congress and the President to fully fund the federal government's obligation under the Individuals with Disabilities Education Act.

*Sponsor: Rep. Bill Goodling*

H.Con.Res. 84 **passed the House** 421-3, 1 present on May 4, 1999.

H.Res. 303, The Dollars to the Classroom Resolution

This resolution states that 95 percent of federal education dollars should go directly to the classroom where decisions on how they are spent are made by people who know our children's names and educational needs – not by the Washington bureaucracy.

*Sponsor: Rep. Joe Pitts*

H.Res. 303 **passed the House** 421-5 under suspension of the rules on October 12, 1999

H.Con.Res. 310, Supporting a National Charter Schools Week  
This resolution acknowledges and commends the charter school movement for its contribution to improving our Nation's public school system. It expresses the sense of Congress that: (1) a National Charter Schools Week should be established; and (2) the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools in communities throughout the Nation.

*Sponsor: Rep. Tim Roemer*

H.Con.Res. 310 **passed the House** 397-20 under suspension of the rules on May 3, 2000.

H.Res. 409, Catholic Schools Resolution  
This resolution honors the contributions of Catholic schools, students, parents, and teachers across the Nation for their efforts to improve the quality of education in the United States.

*Sponsor: Rep. Bob Schaffer*

H.Res. 409 **passed the House** by voice vote on February 11, 2000.

H.Res. 578, Home School Resolution  
This resolution congratulates home educators and home schooled students across the Nation for their efforts to improve the quality of education in the United States and supports the goals of National Home Education Week.

*Sponsor: Rep. Bob Schaffer*

This resolution **passed the House** by voice vote on September 26, 2000.

H.Res. 492, Teacher Appreciation Resolution  
Expresses that the House of Representatives: (1) honors and recognizes the unique and important achievements of America's teachers; and (2) urges all Americans to take a moment to thank and pay tribute to our Nation's teachers.

*Sponsor: Rep. Kay Granger*

H.Res. 492 **passed the House** 422-0 on May 9, 2000.

## Obscenity/Child Pornography

### Letter to President Clinton

On March 29, 1999, VAT Members sent a letter to President Clinton requesting that he direct Attorney General Janet Reno to re-evaluate her prosecution decisions on *Radiant Identities* and *Age of Innocence* and on Internet pornography. Further, the letter urged the President to direct the Attorney General to issue another directive to

all U.S. Attorneys, in her name, requesting that they more actively prosecute obscenity, particularly Internet obscenity.

Letter to Crime Subcommittee Chairman Bill McCollum

On April 13, 1999, VAT Members wrote to Chairman McCollum to request that he convene a hearing on child pornography, with particular emphasis on examining the Justice Department's inadequate enforcement of child pornography laws. The Judiciary Committee plans to hold such a hearing during the 2<sup>nd</sup> session.

Letter to Attorney General Janet Reno

On February 19, 1999, VAT Members wrote the Attorney General to urge the Justice Department to appeal the February 1, 1999 preliminary injunction against the Child Online Protection Act (COPA) that was issued by the United States District Court for the Eastern District of Pennsylvania. On June 10, 1999, a response from the DOJ stated that the Solicitor General has authorized an appeal of that injunction to the United States Court of Appeals for the Third Circuit, and that their notice of appeal was filed on April 2, 1999.

H.Con.Res. 107

VAT Members and coalitions worked to pass this resolution rejecting the conclusions of a study published by the American Psychological Association (APA), which suggested that sexual relationships between adults and children might be positive for children.

*Sponsor: Rep. Salmon*

This bill **passed the House** on July 30, 1999 by a vote of 355-0, with 13 voting present. It **passed the Senate** on July 30, 1999 by Unanimous Consent.

H.Con.Res. 107, APA Resolution

Expresses the sense of Congress rejecting the conclusions of an article published by the American Psychological Association (APA) that suggests that sexual relationships between adults and children might be positive for children.

*Sponsor: Rep. Matt Salmon*

H.Con.Res. 107 **passed the House** under suspension of the rules 355-0 on July 12, 1999 and **passed the Senate** on July 30, 1999 by Unanimous Consent.

H.R. 2162, the Can Spam Act

This bill allows Internet Service Providers to sue spammers, thereby controlling spam (unsolicited commercial e-mail messages).

*Sponsor: Rep. Gary Miller*

As more than 30% of spam is pornographic, VAT views this bill as an excellent way to fight pornography in our nation. Rep. Miller was asked to work with Rep. Heather Wilson to combine their bills into a single anti-spam bill for the House to consider.

