



Social Issues

In This Chapter

- ❖ Explanation of Chapter
- ❖ Abortion
- ❖ Stem Cell Research
- ❖ Death Penalty
- ❖ Same-Sex Marriage
- ❖ The Defense of Marriage Act (DOMA)
- ❖ “Don’t Ask, Don’t Tell”
- ❖ Hate Crimes

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EXPLANATION OF CHAPTER

This chapter does not cover every single subject or issue that could be considered a social issue. It is instead intended to provide basic information on a selection of social, or “values,” issues that traditionally have a higher profile or that have received recent national attention.

It is up to each candidate to determine what their beliefs and feelings are on each of these issues as they are, often times, considered to be both controversial and sensitive topics for many Americans.

ABORTION

As defined by the National Institutes of Health (NIH), an abortion is a procedure that uses medicine or surgery to remove the embryo or fetus and placenta from the uterus to end a pregnancy. According to the National Right to Life Committee, there have been nearly 50 million abortions performed in the United States since 1973, the year of the Supreme Court's *Roe v. Wade* decision which legalized abortion in the United States.



“Abortion is advocated only by persons who have themselves been born.”

~ President Ronald Reagan

Few issues are as politically divisive as abortion and it is an extremely personal subject for many. Views on the subject can range from being nuanced to hard-line and an individual's feeling on the subject is almost always deeply entrenched. The strongly-held positions on the issue have made the subject of abortion a political hot-button that has instigated some of the most heated political debate in our nation over the last nearly 40 years.

As a general statement, Republicans believe every human being, born or unborn, deserves the equal protection of the law.

The Republican Party Platform of 2008 addressed the issue in this way:

“Maintaining the Sanctity and Dignity of Human Life:

Faithful to the first guarantee of the Declaration of Independence, we assert the inherent dignity and sanctity of all human life and affirm that the unborn child has a fundamental individual right to life which cannot be infringed. We support a human life amendment to the Constitution, and we endorse legislation to make clear that the Fourteenth Amendment's protections apply to unborn children. We oppose using public revenues to promote or perform abortion and will not fund organizations which advocate it. We support the appointment of judges who respect traditional family values and the sanctity and dignity of innocent human life.

We have made progress. The Supreme Court has upheld prohibitions against the barbaric practice of partial-birth abortion. States are now permitted to extend health-care coverage to children before birth. And the Born Alive Infants Protection Act has become law; this law ensures that infants who are born alive during an abortion receive all treatment and care that is provided to all newborn infants and are not neglected and left to die. We must protect girls from exploitation and statutory rape through a parental notification requirement. We all have a moral obligation to assist, not to penalize, women struggling with the challenges of an unplanned pregnancy. At its core, abortion is a fundamental assault on the sanctity of innocent human life. Women deserve better than abortion. Every effort should be made to work with women considering abortion to enable and empower them to choose life. We salute those who provide them alternatives, including pregnancy care centers, and we take pride in the tremendous increase in adoptions that has followed Republican legislative initiatives.

Respect for life requires efforts to include persons with disabilities in education, employment, the justice system, and civic participation. In keeping with that commitment,

we oppose the non-consensual withholding of care or treatment from people with disabilities, as well as the elderly and infirm, just as we oppose euthanasia and assisted suicide, which endanger especially those on the margins of society. Because government should set a positive standard in hiring and contracting for the services of persons with disabilities, we need to update the statutory authority for the AbilityOne program, the main avenue by which those productive members of our society can offer high quality services at the best possible value.”

Taxpayer Funding of Abortion

Mexico City Policy: The Mexico City policy, also known as the “Global Gag Rule” requires any non-governmental organization receiving U.S. foreign aid funding to refrain from performing or promoting abortion services in other countries. The policy has gone back and forth on being in effect, dependent upon the party in the White House. The Mexico City Policy was instituted under President Reagan, suspended under President Clinton, reinstated by President George W. Bush and suspended again by President Barack Obama on January 24, 2009.

The Hyde Amendment: The Hyde Amendment bars the use of federal funds to pay for abortions through Medicaid.

Medicaid is a federal-state matching health care program for the poor that is funded on a fee-for-service basis. Under this framework, the Hyde Amendment prohibits payment for abortion, except to save the life of the mother or in cases of rape or incest.

The amendment’s chief sponsor was Rep. Henry Hyde (R-Ill.) and was first introduced in response to the U.S. Supreme Court’s 1973 *Roe v. Wade* decision legalizing abortion in the United States. To many, the amendment, which has been reauthorized every year since, represents the first major legislative success by abortion opponents in the United States.

The Hyde Amendment should not be confused with the Mexico City Policy. The Mexico City Policy prevents funds to agencies that discussed abortion with their members and/or patrons regardless of whether or not they actually performed them, while the Hyde Amendment has a more limited scope.

Planned Parenthood: Planned Parenthood is one of the nation’s largest providers of family planning and community based health care, it is also the largest abortion provider in the country. According to the Cleveland Plain Dealer, Planned Parenthood receives approximately \$363 million from the federal government¹ in the form of Medicaid payments, federal grants, and other sources. While Planned Parenthood is allowed to take and use federal money for most of the services it provides, any abortion services cannot be financed with federal taxpayer dollars. While Planned Parenthood insists that it keeps the money it uses for abortion services sequestered from the federal funds it receives, many abortion opponents argue that the money is fungible and that the taxpayer dollars Planned Parenthood receives allow it to use other money for abortions, effectively funding them.

¹ Sabrina Eaton, “Senate rejects Planned Parenthood defunding,” *Plain Dealer*, April 15, 2011

111th Congress Legislative Action

Abortion in the Democrat Health Care Overhaul: In 2010, debate over the Democrat’s health care overhaul legislation brought abortion back on to the national stage as a hot-button political issue. In the House, the Stupak amendment (named for then-Rep. Bart Stupak (D-Mich.)) to the Affordable Health Care for America Act, prohibits use of federal funds “to pay for any abortion or to cover any part of the costs of any health plan that includes coverage of abortion” except in cases of rape, incest or danger to the life of the mother. The amendment was included in the bill as passed by the House of Representatives on Nov. 7, 2009. See how they voted on the Stupak amendment [here](#).

