News Watch

On the Hill

Elementary Mistake. The Elementary and Secondary Education bill (H.R. 6/S. 1513) passed the House 262-132 and the Senate 77-20 on Oct. 6. This $11 billion package further centralizes education authority in Washington, D.C. Among its provisions are promotion of outcome-based education; acceleration of school-based clinics; new federal authority to abolish local, elected school boards; and encouragement of hiring quotas. The bill includes no measures to foster school choice. Efforts to amend it to protect school prayer and prohibit promotion of homosexuality failed.

DeLaying Sex. The Title XX program, which promotes abstinence and adoption, survived attempts by the Clinton Department of Health and Human Services (HHS) to scuttle it. In this year's HHS appropriations bill, Secretary Donna Shalala and Surgeon General Joycelyn Elders proposed to replace Title XX with a new Office of Adolescent Health (OAH), which, critics said, would prefer school-based clinics and condom distribution projects. Reps. Tom DeLay and Lamar Smith (both R-Tex.) restored Title XX funding of $6.8 million and cut the OAH to zero. President Clinton signed the salvaged program into law in late September.

Across the Globe

Cairo Conclave. Making abortions "safe" where they are currently legal and support for alternative families. Those are two of the highlights from the International Conference on Population and Development in Cairo. However, approximately 30 countries said they would not support those methods of population control because they consider abortion illegal and fear the policies will hurt the family. Advocates of legal abortion vow to use the Cairo document to push for even more reforms at next year's follow-up sessions in Copenhagen and Beijing.

Norplant Toll. Class-action suits against Wyeth-Ayerst, maker of Norplant, the subdermal contraceptive implant, are gathering momentum. At least one woman has died in connection with anesthesia administered to facilitate surgical removal of the device, which is implanted under the skin and provides continuous prevention of pregnancy for up to five years. Difficulty of removal can be compounded by improper positioning at the time of insertion and formation of scar tissue. Published estimates of women injured by the implant and involved in the suits have reached the thousands.

Coverage Coercion? From the time the Food and Drug Administration approved Norplant, questions about its use or abuse in welfare programs have raged, splitting some traditional allies. The National Organization for Women has frowned on its widespread distribution to welfare mothers; Planned Parenthood centers have become a primary source of the device. Welfare mothers are among the 20% or more of Norplant users who request removal. Now the Alan Guttmacher Institute reports that many of these mothers are finding that Medicaid will pay for early removal (before five years) only for medical reasons. FRC is pursuing the issue with the federal Health Care Financing Administration.

High-tech PC. The Sept. 26 issue of *Computerworld*, a weekly trade journal, reports that high-tech companies are increasingly condoning homosexual employee groups and domestic partnership benefits. Eastman Kodak, Xerox, IBM and AT&T are among companies normalizing the homosexual lifestyle. Meanwhile, FRC's open letter to General Motors Chairman John F. Smith protesting the addition of "sexual orientation" to its "diversity" list has sparked interest in the media. *The Detroit News*, the AP wire, American Family Association radio, and other stations have carried the story. No reply yet from GM.

Around Town

EEOC Victory. The Equal Employment Opportunity Commission, stung by popular outcry and congressional criticism, voted unanimously Sept. 20 to withdraw its controversial draft guidelines on religion in the workplace. The guidelines had been widely interpreted as a dramatic expansion of liability for any employer who tolerated religious expression of any kind on the job. Many observers had expected the EEOC to issue a more narrowly crafted set of guidelines, but the EEOC's action abandons the issue altogether. Case law is still developing in the courts, however, potentially posing a more gradual and subtle threat to religious liberty.

Women to War. The Defense Department has stripped women of their exemption from 80,000 combat-related positions in the Army and the Marine Corps. Army positions include air cavalry troops, the units which led Operation Desert Storm into Iraq. Women are now being assigned to infantry division police, special forces aviation units, ground combat headquarters, and front-line military intelligence. Marine positions include aviation squadrons and combat headquarters. This rash move puts soldiers at risk, opens American women to a future draft, and defies military judgment about waging war.

Diversity Daze. The Clinton administration staged a day-long "diversity" conference for military personnel in Sept. "Diversity Day '94," cosponsored by the Navy and 14 other federal agencies, was a crash course in political correctness. Featured were the video "On Being Gay," which claims that homosexuality is natural and biblical, and a seminar touting "Sexual Minorities in the Workplace." A lesbian speaker said that religious people who oppose homosexual behavior "need education—period." The cost of the tax-funded event has not been determined.

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Court Watch

Days in Court

The Supreme Court started off its 1994-95 year on Oct. 3, with the average age of its members slashed from 70 to 60 over the past four years, by the arrival of Justices Souter, Thomas, Ginsburg and Breyer.

The court's docket includes important cases on child pornography and term limits. The first, *U.S. v. X-Citement Video*, involves a challenge to the constitutionality of a law passed by Congress banning the interstate transport of obscene material using minor children. Clinton Solicitor General Drew S. Days argued before the Court on Oct. 5 that the law is properly written and does not entrap pornographers who may not know that the material they are shipping uses underage actors.