H.R. 3113, The Unsolicited Commercial Electronic Mail Act of 2000  
To protect individuals, families, and Internet service providers from unsolicited and unwanted electronic mail.

*Sponsor: Rep. Heather Wilson*

H.R. 2162 and H.R. 3113 were combined – including the protections for Internet Service Providers in the Miller bill with the protections for the individual computer users in the Wilson bill. Much of the content of spam is misleading and graphically pornographic. If children open these seemingly harmless messages, they are exposed to graphic pornographic stories and Internet links to pages with graphic pornographic pictures. By stopping spam, purveyors of pornography no longer have the ability to send unsolicited pornography into Americans' homes and force them to pay for it. H.R. 3113 **passed the House** 427-1 under suspension of the rules on July 18, 2000.

H.R. 4147, the Stop Material Unsuitable for Teens Act  
This bill amends the federal criminal code to increase from 16 to 18 the age of persons considered to be minors for purposes of the prohibition on transferring obscene materials to minors.

*Sponsor: Rep. Tom Tancredo*

H.R. 4147 **passed the House** 397-2 under suspension of the rules on October 2, 2000.

H.R. 4600, The Children's Internet Protection Act  
To require schools and libraries to implement filtering or blocking technology for computers with Internet access as a condition of universal service discounts (e-rate) under the Communications Act of 1934.

*Sponsor: Rep. Chip Pickering*

While this bill has not been considered stand-alone, Rep. Pickering worked with Reps. Franks and Istook to include a version of this bill in the LHHS bill that was **signed into law**.

H.R. 4710, the Illegal Pornography Prosecution Act  
This bill authorizes \$5 million for the prosecution of obscenity at the Department of Justice.

*Sponsor: Rep. Steve Largent*

H.R. 4710 **passed the House** 412-4 under suspension of the rules on July 26, 2000. Under the Clinton Administration, prosecution of obscenity has drastically decline by 83%. In the new Administration, VAT will be working to ensure that the Office of Child Exploitation and Obscenity is recreated and spearheaded by a conservative who will aggressively prosecute obscenity cases.

H.Res. 239, Enforcement of Obscenity Laws Resolution  
Expresses the sense of the House that the President and the Attorney General should vigorously enforce federal obscenity laws and aggressively pursue violations of laws involving the interstate movement of individuals for illegal sexual purposes.

*Sponsor: Rep. Gary Miller*

This resolution was not considered during the 106<sup>th</sup> Congress.

- Marriage

H.Res. 280, Support for Marriage Resolution

This resolution recognizes the importance of strong marriages and the contributions that community marriage policies have made to the strength of marriages throughout the United States.

*Sponsor: Rep. Vern Ehlers*

H.Res. 280 **passed the House** under suspension of the rules by voice vote on June 12, 2000.

- Homosexual Agenda

*The Boy Scouts*

H.R. 4892, The Scouting for All Act

This bill would repeal the federal charter of the Boy Scouts of America.

*Sponsor: Rep. Lynn Woolsey*

H.R. 4892 failed to pass the House under suspension of the rules 12-362, 51 present on September 13, 2000. The strong opposition to this bill is demonstration of congressional support for the Boy Scouts.

H.R. 5306, The Scouts Honor Act

This bill would prohibit the use of federal funds to discriminate against the Boy Scouts of America on the basis of beliefs promoted by that organization or that organization's constitutionally protected expression of beliefs or exercise of associational rights, and for other purposes.

*Sponsor: Rep. Tom Tancredo*

H.R. 5306 has not been considered in the House.

*Gay Marriage*

Same-Sex Unions in Vermont

On April 19, 2000 the Vermont State Senate passed a same-sex unions bill by a vote of 19-11, and the state House followed suit on April 25 voting 79 to 68 in favor of granting marriage-like status to gay couples. Gov. Howard Dean (D) signed it the next day. Same-sex couples will get licenses from their town clerk, just as couples obtain real marriage licenses. As with marriages, a justice of the peace, judge or clergy can certify the civil unions. Family Court will preside over breakups, which will be called dissolutions.

*Hate Crimes*

During consideration of the Defense Authorization bill for FY 2001, Senator Kennedy offered his hate crimes amendment, which passed the Senate. As this was not included in the House bill (H.R. 4205), on September 13, 2000, Rep. Conyers offered a motion to instruct conferees to agree to the federal hate crimes amendment. Unfortunately, this motion passed the House 232-192.