The health bill passed by the Senate on Dec. 24, 2009 (H.R. 3590) did not contain similar abortion language, leaving many pro-life advocates extremely concerned that should final health care reform legislation come to fruition, it could allow for the federal funding of abortion. For example, there was no blanket ban on the use of federal money to pay for abortions in programs created by the bill - although Democratic leaders said they believed the Hyde Amendment and existing regulations were enough to prevent those programs from covering abortions anyway. Nebraska Democrat Ben Nelson was unsuccessful in his attempt to add the Stupak language to the Senate measure, but he was able to hold out for some restrictions. Like the underlying House bill, the Senate bill allowed women receiving federal subsidies to purchase abortion coverage, but required them to pay for it by writing a separate check with their own money.

Executive Order: After the election of Republican Scott Brown to the Senate deprived Democrats of a filibuster-proof majority, the Democratic leaders of both chambers of Congress agreed to avoid what would surely be a difficult fight over a compromise bill in the Senate by having the House vote on the Senate passed version of the bill, thereby sending it directly to the president. Any changes in the full overhaul bill were made through a budget reconciliation bill that required only 51 Senate votes. Due to rules that limit the purview of reconciliation to revenue and spending issues, adding the Stupak language to the final version of the bill was impossible and was not addressed. This caused Democrat abortion opponents in the House to threaten to withhold their votes from final passage of the Senate bill, as it did not include the blanket ban on federal financing of abortion. However, believing that the Democratic leadership had the votes to pass the bill without them, Rep. Stupak and many of the pro-life Democrats in his bloc agreed to vote for the overhaul on the condition that President Obama issue an executive order that would reaffirm that the measure would not allow for public financing for abortion. Although Stupak and many outside groups that oppose abortion said they were satisfied that this would have the force of law, other anti-abortion groups expressed concern that the executive order was not enough to prevent taxpayer dollars from being used for abortions.

During the final Floor debate on the health care package in the House, Republicans attempted to amend the legislation by adding the “Stupak language” back into the bill with a “last chance” legislative effort called a motion to recommit. This effort failed. See how they voted [here](#).

112th Congress Legislative Action

H.R. 3, No Taxpayer Funding for Abortion Act: H.R. 3, the No Taxpayer Funding for Abortion Act, was introduced in the 112th congress by Rep. Christopher Smith (R-N.J.) and was passed by the House on May 4, 2011. It would prohibit any federal funding for abortion services, effectively codifying the Hyde Amendment, and would place a number of additional abortion-related restrictions on federal funding that had not previously existed. For instance, H.R. 3 would prevent federally-employed medical professionals or

federal medical facilities from performing abortions, including restrictions on the District of Columbia's ability to use its local taxpayer dollars for abortion services.

Additionally, H.R. 3 would restrict abortion expenses from being claimed under the medical expense tax deduction except in the cases of rape, incest, or to protect the life of the mother. See how they voted [here](#).

Editor's Note: *Opponents of H.R. 3 argue that the portion of the bill that limits the use of the medical expense tax deduction except in the cases of rape, incest or to protect the life of the mother could lead to situations where a woman would be required to provide documentation to the IRS proving that she had been the victim of rape or incest in order to claim the deduction, something opponents of H.R.3 have dubbed "rape audits." Please contact the NRCC if you would like further explanation or information on this issue.*

Below are selected vote hits on Democrats who voted against H.R. 3:

- **On May 4, 2011, House Republicans passed a bill that would prohibit federal funding for abortions, except in cases of rape, incest or when the woman's life is endangered, modify tax breaks given for health insurance coverage to exclude coverage for abortion, prohibit federal medical facilities from providing abortion services and establish "conscience protections" for health care providers who object to providing abortion services**
 - On May 4, 2011, House Republicans passed H.R. 3, a bill that would prohibit federal funding for abortion services, except in cases of rape, incest or when the woman's life is endangered. It would modify tax breaks given for health insurance coverage to exclude coverage for abortion, prohibit federal medical facilities from providing abortion services and establish 'conscience protections' for health care providers who object to providing abortion services. (Passed: 251-175; D: 16-175; R: 235-0)²
- **National Right to Life Committee urged members of Congress to support the bill saying "A Member's vote on H.R. 3 will essentially define his or her position, for or against federal funding of abortion, for the foreseeable future"**
 - According to a May 3, 2011, letter by the National Right to Life Committee to Members of Congress, "The National Right to Life Committee (NRLC), the nationwide federation of right-to-life organizations, urges you to support the No Taxpayer Funding for Abortion Act (H.R. 3) when it comes before the House of Representatives on May 4."³
 - According to the same National Right to Life Committee letter, "H.R. 3 would codify the principles of the Hyde Amendment on a permanent, government-wide basis, applicable to both longstanding federal health programs and to the new programs created by the PPACA. A Member's vote on H.R. 3 will essentially define his or her position, for or against federal funding of abortion, for the foreseeable future. NRLC will include the vote on final passage of H.R. 3 in our scorecard of key right-to-life votes of the 112th Congress. Moreover, we reserve the right to also score the roll call on the Motion to Recommit, which we anticipate will be an attempt to make the bill far narrower than the traditional Hyde Amendment – an

² H.R. 3, CQ Vote #292, May 4, 2011

³ "No Taxpayer Funding for Abortion Act (H.R. 3)," National Right to Life Committee, May 3, 2011, <http://www.nrlc.org/AHC/NRLCLettertoHouseonHR3.html>

attempt consistent with the Obama Administration’s ongoing attempts to “reinvent” the Hyde Amendment and to preserve legal authorizations for federal funding of abortion. Certainly, the veto threat on H.R. 3 issued by the White House yesterday provides additional graphic evidence that President Obama is opposed to meaningful statutory limitations on federal funding of abortion – notwithstanding his past attempts to obfuscate this issue.”⁴

***Editor’s Note:** The National Right to Life Committee is the nation’s largest pro-life group with affiliates in all 50 states and over 3,000 local chapters nationwide.*

