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A For Faith & Family Ministry Partner

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Cloning human embryos is clearly not "therapeutic." Its purpose is always reproductive. Scientists who clone do so for the purpose of reproducing a cloned copy of the original life form. In addition, no therapeutic benefits accrue to the cloned human being. In fact, the stated purpose of cloning human embryos is to use them for destructive research purposes. The carnage must be stopped now.

As Americans we must now decide whether we are going to be a country that allows the destruction of our tiniest humans for the supposed benefit of older and bigger humans. Unless the answer is a resounding no, the science fiction of Aldous Huxley's *Brave New World* will have become science fact with all of the barbarous consequences which will follow this downward spiral into a new biotech dark age.

Dr. Richard Land
President, SBC Ethics & Religious Liberty Commission

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U.N. panel OKs call for ban on human cloning

The United Nations' legal committee passed Feb. 18 a resolution calling on all countries to enact comprehensive bans on human cloning.

The panel voted 71-35, with 43 abstentions, to urge U.N. members to "prohibit all forms of human cloning inasmuch as they are incompatible with human dignity and the protection of human life." The recommendation will go to the U.N.'s General Assembly for consideration.

The declaration is nonbinding and fell short of a treaty supported by the United States and more than 60 allies that would have mandated a ban on cloning for both reproductive and research purposes. While U.N. members are united in supporting a prohibition on reproductive cloning, some countries oppose a ban on research cloning, which results in the destruction of embryos.

"It's an important first step in the right direction in raising the awareness of the conscience of the world that this is a dangerous scientific practice that must face worldwide condemnation," said Richard Land, president of the Ethics & Religious Liberty Commission.

Great Britain and Belgium, leaders of the opposition to the resolution, said it would not affect their policies in support of research cloning.

The U.N. has been embroiled in a three-year battle over a cloning ban, with Costa Rica leading a pro-comprehensive ban contingent that outnumbered its foes by three to one. In November, however, the legal committee agreed to consider a nonbinding resolution in February after the impasse on a binding treaty could not be overcome.

Proponents of research cloning defend its legalization primarily for the purpose of extracting stem cells from embryos, which are destroyed in the process.

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High court to rule on assisted suicide case

The Supreme Court will decide if the federal government can prevent drugs from being used in assisted suicides.

The high court announced Feb. 22 it would review a lower court decision last year that blocked a Department of Justice ban on the use of federally regulated drugs in physician-assisted suicides in Oregon, which is the only state in which the practice is legal. The justices will hear oral arguments in *Gonzales v. Oregon* during the next term, which begins in October.

The Department of Justice appealed a ruling by the Ninth Circuit Court of Appeals that then-Attorney General John Ashcroft did not have the authority to bar the use of federally controlled drugs in helping patients take their lives. In May 2004, a three-judge panel of the appeals court voted 2-1 to uphold a federal judge's injunction blocking enforcement of the Ashcroft directive.

Ashcroft resigned after November's elections, and Alberto Gonzales was sworn in as attorney general in mid-February.

In November 2001, Ashcroft ruled the use of drugs regulated by the federal Controlled Substances Act in performing assisted suicides is not permitted. Though his directive did not overturn Oregon law, it meant physicians who prescribe or pharmacists who distribute federally controlled substances to aid in suicide may have their licenses to prescribe and dispense such drugs rescinded. In so doing, Ashcroft reversed a ruling by his predecessor, Janet Reno.

The controversy over the use of federally regulated drugs in assisted suicides began in 1997, when the Death With Dignity Act made it legal for a person to request a prescription for drugs to take his life when he is judged by two doctors to have less than six months to live. Through 2003, 171 people had died by assisted suicide in Oregon since it was legalized.

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Justices reject request to review *Roe v. Wade*

The Supreme Court declined Feb. 22 a request to reconsider its 1973 opinion legalizing abortion.

Without comment, the justices refused to grant a review in a case involving the woman whose challenge of a Texas law resulted in all state laws against abortion being overturned. Norma McCorvey, who was identified as "Jane Roe" in the *Roe v. Wade* opinion that legalized abortion, had asked the high court to accept her appeal and overturn the ruling that has produced about 45 million legal abortions in the last 32 years.

The rejection of McCorvey's appeal was expected, though hundreds of affidavits from post-abortive women were provided to demonstrate the harm they had incurred from legalized abortion. The Supreme Court has reaffirmed the 1973 opinion and maintains a 6-3, pro-*Roe* majority among its current justices.

A federal judge in Dallas, Texas, rebuffed McCorvey's request in 2003. In September, a panel of the Fifth Circuit Court of Appeals unanimously dismissed her case, though one of the judges criticized the *Roe* opinion.

After working for an abortion rights organization, McCorvey became a Christian in 1995. She also became a pro-lifer and later converted to Catholicism.

The high court's *Roe* opinion, decided by a 7-2 vote, overturned all state laws prohibiting abortion. In combination with the *Doe v. Bolton* decision released at the same time, the ruling had the effect of permitting abortion for any reason throughout pregnancy.

