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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 . . . It is incumbent upon a demolition expert to make certain no one is in the building he is about to destroy. If he fails to check out the building adequately, and a homeless person or lost child is killed, it would be a very lame excuse indeed to have him claim, "I was not sure there was a person inside." Similarly, it is irresponsible for us to condone and conduct human embryo research simply because some researchers have established in their own minds an arbitrary lesser moral status for human beings in their embryonic stage of development.

Dr. Richard Land
President, SBC Ethics & Religious Liberty Commission and Dr. C. Ben Mitchell, Bioethics Consultant, SBC Ethics & Religious Liberty Commission

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[Supreme Court takes parental notification case](#) The Supreme Court will rule on a state law requiring parental notification for underage girls seeking abortions.

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Senate compromise prevents showdown on filibusters

Seven senators from each party reached an agreement May 23 that prevented the Republicans from potentially changing the Senate's rules to break filibusters over judicial nominees.

As a result, three of President Bush's appeals court selections—Janice Rogers Brown to the District of Columbia Circuit Court of Appeals, Priscilla Owen to the Fifth Circuit and William Pryor to the 11th Circuit—will no longer be filibustered by the seven Democrats involved in the compromise. The Democrats, however, made no commitment on other nominees, reserving the right to filibuster in "extraordinary circumstances," which were not defined.

The Republicans in the agreement committed not to support an attempt to change the rule requiring 60 votes to end a judicial filibuster. Senate Majority Leader Bill Frist of Tennessee had set May 24 as the date when such a rule change would be attempted if the Democrats continued to filibuster Owen.

In the first vote since the compromise, the Senate confirmed Owen May 25 by 56-43.

The agreement by the 14 senators "is the surest indication that Majority Leader Bill Frist had the 50 votes to exercise the constitutional option and end filibusters for judicial nominees," said Richard Land, president of the Ethics & Religious Liberty Commission. "There used to be an old saying in Washington that 'Republicans had raised snagging defeat from the jaws of victory to an art form.' Alas, the seven Republicans who signed this deal have proven that this peculiarly Republican exercise is still alive and well.

"At least justice has been done in that three remarkably deserving and qualified American jurists—judges Owen, Brown and Pryor—will be confirmed as appellate federal judges.

"Whether this compromise is a serious defeat in the move toward a more conservative judiciary will be tested in coming months when we see if a majority of President Bush's nominees gets an up-or-down vote and if the filibuster is rarely, if ever, used," Land said. "If that is not the case, then Senator John McCain will bear the major share of the responsibility for frustrating tens of millions of American voters who voted for President Bush at least in part because he promised to nominate judges in the Thomas-Scalia mold."

McCain, a Republican from Arizona, was a leader in the compromise effort.

"I am extremely fearful that this so-called compromise will break down over the strain of one or more Supreme Court nominations in the near term," Land said.

"Majority Leader Frist had the courage to challenge the status quo and hold the senators' feet to the fire. Had it not been for Senator Frist's steadfast leadership, we would still not have confirmation votes on Owen, Brown and Pryor. Conservatives who are unhappy with this compromise are going to blame McCain, not Frist."

Land and Barrett Duke, the ERLC's vice president for public policy and research, signed onto a May 9 letter from the National Coalition to End Judicial Filibusters to GOP senators urging them to act to end the judicial filibusters "well before a Supreme Court vacancy should occur."

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Stem cell bill passes House but falls short of override

The House of Representatives passed a bill May 24 to provide federal funds for stem cell research that destroys embryos but fell about 50 votes short of the two-thirds majority that would be needed to override a promised presidential veto.

The House approved nearly unanimously another stem cell research bill, one that was supported by pro-life members because it does not require embryo destruction.

Representatives voted 238-194 for the Stem Cell Research Enhancement Act, H.R. 810, which would repeal President Bush's policy prohibiting federal funds for stem cell research that results in the destruction of human embryos. The president's rule, announced in August 2001, allows funding for research only on embryonic stem cell lines already in existence prior to his announcement of the policy.

On the same day as the House vote, the White House reaffirmed Bush would veto the bill, which would underwrite research that uses embryos left over at in vitro fertilization clinics. Rep. Michael Castle, R.-Del., is the chief sponsor of the measure.

In action immediately after the embryonic stem cell legislation was approved, the House voted 431-1 for the Stem Cell Therapeutic and Research Act, H.R. 2520. The bill would authorize \$79 million over five years for the collection, testing and storage of stem cells from umbilical cord blood.

Embryonic stem cell research not only is destructive, it has failed to produce any successful therapies in human beings and has been plagued by the development of tumors in lab animals. Meanwhile, research using stem cells from non-embryonic sources such as cord blood and bone marrow has produced treatments for at least 58 ailments, according to the National Right to Life Committee. These include spinal cord injuries, rheumatoid arthritis, lupus, multiple sclerosis and sickle cell anemia.

