Collection: Blackwell, Morton: Files
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W.H. Conf on Aging

report from the White House Conference on Aging

Number 12, August 1981

Delegates Will Debate Aging Issues in 14 Committees at Conference

Delegates to the 1981 White House Conference on Aging will work within 14 issue committees to make recommendations that can be used in developing a proposed national policy on aging.

WHCoA delegates are being asked to list their first, second and third choices for committee assignment, and, to the extent possible, each delegate will be assigned to the committee of his choice. Official observers will be assigned to committees in the same manner.

The 14 committees are listed in the box below, and inside there is a listing that includes examples of the topics each committee will take up.

The decision to deal with aging issues within these 14 committees was made only after extensive consultations among Executive Director David A. Rust and his staff, the 60 members of the WHCoA National Advisory Committee and representatives of a large number of organizations active in the field of aging.

"Every effort has been made to include all the issues that surfaced in the state conferences and to organize them in a way that will help the delegates," said Rust.

It is expected that the conference will be convened Nov. 30 in general session for a keynote address and introduction of leaders, including the chairmen of the 14 issue committees. After that, each delegate will begin working within the committee to which he has been assigned.

To facilitate discussion, each committee will be further divided into subgroups of about 40-50 persons. Each of the subgroups within a committee, however, will deal with the same material as the committee as a whole, and the delegates later will reconvene in full committees to develop their recommendations.

The recommendations of each of the 14 committees will be reported at a closing general session Dec. 3, and they will be compiled as part of the official conference report.

Although there are 14 separate issue committees, there are some matters of such importance that every committee is being asked to consider them. The following are the issues with which every committee must deal:

- Special needs of minority group members.

(continued on page two)

Conference Committees

Implications for the Economy of an Aging Population
Economic Well-Being
Older Americans As a Continuing Resource
Promotion and Maintenance of Wellness
Health Care and Services
Options for Long-Term Care
Family and Community Support Systems
Housing Alternatives
Conditions for Continuing Community Participation
Educational and Training Opportunities
Concerns of Older Women: Growing Number, Special Needs
Private Sector Roles, Structures and Opportunities
Public Sector Roles and Structures
Research

Examples of Discussion Topics for WHCoA Committees

1. Implications for the Economy of an Aging Population Kenneth Austin LEO Equitable Life

- Effects of inflation on older people and their resources
- Older Americans as a market
- The labor force, productivity, and employment opportunities
  - Impact of age discrimination
- Tax and investment policies (including incentives)
- Means for supporting a greater dependent population

2. Economic Well-Being Bob Steele

- Social Security programs
- Public and private retirement programs
- Public assistance, including in-kind benefits
- Early pre-retirement education, counseling and planning
- Self-help
  - Continuing employment
  - Management of personal resources (savings and investments)
- Tax incentives

3. Older Americans as a Continuing Resource James Baylock Drexel Burnham

- Employment
  - Full- and part-time, voluntary, self-employment and small business
  - Impediments to employment
  - Training for continuing or further careers
- Community service
- Advocacy
- Role in the family
- Incentives/disincentives
  - Tax policies
  - Pension and other benefits
  - Ageism and media stereotyping

4. Promotion and Maintenance of Wellness Madge Meyers Asst Prof Tufts U.

- Physical and mental
- Health education
- Nutrition and diet
- Use and misuse of alcohol, drugs and other substances
- Physical fitness and exercise
- Self- and mutual care
  - Early warning and preventive techniques
  - Care of eyes, ears, teeth, feet, limbs
- Insurance and reimbursement policies regarding preventive techniques

5. Health Care and Services Dr Wm. Hunt Allegheny County

- Physical and mental
- Availability, accessibility, quality, coordination, and continuity of care
- Financing (including tax policies, payment co-sharing, reimbursement policy, and cost containment methods)
- Special aspects of health services for older Americans
  - Chronic conditions; multiple disabilities and diseases
  - Physiology of the elderly
- Delivery systems
  - In-home (including training and use of home health workers)
  - In the community
  - In hospitals and other facilities
  - Hospices
- Rehabilitation
- Geriatric education in professional training and continuing education Joanne Gasper

6. Options for Long-Term Care Dr. Denham Harman U. Neb. Med School

- Planning and coordinating health and social services
  - Continuity of care
- Self-help and freedom of choice
- Delivery in a non-institutional setting
  - In-home
  - Family care
  - Foster homes
  - To ambulatory patients
  - Hospices
- Community (informal support services)
- Institutional care
  - Psycho-social needs (e.g., community and facility programs)
  - Environment (location, design and condition)
  - Preservation of lifestyles
  - Security (including possessions)
  - Cultural, family and other interpersonal relations
- Financing (tax and other incentives, reimbursement policy, and cost containment methods)
- Assurances of quality care/evaluation
- Outreach, information and referral Adelaide Attard - Nassau County

7. Family and Community Support Systems Carl Bieber - Norfolk

- Support systems for independent living (formal and informal networks)
- Capacity of family
  - Day care and respite services
  - Tax incentives
- Religious institutions/programs
  - Allow use of facilities; in-kind programs
- Intergenerational relationships and support
- Social services—continuum of services
- Self- and mutual help
- Outreach, information and referral
- Hospices
- Quality care/evaluation
- Manpower

8. Housing Alternatives Nick Pannuzio

- Energy costs and efficiency
- Crime and crime prevention
- Community change; dislocations
- Affordable options and alternatives
  - Financing
  - Better use of current

Delegates (continued)

- Needs of low-income elderly.
- Differences in urban and rural needs.
- Needs of elderly who are frail or disabled.
- Access to services.
- Private and public sector roles.
- Means of implementing conference recommendations.
- Role of older Americans themselves in influencing change so as to realize their aspirations.

In addition, because the decision was made to have a separate committee on the concerns of older women, members of every committee are being asked to consider special needs of older men.

It also will be noted that there is considerable overlap in the following examples of committee topics. This is intentional: There is much to be gained from discussing such overlapping topics in more than one context.

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    • Consumer protection
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- Landlord-tenant issues
- Condo conversions

9. Conditions for Continuing Community Participation Martin Jones Ohio Comm on Aging

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    • Outreach, information and referral
    • Innovative programs
    • Self-help and local initiatives
- Security in homes and on streets
- Recreation and cultural opportunities
- Educational opportunities
- Religious activities
- Reduction in ethnic, race and age barriers

10. Educational and Training Opportunities Bernice Neugarten Lecturer + Author

- Planning and counseling for later years
- Continued learning
    • Preparation for continuing and new careers
    • Recreation and cultural activities
    • Self-help and advocacy
- Facilitating roles of educational and cultural organizations
- Education about older Americans
    • Professional education
    • Intergenerational exchange
    • Intercultural exchange

11. Concerns of Older Women: Growing Number, Special Needs Josephine Oblinger Esq.

- Income adequacy
    • Pension, annuity and disability policy
- Employment opportunities (training and counseling)
    • Re-entry of housewives