- **According to the Susan B. Anthony List, the bill would establish a permanent, government-wide prohibition on federal funding for abortion and codify several pro-life policy amendments**
 - According to a May 4, 2011, press release by the Susan B. Anthony List, “Today, the Susan B. Anthony List (SBA List) called on the House of Representatives to pass the bi-partisan “No Taxpayer Funding for Abortion Act” (H.R. 3) and released videos featuring the bill’s sponsors, Reps. Chris Smith (R-NJ) and Dan Lipinski (D-IL), explaining the bill and encouraging the pro-life grassroots to urge Members of Congress to pass the legislation. Introduced in January, the bill currently has 227 co-sponsors and is expected to come to a vote in the House today, Wednesday, May 4. The bill establishes a permanent, government-wide prohibition on federal funding for abortion, prohibits federal subsidies for health plans that include abortion, and strengthens conscience protections for health care professionals.”⁵
 - According to the same May 4, 2011, press release by the Susan B. Anthony List, H.R. 3 codifies the following pro-life riders:
 - “The Hyde Amendment which prohibits funding for elective abortion coverage through any program funded through the annual Labor, Health, and Human Services Appropriations Act
 - The Helms Amendment which prohibits funding for abortion as a method of family planning overseas
 - The Smith FEHBP Amendment which prohibits funding for elective abortion coverage for federal employees
 - The Dornan Amendment which prohibits use of congressionally appropriated funds for abortion in the District of Columbia
 - The Hyde/Weldon Amendment which ensures that recipients of federal funding do not discriminate against health care providers, including doctors, nurses and

⁴ “No Taxpayer Funding for Abortion Act (H.R. 3),” National Right to Life Committee, May 3, 2011, <http://www.nrlc.org/AHC/NRLCLettertoHouseonHR3.html>

⁵ Kerry Brown, “Abortion Funding Ban Vote Today in House,” Susan B. Anthony List, May 4, 2011, <http://www.sba-list.org/newsroom/press-releases/abortion-funding-ban-vote-today-house>

hospitals, because the providers do not provide, pay for, provide coverage of, or refer abortions”⁶

***Editor’s Note:** Susan B. Anthony List is a Pro-Life organization dedicated to electing Pro-Life candidates to federal and state level office as well as policy advocacy for Pro-Life issues.*

H.R. 358, the Protect Life Act: In the 112th Congress, Rep. Joe Pitts (R-Penn.) introduced H.R. 358, the Protect Life Act, which would amend the Democrat’s health care overhaul law to prohibit the use of funds in the law, including tax credits for health insurance premiums or cost-sharing subsidies, to pay for abortions or cover any part of a health plan that includes abortion coverage. H.R. 358 would essentially restore the Stupak amendment abortion provisions that were included in the original House-passed version of the Democrat health care overhaul.

H.R. 358 passed the House on Oct. 13, 2011, by a vote of 251-172. You can see how they voted [here](#).

In the 112th congress, there have also been a number of attempts to stop federal funding for Planned Parenthood. These include:

Rep. Mike Pence (R-Ind.) Amendment to H.R. 1, an amendment that would have barred any funds in the underlying bill from going to Planned Parenthood: Click [here](#) to see how they voted.

Below are selected vote hits on Democrats who voted against the Pence Amendment to H.R. 1:

- **On Feb. 8, 2011, House Republicans passed an amendment to prevent approximately \$330 million in taxpayer funding from going to Planned Parenthood**
 - On Feb. 8, 2011, House Republicans passed the Rep. Pence (R-Ind.) amendment that would prohibit any funds in the bill from being made available to Planned Parenthood Federation of America Inc. or its affiliates. (Adopted: 240-185; D: 10-178; R: 230-7)⁷
 - H.R. 1 would provide continuing appropriations through fiscal 2011 for all government agencies, except the Defense Department, which would receive \$515.8 billion in base funding. Most other programs would be funded at fiscal 2010 levels, less eliminations, reductions and rescissions totaling roughly \$61.5 billion. The bill does not include earmarks and eliminates all previous fiscal 2010 earmark funding from continuing appropriations. As amended, the bill would eliminate funding for the F-35 Joint Strike Fighter alternative engine program and prohibit any funding from being made available to Planned Parenthood and its affiliates. It also would bar the use of funds made available in the bill for a variety of executive branch regulatory activities and implementation of several provisions of the health care overhaul law. (Passed 235-189; D: 0-186; R: 235-3)⁸

⁶ Kerry Brown, “Abortion Funding Ban Vote Today in House,” Susan B. Anthony List, May 4, 2011, <http://www.sba-list.org/newsroom/press-releases/abortion-funding-ban-vote-today-house>

⁷ H.R. 1, CQ Vote #93, Feb. 18, 2011

⁸ H.R. 1, CQ Vote #147, Feb. 19, 2011

- In a Feb. 18, 2011, article, *ABC News* reported, “The House of Representatives Friday passed a measure to end federal funding for abortion provider Planned Parenthood a day after Rep. Jackie Speier, D-Calif., brought the chamber to stunned silence after describing her own personal experience with abortion.

“Friday afternoon, the House passed the amendment by a vote of 240-185. The vote was generally along party lines, with all but seven Republicans voting for the cut, and 10 Democrats voting in favor. One Republican voted present.

“The House must still vote for final passage on the underlying spending bill before the cuts head to the Senate for a possible vote later this month.

“The measure would eliminate about \$330 million through the end of September for preventative-health services, including federal funding for contraception and cancer screenings, at Planned Parenthood clinics across the country.”⁹

➤ **Planned Parenthood offers a variety of reproductive health services, including abortion**

- According to Planned Parenthood, “Our committed, professional staff provides high-quality, affordable sexual and reproductive health care for millions of women, men, and teens. Planned Parenthood health centers around the country offer you the health care you need. Our caring and knowledgeable staff provide a wide range of services. These services vary by location. They may include:

- Abortion
- Birth Control
- Emergency Contraception (Morning After Pill)
- General Health Care
- HIV Testing
- Men’s Health Care
- Pregnancy Testing & Services
- STD Testing, Treatment & Vaccines
- Women’s Health Care”¹⁰

➤ **Planned Parenthood receives over a third of its budget from government funding and while it cannot directly use taxpayer money to provide abortions, some have argued that taxpayer money used to fund other programs frees up money to be used to fund abortion services**