"I am disappointed that a majority of the House voted to support the Castle bill," ERLC President Richard Land said. "My disappointment is somewhat mollified by the fact that it does not appear they have a veto-proof majority, and the president has promised to veto this legislation if it reaches his desk.

"Enactment of this bill would be taking a step down a very steep and slippery slope that devalues human life. When any human life is deemed less valuable than other human life, all human life is diminished."

A few hours before the House action, Bush defended his 2001 policy in a White House speech. The president met before his speech with 21 families who either have adopted or given up for adoption frozen embryos stored after in vitro fertilization treatments. With children who were once frozen embryos in attendance at his speech, Bush said they "remind us that there is no such thing as a spare embryo. These lives are not raw materials to be exploited but gifts. And I commend each of the families here today for accepting the gift of these children and offering them the gift of your love."

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ERLC endorses bill targeting domestic sex trafficking

The ERLC is supporting legislation designed to combat domestic sex trafficking by targeting the demand side of the illicit trade.

The End Demand for Sex Trafficking Act, H.R. 2012, would fund the increased prosecution of purchasers of illegal sex acts and the traffickers who exploit the victims, normally women and children. It would focus on stopping the trafficking of people into the United States for purposes of prostitution and sexual slavery.

Rep. Deborah Pryce, R.-Ohio, is the sponsor of the bill, H.R. 2012, in the House of Representatives. Sen. John Cornyn, R.-Texas, is the

sponsor of the Senate's companion bill, S. 937.

It is estimated about 800,000 people are trafficked across international borders each year.

Congress began to deal with the international problem by passing the Trafficking Victims Protection Act in 2000. It promoted the prosecution of traffickers in other countries, while it also provided new punishment for traffickers in the United States.

"Until now, our nation has held others to a higher standard than we have held ourselves," said Barrett Duke, ERLC vice president for public policy and research. "It is inexcusable to require of others more than we require of ourselves. The End Demand Act will help us remove the log from our own eye while we also call on others to address their own sex trafficking problems.

"For too long, the customers and traffickers involved in prostitution have had it too easy, while the women they abuse and victimize feel the brunt of society's revulsion of their activity. If there were no demand and no suppliers, there would be very little, if any, prostitution."

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USCIRF urges recognition of new religious freedom violator

The U.S. Commission on International Freedom urged for the first time that Uzbekistan be designated by the State Department as one of the "countries of particular concern," a category reserved for governments that have "engaged in or tolerated systemic and egregious violations of religious freedom." The USCIRF also deleted India from its list of countries recommended for CPC designation.

On the same day it released its annual report, the bipartisan panel recommended May 11 to Secretary of State Condoleezza Rice the retention of Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan and Vietnam on the CPC list. It also repeated its previous advice that Pakistan and Turkmenistan be added to the category, a suggestion the previous Secretary of State, Colin Powell, did not agree to last year.

The USCIRF recommends governments for CPC designation each year, but the Secretary of State actually designates which countries are on the CPC list.

The commission urged Rice to take action called for by the 1998 International Religious Freedom Act (IRFA) against CPC designees but so far ignored by the Clinton and Bush administrations. In the case of Burma, China, Iran, North Korea and Sudan, all long-time CPC designees, the U.S. government has enforced only sanctions already in existence against those countries for other reasons.

"The U.S. government's reliance on pre-existing sanctions has provided little incentive for those CPC governments to reduce or end egregious violations of religious freedom," the USCIRF said in its new report. "[That] is unacceptable as a matter of policy."

As it has in the past, the panel also released a "watch list" of countries that should be closely monitored, although their religious freedom violations do not reach the level required for CPC recommendation, according to the USCIRF. This year's "watch list" consists of Bangladesh, Belarus, Cuba, Egypt, Indonesia and Nigeria.

The USCIRF's 2005 report may be obtained online at www.uscifr.gov.

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Supreme Court takes parental notification case

The Supreme Court will rule on a state law requiring parental notification for underage girls seeking abortions.

The high court announced May 23 it would review a lower court decision striking down New Hampshire's parental notification law. Oral arguments in the case will be heard in the court's next term, which begins in October.

A three-judge panel of the First Circuit Court of Appeals, which is based in Boston, Mass., ruled in November the law is unconstitutional because it does not contain an exception to protect the health of the mother and its exception for a threat to her life is too narrow. The appeals court's decision upheld the ruling of a federal judge.

The 2003 law says a parent must be notified in person or in writing by an abortion provider when a female under 18 has requested the procedure. The notice must be given 48 hours prior to the abortion. The law also includes a provision permitting the girl to seek a judicial bypass to avoid the notice requirement.

The case is *Ayotte v. Planned Parenthood*.

In addition to New Hampshire, the First Circuit includes the states of Maine, Massachusetts and Rhode Island.