Sheraton Washington Hotel

- Health concerns
- In-home and community services
- Sex, age and race discrimination
- Quality of life
    • Loss of spouse
    • Aloneness/lack of confidential relationships
    • Problems of remarriage

12. Private Sector Roles, Structures and Opportunities George Dorey Ex V.P. Miles Lab.

- Corporate and business sector
    • Employers
    • Providers of pensions and health insurance
    • Providers of goods and services to older persons (new marketing)
    • Supporters of community services
- Labor organizations
- Professional associations
- Non-profit corporations, foundations and religious organizations
- Volunteerism
- Private-public partnerships
- In-kind support programs
- Research and demonstration

13. Public Sector Roles and Structures Doris Dealman Commissioner Summit County NY

- Program planning and implementation
    • Impact of elderly migration patterns (e.g., Sunbelt, location of various economic populations)
    • Integration of services
    • Interagency coordination
- Accountability
- Centralized vs. decentralized
- Intergovernmental relations
- Impact of government regulations
- Improved public awareness programs
- Limits on government resources
- Public-private partnerships

14. Research Ed Young U. of So. Cal Med School

- New knowledge needs
- Biomedical
- Behavioral, social and economic
- Improved information for policymaking
- Utilization of available knowledge
    • Dissemination of results
    • Technology transfer
    • Linkages between researchers and practitioners (e.g., research results incorporated into gerontology training)
- Private and public support

REPORT FROM THE WHITE HOUSE CONFERENCE ON AGING is published by the Public Affairs Department of the White House Conference on Aging, 330 Independence Avenue, S.W., Washington, D.C. 20201. Telephone: (202) 755-8001.

WHCoA Chairman, Constance D. Armitage; Executive Director, David A. Rust; Public Affairs Director, Bill Stetson.

Sheraton and Hilton—White House Conference Hotels

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Approximately half of the WHCoA committee sessions will take place in the Hilton, which has about 30 conference meeting rooms. All of the Hilton's major convention facilities are centralized on one floor for easy accessibility.

In addition, the Hilton will host the WHCoA banquet, tentatively scheduled for Dec. 2. The Hilton's International Ballroom—site of the banquet—is known for its unusual oval shape and columnless design, which assure the audience an excellent view of the stage.

Recently-Renovated

Situated just six blocks north of the Hilton on a 12-acre resort estate is the recently-renovated Sheraton Washington Hotel. The Sheraton will be the site for the conference opening and closing general sessions and for half of the committee sessions.

Featuring a new main building with skylit, multi-level atrium as its focal point, the Sheraton has more than 1500 guest rooms and 30 meeting rooms. In addition, it has 95,000 square feet of exhibit space which will house a variety of exhibits being held in conjunction with the conference.

Barrier-Free

According to WHCoA Executive Director David A. Rust, the two hotels were selected in part because of their barrier-free design. Facilities for handicapped guests include:

— entrances and exits to buildings accessible by sloping ramps and curb cutaways;

— meeting rooms which are all accessible by elevators and sloping ramps;

— elevators equipped with reachable control panels and indented controls for the sight-impaired;

— public restrooms having at least one wide stall with grab bars;

— public telephones which have been lowered for wheelchair users and telephones with amplified hand sets for the hearing-impaired;

— a certain number of specially equipped guest rooms, with grab bars and accessible closet bars;

— and valet and other convenient parking, including designated parking spaces for the disabled.

All delegates and official observers to the conference will be assigned to a particular committee (see front page). For their convenience, delegates and observers will be housed in the hotel in which their committee meets. It is expected that guest rooms in the Sheraton Washington and the Washington Hilton will be able to accommodate all delegates and most observers.

Continuous bus service between hotels will be available at no cost to participants throughout the conference.

Average Age Advances

The number of Americans aged 60 and over has increased four times as fast as the number under 60 since 1900. At the turn of the century, there were only 4.9 million Americans 60 or older, and the average life expectancy at birth was 47. Today, there are 34 million older Americans, and the average life expectancy is 73.

Washington Hilton Hotel

Betty Brooke
Ann Peterson
Rosamay Thompson

Special Events Planned to Enhance WHCoA Program

"It is our sincere wish that delegates and observers attending the 1981 White House Conference on Aging receive a warm welcome in the nation's capital. One of the ways we hope to extend our hospitality is through the many special events taking place in conjunction with the conference."

With these words, Jean Bergaust described her new assignment with the White House Conference on Aging. Mrs. Bergaust, who originally joined the WHCoA staff in March, 1981, was recently named director of the Office of Special Events. This new office will be responsible for such activities as the formal banquet of the conference, tentatively scheduled for Dec. 2, in the Washington Hilton's International Ballroom.

Jean Bergaust

Other activities which Mrs. Bergaust will coordinate include: cultural and arts exhibits connected with the conference taking place in galleries and museums around Washington, the unveiling of the WHCoA commemorative stamp, arrangements for international observers attending the meeting, invitations to guest speakers for conference luncheons, and informational services for spouses of delegates and observers.

Mrs. Bergaust will also be responsible for the opening reception of the conference, which takes place Sunday evening, Nov. 29, in the Sheraton Washington Hotel's exhibit hall.

"One of the most interesting events new to the 1981 conference is the WHCoA exhibit," reports Mrs. Bergaust. "This opportunity will allow business organizations, federal, state and local agencies, private, non-profit organizations and individuals to share their ideas with attendees at the 1981 conference in a way that no previous conference has included."

Exhibit Space

Interested parties may rent a 10′ × 10′ booth—equipped with draperies and a booth sign—from the exhibit hall contractor. Also within the exhibit hall will be a film festival presented by the Gerontological Society of America and a refreshment area.

Organizations, businesses or individuals interested in renting exhibit space should contact: David Shoup, WHCoA Exhibit Headquarters, P.O. Box 17413, Dulles International Airport, Washington, D.C. 20041.

What's An Observer?

Approximately 2,000 delegates and 1,500 official observers will take part in the 1981 White House Conference on Aging. But what, many have asked, is an official observer?

Governors and other public officials selected both delegates and observers to represent their states or territories at the conference. Like delegates, observers will be credentialed and assigned to committees.

Unlike delegates, however, observers may not vote. They also must pay their own expenses.

Observers are not alternates. *If a delegate is unable to attend the conference, the appointing authority* may *replace a delegate with an observer, but this will not be done automatically.*

Aging Commissioner WHCoA Veteran

Dr. Lennie-Marie P. Tolliver, nominated by President Reagan in May, was sworn in as U.S. Commissioner on Aging Aug. 6. In this position, she administers programs under the Older Americans Act, which provides funds to foster the development of service programs for older persons. Her responsibilities also include being an advocate for all older Americans and ensuring that social services they need are provided nationally.

Dr. Tolliver comes to her post in the Department of Health and Human Services from the University of Oklahoma, where she was a professor, associate director and graduate program coordinator in the School of Social Work. Her previous government service includes a term (1974-78) on the Federal Council on Aging. She also was a delegate to the 1971 White House Conference on Aging.