- In a Feb. 17, 2011, article, *The New York Times* reported, “With a total budget of some \$1.1 billion, more than a third of which comes from the federal, state and local governments, Planned Parenthood offers family planning, H.I.V. counseling, treatment for sexually transmitted diseases, cancer screening and other services as well as abortions, mainly to low-

⁹ Matthew Jaffe and John Parkinson, “House Votes to Strip Planned Parenthood of Federal Funding,” *ABC News*, Feb. 18, 2011, <http://abcnews.go.com/Politics/house-votes-strip-planned-parenthood-federal-funding/story?id=12951080>

¹⁰ “Find a Health Center,” Planned Parenthood webpage, <http://www.plannedparenthood.org/health-center/index.htm>, accessed March 23, 2011

income women. Congress has long barred the use of federal money for abortion, but it provides more than \$75 million a year to Planned Parenthood affiliates to support family planning for low-income women. Millions more in federal dollars are provided for sex education and, indirectly, through Medicaid and other programs.”¹¹

- In a Feb. 18, 2011, article, *Politico* reported, “The House just approved Rep. Mike Pence’s amendment to cut off funding to Planned Parenthood, checking off a hot-button social issue even as it set up a bigger showdown over defunding the health care law.”¹²
- According to the same article, “A longtime anti-abortion crusader, Pence has three times previously tried to cut off legislative funding, called Title X, for any group that provides abortions.

“The money cannot be used to pay for abortions, and Pence has not argued that Planned Parenthood has used the funds to do so.

“But he argues that cutting off support for millions of women’s health clinics would cut off their ability to perform the procedure.

“‘We should end the day when the largest abortion provider is the largest recipient of [Title X] federal funding,’ he said.

“‘What’s clear to me, if you follow the money, you can actually take the funding supports out of abortion. We then have a much better opportunity to move forward to be a society that says yes to life.’

“Planned Parenthood estimates it received a quarter of the \$317 million in Title X funds appropriated last year. They use the money for pelvic exams, breast exams, safer-sex counseling and basic infertility counseling, among other things.”¹³

➤ **In February of 2011, a Planned Parenthood employee was videotaped providing advice to a man posing as a sex trafficker on how to obtain STD testing, birth control and abortions for 14- and 15-year-old girls**

- In a Feb. 3, 2011, article, *Politico* reported, “Planned Parenthood has fired an employee caught on tape advising a man posing as a sex trafficker on how to get treatment for underage girls.

“The group announced Wednesday that it fired a clinic manager in Perth Amboy, N.J., shown explaining how the man could go about getting STD testing, birth control and abortions for 14- and 15-year-old girls.”¹⁴

¹¹ Erik Eckholm, “Planned Parenthood Financing Is Caught in Budget Feud,” *The New York Times*, Feb. 17, 2011, <http://www.nytimes.com/2011/02/18/us/politics/18parenthood.html>

¹² David Nather and Kate Nocera, “House votes to defund Planned Parenthood,” *Politico*, Feb. 18, 2011, <http://www.politico.com/news/stories/0211/49830.html>

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➤ **The same employee suggested that the underage girls should lie about their age and that they be taken to other clinics where the “protocols are not as strict”**

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“The group announced Wednesday that it fired a clinic manager in Perth Amboy, N.J., shown explaining how the man could go about getting STD testing, birth control and abortions for 14- and 15-year-old girls.”¹⁵

- According to the same article, “In the tape, released Tuesday by the anti-abortion activist group Live Action, an employee identified as Amy Woodruff, an office manager, tells the man and his female companion to encourage 14-year-old girls to say they’re older to avoid triggering additional reporting requirements.”¹⁶

“‘For the most part, we want as little information as possible,’ she said in the video. Asked whether 14-year-olds could get abortions at the clinic, Woodruff suggested the man take the girls to another clinic where ‘their protocols are not as strict as ours.’”¹⁷

H. Con. Res. 36, a policy rider that would have barred any funds in the FY2011 continuing appropriations bill from going to Planned Parenthood: Click [here](#) to see how they voted.

Below are selected vote hits on Democrats who voted against H. Con. Res. 36:

➤ **On April 14, 2011, House Republicans passed a concurrent resolution that would prevent approximately \$363 million federal taxpayer dollars from going to Planned Parenthood**

- On April 14, 2011, House Republicans passed a concurrent resolution that would direct the House clerk to make a correction in the enrollment of a bill (HR 1473) to provide \$1.055 trillion in discretionary funding for fiscal 2011, and insert a section that would bar the use of funds made available in the bill to the Planned Parenthood Federation of America Inc. or its affiliates. (Adopted: 241-185; D: 10-178; R: 231-7)¹⁸
- H.R. 1473 would provide \$1.055 trillion in discretionary funding for fiscal 2011, \$39.9 billion less than fiscal 2010 spending. The bill contains a full Defense Department spending bill that would appropriate \$513 billion for fiscal 2011, plus \$157.8 billion for overseas operations. Spending for other government agencies and programs would be based on fiscal 2010 levels,

¹⁴ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

¹⁵ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

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¹⁷ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

¹⁸ H. Con. Res. 36, CQ Vote #271, April 14, 2011

less certain reductions, rescissions and eliminations. The bill would bar the use of federal or local funds for abortions in the District of Columbia. It also would modify, reauthorize and appropriate funds for the D.C. Opportunity Scholarship Program through fiscal 2016. The bill would bar the use of funds to transfer or release Guantanamo detainees to the United States. (Passed: 260-167; D: 81-108; R: 179-59)¹⁹

- In an April 15, 2011, article, *The Plain Dealer* reported, “Existing laws to keep tax dollars from being used for abortions aren’t enough for some abortion foes in Congress, who contend the millions of federal dollars that Planned Parenthood gets each year for family planning actually end up funding abortions.

“Planned Parenthood says it keeps the \$363 million it gets in yearly federal funds separate from private donations that pay for abortions to comply with a 30-year-old law called the Hyde Amendment.

“But GOP skeptics on Thursday forced congressional votes on a measure that would have stripped federal money from Planned Parenthood. Democrats agreed to the votes as part of a budget compromise to fund the federal government through September.

