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Roberts awaits hearings for Supreme Court

The U.S. Senate will begin hearings on John Roberts, President Bush's nominee to the Supreme Court, Sept. 6.

Bush nominated Roberts July 19 as the replacement for Associate Justice Sandra Day O'Connor, who retired July 1 after 24 years of service. After serving in both government and private practice, Roberts, 50, has been on the District of Columbia Circuit Court of Appeals since 2003. Prior to becoming a judge, he had argued 39 cases before the Supreme Court.

Pro-life and abortion rights advocates have split over the nominee, even though they have no ruling to base their positions on. In his two years on the appeals court, Roberts has yet to rule in an abortion case.

For pro-lifers, their support of his confirmation appears largely a matter of his view of the Constitution. Even without a commitment by Roberts on *Roe v. Wade*, they appear content to trust his judicial philosophy, which seems to be based on operating within the constraints of the Constitution. Abortion rights advocates fear Roberts, as a justice unbound by precedent, will vote to overturn the 1973 opinion legalizing abortion.

"President Bush promised in 2000 and again in 2004 that he would nominate only strict-constructionist, original-intent judges and justices in the Scalia-Thomas mold," said Richard Land, president of the Ethics & Religious Liberty Commission. "I have found the President in the 17 years I have known him personally to be a man of integrity and a man of his word. I will trust the President until I have compelling evidence to the contrary.

"The nomination of Judge Roberts has certainly not given me any reason at present to believe that the President has done anything other than to fulfill his campaign promises," Land said. "Justice-nominee Roberts gives every indication of being the kind of judge that will be a neutral judicial umpire, calling them the way the Constitution sees them, not seeking to 'fix' the game by tilting judicial decisions toward those who do not offend his personal sense of right and wrong."

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Frist endorses stem cell funds; Land 'brokenhearted'

Senate Majority Leader Bill Frist endorsed legislation July 29 to provide federal funds for stem cell research that destroys embryos—putting him at odds with President Bush while at the same time giving renewed hope to backers of the controversial experimentation and stunning its foes.

The Republican from Tennessee explained his support in a speech from the Senate floor, describing it as a reaffirmation of a position he outlined four years before. Frist, however, had said in June he did not believe Bush's more restrictive policy needed to be changed.

The Senate is expected to take up the legislation after it returns Sept. 6 from a five-week recess.

The bill Frist endorsed, the Stem Cell Research Enhancement Act (H.R. 810), would approve federal funds for research on embryos that are in storage at in vitro fertilization clinics and are donated by the parents. It would liberalize the policy the President instituted in August 2001.

Bush's rule allows funding for research only on embryonic stem cell lines already in existence prior to his announcement of the policy.

After Frist's announcement, the White House reiterated Bush's intention to veto the legislation if it reaches his desk. Sen. Arlen Specter, R.-Pa., said July 31 Frist's speech gave the bill a "big boost" and estimated it has 62 supporters in the Senate. About 15 other senators are "thinking it over," Specter said on "CBS News' Face the Nation."

"I believe that by the time the vote comes up," Specter said, "we'll have 67," the two-thirds majority required to override a veto. He acknowledged, however, gaining the same percentage of votes in the House of Representatives would be a problem. The House voted 238-194 for the bill in May, leaving supporters about 50 votes short of the total required for an override.

Richard Land said he was "brokenhearted" at Frist's decision.

"Majority Leader Frist is a man of enormous abilities and conviction, and I am confident that he made this decision based on conscience and principle rather than political calculation," the president of the Ethics & Religious Liberty Commission said. "Unfortunately, I could not disagree with him more on where his principles led him when it comes to the sacrifice of frozen embryos in the cause of searching for treatments for the ailments of older and bigger humans. The pro-life cause should be extremely grateful that we have a President who will hold the line and veto such a bill if it comes to his desk."

In embryonic stem cell research, embryos in normally the first week of life are destroyed when stem cells are extracted from them.

