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**Volume 6**

**Issue 19**

**2005**

A publication of the Southern Baptist Convention's Ethics & Religious Liberty Commission

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Human embryos are not mere biological tissues or clusters of cells; they are the tiniest of human beings. If nurtured and not destroyed, these embryos will develop into human infants. They are not potential human lives; they are human beings who are developing and growing. We have the responsibility not to harm them unjustly and unnecessarily. To do so is not only immoral, but unconscionable. Of all human beings, these are the most defenseless against abuse.  
Dr. Richard Land  
President, SBC Ethics & Religious Liberty Commission

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### Land predicts Miers' record will be like Roberts'

The Senate Judiciary Committee will begin its hearings on the nomination of Harriet Miers to the Supreme Court Nov. 7.

Miers, named by President Bush to replace retiring Associate Justice Sandra Day O'Connor, is likely to face tough questioning from both Democrats and Republicans. Many conservatives are opposed to her nomination. Miers has indicated she is pro-life in her personal convictions and has opposed abortion in a candidate questionnaire, but she has no judicial record demonstrating she is a strict constructionist, original intent jurist when it comes to interpreting the Constitution.

Some evangelical conservatives have endorsed her nomination, however. These include Ethics & Religious Liberty Commission President Richard Land, Focus on the Family founder James Dobson and American Center for Law and Justice Chief Counsel Jay Sekulow.

Land is supporting Miers because Bush has shown he is committed to appointing only strict constructionists to the federal bench.

"I believe that unless something very unforeseen emerges in the hearings, she will be confirmed, and five years from now, there will be a less than one percent difference in her voting record" and that of Roberts, Land said in an Oct. 17 television appearance on the Public Broadcasting System.

"I personally think that the White House was completely blindsided" by conservative opposition, Land said. "And I would point out to you that most of that uproar, not all of it but most of it, is not coming from evangelical social conservatives. It is coming from other kinds of conservatives who are itching to re-fight Bork."

Land's reference is to Robert Bork, the former Reagan nominee to the Supreme Court who was rejected by the Senate in 1987 after a campaign of vilification by liberals inside and outside that chamber.

The Republican leadership would like to hold a confirmation vote in the full Senate before the Nov. 24 Thanksgiving holiday. If Miers is confirmed by that date, she would replace O'Connor, who is still serving on the court, in time for Nov. 30 oral arguments in two abortion-related cases. One of the cases involves a parental notification law in New Hampshire, and the other concerns pro-life protests at abortion clinics.

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### Stem cell vote to be delayed in Senate

There apparently will be no Senate vote this year on legislation that would liberalize President Bush's policy barring federal funds for stem cell research that destroys embryos.

Sen. Arlen Specter, R.-Pa., sponsor of a bill to permit grants for research on embryos stored at *in vitro* fertilization clinics, announced Oct. 21 Senate Majority Leader Bill Frist had promised to bring the measure up early in 2006. The agreement avoided a showdown that may have prevented passage of a spending bill.

After Frist endorsed in July the bill seeking to liberalize the President's rule, it appeared the Senate would vote shortly after it returned in September from a five-week recess. Specter has said he has enough votes to pass the bill in the Senate. The House of Representatives passed the Stem Cell Research Enhancement Act, [H.R. 810](#), in May.

Bush, whose policy allows funding for research only on embryonic stem cell lines already in existence prior to the 2001 announcement of that

rule, has pledged to veto the bill if it reaches his desk. Specter has said he thinks he will be able to achieve the two-thirds majority necessary to override a veto, but an override appears unlikely in the House.

At this point, the extraction of stem cells from an embryo, normally in the first week of life, requires the tiny human being's destruction.

Embryonic stem cell research has failed to produce any successful therapies in human beings and has been plagued by the development of tumors in lab animals. Meanwhile, research on stem cells from non-embryonic sources has produced treatments for at least 65 ailments, according to Do No Harm, a coalition promoting ethics in research. These include spinal cord injuries, rheumatoid arthritis, lupus, multiple sclerosis and sickle cell anemia.

Many opponents of embryonic stem cell research contend the House-approved bill providing funds only for research on leftover IVF embryos is the first step in a path that will lead to the cloning of embryos for research purposes.

Stem cells are the body's master cells that can develop into other cells and tissues, providing hope for the treatment of numerous afflictions. In addition to being extracted from embryos, the cells may be found in such non-embryonic sources as bone marrow, fat and placentas, as well as umbilical cord blood.

