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“A patriot without religion in my estimation is as great a paradox as an honest Man without the fear of God. Is it possible that he whom no moral obligations bind, can have any real Good Will towards Men? Can he be a patriot who, by an openly vicious conduct, is undermining the very bonds of Society?...The Scriptures tell us ‘righteousness exalteth a Nation’.”

Abigail Adams

Hate Crimes Passes House as Part of Defense Bill

Over the past several weeks, negotiations between Congressional offices have taken place behind closed doors to work out the differences in the House and Senate versions of the Defense Authorization Bill (DOD), one of the most important differences being the hate crimes issue. Earlier this year, the House offered and passed hate crimes legislation as a stand alone bill. However, the Senate attached the hate crimes language to the DOD bill. While the House’s version of the DOD bill was clean and contained no language regarding hate crimes, the Conference Report on the DOD bill that was delivered as the final version to both the House and Senate to be voted on contained the hate crimes language.

While the Senators assigned to the conference committee were named several weeks ago, the House did not “officially” name their conferees until this week, even though informal negotiations were being made. Throughout these negotiations, it was determined that hate crimes would be attached to the final version that was reported out of the conference committee to both the House and Senate. In an effort to remove the hate crimes language from the bill before the conference report was signed on Wednesday morning, Republicans in the House of Representatives on Tuesday evening offered a [“Motion to Instruct Conferees.”](#) Many Republicans voiced their strong opposition to the addition of Hate Crimes legislation to a defense bill, stating the legislation “hijacked” an extremely important and necessary bill and were appalled that House leaders would hold support for troops “hostage” as they rammed through the homosexual agenda. Despite the outcry, this motion failed to pass the House with a vote of 234-178. Conference Members then formally met on Wednesday of this week to sign the conference report, which had been written prior to their initial meeting.

The AACS Legislative Office sent a letter to Representatives urging them to make every effort to remove the hate crimes language from the DOD bill, specifically stating that “legislation designed to support our troops and defend our nation is not the vehicle for a divisive issue such as hate crimes.” Dr. Wiebe, President of AACS, stated, “Members of Congress should not be placed in a position where they must choose between voting to support our troops, and voting on the controversial and constitutionally suspect issue of hate crimes.”

While the [final version](#) of the bill as reported by the conference contained the hate crimes language, it also contained the Brownback amendment designed to protect religious freedom and speech. However, another amendment by Senator Leahy was also included which waters down the language of the Brownback amendment, making it prone to litigations and future threats to our First Amendment rights and privileges.

On Thursday, the House voted on final passage of the DOD bill with the hate crimes language, passing it with a vote of 281-146. House Minority Leader John Boehner, along with House Republican Whip Eric Cantor, and House Republican Conference Leader Mike Pence all voted against the bill. While many of the Republicans who voted against the DOD bill strongly support the troops and the need to fund their efforts, they felt the addition of hate crimes to the bill was an insult to the troops. According to Congressman [Mike Pence](#) (R-IN),

“Throughout my nearly nine years in Congress, I have been downrange with our troops every year in Afghanistan and Iraq. I have also supported every defense authorization bill that has come before this body. And so I rise with a heavy heart today to say that I will break that personal tradition in opposing this bill.”

He went on to say, “No one doubts that the National Defense Authorization Act for Fiscal Year 2010 is an important piece of legislation. Every American who has put on the uniform of this country has done so to defend freedom. Therefore, the very idea that we would erode the freedoms for which our soldiers wear the uniform in a bill that is designed to provide resources those soldiers need to get the job done and come home safe, is unconscionable.” Mr. Pence remarked, “It is simply inappropriate to use a defense bill as a vehicle for divisive, liberal social policies, wholly unrelated to our country's national security.”

The Senate is expected to vote on the conference report for the DOD bill next week.

Department of Education Hosts Stakeholders Forum for Education Policy

Last week, Secretary of Education Arne Duncan along with many members of his senior staff at the Department of Education held an [Education Stakeholders Forum](#), with the purpose of [laying down](#) the foundations for a series of sessions that will take place throughout the fall regarding the reauthorization of the Elementary and Secondary Education Act (ESEA). Attending the event were many representatives from educational organizations, including the AACS Legislative Office. The speakers included Arne Duncan along with Thelma Melendez, Assistant Secretary, Carmel Martin, Assistant Secretary, and Maura Policelli, Senior Advisor for External Affairs. All spoke of the strengths and weaknesses they saw with No Child Left Behind, and then pointed their remarks to “Why we can’t wait” for education reform and the “Next Steps” regarding the reauthorization. As the Administration has dubbed education reform as the “civil rights” issue of our time, the Secretary [remarked](#) that the primary task of the reauthorization should “unite education stakeholders behind a national school reform movement that reaches into every town and city.”

