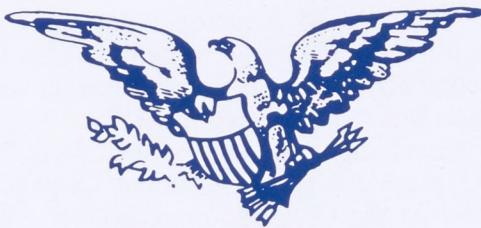




# The Phyllis Schlafly Report



VOL. 32, NO. 5

P.O. BOX 618, ALTON, ILLINOIS 62002

DECEMBER 1998

## A Candid Report on the 105th Congress

### 'Big Brother' Tracking Our Daily Actions

- The 1996 Kennedy-Kassebaum law authorized the Department of Health and Human Services to assign "unique health care identifiers" to each American so that the government can electronically tag, track and monitor our personal medical records. Due to grassroots lobbying by Eagle Forum and others, the Omnibus-spending bill passed in October forbids the government from going ahead with this totalitarian plan "until legislation is enacted specifically approving the standard."

- The Collections of Information Antipiracy bill did not pass, thanks to grassroots lobbying by Eagle Forum and others. This bill would have encouraged private corporations to build databases of personal information about individual Americans, including name, address, telephone number, medical records, and "any other intangible material capable of being collected and organized in a systematic way." Corporations would acquire new federal property rights in these databases that would be protected by federal police power. Your medical chart detailing your visits to your doctor, for example, would suddenly become the federally protected property of other persons or corporations, and their rights would be enforced by the federal courts.

- The 1996 Welfare Reform Act requires all employers to send to a new government database, the Directory of New Hires, the name, address and Social Security number of every new worker and every employee who is promoted. This will become a massive database, tracking nearly every worker in America. The Clinton Administration tried to put a provision in the Omnibus-spending bill to share this New Hires database with other agencies (which shows how dangerous these databases are becoming). Due to the alert action of Eagle Forum, this language was deleted.

*Expect a battle about all these databases next year because they are a vital part of Clinton's plans to move us into "Big Brother" government. They were a major part of Clinton's socialized medicine scheme that was rejected in 1994. Trying to get Congress to kill these anti-privacy notions permanently will be a big issue in the next Congress. (See the Phyllis Schlafly Reports, July and September 1998.)*

### Federal I.D. Cards Postponed

When Social Security was started, the government promised that the Social Security number would never be used for identification. But the 1996 Illegal Immigration Reform Act requires that state driver's licenses after October 1, 2000 must contain Social Security numbers as the unique numeric identifier. This is clearly an attempt to convert drivers' licenses (a state matter) into national I.D. cards that will soon also include fingerprints and a magnetic strip containing all sorts of other information (retina scan, DNA print, voice print) to enable the government to track everyone's movements.

The Omnibus-spending bill passed in October prohibits the government from issuing final regulations about this during the current fiscal year, which ends September 30, 1999. *The stage is set for a battle next year.* (See the *Phyllis Schlafly Reports*, July and September 1998.)

### Clinton's Attempt to Control the Classroom

The Clinton Administration is engaged in a four-prong attempt to control the curriculum of the nation's classrooms: the Goals 2000 Act passed in 1994, the School-to-Work Act passed in 1994, National Standards (which have been intellectually discredited, but are pervasive in new textbooks), and National Testing. It is obvious that national tests would give the U.S. Department of Education control of curriculum, because schools would "teach to the test." Thanks to determined efforts by Rep. Bill Goodling (R-PA) and Senator John Ashcroft (R-MO), the Omnibus-spending bill prohibits the use of federal funds to implement any new national tests not explicitly authorized by Congress. (See the *Phyllis Schlafly Reports*, November 1997 and March 1995.)