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#### **Hate crimes left out of Senate bill—so far**

A Senate committee has approved a bill toughening supervision of sex offenders without including language that would expand hate crimes protections to encompass homosexuality.

Unlike a companion measure approved by the House of Representatives, the Sex Offender Registration and Notification Act, [S. 1086](#), passed the Senate Judiciary Committee Oct. 20 without the attachment of an amendment that would extend hate crimes prevention to include homosexuals and transgendered individuals.

Sen. Edward Kennedy, D.-Mass., however, plans to seek to attach hate crimes language on the floor to a bill, probably the sex offender measure, an aide said.

The committee markup of the bill without the hate crimes rider came a month after more than 40 pro-family leaders wrote to Senate Majority Leader Bill Frist urging him to block passage of the measure. ERLC President Richard Land, Focus on the Family founder James Dobson, and American Family Associate founder Donald Wildmon were among the signers of the letter.

"The Senate Judiciary Committee made the right call on this," said Barrett Duke, the ERLC's vice president for public policy and research. "The hate crimes language would give homosexuals special protections under the law that transcend protections for most other people in this country. The hate crimes language represents one more attempt in the ongoing effort of homosexual activists to gain special legal status for homosexuals. The goal of all of their attempts is to one day criminalize speech that denounces homosexuality, including religious speech. This hate crimes language must be kept off of this bill."

The hate crimes language approved in the House would extend protection to include "gender, sexual orientation, gender identity or disability." Kennedy's proposed version ([S. 1145](#)), which has 44 Senate cosponsors, does not include "gender identity." The hate crimes law currently covers the classifications of race, color, religion and national origin.

"Sexual orientation" includes homosexuality. "Gender identity" is a person's understanding of his gender, which may be different than his sex. Transgender is an umbrella term for a category that includes transsexuals and cross-dressers.

The ERLC's Duke said, "People who are concerned about creating a special legal status for homosexuals should call their senators and congressman immediately to express opposition to any hate crimes language that grants special protections to homosexuals."

Southern Baptists and other citizens may ask their senators to oppose S. 1145 by calling through the Capitol switchboard at (202) 224-3121. Members of Congress may be contacted by email through the ERLC's Web site by entering your zip code in the appropriate space in the red-bordered box above.

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#### **Suspension of off-reservation casinos urged**

Opponents of gambling expansion are calling for a two-year moratorium on government permits for the development of off-reservation casinos.

Gambling foes from more than 20 states gathered at an Oct. 7 Washington news conference to call for the Bush administration to halt the approval of casinos off Native American reservations in order for Congress to study a 1988 law regulating Indian gambling.

An off-reservation casino, also referred to as reservation shopping, involves the purchase of non-reservation property by an Indian tribe, which asks the federal government to hold the land in trust, making it tribal land as a result. Private developers then are able to build casinos on the land. State and local laws do not apply to such casinos, which are not taxable, the opponents said.

Reservation shopping is becoming more common, gambling foes say. Bridgeport, Ct., and downtown Buffalo, N.Y., are two of the locations where Indian tribes are seeking to establish off-reservation casinos, they say.

The proliferation of gambling is causing widespread societal problems, opponents say. These include increases in divorces, suicides, bankruptcies and property foreclosures.

"It is crucial for the United States to have some time to assess the impact of more gambling expansion on our nation," said Barrett Duke, the ERLC's vice president for public policy and research. "We must have time to assess any new gambling expansion, for once it starts, history teaches us it is nearly impossible to turn back.

"Already, we see gambling interests taking advantage of the tragedies on the Gulf Coast," Duke said. "I, for one, believe we have too much gambling already in our nation, and we are paying a terrible price for every dollar that gambling brings in."

The Bush administration has proposed tax breaks for casinos as part of the economic recovery package for Gulf Coast states in the aftermath of Hurricane Katrina. Rep. Frank Wolf, R.-Va., spoke against the plan from the floor of the House of Representatives Sept. 22 and sent a letter to President Bush protesting the idea.

"I do not have the words to express the depth of my disappointment" with such a plan, Wolf said in his letter. "This special interest incentive would be a disgrace. I trust you will do the right thing and make sure federal resources go to the poor, the needy and the vulnerable and not the gambling interests who already have insurance to cover catastrophic events like hurricanes."

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