"As a member of the Technical Advisory Committee on Retirement Roles and Activities of the 1971 White House Conference and as a special adviser for the 1981 conference," said Dr. Tolliver, "I am keenly aware of the importance of this event. I expect that it will provide a vital and important forum for articulation of national goals and policies to further the well-being and quality of life of older people in the 1980s.

"I hope the conference will provide the opportunity to specify the nature of the interrelationship between past and future, young and old, and the public and private sectors."

Dr. Tolliver

Rules Aired by Advisory Committee

A rules subcommittee, chaired by William Ayres, former U.S. Representative from Ohio and president of W. H. Ayres, Inc., has been established by Constance D. Armitage, chairman of the WHCoA National Advisory Committee.

The subcommittee is responsible for making recommendations on all procedural aspects of the 1981 White House Conference on Aging, including the written rules which will be distributed to all delegates prior to the conference.

The subcommittee held its initial meeting on July 15. It plans to present final recommendations for the deliberation and approval of the National Advisory Committee Sept. 24-25, when the full committee meets in Washington, D.C., for a pre-conference planning session.

Members of the rules subcommittee are: Ayres, Mrs. Armitage, Adelaide Attard, J. Glenn Beall Jr., Gorham L. Black Jr., Anna V. Brown, Jacob Clayman, Dr. Arthur Flemming, Margaret Jacks, Robert Kerr, and Dr. Forrest James Robinson.

Four additional subcommittees will be appointed by Mrs. Armitage in the near future:

• An awards subcommittee will advise the WHCoA executive director and staff on the number and nature of awards to be presented at the conference, the selection of individuals and organizations that merit them, and the most appropriate settings for the presentations.

• An international subcommittee will assist the WHCoA staff in providing support and hospitality to approximately 200 international observers at the conference to ensure that the experience is rewarding to them, their countries, and their sponsoring organizations.

• A private sector subcommittee will advise the WHCoA staff on specific projects designed to increase private sector involvement in all aspects of the WHCoA process.

• A special events subcommittee will work to ensure that these events are an important complement to the conference program and provide delegates an opportunity to profit from the Washington scene in a congenial setting.

King Coordinates Conference Countdown

With little more than three months left before the fall of the gavel of the 1981 White House Conference on Aging, Executive Director David A. Rust recently announced a reorganization of the staff to streamline the final phase of conference planning.

Californian Leslie B. King was appointed conference coordinator for the countdown and will be responsible for ensuring that all arrangements are coordinated through one office so that systems used during the Nov. 30-Dec. 3 conference run smoothly.

Retired from a career with the Bell System, King was most recently deputy national communications coordinator for the Reagan-Bush Committee. In this position, he was responsible for coordinating the efforts of the Bell System and independent telephone companies in all 50 states.

"I've retired twice in my career, so I bring to the conference a good understanding of the subject matter from my own experience, as well as expertise in the nuts and bolts department," King said.

Les King

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the White House Conference on Aging
330 Independence Avenue S.W.
Washington, D.C. 20201

Attendees at meeting regarding the
White House conference on Aging

4: 30 PM
Room 132
Wednesday, November 25

Diana Lozano - Office of Public Liaison

Morton Blackwell - Office of Public Liaison

~~Susie Phillips - the~~ Conservative Caucus

Connie Marshner - National Pro-Family Coalition

Forrest Montgomery - National Association of Evangelicals

Paul Haring - Right to Life

Gary Curran - the Moral Majority

Jack Clayton - Association of Christian Schools

Larry Woldt - Conservative Caucus Foundation

Gary Bergel - Intercessors for America

Sister Renee Oliver - Citizens for Educational Freedom

Richard Cizik - National Association of Evangelicals

Joanne Gasper - the Eagle Forum

John Larson - representing Paul Manafort

THE WHITE HOUSE
WASHINGTON

Tom Broder
Howie Phillips
Sol Levin this Aft.

14 standing ovation

0-1 1000 by gov appt
by pop

<1 538 - current
55 - Advisory Council + KI
50 State Coord.
(0-1) 80 Reg Staff + technical people
50 Ed H
85 - HHS
100 Leadership Forum
AARP - Aging orgs.
2200

THE WHITE HOUSE
WASHINGTON

Tom

Chum + U. Cr

Resource pool
at expert.

2 presentation
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Again
dep. State div of each
commun. Agm
delegates picked their
own agenda

Cowlen
Apr
2000

Aging OVG were very
trying to discredit
No demonstration

file WH Conference on aging

Format for Recommendation

Committee on _____

PROPOSAL # _____

Offered by: _____

Delegate from _____

(and cosponsored by Delegates listed on reverse)

Relating to (if recommendation is an amendment)

Page _____ line _____

Be it resolved that:

Recommendations for Implementation:

(attach additional sheets as necessary)

the White House Conference on Aging

PROPOSAL # _____

COSPONSORS

Please print last name	From (State)	Delegate's Signature
Delegate		
Delegate		
Delegate		
Delegate		

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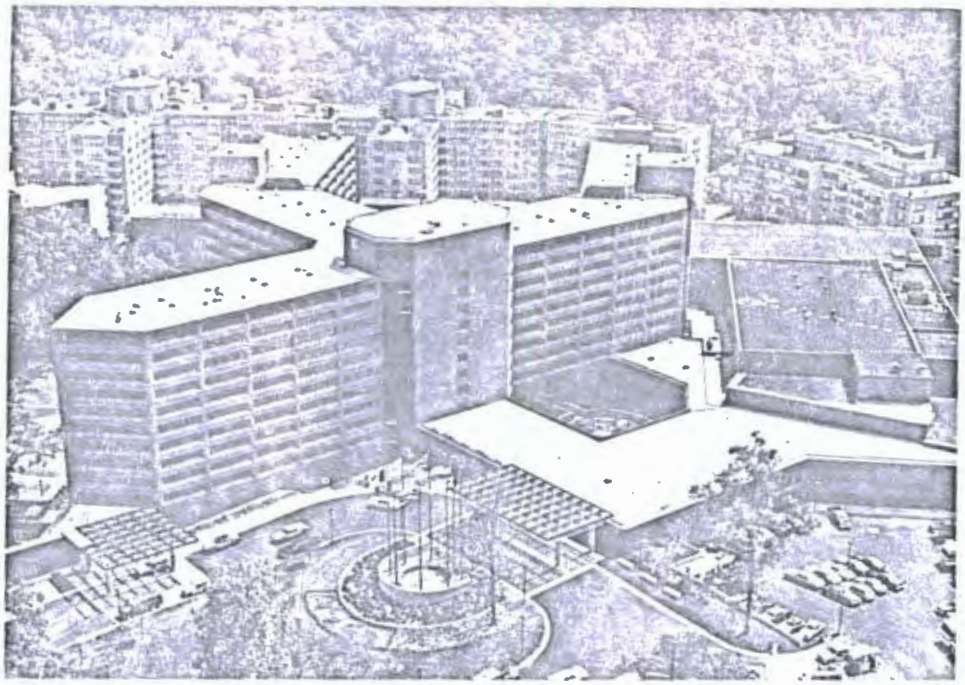