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NARAL withdraws opposition to pain bill

NARAL Pro-choice America has withdrawn its opposition to the Unborn Child Pain Awareness Act, which would require that women be informed about the pain their unborn children will experience if they undergo late-term abortions.

"Pro-choice Americans have always believed that women deserve access to all the information relevant to their reproductive health decisions," NARAL President Nancy Keenan said, according to LifeNews.com. "For some women, that includes information related to fetal anesthesia options. NARAL . . . does not intend to oppose this legislation."

There are "bigger issues to fight to draw attention to the broader issue of reproductive health," Keenan said, according to a Feb. 16 article in *The New York Times*. "We are standing strong in the next Supreme Court battle."

The legislation, which is S. 51 in the Senate and H.R. 356 in the House of Representatives, is one of the primary measures supported this year by the ERLC and other pro-life organizations.

The bill has two provisions: (1) An abortion doctor would have to provide a woman at least 20 weeks pregnant with scientific evidence about the severe pain her unborn child would experience during the procedure, and (2) if the woman still decides to have an abortion, the doctor would be required to offer anesthesia for her unborn baby in order to reduce his pain.

While NARAL is no longer fighting the legislation, other abortion rights organizations have not changed their positions. The Planned Parenthood Federation of America and National Abortion Federation continue to oppose it, LifeNews reported.

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DOJ to appeal obscenity decision

The Department of Justice announced Feb. 16 it will appeal a recent court setback on obscenity, providing a glimmer of hope it may prosecute such cases with more ardor under a new attorney general.

DOJ will ask the Third Circuit Court of Appeals to overturn a federal judge's decision dismissing an obscenity indictment against Extreme Associates. The 10-count indictment dismissed in January charged the Los Angeles-based business with conspiracy to distribute obscenity, as well as disseminating obscene material through the mail and the Internet.

Only two days after he was sworn in as attorney general, Gonzales said in a written statement DOJ "remains strongly committed to the investigation and prosecution of adult obscenity cases."

Some pro-family organizations have questioned the Bush administration's commitment to the fight against obscenity, however. While they charged the Clinton administration with a constant failure to prosecute obscenity under Reno, they also were displeased with DOJ's record on obscenity under Ashcroft, Bush's first attorney general.

In dismissing the indictment at Extreme Associates' request in a western Pennsylvania federal court, judge Gary Lancaster referenced a 2003 U.S. Supreme Court opinion overturning state prohibitions on homosexual sodomy. The *Lawrence v. Texas* decision, Lancaster wrote, "can be reasonably interpreted as holding that public morality is not a legitimate state interest sufficient to justify infringing on adult, private, consensual, sexual conduct even if that conduct is deemed offensive to the general public's sense of morality."

If Lancaster's decision is upheld, DOJ said it was concerned the ruling "would undermine not only the federal obscenity laws, but all laws based on shared views of public morality, such as laws against prostitution, bestiality and bigamy."

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ERLC supports bill to combat underage drinking

Legislation designed to prevent underage drinking was reintroduced Feb. 16 in Congress.

The Sober Truth on Preventing (STOP) Underage Drinking Act, S. 408 in the Senate and H.R. 864 in the House, would authorize a coordinated attempt to reduce alcohol consumption by minors. The STOP legislation would: (1) appropriate \$2 million yearly for a committee to coordinate efforts among federal agencies to prevent underage drinking and to report to Congress; (2) provide \$1 million a year for a media campaign targeting adults; (3) fund at \$10 million new programs in states and communities, as well as at colleges, and (4) grant \$6 million for increased research.

The ERLC has endorsed the legislation.

The problem with underage drinking is illustrated in statistics provided by the Center for Science in the Public Interest:

- Underage people drink 19.7 percent of all alcohol consumed in the United States.
- The binge drinking rate for underage people grew by 56 percent from 1993 to 2001. Binge drinking is defined as consuming at least five drinks in a sitting during the previous month.
- Between 2002 and 2003, 56.7 percent of high school seniors said they drank beer and 58.6 percent of 12th graders reported drinking liquor.
- Alcohol is an important factor in the top four causes of death among 10 to 24 year olds: Automobile crashes; accidental injuries;

murder, and suicide.

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Senate passes ban on genetic discrimination

The Senate approved in a 98-0 vote Feb. 17 a bill to restrict insurance companies and employers from discriminating against Americans based on their genetic information.

The Genetic Information Nondiscrimination Act, S. 306, would bar insurance companies from using genetic information to deny coverage or charge higher premiums to healthy people. It also would prohibit employers from using such knowledge in hiring, firing and other employment decisions. Privacy and confidentiality protections would be extended to genetic data.

Supporters of the measure said advances in genetic testing have benefited human beings by enabling doctors to prevent afflictions based on such information. Such genetic data, however, also can prove harmful, proponents of the bill said.

When the National Institutes of Health offered women genetic testing for breast cancer risk, nearly 32 percent of them refused to be tested because of concerns about insurance discrimination, the bill's chief sponsor, Sen. Olympia Snowe, R.-Maine, said from the floor.

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