“The Planned Parenthood defunding measure passed the House of Representatives by a 241 to 185 vote, but was rejected in a 42 to 58 U.S. Senate vote. All Ohio Republicans supported the measure and all Democrats opposed it.”²⁰

➤ **Planned Parenthood offers a variety of reproductive health services, including abortion**

- According to Planned Parenthood, “Our committed, professional staff provides high-quality, affordable sexual and reproductive health care for millions of women, men, and teens. Planned Parenthood health centers around the country offer you the health care you need. Our caring and knowledgeable staff provide a wide range of services. These services vary by location. They may include:

- Abortion
- Birth Control
- Emergency Contraception (Morning After Pill)
- General Health Care
- HIV Testing
- Men’s Health Care
- Pregnancy Testing & Services
- STD Testing, Treatment & Vaccines
- Women’s Health Care”²¹

¹⁹ H.R. 1473, CQ Vote #268, April 14, 2011

²⁰ Sabrina Eaton, “Senate rejects Planned Parenthood defunding,” *Plain Dealer*, April 15, 2011

²¹ “Find a Health Center,” Planned Parenthood webpage, <http://www.plannedparenthood.org/health-center/index.htm>, accessed March 23, 2011

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- In a Feb. 17, 2011, article, *The New York Times* reported, “With a total budget of some \$1.1 billion, more than a third of which comes from the federal, state and local governments, Planned Parenthood offers family planning, H.I.V. counseling, treatment for sexually transmitted diseases, cancer screening and other services as well as abortions, mainly to low-income women. Congress has long barred the use of federal money for abortion, but it provides more than \$75 million a year to Planned Parenthood affiliates to support family planning for low-income women. Millions more in federal dollars are provided for sex education and, indirectly, through Medicaid and other programs.”²²
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“The money cannot be used to pay for abortions, and Pence has not argued that Planned Parenthood has used the funds to do so.

“But he argues that cutting off support for millions of women’s health clinics would cut off their ability to perform the procedure.

“‘We should end the day when the largest abortion provider is the largest recipient of [Title X] federal funding,’ he said.

“‘What’s clear to me, if you follow the money, you can actually take the funding supports out of abortion. We then have a much better opportunity to move forward to be a society that says yes to life.’

“Planned Parenthood estimates it received a quarter of the \$317 million in Title X funds appropriated last year. They use the money for pelvic exams, breast exams, safer-sex counseling and basic infertility counseling, among other things.”²⁴

²² Erik Eckholm, “Planned Parenthood Financing Is Caught in Budget Feud,” *The New York Times*, Feb. 17, 2011, <http://www.nytimes.com/2011/02/18/us/politics/18parenthood.html>

²³ David Nather and Kate Nocera, “House votes to defund Planned Parenthood,” *Politico*, Feb. 18, 2011, <http://www.politico.com/news/stories/0211/49830.html>

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➤ **In February of 2011, a Planned Parenthood employee was videotaped providing advice to a man posing as a sex trafficker on how to obtain STD testing, birth control and abortions for 14- and 15-year-old girls**

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“The group announced Wednesday that it fired a clinic manager in Perth Amboy, N.J., shown explaining how the man could go about getting STD testing, birth control and abortions for 14- and 15-year-old girls.”²⁵

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“‘For the most part, we want as little information as possible,’ she said in the video. Asked whether 14-year-olds could get abortions at the clinic, Woodruff suggested the man take the girls to another clinic where ‘their protocols are not as strict as ours.’”²⁸

Other Abortion Issues

In the past, several other policy issues have surrounded the overall debate on the practice of abortion. This is a selected list of those issues with brief definitions:

Physician Conscience Clause: A rule under which workers in health-care settings can refuse to provide services, information or advice to patients on subjects such as contraception, abortion, blood transfusions and even vaccine counseling if they are morally against it.

²⁵ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

²⁶ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

²⁷ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

²⁸ Jennifer Epstein, “Planned Parenthood worker axed,” *Politico*, Feb. 3, 2011, <http://www.politico.com/news/stories/0211/48760.html>

Parental Consent (or notification): requiring a minor to obtain consent of (or provide notification to) one or both of her parents for obtaining an abortion.

Partial-birth abortion: During the 108th Congress, on Nov. 5, 2003, President Bush signed the Partial-Birth Abortion Ban Act of 2003 (P.L. 108-105). In general, the act prohibits physicians from performing a partial-birth abortion except when it is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself. Physicians who violate the act are subject to a fine, imprisonment for not more than two years, or both. The U.S. Supreme court upheld the law in 2007 after it was challenged as a violation of a woman's right to an abortion.

Unborn Child Pain Awareness Act: Legislation that would require an abortion provider or his agent to provide specified information to a pregnant woman prior to the performance of an abortion has also been introduced in previous Congresses.

The Freedom of Choice Act (FOCA): An attempt to codify the *Roe v. Wade* decision legislatively, has also come up in past congresses, but has never been enacted.

STEM CELL RESEARCH

What are Stem Cells?

Embryonic stem cells are the most basic human cells, believed to be capable of growing into any type of cell in the body, from bone, to muscle, to blood. Some scientists believe that stem cells may, at some point in the future, become capable of treating a variety of diseases and conditions, such as Parkinson's disease, diabetes, heart disease and spinal cord injuries, according to the U.S. National Institutes of Health. However, embryonic stem cell research is controversial, because obtaining the cells results in the destruction of a human embryo. Many think it immoral to use human embryos for scientific study.

Adult stem cells are found in mature tissue throughout the body. Their primary role is to maintain and repair the tissue in which they are found. Scientists have been working on procedures to “reprogram” adult stem cells into embryonic stem cells, thus gaining the use of embryonic stem cells for research and medical applications without the destruction of embryos to obtain them.

The primary debate revolves around using federal tax dollars to fund embryonic stem cell research. This is an important distinction. Embryonic stem cell research is not illegal and never has been illegal. There are currently no limitations on the private sector's ability to support and fund embryonic stem cell research. Privately-funded researchers are free to conduct this type of research should they choose, and many are pursuing these efforts.