Sheraton Washington Hotel

- Health concerns
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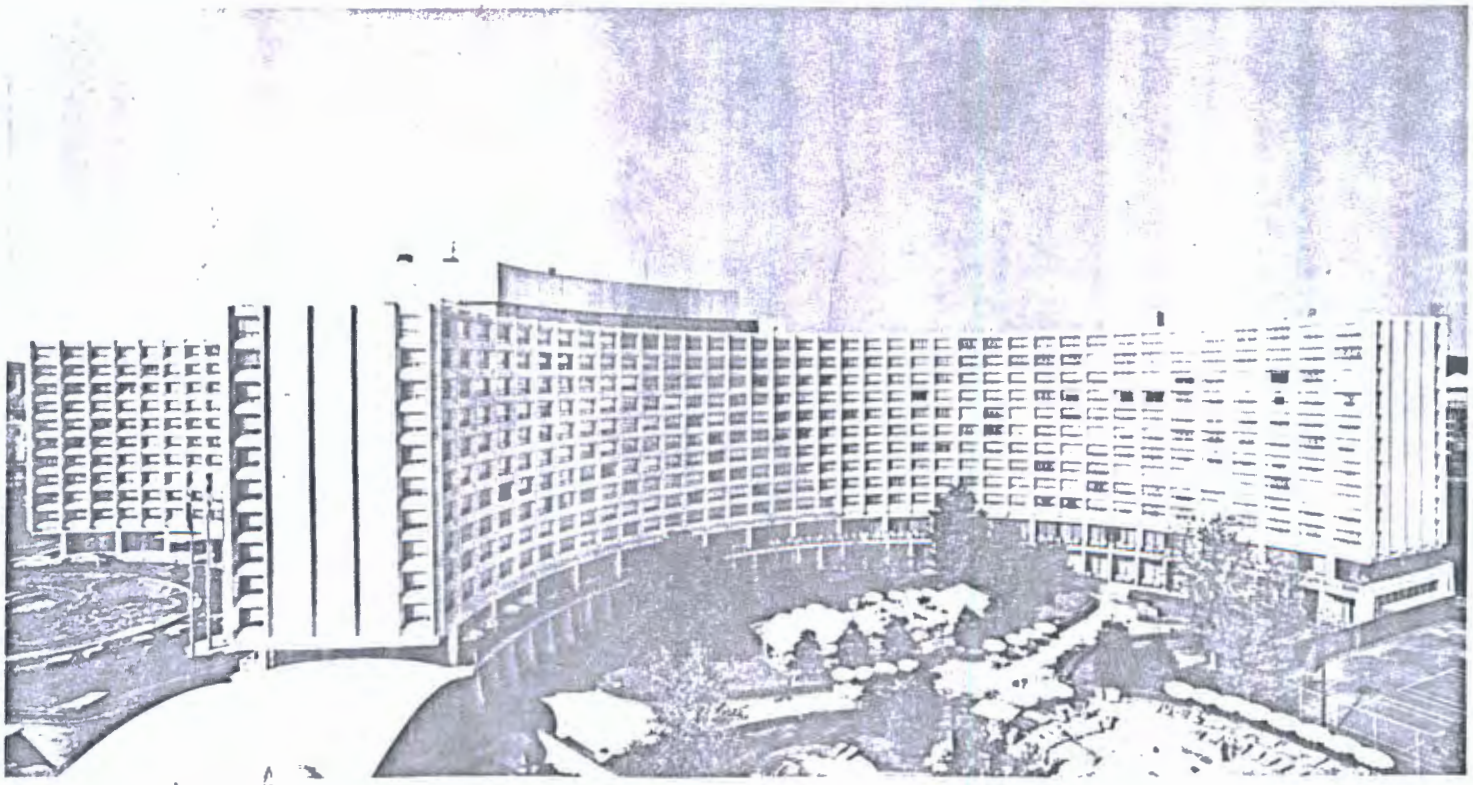

Washington Hilton Hotel

Betty Roche
Anna Peterson
Sidney Simpson

Attendees at meeting regarding the
White House conference on Aging

4: 30 PM
Room 132
Wednesday, November 25

Diana Lozano - Office of Public Liaison

✓ Morton Blackwell - Office of Public Liaison

Susie Phillips - the Conservative Caucus

✓ Connie Marshner - National Pro-Family Coalition

✓ Forrest Montgomery - National Association of Evangelicals

✓ Paul Haring - Right to Life

Gary Curran - the Moral Majority

Jack Clayton - Association of Christian Schools

Larry Woldt - Conservative Caucus Foundation

Gary Bergel

✓ Sister Renee Oliver - Sisters for Ethnical Freedom

✓ Richard Cizik - National Association of Evangelicals

✓ Joanne Gasper - the Eagle Forum

✓ John Larson - representing Paul Manafort

Education Update

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THE FAMILY PROTECTION ACT: SYMBOL AND SUBSTANCE

The Social Issues: A New American Consensus?

Since the November election there has been continuous discussion of the importance of the economic agenda versus the social issues agenda. President Reagan, speaking at a gathering of conservatives last March, said:

> We do not have a separate social agenda, we have one agenda. Just as surely as we seek to put our financial house in order and rebuild our nation's defenses, so too, we seek to protect the unborn, to end the manipulation of schoolchildren by utopian planners, and permit the acknowledgement of a supreme being in our classrooms.

This was interpreted in some journalistic quarters as massaging the faithful. In the meantime, liberal commentators are warning Reagan and the Republicans that the social issues agenda is devisive and detrimental to their long range electoral interests.

Could it be that liberals perceive the social issues to be deadly to their own political interests? Especially devastating to the liberal Democrats has been the departure from their ranks of the troops who did not agree with their views on social issues but who share, by family ties, habit and sentiment, their party affiliation. Surveying these departing troops and their reasons for leaving most liberals would rightly conclude that for them, the social issues are indeed a disaster.

The master political scientist V. O. Key summed it up twenty years ago in his definitive work, *Public Opinion and American Democracy*, in which he analyzed public opinion, its intensity and "attentive publics." For some time it has been apparent that intense and widely dispersed "attentive publics" deeply oppose abortion on demand, busing, and overweening government regulation, and favor voluntary prayer. On the intensity scales of pollsters like Richard Wirthlin and V. Lance Tarrance, for example, for every two or two-and-a-half voters who will change their political behavior because of their pro-life stand, there is one voter who will alter his political behavior because of a pro-abortion position.

The Gallup and *Better Homes and Gardens* polls released in 1980 in connection with the White House Conference on Families confirmed the decided belief among the American people in all walks of life at all income levels that an erosion of traditional values has occurred and that this erosion has had a negative effect on family life and the fabric of American society.

More recently a study by Research and Forecasts, Inc. was commissioned by the Connecticut Mutual Life Insurance Company to explore American values in the 1980s and the extent to which they are shared by leaders in American society. The study revealed a marked contrast in the affirmation of traditional values by Americans as a whole when compared to the positions of leaders. For example, in answer to the question, "Do you regard abortion as immoral?" only 36 percent of the leaders said yes, as compared to 65 percent of the public.