Also looming on the Supreme Court's horizon is the Knox case. Last year, the Court instructed the Third Circuit U.S. Court of Appeals to consider the Department of Justice's (DOJ) new view of the federal child porn statute (the same statute at issue in *X-Citement Video*) — specifically, that it bans only material in which the child is totally unclothed and in a blatantly suggestive pose. The appeals court considered this view — which would have drastically narrowed the statute — and gave it the gong. Now it's back up to the Supremes. DOJ has not revealed what it plans to do next, but Days, who must present the Clinton administration's argument to the high court, asked to have the Oct. 7 filing deadline extended — to the day after Election Day!

Speaking of elections, the Court will also hear two cases on the constitutionality of term limits. The legal issue is whether the U.S. Constitution, in setting forth criteria for senators and congressmen (such as minimum ages), meant to deprive the states of power to add further criteria (such as having served no more than x-number of terms). Once viewed as slam-dunks for opponents of limits, the upcoming cases, *U.S. Term Limits v. Thornton* and *Arkansas v. Hill*, are now considered too close to call.

Policy Update

ClintonCare: DNR

Health care reform is dead for 1994. One year after President Clinton unveiled his Health Security Act to Congress, the bandwagon has become a hearse.

At a post mortem press conference, Capitol Hill Democrats promised to make health care reform a priority in 1995. Across town, the President pledged to hold Republicans' feet to the fire.

The next Congress, however, could pose a serious obstacle to Clinton-style reforms. Few Presidents in U.S. history have gathered legislative momentum as their terms progressed — most have seen their programs peak in their first two years in office.

So who's to blame for the demise of ClintonCare? The spin doctors are blaming everybody for its collapse but the real culprit — the policy itself.

Republican "obstruction" was clearly not sufficient cause. Senate Majority Leader George Mitchell (D-Maine) could not find 56 Senate Democrats to complement the four maverick Republicans to block a partisan filibuster. Even 51 Democratic votes for a watered-down version of ClintonCare proved impossible to muster.

Did political contributions determine the outcome? Many in the media — and the First Lady — said as much, but advocates of the President's (or an even more sweeping) plan spent millions of their own on advertising and political gifts, including Time-Warner ($600,000 to the Democratic National Committee), Planned Parenthood ($10 million), the American Association of Retired Persons ($10 million), the Robert Wood Johnson Foundation ($12 million), and labor unions ($29 million) — not to mention free media from several friendly TV networks.

What lessons can be drawn from round one of health reform? First, legislators must listen to the people most affected by the reforms. Americans favor universal coverage, but not when there are costly trade-offs like heavy job loss among families with children. Second, health reform must be molded in the sunshine, not in a shuttered White House open only to special interests. Third, no more "entitlement politics," please. Americans mistrust Big-Government solutions. They want themselves and their fellow Americans *covered, not shackled.*

Bulletin Board

• **Gary Bauer on the Road**

Oct. 21-Luncheon address to Network of Politically Active Christian Women, Omni Hotel, Richmond, Va.

Oct. 21-Addresses rally of Tidewater Community Impact Committee, Chrysler Hall, Norfolk, Va.

Oct. 25-Addresses fund-raising banquet of TLC Pregnancy Care Center in Pompano Beach, Fla.

Oct. 28-Addresses "God, Country & Family" Rally, Nashville, Tenn. For more information, call 615-373-1572 or 385-2251.

Nov. 3-Addresses Crisis Pregnancy Center banquet in St. Petersburg, Fla.

Nov. 4-Addresses Pennsylvania Family Institute dinner in Pittsburgh.

Nov. 18-Addresses Chicago Pregnancy Care Center banquet in Chicago, Ill.

• **Staff in Action**

Sept. 8-Cultural Policy Director Robert Knight on CNN "Showbiz" criticizing the false family values of new Hollywood release, *Milk Money*.

Sept. 15-Press Secretary Kristi Hamrick on National Public Radio discussing rise in single-parent households.

Sept. 19-Legal Policy Director David Wagner on Radio Liberty (Euro-Russian Division) discussing infidelity in the United States.

Sept. 19-Government Relations Director Elizabeth Law on UPI radio discussing withdrawal of EEOC "religion in the workplace" rules.

Sept. 28-"Love, Sex, and a Great Awakening," article in the *Tampa Tribune* profiles FRC's *SAVE SEX* abstinence campaign and quotes Policy Analyst and specialist in teen pregnancy issues, Gracie Hsu.

Sept. 28-NET airs discussion with Policy Analyst Robert Maginnis on United Nations policy.

Oct. 2-Sunday *Washington Times* runs feature, plus photo, on *SAVE SEX*, quoting FRC Vice President Bill Mattox.

Oct. 14-FRC's *SAVE SEX* ads were featured on the Oprah Winfrey show, with display of the FRC 1-800 number for viewers who want more information.