On the Hill

Calculating Moves. The cyberporn debate has gone behind closed doors during Congress' recess. FRC has participated in several meetings to work on a package to address this menacing aspect of exciting new communication technology. Later this month, Congress will make final decisions about bill language. Lawmakers should stand firm in their commitment to enact strong laws against this exploitative material, and not be swept in by the liberals' false promise of "parent-empowering" software. The software might help, but it is no more a substitute for strong pornography laws than bullet-proof vests are a substitute for laws against homicide.

Saving Health Care. The Clinton health care plan is dead but the issue of health care reform is still alive. Escalating health care costs are one of the biggest threats to the current system. Congress is likely to consider H.R. 1818, introduced by Reps. William Archer (R-Texas) and Andrew Jacobs (D-Ind.), to allow tax-free medical savings accounts in which families or individuals set up a special account for lower-level health care expenses, typically around $2,500. The benefit of the account is tax free, portable, and can carry over from year to year for future health needs H.R. 1818 has 90 cosponsors. In the Senate, Chuck Grassley (R-Iowa) has taken the lead in pushing the medical savings account concept.

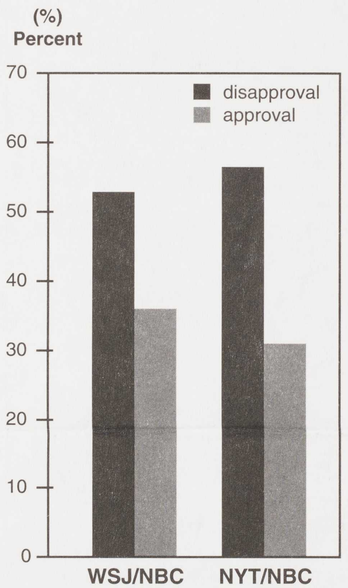
Around Town

Quarterback Kemp. The 14-member commission on taxes headed by former Secretary of Housing and Urban Development Jack Kemp, is expected to give its report to the congresssional Republicans in October. The commission examined a flat tax plan (with no deductions), a national sales tax, and other proposals to simplify the tax code. Pro-family advocates will be especially interested in how the commission handles tax treatment of families, charitable contributions, and home ownership.

New Security Order. President Bill Clinton Aug. 4 signed an Executive Order barring the federal government from denying security clearances to homosexuals. The 13-page order "establishes a uniform Federal personnel security program" for all federal employees to include members of the military and commercial contractors. It states, "No inference...may be raised solely on the basis of the sexual orientation of the employee." Homosexuality has long been a red flag for national security officers performing background investigations because it is so often linked to known security risks, such as drug and alcohol abuse, promiscuity and violence.

Gay Asylum, Yes. Moms, No. While Mrs. Clinton talked about advancing women's rights during the Beijing conference, 13 Chinese women were being imprisoned by the United States and awaiting deportation back to China. Their crime? Fleeing China's forced abortion policies. Even though these Chinese women will face extreme punishment in slave labor (Lao Dai) camps or even death if they are returned to China, Bill Clinton has refused to grant them asylum. In a reversal of the Reagan-Bush immigration policy, Clinton declared that forced abortion was no longer grounds for political asylum. He has instead extended asylum to homosexuals fleeing "persecution."

Polls Go South. Recent public opinion polling suggests that Americans are not altogether pleased with Congress. A *Wall Street Journal/NBC News* poll found that 53 percent of respondents *disapprove* of Congress' performance and only 36 percent approve, while a *New York Times/CBS News* poll found a 56 percent disapproval rating and a 31 percent approval rating for Congress. Interestingly, however, according a *Times Mirror* poll, the Republican party is ahead of the Democratic party by a greater margin than when they swept Congress last November—50 percent to 43 percent. Taken together, these results suggest that Americans are less satisfied with the pace of change than the direction of change.



Washington Watch is published by Family Research Council. For more information, contact Family Research Council, 700 13th St., N.W., Suite 500, Washington, D.C. 20005. Phone: 202-393-2100. FAX: 202-393-2134. Legislative information line (toll call): 202-783-HOME. President: Gary L. Bauer. Editor: Charles A. Donovan, Sr. Contributors: Cathy Cleaver, Esq.; Marty Dannenfelser; Cathy S. Deeds; Amy Dixon; Sheila T. Ervin; Anne N. Fitzpatrick; Daniel S. Garcia; Loralei Gilliam; Kristi S. Hamrick; Gracie S. Hsu; Robert H. Knight; Lt. Col. Robert L. Maginnis (USA, Ret.); Jennifer A. Marshall; Jennifer E. Marshall; Kimberley Fraser Mattingly; William R. Mattox, Jr.; Robert G. Morrison; Anne Redd. Designer: Sherry Nicolai Russell.

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Children's Defense?

While President Bill Clinton's anti-smoking campaign grabbed headlines, his administration went to court against a South Carolina university hospital's very successful mandatory drug testing/treatment program for pregnant cocaine-addicted women. Mothers who refuse treatment for themselves and their unborn children would face arrest and jail time.The program works. Most women stayed drug-free during their pregnancy. Still, Clinton's aides charged that South Carolina's program was punitive and violated the addicted mother's "privacy rights." Is the health and well-being of unborn children less important than those who already born?