In 2001, in an effort to improve the education of America’s students, Congress led by the Bush Administration authorized the No Child Left Behind Act (NCLB), which was essentially a revision of the ESEA from 1965. Specific language was included in this bill which protected the freedoms of private, religious, and home schools (section 9506). In addition, NCLB prohibited the establishment of a national curriculum (section 9527), national testing (section 9529), mandatory national teacher certification (section 9530), and a national student database (section 9531). Throughout the discussions on a possible reauthorization of NCLB, the AACS Legislative Office joined with other conservative organizations to educate lawmakers and the Administration of the importance of keeping these inclusions in any reauthorization.

With this new Administration comes new changes to education policy and many are concerned that with the reauthorization of ESEA, sections that prohibit a national curriculum and a national student database will be omitted. Educational leaders, including Secretary Arne Duncan, often point to the need to create nationwide standards in curriculum in an effort to improve education in America. However, there are many who believe that a [national curriculum](#) would actually do more harm than good as it would give the federal government control over all school curricula and diminish the ability of each state to meet its schools’ diverse cultural and education needs. In addition, it would also jeopardize the freedoms of private, religious, and home schools to teach the curricula which best reflects their core education and cultural beliefs, as well as limit parental involvement in their children’s education.

An additional concern with the reauthorization of ESEA is the increasing interest by the Administration in the creation of a national student data base to track students’ academic progress. While supporters of this claim that this will help better meet students’ academic needs, a national student database would actually jeopardize the privacy of children and their families, and could potentially increase the risk of identity theft as well as initiating the “big brother” philosophy of monitoring and tracking young citizens.

Other issues that the AACS Legislative Office continue to monitor as discussions over the ESEA reauthorization take place include a mandatory national teacher certification program, national accreditation program, a national testing program, and the inclusion of a national pre-k program.

Hope for Abstinence Education

While the President [zeroed out](#) all funding for abstinence education programs in his budget proposal this year, Senator Orin Hatch (R-UT) proposed an amendment to the Baucus Health Care bill to reinstate Title V abstinence education funding. The amendment would restore \$50 million a year in funds to be used to promote abstinence education. The amendment passed the Committee with bipartisan support and a vote of 12-11. In the House, a similar amendment was proposed by Rep. Lee Terry (R-NE), but failed.

While the focus of Congress and the Administration is to provide monies for only “comprehensive” sex education with little to no talk of abstinence, [research](#) stands to correct their priorities. According to an article from the Heritage Foundation, “[evidence](#) shows the effectiveness of abstinence programs in helping young people delay sexual activity, lower their risk of contracting a sexually transmitted disease, and decrease their chances of participating in risky sexual behavior.” In addition, the abstinence choice also “will contribute to [better academic achievement, a lower likelihood of depression, less risk of divorce, and a lower likelihood of parenting a child outside of marriage.](#)”

Furthermore, the Heritage report points out that “the House’s choice to defund abstinence education also runs counter to what most parents report they want their children to be taught: [that abstinence is best and that sex should be reserved for marriage or for a relationship heading towards marriage.](#)”

While funding abstinence education continues to be a battle in the House, this victory in the Senate will hopefully prove to many the importance of funding “what works” and programs that have credible evidence to back those claims.

The Case of the Cross in the Desert

Some members of the Supreme Court sidestepped the issue of separation of church and state as arguments for the Mojave Desert Cross case were brought before the highest court this past week. A 75-year-old 6 ½ foot cross which was originally erected as a veteran’s [memorial](#) standing in the middle of Mojave Desert has come under attack in the past 8 years. Accusations claiming the religious symbol on what was once federal land is a violation of separation of church and state, has resulted in a judge ordered cover-up of the cross. While the land on which the cross stands has been bought by private individuals, the case has still been waiting to be heard before the highest court, and their decision could have a chilling effect on veteran’s memorials throughout the nation including national cemeteries.

The cross was erected in 1934 in honor and memory of fallen soldiers of the First World War. Since its establishment, it has been cared for by descendents of those who originally erected the monument. After standing for nearly 75 years, the [complaint](#) of one individual who felt “offended” when he heard of the memorial has “wasted thousands of tax dollars and critical man-hours making a mountain out of a molehill.”

Hiram Sasser, of the [Liberty Legal Institute](#), defended the memorial, stating, “Their [ACLU’s] client is a man who lives...900 miles away , and he says that he might come out into the middle of nowhere, in the middle of the Mojave Desert, and if he finds the memorial then he might be offended by that, and because of all that, he’s suing to have this 75-year-old veterans' memorial in the shape of a cross torn down.”

While many were hoping the Supreme Court would bring up the separation of church and state [issue](#), instead the questioning and general view of the court seemed to be [based](#) on the merits of the case itself, possibly resulting in a rather short opinion stating that since the cross now resides on private lands it has no obligation to make a bolder statement. While a decision is expected early next year, the cross continues to be covered up by plywood.

To watch a short clip on the history of the cross please click [here](#).

In Case You Missed It:

[Participation in Pulpit Freedom Sunday more than Doubles](#)

Californians Fight against "Harvey Milk Day"

Same-Sex Marriage Bill introduced in D.C.



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