Leadership has been fully supportive of VAT's opposition to any expansion of federal hate crimes laws, and has worked to block this discriminatory proposal.

The **Kennedy Hate Crimes Bill** dramatically expands the civil rights law that makes it a federal crime to interfere violently with another person's exercise of a federally protected activity because of the person's race, religion or ethnicity by broadening the concept of hate crimes to include violent acts committed on the basis of the victim's sexual preference, gender, or disability. Further, it would authorize federal prosecution of bias-motivated attacks even when the victim is not engaged in a federally protected activity.

- Safe-Sex Agenda

#### HPV Education and Prevention

One of the final issues resolved by the 106th Congress was to establish a national program to educate the public and health care professionals about human papillomavirus (HPV), a largely unknown virus that infects 24 million Americans and causes nearly all cases of cervical cancer. This provision requires studies pertaining to HPV, a report to Congress, an HPV prevention education program, and an examination of condom labeling to ensure that medically accurate information is presented. As HPV is the leading cause of cervical cancer and condoms do not protect against HPV, this effort could save the lives of many women who have otherwise bought into the myth of "safe sex."

*Sponsor: Rep. Coburn*

## Religion

S. 2869, the Religious Land Use and Institutionalized Persons Act  
This bill requires state and local governments to justify regulations that place a substantial burden on the free exercise of religion in the land use and prison context by showing that there is a compelling government interest that is furthered by the regulation and that the regulation is the least restrictive means of furthering that interest.

*Sponsors: Senator Hatch, Rep. Canady*

S. 2869 passed the House and Senate in July 2000 and was **signed into law** on September 22, 2000.

#### H.Res. 494, Ohio State Motto Resolution

This resolution expresses the sense of the House that the Ohio State motto, "With God All Things Are Possible," is constitutional and urges the courts to uphold its constitutionality.

*Sponsor: Rep. Michael Oxley*

H.Res. 494 **passed the House** under suspension of the rules 333-27, 66 present on June 27, 2000.

H.Res. 548, Expressing the sense of Congress regarding the national motto for the government of a religious people

This resolution encourages the display of the national motto of the United States, "In God We Trust," in public buildings throughout the nation.

*Sponsor: Rep. Bob Schaffer*

H.Res. 494 **passed the House** under suspension of the rules by voice vote on July 24, 2000.

Language making religious organizations eligible for funding for AIDS work in Africa

Rep. Tom Coburn was successful in inserting language in H.R. 3519, the World Bank AIDS Prevention Trust Fund bill, to clarify that religious organizations should be eligible for funding for AIDS work in Africa and that prevention messages should emphasize abstinence. This bill was **signed into law** on August 19, 2000.

## Gambling

H.R. 3125, the Internet Gambling Prohibition Act

This bill is designed to crack down on the growing problem of online gambling and to give law enforcement the tools it needs to stop illegal Internet gambling operations. It amends the Federal criminal code to make it unlawful for any person engaged in a gambling business to knowingly use the Internet or any other interactive computer service (service) to: (1) place, receive, or otherwise make a bet or wager; or (2) send, receive, or invite information assisting in the placing of a bet or wager. Further, it prescribes penalties.

*Sponsor: Rep. Bob Goodlatte*

H.R. 3125 **failed to pass the House under suspension** of the rules by a vote of 245-159 on July 17, 2000. One of the reasons for this failure was the controversy surrounding certain exemptions in the original bill. One family group believed that by allowing exemptions for dog racing, jai lai, and horse racing, the bill actually codified gambling. Conservative Members were also divided for this reason and a few were concerned about regulating the Internet. In response to the former concern, Reps. Goodlatte and Tauzin dropped all specific exemptions and inserted language simply allowing what is already allowed in existing federal and state law. As VAT strongly believes that an explosive problem with Internet gambling is imminent, enacting such legislation will be a priority in the 107<sup>th</sup> Congress.

A similar version of the Internet Gambling Prohibition Act (S. 692), sponsored by Senator Jon Kyl, **passed the Senate** in the fall of 1999 by unanimous consent.

## International Issues/United Nations

Cairo+5 US Delegation Assault on Parental Rights

VAT Members and coalitions worked to keep parental rights in the documents considered at the International Conference on Population and Development's five-year review. In the original Cairo Programme of Action, every single reference to

adolescent sexuality was balanced sensibly with the rights and responsibilities of parents. However, when the delegates met in June 1999, delegates, headed by the U.S. delegation, attempted to delete parental authority from the documents.