The project's research director, John C. Pollock, concluded that the religious thread unexpectedly showed up in all the analyses. "It's more than a movement," he said. "It's something running through the whole culture." Although there was no intent to focus on religion, according to the report, it emerged as "the one factor that consistently and dramatically affects the values and behavior of Americans."

If, therefore, one is measuring general public opinion trends, or the activity of attentive publics, it becomes quite clear that the liberal philosophy on social questions is without significant grass roots support. There are no significant constituencies in the Reagan coalition for busing, and abortion on demand, or strongly opposed to voluntary prayer. The pollsters may show that for the general public, economic concerns are paramount; they cannot show that carrying out conservative principles on the social agenda is contrary to the convictions of any significant group other than liberal ideologues.

Congressman Robert Michel, Republican leader of the House of Representatives, made the point in a widely-publicized essay, "Social Issues *Won't* Go Away":

> Contrary to the myth that social issues activists are single-minded fanatics, those who oppose abortion on demand or who favor school prayer are, I have found, as deeply concerned as the rest of us over traditional political issues such as the economy and national security. But they feel that Supreme Court decisions and bureaucratic actions in areas of traditional values have robbed them of their right to participate in shaping (not, as some say "imposing") policy in matters they are convinced be left in the hands of the people....The pro-life, anti-busing and school prayer movements transcend party and ideological lines.

The Heritage Foundation 513 C Street, N.E., Washington, D.C. 20002, *Editor*, Onalee McGraw

One thing is clear, and that is that the liberals have not concentrated on persuading a majority of the American public on the social issues but have simply relied on the courts and bureaucracies to carry out their agenda by fiat. Now that they are confronted with a clear repudiation of their policy objectives, the liberal response on the social issues appears to be that government should not regulate private behavior.

It is only logical that liberal commentators would make every attempt to isolate and defeat the social issues constituency whose values they deeply oppose. Apparently the liberal line is going to be as follows: conservative attempts to rectify previous judicial and governmental policies that have had a widespread impact on American society are unjustified attempts to use government to interfere in people's lives.

For example, David Broder, writing in *The Washington Post*, attempts to frame the issue as one in which "moral majority" types will move to "expand government efforts to prescribe and regulate individual behavior." He warns that such attempts are likely to result in future electoral losses by Republicans.

This line of argument has been most pronounced with regard to commentary on the Family Protection Act recently introduced in Congress by Senators Roger Jepsen and Paul Laxalt, Rep. Albert Lee Smith and others. Syndicated columnist Paul Greenberg says the Family Protection Act "represents another intrusion of government in the name of fighting government intrusion." He accuses the bill's proponents of seeking to find political solutions to all the problems of society. He does not tell us what his position is on the government policies that the Family Protection Act seeks to reverse. Rhonda Brown, writing in *The Nation*, states that in the Family Protection Act the "new right" proposes a "reconstruction of a society according to 'traditional values' based on an America that doesn't exist today, if it ever existed at all."

In short, faced with a new majority not to their liking, the liberal fall-back position is that conservative attempts to deal with the social issues are repudiations of the Reagan mandate to reduce government interference in people's lives.

This overlooks the fact that Americans have had almost two decades of government doing just that, not only in the economic area, but precisely in the widespread use of federal funds and programs to effect changes in cultural, moral and familial values. Perhaps it should be emphasized that judges appointed by politicians are as much a part of the government as are the politicians themselves.

It is natural enough that liberals would want to confine the domestic political agenda they no longer determine to economic issues. If the President and the now clearly evident bi-partisan majority in the Congress fail to produce on the economic issues, or badly stumble on the social issues, the socially conservative voters who by habit and tradition vote Democrat may return in significant numbers to their ancestral party home.

It is within this framework that the determination of radical feminists, leftists, federally-funded interest groups, liberal politicians and media pundits to put the conservative social issues constituency into an "extremist right wing religious fanatic" box comes into focus. It is in their interest to isolate this constituency from the mainstream, quarantine it and label it "dangerous," "embarassing," "devisive," and "kooky." The President and the legislators must be persuaded that this constituency is really "excess baggage" that will somehow hinder the economic agenda and alienate the majority of American voters.

By attempting to separate the conservative social issues constituency from the mainstream, the fact is obscured that it is in reality the liberal propositions on these issues that are now out of the mainstream, if indeed they were ever in it. As Representative John Ashbrook recently put it, all the labeling of issues as "single issues" cannot disguise the fact that "there is a political revolution underway all over America against the liberal establishment and throwing labels on it isn't going to make it go away."

It is true that the social issues are volatile. They provoke strong feelings in "attentive publics" because they raise squarely the question of what American society is all about; they go to the heart of what every individual thinks and believes about himself, his family and others in the social order.

But the question must be raised: why are issues such as when human life begins, and the authority of the state to protect it, religious freedom, the sexual activity of minors, and pornography political issues in the first place? These issues became political because liberal ideologues insisted on using the mechanisms of the state to impose their own values and policy goals on American society without regard to the deliberate consensus of the American people.

When the subject is framed as the examination of the proper and popularly supported usage of federal funds and power, how does the social issues agenda intrude and detract from the economic agenda? Are they not both integral parts of the same set of propositions that were ratified by the electorate last November?

It is therefore not surprising in the least that the Family Protection Act has been interpreted as an omnibus legislative monster containing measures that will turn the federal government into an oppressive engine driven by the "new right" and "moral majority types" that will prosecute homosexuals, force prayer down the throat of every school child in America, provide a federal mandate for censorship of textbooks and send all women back into the kitchen barefoot and pregnant. In short, those who viewed with favor the use of federal power to establish their policy preferences now accuse those whose views they abhor of perpetrating a totalitarian piece of legislation.

Political columnists Germond and Witcover in a recent column fussed over how the President was going to deal with the social issues without associating himself with the "crazies." Yet contrary signs abound as to who in the eighties the "crazies" are *vis-à-vis* the mainstream.

The signs appear at many levels. There are press reports that motherhood, the flag and the boy scouts are coming

back in style. Conservative academics are coming out of the closet in universities where it has been unfashionable to project conservative ideas.

Authority figures in various social science disciplines are saying the most refreshing things. In a recent issue of *Psychology Today*, Dr. Bruno Bettelheim says that a society whose members lack a strong sense of morality may be an endangered species, that sex education in the schools may do more harm than good. He strongly recommends traditional fairy tales as a means to expose youngsters to the conflict between good and evil.

None of these signs points to specific support for measures in the Family Protection Act, but they do tell us what the new political and cultural trends are. However, the Family Protection Act should be judged on its merits, rather than the manipulation of symbols and emotions.

The Family Protection Act: Background & History

In June 1981, the new Family Protection Act (S. 1378, H.R. 3955) was introduced by Senator Roger Jepsen (R-Iowa) along with Senator Paul Laxalt (R-Nevada), the last session's chief sponsor, and Representative Albert Lee Smith (R-Alabama) for the House version.