In 2001, then-President George W. Bush issued an executive order limiting the use of federal funding of this research to existing lines of embryonic stem cells derived from embryos that had already been destroyed prior to the executive order. Federal funding could not be used for research or development of new stem cell lines that resulted in the destruction of a human embryo. However, on March 9, 2009, President Barack Obama issued an executive order formally removing the federal funding limits on embryonic stem cell research.

A Brief, Selected Timeline of the Stem Cell Research Debate

Nov. 5, 1998: Researchers report isolating human embryonic stem cells. But the process is controversial: One team derived their stem cells from the tissue of aborted fetuses; the other from embryos created in the laboratory for couples seeking to get pregnant by in vitro fertilization (IVF).

February 2001: The month after taking office, then-President Bush requests a review of the NIH funding guidelines and puts a hold on federal funds for stem-cell research.

Aug. 9, 2001: Then-President Bush announces his decision to limit funding to embryonic stem cells in existence at that date.

July 2006: The Senate considers a bill that expands federal funding of embryonic stem-cell research. The House passed its version of the bill in 2005. On July 19, 2006, then-President Bush vetoes the bill — the first use of his veto power in his presidency.

Aug. 23, 2006: Scientists unveil a new technique they claim could break the political deadlock over human embryonic stem cells. Researchers say it's possible to remove a cell from an embryo without harming the

embryo and then grow the cell in a lab dish. That single cell could then be used to derive embryonic stem cells.

June 20, 2007: Then-President Bush vetoes legislation that would have eased restraints on federally funded stem-cell research. This marks the second time the president has used his veto power against federally funded embryonic stem-cell research. The president also issues an executive order encouraging scientists to derive new methods to obtain stem cells without harming human embryos.

Nov. 20, 2007: Two independent teams of scientists report on a method to isolate skin cells that behave just like embryonic stem cells. The researchers caution there are many steps before these cells are useful for human therapies. But the work is hailed as a critical step forward, both scientifically and ethically.

2007-2008: Several advancements are made in the use of adult stem cells in medical applications and in successful efforts are made to “reprogram” adult stem cells derived from the body to mimic embryonic stem cells. Privately-funded embryonic stem cell research continues.

January-February 2009: In January, the U.S. Food and Drug Administration approved the first-ever human trial using embryonic stem cells as a medical treatment in eight to 10 paraplegic patients. The stem cells being used in the trial were obtained from one of the Bush administration’s approved stem cell lines and no federal funds were used in the development of this treatment. In late February, a report from Israel published in PLoS Medicine shows embryonic stem cells injected into patients can cause disabling if not deadly tumors.

March 9, 2009: President Barack Obama issued an executive order formally removing the federal funding limits on embryonic stem cell research.

DEATH PENALTY

The death penalty has been a point of debate throughout history. What crimes, if any, are so terrible that the killing of another person is justified is a challenging question?

Proponents of capital punishment say it is an important tool for preserving law and deterring additional crime thereby saving innocent lives.

They believe that retribution or “an eye for an eye” is often the most appropriate action as some crimes are so horrendous that execution is the only way to exact fair justice.

Further, some proponents argue that the death penalty costs less than life imprisonment and that life, even in prison, is a privilege that certain criminals should not have.

Opponents of capital punishment say it has no deterrent effect on crime and wrongly gives governments the power to take human life, making them no better than the murderers they execute. Many make the challenge that the death penalty constitutes “cruel and unusual punishment” and therefore violates the U.S. Constitution. However, this view before the U.S. Supreme Court has never been upheld.

They argue that life imprisonment costs less than capital punishment because death penalty cases are expensive to prosecute and usually result in numerous appeals.

They believe the death penalty perpetuates social injustices by disproportionately targeting people of color and the poor, who cannot afford good attorneys. They also note that some who have been executed have been found to have been innocent, post mortem.

The most important thing to note is the death penalty in the United States is primarily governed by state law, not federal law. Although there is a federal death penalty, more than 98 percent of the men and women on death rows across the United States are incarcerated as a result of state laws. Therefore, the legislation that most directly affects who is sentenced to death in the United States, what appellate processes they have, and how and when they are executed, is legislation at the state level.

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“Throughout our history, whenever a method of execution has been challenged in this Court as cruel and unusual, the Court has rejected the challenge. Our society has nonetheless steadily moved to more humane methods of carrying out capital punishment.”

~ *Baze v. Rees* U.S. Supreme Court, in a decision written by Chief Justice John G. Roberts, April 16, 2008

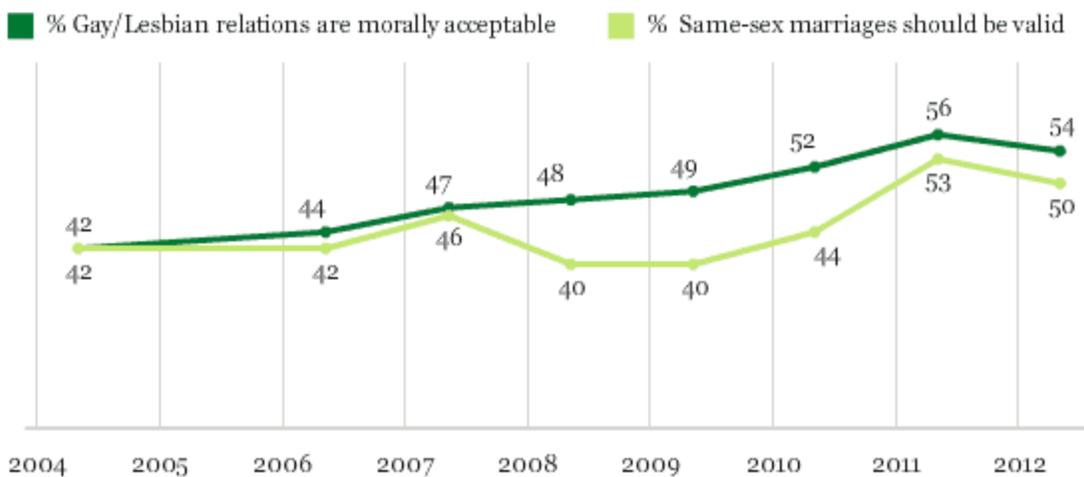
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SAME-SEX MARRIAGE

In today's society, for most Americans, same-sex marriage is a conflicting issue with several different sides to the debate. Public opinion seems to center primarily around the morality of same-sex relationships, the validity of same-sex marriage or the legality of civil unions. This breakdown of the issue is made evident by a recent [Gallup Poll](#) released May 14, 2012.