Two School-to-Work bills were passed and signed into law: H.R. 1385 covering adult job training, youth dropout job training, and some after-school K-12 programs; and H.R. 1853, which deals with K-12 in-school vocational education. We are concerned that these bills are a big step toward mandatory school-to-work and Clinton's federalized education agenda. However, H.R. 1853 does include some important restrictions: Senator John Ashcroft's ban on using these funds to implement the 1994 School-to-Work Act, a prohibition on the

development of a national database, and an explicit requirement that student participation in vocational or technical or career-path programs be voluntary. (See the *Phyllis Schlafly Report*, April 1997.)

In an important development, Rep. Bob Schaffer (R-CO) put Marc Tucker's famous 18-page "Dear Hillary" letter in the *Congressional Record* on September 25. You can now access this document on Eagle Forum's website: [www.eagleforum.org](http://www.eagleforum.org). This letter reveals Bill and Hillary Clinton's master plan to take over the classrooms of America and use them to serve the labor force under national economic planning.

The Dollars to the Classroom Act (H.R. 3248), sponsored by Rep. Joe Pitts (R-PA), passed the House 212-198 on September 18. This bill would block-grant 31 programs to the states and require that they spend 95% of the money on classroom education expenses. Local schools would be able to choose programs other than Goals 2000 or School-to-Work. Unfortunately, this bill died in the Senate. (See Phyllis Schlafly's column dated October 7, 1998.)

### ***NEA's Tax Exemption Repealed***

In the Omnibus-spending bill, Congress permanently repealed the unique property tax exemption (worth \$1.1 million a year in taxes) enjoyed by the National Education Association on its big headquarters building in Washington, D.C. Congress repealed this special tax break in 1997 for one year, but now it is gone forever. Eagle Forum was the first to bring this to Congress's attention in 1995 and has been urging this action.

### ***Clinton Keeps Us Vulnerable to Missile Attacks***

One of the most peculiar of the Democrats' policies is their insistence on keeping Americans sitting ducks for enemy intercontinental ballistic missiles. President Ronald Reagan called on us to build an anti-missile system, called the Strategic Defense Initiative (SDI), in a great speech in 1983. His threat to build it was the biggest single factor in causing the dissolution of the old Soviet Union. But America has never built SDI.

Clinton allowed sensitive missile technology to go to Communist China via the commercial satellites owned by Loral Space and Communications, whose CEO Bernard Schwartz is the Democratic Party's biggest donor (giving \$599,000 in this election cycle). China now has 13 of its 18 long-range missiles targeted on U.S. cities, and their accuracy was improved by help from Loral. We also face dangers from rogue nations that are rapidly acquiring missile technology, such as North Korea, Iran and Iraq. (See the *Phyllis Schlafly Report*, June 1998.)

We need an anti-missile defense, but the Senate by one vote on September 9 killed a bill (S. 1873) that would have authorized building an anti-missile defense system. (See Phyllis Schlafly's column dated November 11, 1998)

Meanwhile, the Clinton Administration is pushing the ABM Expansion Treaty (also known as the Memorandum of Understanding), which would extend the now-moribund 1972 Anti-Ballistic Missile (ABM)

Treaty. That treaty is no longer valid because the other signatory, the Soviet Union, no longer exists. That treaty is a dangerous idea anyway because it forbids us to defend ourselves against incoming missiles, based on the theory of Mutual Assured Destruction (MAD).

In a constructive step, the Omnibus-spending bill includes a provision to prohibit the Clinton Administration from spending any funds to implement the Memorandum of Understanding unless the Senate ratifies it.

### ***Threat to U.S. Patent Rights Derailed***

The "Ominous" Patent bill (S. 507), which would severely curtail the vital constitutional rights of independent inventors, did **not** pass! American inventions are the marvel of the world and the key to our technological superiority and high standard of living. This bill, sponsored by Sen. Orrin Hatch (R-UT), was an attempt by the foreigners and the multinationals to "harmonize" the U.S. system with the rest of the world, *i.e.*, make our successful U.S. system like the unsuccessful systems in Japan and elsewhere. Due to grassroots lobbying by Eagle Forum and others, a brilliant statement against it by 25 Nobel Laureates, and the leadership of Senator Kit Bond (R-MO), the bill did not pass. But it will be back! (See the *Phyllis Schlafly Reports*, March 1998 and July 1997.)