The purpose of the Family Protection Act, according to Senator Jepsen, is "to redress the balance in favor of the family, to restore to the family its essential functions. Government policies interfering with the family have increased over the past decade under the guise of 'solving' human problems in the areas of health, education and social services. Government oversight is no substitute for active participation by the community, the church, and in the final analysis, the family unit."

Senator Laxalt remarked, "I believe the policies of President Reagan will strengthen the family. I do not expect a continuation of the social tinkering that we saw in the last four years under the Carter Administration, advocated by appointees openly hostile to traditional values."

Representative Albert Lee Smith underscored the renewed appreciation that Americans are demonstrating for the importance of the family and its values: "Self-government rests on the wise judgment and virtue of its citizens achieved through strong family life."

Since the introduction of the new Family Protection Act, Senators Jake Garn (R-Utah) and Orrin G. Hatch (R-Utah) have joined Senators Jepsen and Laxalt in co-sponsorship. On the House side, Representative Smith is joined by Congressmen Mark Siljander (R-Mich.), William Dannemeyer (R-Calif.), James Jeffries (R-Kans.), Philip Crane (R-Ill.), George Hansen (R-Idaho), Larry McDonald (D-Ga.), and Dan Crane (R-Ill.).

An earlier version of the Family Protection Act was introduced by Senator Paul Laxalt during the previous Congress. The measures in it touched not only on the strengthening of family resources, but also on the social issues of abortion, school prayer, and the giving of federally-funded contraception to minors without parental knowledge and consent. Therefore, the Family Protection Act in both symbol and substance is a reflection of the new intensive involvement of grassroots citizens in politics via the social issues.

The November election brought with it a number of surprises. One was the demonstrated power of the social issues to generate, not only grassroots political involvement on the part of previously passive citizens, but also significant changes in voting behavior. People who had previously voted for liberal democrats, and shared their party heritage but not their social agenda, were now shifting their voting patterns in sufficient numbers to make the crucial difference in congressional elections.

Since the introduction of the revised Family Protection Act, commentary on the bill has frequently focused on the question of the "social issues agenda" rather than the specific proposals contained in the bill. Examination of the substantive proposals in the Family Protection Act reveals a surprisingly low-key, procedurally-oriented approach toward the stated goal of the bill: "to restore the balance in favor of the family."

The substance of the proposals does not measure up to the often hysterical and shrill rhetoric emanating from certain quarters on the left. Senator Jepsen's office, for example, reports that some of the media commentary is critical of provisions that are not even contained in the bill. Accordingly, a discussion of the substantive proposals in the Family Protection Act would appear to be in order.

The Family Protection Act introduced in June 1981 is, for all intents and purposes, a brand new bill. Its sponsors describe it as "the first major legislative effort to return the balance in favor of the family in key areas such as education, taxation, religion and domestic relations."

The proposals reflect a refinement of analysis in response to criticism of the earlier version, which came from the bill's supporters and opponents alike. In addition, the Family Protection Act proposals are more realistic and less ideologically oriented, reflecting the new opportunities for passage presented by a conservative majority in the Senate and a bi-partisan potential majority in the House. It is not without significance that the majority of conservative Democrats in the House tend to be conservative on social issues.

One of the important changes made in the new version is on the question of the role of the federal government in relation to the states in matters concerning family rights. Grassroots supporters of the Family Protection Act were bothered about the contradiction in conservative principles that appeared in the old version. It had provided for the removal of federal funds from states that did not adopt state provisions fostering parental and family rights. Opponents and objective observers had commented on this contradiction, whereby the element of federal coercion by withdrawal of funds would be relied upon at the same time that the overweening influence of government is decried.

In the new Family Protection Act, there are instead provisions for "cause of action" for individuals who would have standing in the courts to enter into litigation in defense of their rights against institutions receiving federal funds.

For example, the old bill provided that federal education

funds be withheld if schools attempted to exclude parents from visiting public school classrooms or school functions, or if schools failed to establish procedures whereby parents in the community may review textbooks prior to their use in public schools.

Few would disagree that in a democratic society simple justice should favor the right of taxpayers and parents to review textbooks prior to their use in public schools. Yet, as a matter of practical application, parents in most jurisdictions are not encouraged to exercise this right. However, the consistent conservative view is that the federal government should not be in the business of forcing the states to adopt such policies.

The new Family Protection Act resolves this dilemma by providing individuals with the means to pursue their rights through the courts. The burden of litigation rests with the individuals, not the states or the federal government. (See Title III, Education; the details of jurisdiction in these areas of cause of action are provided under Title VI.)

Examination of litigation in recent years reveals a pattern in which various groups have gone into court to demand that government owes them "services" as a civil right under federal law. Indeed, the notion of "private attorney generals" is now abroad whereby public service attorneys can recover fees from the federal government and the client becomes a mere conduit for the collection of lucrative legal fees at taxpayer expense.

By contrast, the Family Protection Act simply provides an avenue through the courts for individuals to pursue their claims. The claims are not for government services, but for procedures sought by those who wish to have government-funded institutions respond to their primary rights as parents in the education of their children. For example, one measure provides cause for action if an educational institution receiving federal funds denies them the right to review textbooks prior to their use in public schools. A similar provision under the Education section provides that teachers have a cause of action if they are forced by institutions receiving federal funds to pay union dues as a condition of employment.

What the Bill Contains

The Family Protection Act has six titles, including Family Preservation, Taxation, Education, Voluntary Prayer, and Rights of Religious Institutions and Educational Affiliates. A final section deals with technical details of implementation.

Section 2 of the Family Protection Act highlights its purpose:

> The purpose of this Act is to preserve the integrity of the American family, to foster and protect the viability of American family life by emphasizing family responsibilities in education, tax assistance, religion, and other areas related to the family.
>
> In accordance with the purposes of this Act, the Congress finds that
>
> (1) a stable and healthy family is the foundation of a society and its culture;
>
> (2) the family in America is the lifeline of America's continued existence and the cornerstone of America's growth and future development;
>
> (3) certain Government policies have directly or benignly undermined and diminished the viability of the American family; and
>
> (4) the policy of the Government of the United States, should, on and after the date of the enactment of this Act, be directed and limited to the strengthening of the American family and to changing or eliminating any Federal governmental policy which diminishes the strength and prosperity of the American family.