According to this poll, in general, Americans' acceptance of same-sex relationships has steadily increased over the past decade. More than half of American adults, 54 percent, say gay or lesbian relations are morally acceptable – including 66 percent of Democrats and just 36 percent of Republicans – while 42 percent think they are morally wrong. This same Gallup Poll also reported that 50 percent of Americans believe that same-sex marriage should be valid, down slightly from 53 percent last year. Still, support for gay marriage is up from levels as low as 40 percent in 2008 and 2009.

Views on Moral Acceptability of Gay/Lesbian Relations & Support for Gay Marriage

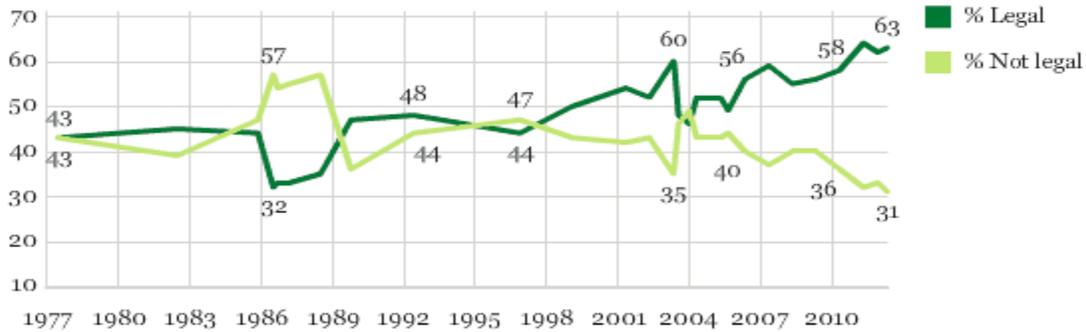


GALLUP

Additionally, the Poll also said that 63 percent of Americans said they believe gay or lesbian relations should be legal, and just 31 percent believe it should not be legal. The 63 percent now saying gay relations should be legal nearly matches the record-high 64 percent of a year ago, which came after a long-term increase in support for legality from 32 percent in 1986.

Legality of Gay/Lesbian Relations -- 1977-2012

Do you think gay or lesbian relations between consenting adults should or should not be legal?^



^ 1977-2008 wording: Do you think homosexual relations between consenting adults should or should not be legal?

GALLUP®

The breakdown on same-sex marriage, in other words, has to do with much more than politics. Broader cultural issues come into play. Not surprisingly, the most religious Americans are the least likely to favor same-sex marriage. Nonreligious Americans are much more supportive than Christians and among Christians, Catholics are more supportive than Protestants, according to the previously mentioned May 2012, Gallup Poll. This gap along religious lines exists across all age groups and political party identification.

Supporters of gay marriage say that the issue is a matter of basic civil rights and that those arguments are grounded in bigotry. Supporters contend that loving couples of any gender should be allowed to participate in the same social institutions. Some go as far as to say that even if same-sex marriage were harmful to the normal family/societal construct, that the equality and dignity of same-sex couples is more important in a free society and therefore should be respected.

Those that oppose same-sex marriage generally contend that it is not a civil rights issue and opposition to same-sex marriage is not discriminatory, but a position that stands in support of clearly defined social mores. Many express concerns that the traditional family is the foundation for our society and to break from that foundation could lead to a number of unacceptable outcomes. Marriage is an institution that much of our culture revolves around. It is also an institution that is in crisis with divorce rates at an all-time high and infidelity as an epidemic. They feel this problem would be exacerbated in same-sex marriage, leading to the further degradation of society. They feel that an attack on the definition of marriage could eventually lead to a definition that includes any sexual behavior from pedophilia to bestiality, essentially a “slippery slope” argument. Further, those who oppose same-sex marriage also express concern if homosexual marriage becomes the law of the land, then children in society will be taught that homosexuality is a normative lifestyle, and that same-sex households are just another “variant” style of family. There is further concern that those who object on moral or religious grounds, such as parochial schools, churches and religious organizations, may find themselves, at best, persecuted for their beliefs or at worst, find themselves on the wrong side of the law if same-sex marriage were legalized.

Along the same vein of same-sex marriage being a conflicting issue for many Americans, President Obama has recently come out in [support of same-sex marriage](#). For almost two years prior to his recent announcement, President Obama has said that his views on same-sex marriage were “evolving.” Previously, he had stated that he was opposed to gay marriage on equal footing with traditional marriage, but was open

to civil unions. President Obama has been criticized regarding his announcement since it occurred immediately after the state of North Carolina overwhelmingly approved a state constitutional amendment banning gay unions and domestic partnership.

States on Same-Sex Marriage

***Editor's Note:** This information below is as of this writing. There are currently several states with legislation pending regarding same-sex marriage, domestic partnerships and civil unions.*

Since the last major action at the federal level regarding same-sex marriage was the Defense of Marriage Act (DOMA) in 1996, individual states have taken this issue up truly making it more of a state issue at this point. Below is a breakdown of where each state stands on the different sides of this issue.

Same-Sex Marriage Legal

New York
Connecticut
Iowa
Massachusetts
New Hampshire
Vermont
Washington
District of Columbia
Maryland (*As of this writing, Maryland is awaiting its governor's signature to make same-sex marriage legal.*)

Same-Sex Marriage Prohibited by Both Constitutional Amendment and Law

Montana
Idaho
Utah
Arizona
Alaska
Texas
Oklahoma
Kansas
South Dakota
North Dakota
Missouri
Arkansas
Louisiana
Florida
Mississippi
Alabama
Georgia
Tennessee
South Carolina
North Carolina (*also prohibits domestic partnerships and civil unions*)
Virginia

Kentucky
Ohio
Michigan
Colorado (*allows domestic partnerships and vote on allowing civil unions expected in 2012*)
Wisconsin (*but allows domestic partnerships*)

Same-Sex Marriage Prohibited by Just Constitutional Amendment

Nebraska
Oregon (*but allows domestic partnerships*)
Nevada (*but allows domestic partnerships*)