Then there is the issue of 7,000 deliveries per year in U.S. to HIV-infected women. About 2,000 of these infants are infected with HIV. Rep. Tom Coburn (R-Okla.), who is also a medical doctor, and Rep. Gary Ackerman (D-N.Y.) plan to offer an "infant testing" amendment to the Ryan White Care Act (H.R. 1872/S. 641) that would require states—in order to qualify for federal Ryan White Care funding—to pass laws requiring every newborn be tested for the HIV virus if mother does not (voluntarily) undergo prenatal testing. The amendment would require the test results to be told to mothers, and it also encourages HIV counseling, testing and treatment of pregnant women.

According to Dr. Coburn, his amendment is an important step in combating AIDS. "In fact, studies have shown that the rate of transmission of the virus from mothers to children can be reduced by two-thirds if the drug AZT is administered during pregnancy, labor and the first six weeks after birth," Coburn explains, "Knowing the status of the baby right away would allow treatment and counseling to begin immediately and prevent an uninformed mother from transmitting HIV to her baby through breast feeding."

Presently, 45 states require up to mandatory generic newborn tests, such as syphilis and hepatitis, but not HIV. As a public health issue, the incidence of AIDS in infants requires that common sense become public sense.

COURT WATCH

Defending our Defenders

FRC has filed an *amicus curiae* ("friend of the court") brief with the U.S. Supreme Court in the "Amendment 2" case. Media reports contend that *Romer v. Evans* will decide whether the Constitution allows Colorado to "discriminate against" homosexuals. Wrong. The case is really about whether the people of Colorado may decide not to grant special protected legal status to this "class" of persons. The Supreme Court justices will hear oral argument in the case Oct. 2.

In the military, homosexual servicemen have begun filing lawsuits to block their discharge. FRC is working on the following cases:

- In *Philips v. Perry*, FRC filed the winning brief calling for the dismissal of a case filed by a homosexual sailor seeking to block his discharge. In the case, Philips admitted past sexual misconduct and his intention to engage in future misconduct. The federal district court dismissed Philip's case, and FRC is preparing another brief arguing against his appeal.
- A federal district court June 9 upheld the military's policy on homosexuality in *Thomasson v. Perry*. The ruling was based upon the pre-1993 exclusion policy, not on the Department of Defense's (DoD) new "don't ask, don't tell" regulations. This is significant. The Clinton administration has argued that its 1993 change in policy was necessary to avoid constitutional problems, but the Thomasson ruling shows that the "old rules" were constitutionally sound. Thomasson has appealed this ruling to the Fourth Circuit Court of Appeals, and FRC has filed a brief supporting the constitutionality of the old policy.

The *new* DoD regulations were the subject of a challenge in the case of *Able v. U.S.*. The federal district court judge in Able ruled that six service members' First and Fifth Amendment rights were violated when the military sought to discharge them solely based on their open admission they were homosexuals, and ruled that the Pentagon was enjoined from discharging them. Attorney General Janet Reno has appealed the ruling, but, given the Justice Department's lackluster performance so far, FRC does not anticipate a vigorous effort at the appeals court level. FRC has filed an *amicus* brief setting forth all of the key arguments for prohibiting service by avowed homosexuals which the Clinton administration has ignored. FRC's efforts have been undertaken by the Military Readiness Project, a joint task force of FRC and senior retired military leaders.

BULLETIN BOARD

Gary Bauer on the Road

Sept. 7-Editorial board meeting with editors of *The Wall Street Journal.*

Sept. 12-Editorial board meeting with editors of *USA Today.*

Oct. 5-Addresses Family Policy Council dinner in Charlotte, N.C.

Oct. 19-Addresses crisis pregnancy center dinner in Chambersburg, Penn.

Oct. 26-Addresses Cincinnati Crisis Pregnancy Center, Cincinnati, Ohio.

Nov. 9-Addresses Indiana Family Institute banquet, Evansville, Ind.

FRC On Air

Aug. 23-Press Secretary Kristi Hamrick debates Bellla Abzug, feminist leader of United Nations Beijing Conference, on *CNN Morning.*

Sept. 7-CBS aired Faith and Politics; Gary Bauer interviewed by CBS News anchor Dan Rather.

FRC in Print

Aug. 30-Gary Bauer coauthors editorial on welfare reform in *The Wall Street Journal.*

Aug. 31-FRC response to People for the American Way censorship press conference gets wide news coverage.

Sept. 18-FRC releases *Discarded Images: Selected Classics and American Libraries* at a National Press Club media briefing. This study reports the results of a national library survey undertaken by FRC Senior Policy Adviser Charles A. Donovan and independent researcher William Spont. The authors surveyed America's small- and mid-sized libraries for the presence of 100 classic books of art, science, history and fiction. Their conclusion: the average library is missing some two-thirds of these classics. The report represents a valuable contribution to a "censorship" debate that too often focuses on the novel and controversial, at the expense of time-tested works of literature. See enclosed reply card for information on how to obtain a copy.