In reaction, 34 Members of Congress sent a letter to all UN Ambassadors expressing their alarm and their support for parents as those with the chief right and responsibility to direct the lives of their minor children. According to pro-family advocates present at the Conference, this letter had a powerful impact on the delegates and resulted in several mentions of parental rights being placed back in the document.

#### Beijing+5

Beijing Plus Five refers to five years after the Beijing World Women's Conference. First Lady Hillary Clinton helped lead the U.S. delegation to this radical feminist conference. In June 2000, at Beijing +5, the Clinton Administration continued to promote positions that are anti-family and anti-national sovereignty. For example:

- **Abortion** -- Called for increased access to abortion in all nations and for **the mandatory training of all medical personnel worldwide to perform abortions.**
- **Sexual "rights" for children** -- Promoted the term "sexual rights," for all people ages 10 or older to freely express their sexuality in whatever way they choose.
- **National Sovereignty** -- Attempted to force radical agendas such as abortion-on-demand and homosexuality onto unwilling nations, thereby violating their national sovereignty.
- **Prostitution** -- Advocated adding the word "forced" to sections dealing with prostitution, thereby legitimizing and legalizing a chosen career in prostitution.

In response, VAT sent a letter signed by 30 Members of Congress to Permanent Representatives at the UN Mission expressing opposition to these agendas and support for life, family, and self-determination. According to Austin Ruse, President of the Catholic Family and Human Rights Institute in an article in the June 12, 2000 *Washington Times*, "This [letter] was pivotal." Ruse went on to say that "It [the outcome of the conference] was a rout, it was an utter defeat for the other side." "Forced" prostitution, homosexual rights, sexual rights for children and promotion of abortion were dropped from the document.

Although pro-family advocates prevailed, this pattern of the U.S. delegation working for a radical, extremist agenda that does not reflect the views of the American people continues. Therefore, Rep. DeMint, on behalf of 18 Members, introduced **H.Res. 521**, a resolution expressing the sense of the House that in international negotiations, including United Nations conferences, the United States should defend fundamental human rights to family, conscience, and life. This resolution specifically highlights the issue of prostitution, calling on the President to direct delegations to "adopt a negotiating policy that prostitution in any form or circumstance degrades human dignity and violates basic human rights."

While H.Res. 521 was not considered on the floor, Reps. Souder and DeMint were able to highlight the Clinton Administration's extremist views on prostitution and conservatives' believe that prostitution under any circumstance exploits women during the debate on the Commerce, Justice, State Appropriations bill for FY 2000. Although Rep. Serano raised a point of order against their specific

amendment, Reps. Souder and DeMint were able to address this important issue on the floor.

#### Vienna Convention

In January 2000, according to reliable reports, officials representing the Clinton Administration at the Vienna U.N. Convention on Transnational Organized Crime were taking steps to guarantee the virtual enslavement of millions of women into prostitution by limiting the protection international law to only those situations where exploited women can prove that they have been forcibly trafficked across international boundaries. VAT Members strongly believe that any course of action, which makes millions women vulnerable to sexual exploitation is not only immoral, but also a complete abdication of our responsibility as a world leader.

In response, VAT sent 2 letters to President Clinton, the first dated January 14, 2000 and the second exactly one month later, both calling on the Administration to advocate the position that prostitution in any form or under any circumstance exploits women.

#### H.R. 3244, The Trafficking Victims Protection Act

This bill is designed to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers and, and through protection and assistance to victims of trafficking.

*Sponsor: Rep. Chris Smith*

H.R. 3244 was combined with several other bills and **signed into law** on October 28, 2000. More than 2 million women and children are trafficked into sexual slavery each year. Oftentimes, women are kidnapped, drugged, forced to sign "consent" forms, lured by the promise of a good job, finding themselves trapped in a life of sexual bondage. In response to this grave injustice, the VAT Coalition worked with Rep. Smith to promote this important bill.

#### Privacy

#### H.R. 4049, The Privacy Commission Act

This bill establishes the Commission for the Comprehensive Study of Privacy Protection. This bipartisan 17-member, federally appointed commission would be unique in Congress because of its comprehensive approach to dealing with the growing concern Americans have regarding the protection of their personal privacy – whether that be online privacy, identity theft, or the protection of health, medical, financial and government records. The Commission would establish an 18- month commission to investigate the problem

*Sponsor: Rep. Asa Hutchinson*

H.R. 4049 **failed to receive the 2/3 votes necessary to pass under the suspension** of the rules on October 2, 2000 by a vote of 250-146.