Title I: *Family Preservation*

1. Rights of Parents—"in any action brought under the provisions of this title (in the U.S. Code), involving the parental role in supervising and determining the religious or moral formation of a child, there is a legal presumption in favor of an expansive interpretation of that role." (Section 101)
2. Parental Notification—Provides that parents be notified when an unmarried minor receives contraceptive devices or abortion-related services from a federally-funded organization. (Section 102)
3. Juvenile Delinquency—Prohibits the federal government from pre-empting or interfering with state statutes pertaining to juvenile delinquency. Interstate compacts will be maintained. (Section 103)
4. Child Abuse—Restricts the federal govenment from pre-empting or interfering with state statutes pertaining to child abuse. Revises the definition of child abuse to exclude corporal punishment (spanking) "applied by a parent or individual explicitly authorized by a parent to perform such function." Federal funds for operating a child abuse program are subject to specific authorization from state legislatures. (Section 104)
5. Spouse Abuse—Restricts the federal government from pre-empting or interfering with state statutes pertaining to spouse abuse. (Section 105)
6. Legal Services: Abortion—Prohibits any funds under the Legal Services Corporation from being used in litigation seeking to compel abortions, assistance, or compliance with abortion, or funding for abortion. (Section 106)
7. Legal Services: Divorce—Prohibits any funds under the Legal Services Corporation from being used in litigation involving divorce. (Section 106)
8. Legal Services: Homosexual rights—Prohibits any funds under the Legal Services Corporation from being used in litigation involving homosexual rights. (Section 106)
9. Spouse Allowance—Reinstates Department of Defense provision that service personnel living separately from their families automatically send home the predetermined "dependent's allowance" for family support. (Section 107)
10. Homosexual Organizations—Denies federal funds to any organization which uses the funds for the express purpose of advocating homosexuality as a lifestyle. (Section 108)

The Family Preservation section carries a number of affirmations: (1) that parents have the primary right and re-

sponsibility in the character and moral development of their children; (2) that parents must be notified regarding federally-funded contraception given to their minor children; (3) reinforcement of the primary role that states have traditionally held in the formulation of family-related law in areas such as spouse abuse, child abuse, and juvenile delinquency; (4) protection of military families by reinstatement of the automatic "dependent's allowance"; and (5) prohibitions on federally-funded legal services from entering into family-related fields such as abortion, advocacy of homosexual rights and divorce.

Contrary to some media reports, the Family Protection Act does not, in intent or in substance, seek to deny homosexuals benefits they now have under existing law. The clear intent is to deny federal funds to organizations engaged in the *advocacy* of homosexuality as an alternative lifestyle.

The measures reinforcing state prerogatives in family-related areas such as child abuse and spouse abuse are a response to excessive regulation by federal bureaucrats who have broadly interpreted congressional laws through regulations and informal communication networks with state officials.

Title II: *Taxation*

11. Education Savings Account—Establishes a saving plan whereby relatives may deposit up to $2,500 tax-exempt per year to save for a child's education. (Section 201)
12. Tax-exempt Schools—Schools operated by parents are granted tax exemption if they fulfill certain requirements, and are granted accreditation for all purposes of federal education law. (Section 202)
13. Multi-generational Household—Allows a tax credit of $250 or a tax exemption of $1,000 for each household which includes a dependent person aged 65 or older. This provision allows either the tax credit or the tax exemption—not both. (Section 203)
14. Parental Care Trust—Establishes a trust account procedure similar to the Individual Retirement Account, under which taxpayers can save $3,000 a year for the support of an aged parent or a handicapped relative. (Section 204)
15. Retirement Savings Account for Spouses—Contributions by an employed person to a savings account for the non-salaried spouse are tax-deductible up to $3,000 a year. (Section 205)
16. Day Care—A corporation may deduct from taxes its contributions to a joint employee-employer day care facility. (Section 206)
17. Exemptions for Childbirth or Adoption—Married couples filing jointly are granted an additional $1,000 tax exemption for the year in which a child is either born or adopted. The exemption increases to $3,000 if the child is born handicapped or if the adopted child is handicapped, over the age of 6, or bi-racial. Additionally, this provision allows the individual to deduct the amount of adoption expenses paid during the taxable year. (Section 207)

These provisions encourage families to provide for the needs of family members with their own resources. Note number 17 which encourages the adoption of hard to place children.

Title III: *Education*

18. Religion Courses—Provides a cause of action for parents if an educational institution receiving federal funds prohibits them from participating in decisions regarding their child's enrollment in religion courses. (Section 301)
19. Visitation of Classrooms—Provides a cause of action for parents if an educational institution receiving federal funds prohibits them from visiting their child's classroom. (Section 301)
20. Teacher Unionization—Provides a cause of action for individuals if an educational institution receiving federal funds requires forced payment of dues as a condition for the employment of teachers. (Section 301)
21. Reviewing Textbooks—Provides a cause of action for parents if an educational institution receiving federal funds prohibits parents from reviewing textbooks prior to their use in public schools. (Section 301)
22. Sexism in Textbooks—Prevents federal funds from being used to promote educational material that denigrates the role of women as it has been historically understood. (Section 301)
23. Teacher Qualifications—States are ensured the right to determine teacher qualifications unhampered by federal regulations. (Section 302)
24. Attendance Requirements—States are ensured the right and authority to regulate attendance requirements at public schools without interference from the federal government. (Section 302)
25. Sex-intermingling—Local schools are given back the authority over sex-intermingling in sports and other school activities. (Section 302)
26. National Labor Relations Board Jurisdiction—Private schools are exempted from National Labor Relations Board jurisdiction. (Section 302)
27. Block Grants—Most titles of the Elementary and Secondary Education Act are repealed and replaced with block grants of money to states as they deem necessary. (Section 303)
28. Release Time for Parenthood Education—If schools *require* a course on parenting, parents may arrange for their children to be taught the course by a church or by the parents on a release time basis. (Section 304)
29. Legal Services: Busing—Prohibits any funds under the Legal Services Corporation from being used in litigation involving busing solely for the achievement of racial quotas or for desegregation purposes. (Section 305)

Comment: As previously noted, provisions in the education section provide opportunities to defend a right that is widely acknowledged in theory but often ignored or vio-

lated in practice: the primary right of parents to direct the education of their children.

For example, Provision 28 states that if schools require a course in parenting, parents may arrange for their children to be taught the course by a church or by the parents on a release time basis. As many parents are well aware, policymakers in public schools have frequently elected to depart from basic education and have injected value-laden, ideologically-biased courses such as "parenting," which by definition center directly on personal, family and religious values. Frequently, such courses are installed without authentic consultation with the community or extensive reflection on what the purpose of the course is or what it is designed to accomplish.

Provision 22, which prohibits federal funds from being used to promote educational material that denigrates the role of women as it has been historically understood (Section 304) has predictably provoked charges that the measure is a "sexist" attempt to mandate that women may only be portrayed in traditional roles in textbooks. The *Detroit Free Press* editorialized that the Family Protection Act would "cut off federal funds to schools using books that offend parents, especially books that 'denigrate the role of women as it has been historically understood'." The editorial questions whether this provision means that references to such women as "Marie Curie, co-discoverer of polonium and radium would be deleted from texts."

It would be interesting to know what the *Detroit Free Press* would say about the fact that over the past decade, through such programs as the Women's Educational Equity Act and "sex desegregation assistance centers," federal funds have been used to promote educational materials that present the radical feminist view as the only correct view on women's roles.

This view embodies the propositions that (1) there are no sex-related distinctions between men and women that can be legitimately recognized, historically or any other way (except that biology does determine that women can give birth to children while men can not); and (2) any recognition of distinctions, historical or otherwise, constitutes discriminatory barriers to achievement by women as individuals.

The phrase "role of women as it has been historically understood" as used in the bill means that our society has always understood women in the sociological and historical sense, as having a role which is naturally and organically connected to the family, its purposes and functions.

