



Family Concerns

"Bridging the Information Gap"

A Publication of Concerned Women for America of Kansas

2004-27 September 30, 2004

SOME BILLS REMAINING IN THE 108TH CONGRESS

Contact your legislators before it is too late!

This week the U.S. House of Representatives voted on the Marriage Amendment. The amendment went down in defeat as a 2/3 majority is required for an amendment to the U.S. Constitution. Supporters of the amendment do not look at this as a defeat, but a way to identify supporters. They will continue to push for the amendment in the next Congress. Meanwhile CWA has backed HB 3313 which keeps federal judges from interfering with cases arising from the Defense of Marriage Act. It also has the practical effect of preventing same-sex "marriage from being spread through the nation through adverse court decisions, because federal judges could not make decisions in this area. This bill has passed the House but needs to clear the Senate before it will go into effect.

Some of the comments made during the marriage amendment debate: "Many of us who support the Marriage Protection Amendment are saddened that the need for this amendment exists at all. The definition of marriage seems to us---and the vast majority of the American people as a matter of common sense and social reality." Tom DeLay, House Majority Leader; "[W]e are being asked to amend the Constitution...to single out a single unpopular group and say permanently, 'You cannot even attempt to convince the legislature of your state to give you the right to marry.'" Jerrold Nadler, opponent to the amendment. It is still time to call senators and urge them to support H.R. 3313. 202-224-3121 Capitol Switchboard

The Department of Defense (DOD) Authorization Bill has several provisions that family groups want legislators to ponder very carefully. Often troubling amendments and provisions are amended onto important appropriations bills so to either ensure passage or embarrass the current administration into vetoing something that the people want. Following are the troubling provisions in this bill.

Hate Crimes: This provision was passed by the Senate earlier in the year because many senators thought it would never pass intact out of the conference committee. The House, on a 213-186 vote recently instructed the House conference committee to keep the hate crime language in the bill. The language establishes a new federal offense for "hate crimes." Instead of a heavier sentence, if a "hate crime" has been determined, a completely separate criminal prosecution would take place, including the possibility of life imprisonment. The offense would include "offenses involving actual or *perceived* race, color, religion, national origin, gender, sexual orientation or disability," with punishment from "any term of one year or for life." It

also includes \$5 million annually in federal grants for states and localities to prosecute "hate crimes." [Emphasis Added] This language is very troubling in that it establishes special classes of citizens and it could restrict religious freedom. Already in countries like Sweden, pastors are being jailed for perceived "hate crimes."

Contact your representatives and ask them to vote against hate crimes legislation. 202-224-3121

Broadcast Decency: Language concerning broadcast decency is also included in this bill which would give broadcast regulators greater latitude to assess fines against broadcast indecency. The language passed by the Senate would give the FCC (Federal Communications Commission) the ability to increase fines up to \$275,000 for a first offense and \$375,000 for a second offense. Jan LaRue, chief counsel for CWA, said that this legislation stemmed from the half-time show during the Super Bowl last year. "More than 400,000 Americans filed indecency complaints with the FCC—an outcry that Congress couldn't ignore."

Military Abortions: Senator Barbara Boxer, (D-CA) added an amendment that would require taxpayers to fund abortions in military hospitals in the case of rape and incest.

Houses of Worship Free Speech Restoration Act: This bill would remove pastors from the IRS restrictions required for other not-for-profit organizations and would restore the tax code dealing with churches to its original pre-1954 state. Pastors would be free to speak out on issues and candidates from the pulpit. **This bill has been amended onto another bill and will be considered soon so it is imperative that you call Speaker of the House Dennis Hastert, House Majority Leader Tom DeLay, and Majority Whip Roy Blunt immediately. 202-224-3121**

Pledge Protection Act; This bill, passed by the House of Representatives stripped authority from federal judges to hear cases brought before the courts concerning the "under God" phrase in the Pledge of Allegiance. The bill came about after the Supreme Court's ruling in the Newdow case where it was cited that the Newdow case was not the proper case because he lacked standing. Some representatives felt that further protection needed to be applied so the Pledge Protection Act states in part, "No court created by Act of Congress shall have any jurisdiction, and the Supreme Court shall have no appellate jurisdiction, to hear or decide any question pertaining to the interpretation of, or the validity under the Constitution of, the Pledge of Allegiance...or its recitation" The Senate has yet to rule on this legislation.