### ***The 'Era of Big Government' Remains***

Despite a healthy budget surplus, the 105th Congress failed to give us the across-the-board tax cuts that we expected, or the elimination of the marriage penalty, or the repeal of the 1993 Clinton-Gore tax increase or the 1990 George Bush tax increase. The Republican "leadership" failed even to raise the tax-cut issue. One of the few who have raised the issue of *cutting* taxes is Senator John Ashcroft (R-MO). (See the *Phyllis Schlafly Report*, February 1998.)

Clinton demagoged about "saving" the surplus for Social Security, but that wasn't what happened. He demanded (and the Republican "leadership" okayed) the spending of \$29 billion over last year's budget caps (including a lot of pork-barrel projects), \$1.9 billion extra for Bosnia (bringing the cost of this interventionist frolic to \$9 billion with no end in sight), and \$17.9 billion to be laundered through the International Monetary Fund (IMF) and into the secret bank accounts of corrupt foreign dictators. The principal "reform" the IMF promised is that it may stop lending our money to high-risk foreigners at *below* market rates! (See the *Phyllis Schlafly Reports*, January 1998 and May 1998, page 3.)

### ***Saving the Feminists' Military Agenda***

In a real disappointment, the House-Senate Conference on the Department of Defense Authorization bill eliminated the House-passed requirements (a) to separate male and female military training and (b) to require separate-sex barracks for soldiers in basic training. In place of this common-sense policy, Congress passed a provision to require permanent barriers between men and women in their barracks to replace the current, flimsy moveable cardboard "walls" used at present.

## **Puerto Rico Statehood Avoided**

The bill that would put Puerto Rico on the track to statehood did not pass the Senate (even though it passed the House). Instead the Senate passed a vague non-binding resolution that affirmed Puerto Rico's ability to express its views on statehood. Since the pro-statehood forces spent money so lavishly in 1998 on lobbying and advertising, *expect a big push for this bad idea next year.* (See Phyllis Schlafly's column, October 22, 1997.)

## **Treaties that Imperil American Sovereignty**

- The Global Warming Treaty, agreed to by Vice President Al Gore in Kyoto, Japan in December 1997, and signed in New York City on November 13, 1998, would require us to reduce our energy consumption by 7 percent below our 1990 levels, which would mean a tremendous reduction in our standard of living. Thanks to the brilliant preemptive work of Senator Chuck Hagel (R-NE), the Senate has indicated that it will not ratify this treaty. Nevertheless, Clinton has been trying to implement it anyway through federal regulations. The Omnibus-spending bill contains a provision to prohibit Clinton from doing this. (See the *Phyllis Schlafly Reports*, September and October 1997 and January 1998.)

- Unfortunately, Clinton persuaded the Republican Senate to ratify the Chemical Weapons Convention. This treaty purports to ban chemical weapons, but the dangerous countries most likely to use chemical weapons (Libya, Syria, Iraq, North Korea, and Iran) either won't sign the treaty or have indicated they will not be bound by it. (See the *Phyllis Schlafly Report*, January 1997.)

- Unfortunately, Clinton also persuaded the Republican Senate to ratify the NATO Expansion Treaty, despite a brilliant exposé of its folly by Senator John Ashcroft (R-MO). The NATO Expansion Treaty is the way Clinton and his "global nation" advisers (such as Strobe Talbott) plan to institutionalize the interventionist policy of involving us in one "Bosnia" after another. (See the *Phyllis Schlafly Report*, April 1998.)

- The Omnibus-spending bill killed the unpopular Arms Control & Disarmament Agency, which has been promoting unilateral disarmament for many years. Sen. Jesse Helms (R-NC) deserves the credit for ridding us of this nuisance.

## **Arts Agency Gets Its Funding**

It's hard to believe, but the National Endowment for the Arts was continued at the same level of funding as last year: \$98 million. Senator John Ashcroft (R-MO) made a valiant attempt to cut off funding, but the Senate tabled his amendment 76-22.