Moreover, it is clear that society has always recognized the achievements of individual women in such roles as rulers, artists, authors, nurses, doctors and scientists. These accomplishments and many others are understood as having been made by individual women and have been so treated in any serious textbook.

Most people have no difficulty distinguishing between an understanding in the sociological or historical sense of the natural connection between women and their roles in the family and women living out their lives as individuals in whatever form or manner they might choose. What is at issue is whether that historical understanding of the connection between women and the family as natural is really a means by which society and men in particular have oppressed women and kept them in positions of inferiority.

The larger question is, of course, whether it is the proper function of the federal government to finance educational materials that promote anyone's opinion of what women's roles were, are or should be. But the question at hand is, if such programs continue to be funded, can they legitimately continue to promulgate as definitive the radical women's liberation viewpoint which holds that the historical connection between women and the family is obsolete and a tool used by men to oppress women?

A lengthy analysis of this one provision is necessary if only because it is one of the provisions that have been blown out of proportion in the bill and derided as an absolutely "crazy" and "sexist" provision that will require the federal government to sanction only textbooks that treat women in traditional roles.

Like other provisions touching on controversial areas, it really is addressing in another way the crucial policy questions which the landslide election of November has reopened: what are the proper functions of the federal government? Is there popular support for federally-funded programs intended to effect attitudinal and programmatic social change in family-related areas?

The question is all too relevant since very recently, in the reconciliation measure—despite the recommendations of the Office of Management and Budget, a very tight budget, and the repeated concern expressed by the liberals about maintaining a safety net for the poor—the Women's Educational Equity Act was extended as a categorical program with a $8 million authorization.

Title IV: *Voluntary Prayer*

Section 401. The Voluntary Prayer and Religious Act of 1981. This section is designed to reverse the last nineteen years of Supreme Court decisions and subsequent case law regarding the constitutionality of state-sponsored religious exercise in the public schools.

The fact sheet from Senator Jepsen's office states:

> The First Amendment states that Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof;
>
> The Supreme Court has prohibited state involvement in school prayer or other religious activity strictly on the establishment clause.
>
> The "Exercise Clause" has taken a secondary role to the "establishment clause" in determining the constitutionality of state-sponsored religion. At best, the "Free Exercise Clause" should be given equal balance and authority with the establishment clause.
>
> A strong case must be made for the free exercise of religious expression whether public or private. Such expression is a fundamental freedom which should not be benignly denied in order to protect other freedoms equally fundamental.

This section directly confronts the religious freedom and establishment clauses through congressional statutory law. The section provides that parents or guardians representing a student who is being denied the opportunity (right) to

participate in religious exercises would have standing to bring a civil action in federal or state district court.

Comment: A recent fundraising letter of the American Civil Liberties Union charged that the Family Protection Act would "restore prayer in the public schools." This is one example of the distortions of the actual provisions of the Act that are occurring. What the Family Protection Act actually provides is that individuals who wish to claim that their right to the free exercise of religion under that clause of the Constitution has been abridged have a legitimate place in the courts to commence litigation.

Title V: *Rights of Religious Institutions and Educational Affiliates*

Section 401 would bar the federal government from imposing "any legal obligation or condition" with respect to curriculum, religious activities, licensure, conditions of employment, and operating procedures on a variety of social service organizations, if the organizations are "directly or indirectly operated by a church or religious organization." Types of organizations and programs covered by this exemption from federal regulation would be church-operated child care centers, orphanages, foster homes, social action training programs, emergency shelters for abused children or spouses, schools, juvenile delinquency or drug abuse treatment centers of homes, and similar programs. This section would permit reasonable health and fire regulations.

Section 401(b)(1) is designed to ensure that religious organizations (under the section) whether directly or indirectly affiliated with a church, are not exempt from the provisions of the Civil Rights Act of 1964 with respect to race, creed, color, or national origin. And 501(b)(2) provides that these church or religious organizations are exempt from any rules or regulations relating to affirmative action, quotas, guidelines, or actions designed to overcome racial imbalance.

Comment: The previously mentioned ACLU fundraising letter interprets this section to mean that "efforts to end tax subsidies of segregationist academies would be stopped." Yet the American consensus, forged at a very high price over the past two decades, strongly affirms equality of treatment under the law for all persons regardless of race, creed, color or national origin. Just as there is a small minority of people who continue to view others as inferior because of their race, there is a small minority that wishes to stand this unjust proposition on its head with a coercive federal apparatus to enforce affirmative action.

Title VI contains miscellaneous provisions relating to jurisdiction for causes of action, limitations on actions, provisions for violation reports to Congress and effect on other laws.

Additional Information on the Family Protection Act

- On June 17, 1981, the bill was referred to the Senate Committee on Finance. On June 23, the Committee requested executive comment from OMB and the Treasury Department.
- Senator Jepsen's office reports that a number of provisions of the Family Protection Act have been referred to Senate committees as private bills.

S. 1577—A bill to secure the right of individuals to the free exercise of religion guaranteed by the first amendment of the Constitution. Referred to Judiciary. (FPA Sec. 501)

S. 1578—A bill to restrict the federal government from preempting or interfering with State statutes pertaining to spousal abuse. Referred to Finance. (FPA Sec. 105)

S. 1579—A bill to amend the Internal Revenue Code of 1954 to allow corporations to deduct all contributions made to a joint employee-employer day care facility. Referred to Finance. (FPA Sec. 206)

S. 1580—A bill to amend the IRC of 1954 to provide a personal exemption for childbirth or adoption and to permit the taxpayer to choose a deduction or a tax credit for adoption expenses. Referred to Finance. (FPA Sec. 207)

S. 1581—A bill to amend the IRC of 1954 to allow the taxpayer the choice of a tax credit or a deduction for each household which includes a dependent person who is at least 65 years old. Referred to Finance. (FPA Sec. 203)

S. 1582—A bill to amend the IRC of 1954 to exempt from taxation certain trusts established for the benefit of parents or handicapped relatives, and to provide a deduction for contribution to such trusts. Referred to Finance. (FPA Sec. 204)

S. 1583—A bill to amend the IRC of 1954 to provide a deduction for contributions made by a taxpayer to an individual retirement plan for the benefit of a nonsalaried spouse. Referred to Finance. (FPA Sec. 205)

- Hearings on the tax provisions of the Family Protection Act will be held by the Senate Finance Committee during the fall of 1981.
- A revised version of the adoption provision in the Family Protection Act recently was enacted in the Economic Recovery Tax Act of 1981.

The bill has also been referred to various related House committees. However, in view of the likely hostility from the liberal Democratic leadership there, the bill's supporters are looking to passage of provisions of the bill as they relate to other measures moving through the House and Senate.

Moreover, there is a feeling that in view of the media hostility, strong grassroots support is necessary for provisions of the Family Protection Act to achieve final passage in both houses of Congress.

For additional information on the Family Protection Act, contact Senator Roger Jepsen, U.S. Senate, Washington, D.C. 20510.

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