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Frist returns Land to religious freedom panel

Richard Land is returning to the U.S. Commission on International Religious Freedom, this time as a senatorial appointee.

Senate Majority Leader Bill Frist of Tennessee has named the Ethics & Religious Liberty Commission's president to the nine-member panel, the USCIRF announced July 26. Previously, President Bush had appointed Land to the commission for two terms totaling three years. Land completed his second term in September 2004. Land's new appointment to the panel is effective immediately.

After being off the USCIRF for a year, Land returns to the panel to replace Michael Young, who had served on the commission since it began in 1999.

The USCIRF, which is a nonpartisan panel appointed by the President and members of Congress, researches the status of religious liberty in other countries and provides reports and recommendations to the White House and legislators.

Michael Cromartie, the commission's chairman, commended Frist's selection of Land. "The experience, knowledge and perspective [Land] brings will greatly enhance the work of our commission," Cromartie said in a written release. "He has been an important asset to the USCIRF in the past, and we enthusiastically welcome his return."

Land said he was "both humbled and honored" at the appointment by Frist.

"There is no work our government is doing that is more important and of which Americans should be more proud than the work we are doing through the United States Commission on International Religious Freedom to stand up for the universal right of the individual's freedom of conscience in matters of faith," Land said. "Too many countries in the world would be paying little, if any, attention to freedom of conscience in matters of the faith of minorities within their borders if it were not for the insistence of the government of the United States. It is terribly important work, and I am honored to be part of it."

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USCIRF warns about Iraqi constitution

The U.S. Commission on International Religious Freedom says drafts of Iraq's permanent constitution are a retreat from the religious and human rights protections in its transitional charter.

The draft constitution, which Iraqi legislators are scheduled to complete Aug. 15, fails to mention freedom of religion and does not guarantee freedom of conscience, the nonpartisan panel said. In its current form, the charter also restricts women's rights and Iraq's human rights responsibilities to those issues that do not conflict with Islamic law, according to the USCIRF.

"If these drafts become law, Iraq's new democracy risks being crippled from the outset," USCIRF Chairman Michael Cromartie said July 26 in a letter to Zalmay Khalilzad, U.S. ambassador to Iraq. "Fundamental rights of the individual to debate and dissent from state-imposed religious orthodoxies would be curtailed, and the threat of discrimination would hang over all Iraqis, including members of religious minorities, non-

religious individuals and women."

The United States should quickly discuss these issues with the Iraqis, Cromartie wrote. The U.S. government, he said, should urge Iraq to abide by the human rights obligations it has agreed to in international treaties, encourage the constitutional drafting committee to talk to experts on human rights and call on the Iraqi government to seek insight from ethnic and religious minorities, such as the Christian Chaldo-Assyrians.

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Land, others urge U.S. to do more for North Koreans

Ethics & Religious Liberty Commission President Richard Land and about 100 other religious and human rights leaders have called on the United States and other members of the international community to do more to protect the rights of North Koreans.

A July 25 statement signed by Land and others was released on the eve of the resumption of talks in Beijing, China, among the United States, North Korea and four other countries—China, Japan, Russia and South Korea—about the elimination of nuclear weapons on the Korean peninsula.

The statement endorses a set of principles calling for the United States to: (1) include human rights—such as religious freedom, family reunification and prison monitoring—at the highest level of priority in its negotiations with North Korea; (2) provide assistance when North Korea makes significant reforms on human rights and weapons of mass destruction; (3) hold China accountable, requiring the communist regime to choose between good relations with America or its support for North Korea's human rights abuses.

The statement asserts military action is not required to produce improved conditions in North Korea.

China, the northern neighbor to North Korea, has helped make the continued human rights abuses and WMD development possible for its fellow communist regime, the statement says. In violation of international treaties, China captures refugees and returns them to North Korea, where they face imprisonment, torture and execution. The number of North Korean refugees in China is estimated to be from 100,000 to 500,000.