## **Parents' Rights to Know**

In a stunning upset, the House passed an amendment to require parental notice before minors receive federally funded contraception. On October 8 by a 224-200 vote,

the House approved an amendment to the Labor/HHS/Education Appropriations bill to require prior written notice to a parent or guardian before a minor is given access to contraceptive drugs or devices from the federal Title X program. (Congressmen did not want a repetition of the suburban Chicago case where a male teacher in his thirties took a 14-year-old girl to a federal funded clinic and had her given contraceptive shots so he could continue his illicit affair.) This provision was dropped from the Omnibus-spending bill because of strenuous White House opposition.

## **Efforts to Control Encryption Stalled**

Vice President Al Gore, Attorney General Janet Reno, and FBI Director Louis Freeh are persistent advocates of a system that would let the government have access to all our private files and messages at any time and without our knowledge. Encryption is the technique that can put our e-mail messages, our computer files, and our cell phone conversations in code so that they can be read or heard only by those to whom we give the key to decode them. Gore, Reno and Freeh want to force us to deposit the key to our files and communications with a "third party," from whom the government can demand access any time it chooses. This is called "key recovery" or "key escrow." Congress did **not** pass this, but the problem will surely surface again next year.

## **Congress Expands the Imperial Judiciary**

One of the most important duties of Congress is to protect America from judicial usurpation and to restore our constitutional balance of powers among the three branches of government. (See the *Phyllis Schlafly Reports*, February and March 1997)

Unfortunately, the 105th Congress failed to address this vital issue. Instead of curtailing federal court jurisdiction, Congress greatly extended it by creating many more federal crimes. Congress failed to use its investigative powers to educate the American public about how activist judges have imposed their own social views on all of us.

Instead of using its constitutional authority to reject Clinton's nominations of judges, the Senate rubber-stamped his appointments, many of them without a roll-call vote. On the last day of the session, the Senate confirmed many Clinton nominations, including 17 federal judges, without a roll call and without even identifying the new life-tenured judges by name.

**The Phyllis Schlafly Report**  
PO Box 618, Alton, Illinois 62002  
ISSN0556-0152

Published monthly by the Eagle Trust Fund, PO Box 618, Alton, Illinois 62002. Periodicals Postage Paid at Alton, Illinois. Postmaster: Address Corrections should be sent to the Phyllis Schlafly Report, PO Box 618, Alton, Illinois 62002. Phone: (618) 462-5415.

Subscription Price: \$20 per year. Extra copies available: 50¢ each; 3 copies \$1; 30 copies \$5; 100 copies \$10.

<http://www.eagleforum.org>

eagle@eagleforum.org

## Case Study in How a Bill Passed the 105th Congress

Do you sometimes wonder why bills that create a financial windfall to narrow special interests slide easily through the intricate legislative process, while bills that benefit the general public seem to get bogged down? Here is a case lesson in how this happens: Congressional passage of the Copyright Term Extension Act, a bill to extend copyright protection for authors and songwriters for an additional 20 years beyond current law.

The chief special interest promoting this bill was the Walt Disney Company because its copyright on Mickey Mouse was scheduled to expire in 2003, on Pluto in 2005, on Goofy in 2007, and on Donald Duck in 2009. Extending the copyright for 20 additional years is worth billions of dollars to the Disney Company.

As an author, of course I am very much in favor of copyright protection. But I also know that this precious constitutional right, enshrined in Article I, is a property right that extends only, in the Constitution's words, "for limited times," after which the writing goes into the public domain for all to enjoy.

The framers of our Constitution set the "limited time" at 14 years plus one 14-year renewal. Congress has repeatedly extended the "limited time" until, at the start of this year, it ran for the life of the author or artist plus 50 years, and 75 years for a corporation. "Limited time" is not only a constitutional requirement, it is an excellent rule. There is no good reason for the remote descendants of James Madison, Julia Ward Howe, or Thomas Nast to receive royalties on the Federalist Papers, the Battle Hymn of the Republic, or Santa Claus.