#### Supreme Court Decisions

## Pro-family/Pro-life Losses in the Court

*Stenberg vs. Carhart* – overturned Nebraska’s partial-birth abortion ban.

*Board of Trustees of the University of Wisconsin vs. Southworth* – public universities can force students to subsidize groups that are working in opposition to students’ beliefs.

*Hill vs. Colorado* – states may require that sidewalk counselors that stand outside of abortion clinics to counsel women considering abortion that they must keep at least eight feet away from these women at all times.

*Santa Fe Independent School District vs. Doe* – Students may not lead public prayer invocations before football games or other athletic events.

*U.S. vs. Playboy* – Cable owners may not be required to completely block out pornographic television channels, such as the Playboy Channel.

## Pro-family Victories in the Courts

*Boy Scouts of America vs. Dale* – Private organizations such as the Boy Scouts have the right to set and enforce their own membership policies, excluding homosexuals, if necessary.

*Mitchell vs. Helms* – Federal aid may go to religious schools.

*Erie, Pa. Vs. Pap’s AM* – Cities and counties can regulate sexually oriented businesses.

## Administrative Decisions

### RU-486

On September 28, 2000, the Food and Drug Administration approved RU-486, the abortion pill with very few health protections for women.

VAT has strongly opposed the approval of this drug – the first drug with the purpose of killing living human beings. Further, pro-lifers are concerned about the lack of restrictions as the RU-486 abortion method poses serious health risks to women. According to the National Right to Life Committee, “Despite careful screening to eliminate all but the most physically ideal candidates, 2% of those participating in U.S. trials of RU486 hemorrhaged. One out of a 100 had to be hospitalized. Several women required surgery to stop the bleeding and some bled so much that they had to have transfusions. In the broader, less regulated medical marketplace, outside the careful monitoring of a clinical trial, complications could be expected to be both more common and more serious, especially for those women who do not have immediate access to emergency care.”

### Stem Cell Research

On August 23, 2000, the NIH issued final guidelines for the destruction of living human embryos through embryonic stem cell research. While federal law prohibits such research, the guidelines seek to circumvent this law by telling researchers how to obtain and destroy live human embryos if they wish to receive a stem cell research grant.

For several years, VAT has been calling on the Commerce Committee to hold hearings on alternatives to embryonic stem cell research. This has not yet occurred. Further, Senate Majority Leader Lott has promised Senator Specter floor consideration during the 107<sup>th</sup> Congress for his bill to codify embryonic stem cell research.

**Equal Employment Opportunity Commission (EEOC) Decision**  
On December 13, 2000, the EEOC ruled that it is against federal law for employers to exclude contraceptives from their health insurance plans when they cover other preventative treatments. The EEOC claims that such exclusion is a violation of the 1978 Pregnancy Prevention Act, which requires equal treatment of women "affected by pregnancy, childbirth or related medical conditions," in all aspects of employment, including fringe benefits. The agency also noted that the law protects women against discrimination because they have the ability to become pregnant, not just because they are already pregnant. Further, the commission found that excluding contraceptives amounts to sex discrimination because these prescriptions are available only for women.

VAT strongly opposes this decision as requiring the provision of artificial contraception or contraception that is considered abortifacient poses a religious or ethical problem for many employers. VAT is considering its strategic response to this government intrusion.

#### Continued Defensive Action

- **Hate crimes based on sexual orientation** – VAT has been successful in keeping this from being added to an appropriations bill. However, this is one of the President's top priorities, so we will continue to monitor this issue closely.
- **Employment Non-discrimination Act** – this bill has not been considered.
- **National contraceptive mandate** – the contraceptive mandate in the FEHBP program was continued, but not expanded. VAT also worked in the FY 2000 appropriations process to ensure that further conscience protections were added. VAT must also work against the December 2000 EEOC decision.
- **Federal child care** – Unfortunately, although VAT fought against this slippery slope toward federalized child care, Congresswoman Morella was successful in adding the provisions of her bill, H.R. 206, the Federal Child Care Affordability Act, as an amendment to the FY 2000 Treasury/Postal Appropriation bill. This provision will allow federal agencies to use their salary and expense accounts to help executive employees pay for childcare.

#### Conclusion

VAT will be seeking new Members from both the incoming class of Republicans and conservatives who have not participated thus far. We are hopeful that more can be accomplished in the 107<sup>th</sup> Congress under the Bush Administration.