The statement is a "sound, reasonable approach," said Barrett Duke, vice president for public policy at the Ethics & Religious Liberty Commission, at a Washington news conference accompanying the statement's release. "China's leaders will face God's judgment for [their] cruel treatment of the marginalized. And they will certainly answer to God for each North Korean refugee chased or forced back into North Korea who is consequently murdered, raped, imprisoned or otherwise brutalized. And surely the world is already judging this inhumane behavior by the Chinese authorities."

Before making his comments, Duke read Jesus' account of the future judgment, as recorded in Matthew 25, where the sheep and the goats will be divided.

"While we agree that an improved economic environment would lift many North Koreans, we cannot sanction an approach that ignores the very people Jesus brought to our attention and valued so highly," Duke said. "We will not sleep better knowing that peace was purchased at the expense of the weak and vulnerable. If we value what Jesus valued and the people Jesus valued, we must insist that the marginalized North Koreans are not left to die by our peace."

Other signers included Daniel Akin, president of Southeastern Baptist Theological Seminary in Wake Forest, N.C.; Steve Lemke, provost of New Orleans Baptist Theological Seminary, and Jerry Johnson, president of Criswell College in Dallas, Texas.

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Pulling of RU 486 urged after two more deaths reported

Congressional critics of RU 486 are urging its removal from the market after two previously unreported deaths were disclosed by the abortion drug's manufacturer.

Danco Laboratories in New York revealed July 18 the California women had died in 2004 and in 2005 after using the two-step drug regimen to abort their unborn children. Danco has acknowledged two other California users of RU 486 died in 2003 and a Canadian woman died after its use in 2001. Other reports have cited additional deaths by RU 486 users—three in Europe, one in the Philippines and another in the United States.

Danco announced it would update the safety information on the label for Mifeprex, the American brand name for RU 486, which is also known as mifepristone. The U.S. Food and Drug Administration issued a public health advisory and said it would begin an investigation.

The sponsors of legislation that would stop sale of the drug while FDA approval of RU 486 is reviewed urged their colleagues to support their legislation.

"Clearly, warning labels and letters to doctors are not protecting the life and safety of young American women from this dangerous drug," Rep. Roscoe Bartlett, R.-Md., said in a written statement.

Sen Jim DeMint, R.-S.C., said in a written release, "If there were any doubts about the deadly effects of this drug before, there should not be any now. Congress must act quickly to suspend this drug before more women die."

Bartlett's bill is the RU 486 Suspension and Review Act, H.R. 1079, while DeMint's version is S. 511. Bartlett's bill has 73 cosponsors, while DeMint's has only nine.

RU 486, or mifepristone, is used as the first part of a process normally occurring in the first seven weeks of pregnancy. That initial action causes the lining of the uterus to release the embryonic child. A second drug, known as misoprostol, is taken two days after mifepristone and causes the uterus to contract, expelling the baby.

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Deadline set for ruling on 'morning-after' pill

The Food and Drug Administration has set September 1 as the deadline for deciding on over-the-counter (OTC) sale of a "morning-after" pill that can act as an abortifacient.

If the FDA approves the application of Barr Pharmaceuticals Inc., the New Jersey-based firm would be able to sell the Plan B "emergency contraceptive" without a prescription to women 16 years of age and older. Plan B is now available by prescription only.

The FDA rejected a request from Barr in May 2004 for OTC sales, citing a lack of evidence about the pill's effect on girls 16 and younger. It gave the company an option of reapplying for OTC sales for females 16 and older and prescription sales for girls 15 and younger. Barr resubmitted its request under those guidelines.

The pill works by restricting ovulation in a woman. The method also can work after conception, blocking implantation of a tiny embryo in the uterine wall. In such a case, an abortion occurs, pro-lifers point out.

The "morning-after" pill is basically a heavier dose of birth control pills. Under the regimen, a woman takes two pills within 72 hours of sexual intercourse and another dose 12 hours later. In addition to Plan B, the FDA has approved prescription use of another "morning-after" pill, Preven.

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