No Disney family member is still connected with the company, which is now controlled by Michael Eisner, who had nothing to do with creating the Disney characters or building the enterprise. Not satisfied with the company's exclusive control for 75 years, Eisner set out to extend it to 95 years.

The Copyright Term Extension Act was introduced in 1997 by very key players: Senate Judiciary Committee Chairman Orrin Hatch (R-UT) and House Judiciary Committee Intellectual Property Subcommittee Chairman Howard Coble (R-NC). The bill languished in the two Judiciary committees for months.

The Disney Political Action Committee (PAC) lined up Republican and Democratic cosponsors on the two Judiciary Committees and rewarded them with direct campaign contributions. Disney PAC cash contributions totaled \$95,805 to Democratic Members of Congress and \$53,807 to Republican Members, in addition to in-kind contributions.

Of the 12 sponsors of the Senate bill, nine received contributions from Disney's PAC: Judiciary Committee Chairman Orrin Hatch (R-UT) (who received the largest contribution), Spencer Abraham (R-MI), Al D'Amato (R-NY), Mike DeWine (R-OH), Connie Mack (R-FL), and Robert Torricelli (D-NJ). The Disney PAC was particularly generous to Senate Minority Leader Tom Daschle (D-SD), and ranking Judiciary Democrat

Patrick Leahy (D-VT) received \$17,650 in personal contributions from Michael Eisner and 23 other Disney employees.

Eisner took his lobbying directly to Senate Majority Leader Trent Lott (R-MS). One week after they met, the Disney PAC gave \$1000 to Lott on the same day that he signed on as a co-sponsor.

Of the 13 sponsors of the House bill, ten received contributions from Disney's PAC: Subcommittee Chairman Howard Coble (R-NC) (who received the largest donation), Howard Berman (D-CA), Sonny Bono (R-CA), Charles Canady (R-FL), Chris Cannon (R-UT), John Conyers (D-MI), William Delahunt (D-MA), Elton Gallegly (R-CA), Bob Goodlatte (R-VA), and Bill McCollum (R-FL). The Disney PAC also contributed to Judiciary Committee Chairman Henry Hyde (R-IL).

Other special interests that stood to reap financial profits from this bill opened up their checkbooks, too. The Motion Picture Association PAC gave \$43,232 to Republican and \$34,000 to Democratic Members of Congress, benefiting most of the same Judiciary Committee members and copyright bill sponsors listed above, plus other sponsors Rick Boucher (D-VA) and Zoe Lofgren (D-CA).

Just as interesting as the money trail is the way the Republican and Democratic members of the two Judiciary Committees worked together to facilitate passage of this bill without hearings, debate, or notice to the public. The only hearing was held back in 1995 during the previous Congress, when it had been carefully managed to hear from those who stood to benefit financially.

If the bill ever had to face a floor debate, the "debate" would have been a sham because access to the floor was controlled in both Houses by ranking Republican and Democratic Judiciary Committee members, all of whom supported the bill. But the sponsors were skillful enough to avoid even a modicum of public debate.

On a single day, October 7, the Senate Judiciary Committee discharged the bill by unanimous consent, the full Senate passed the bill by unanimous consent (without a roll call), and the House passed the bill by voice vote under suspension of the rules. Clinton signed it on October 27 as Public Law 105-298.

The new book *Disney: The Mouse Betrayed* by Peter & Rochelle Schweizer proves conclusively that Eisner's Disney Company is the enemy of all the family values which Republicans cherish. So, why did Judiciary Committee Republicans quietly put through legislation that hurts the public interest but is so immensely profitable to Disney?

All Phyllis Schlafly Reports and Phyllis Schlafly's columns are available on Eagle Forum's website — [www.eagleforum.org](http://www.eagleforum.org) — which also includes Eagle Forum's Scoreboard so you can check how your Members of Congress voted.