Same-Sex Marriage Prohibited Just by Law

Indiana
Hawaii (*but allows civil unions*)
Wyoming
Delaware (*allows civil unions*)
Pennsylvania
Minnesota (*constitutional amendment prohibiting same-sex marriage expected on ballot in November 2012*)
Illinois (*but allows civil unions*)
Maine (*allows domestic partnerships, but measure allowing same-sex marriage expected on ballot in November 2012*)
West Virginia
Maryland (*limited protections under domestic partnership and legislature approved same-sex marriage law that is awaiting the governor's signature*)

Allows Domestic Partnerships

Oregon (*but prohibits same-sex marriage by constitutional amendment*)
Nevada (*but prohibits same-sex marriage by constitutional amendment*)
California (*U.S. 9th Circuit Court of Appeals struck down as unconstitutional California's Prop 8, which banned same-sex marriage – ruling is likely to be appealed to the U.S. Supreme Court*)
Colorado (*but same-sex marriage prohibited by both constitutional amendment and law; vote on allowing civil unions expected in 2012*)
New Mexico (*for state employees only*)
Wisconsin (*but prohibits same-sex marriage by constitutional amendment*)
Maine (*same-sex marriage prohibited by law, but measure allowing same-sex marriage expected on ballot in November 2012*)
Maryland (*limited protections under domestic partnership; currently prohibits same-sex marriage by law, but legislature approved same-sex marriage law that is currently awaiting governor's signature*)

Allows Civil Unions

Hawaii (*but prohibits same-sex marriage by law*)

Illinois (*but prohibits same-sex marriage by law*)

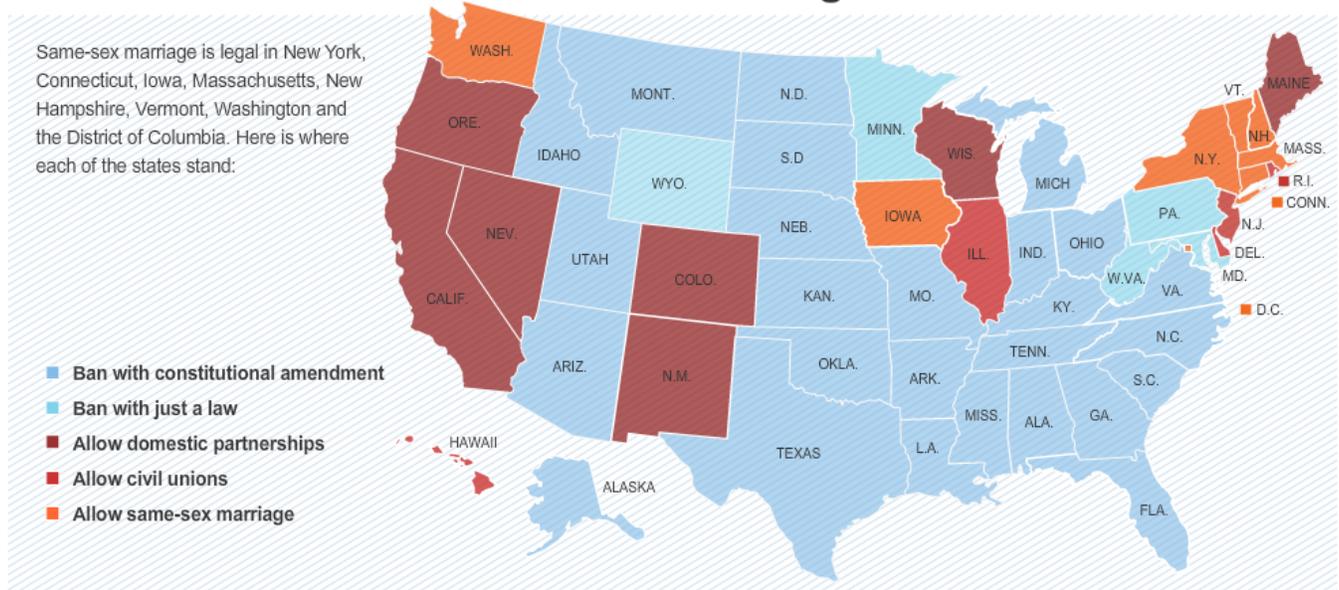
Rhode Island

New Jersey (*Governor Christie vetoed a bill allowing same-sex marriage a day after the state Assembly passed the bill*)

Delaware

Below is a graphic showing where each state stands on same-sex marriage, courtesy of *USAToday* and the National Conference of State Legislatures. You can link to the map [here](#) on which you can roll over each state to get more information regarding its specific laws.

Where states stand on same-sex marriage



THE DEFENSE OF MARRIAGE ACT (DOMA)

Currently, federal law does not recognize same-sex marriages. In 1996, Congress approved the Defense of Marriage Act (DOMA), P.L. 104-199, “to define and protect the institution of marriage.” It prohibits federal recognition of same-sex marriages and allows individual states to refuse to recognize such marriages performed in other states. Section 3 of DOMA requires that marriage, for purposes of federal benefit programs, must be defined as the union of one man and one woman.

In a major policy reversal, President Obama recently instructed the Department of Justice (DOJ) to no longer defend the constitutionality of DOMA. Attorney General Eric Holder said in a statement, “After careful consideration, including a review of my recommendation, the President has concluded that given a number of factors, including a documented history of discrimination, classifications based on sexual orientation should be subject to a more heightened standard of scrutiny,” he said. “The President has also concluded that Section 3 of DOMA, as applied to legally married same-sex couples, fails to meet that standard and is therefore unconstitutional. Given that conclusion, the President has instructed the Department not to defend the statute in such cases. I fully concur with the President’s determination.”

In a separate letter to House Speaker John Boehner, Holder wrote that, “...the legislative record underlying DOMA’s passage contains discussion and debate that undermines any defense under heightened scrutiny.”

The change in policy came roughly two months after President Obama signed a bill allowing for the military’s “don’t ask, don’t tell” policy to be ended - a moment he cast as a move toward equality for all Americans.

Latest Developments and the Role of the House

The Justice Department is tasked with defending laws passed by Congress – even those laws the sitting president may not agree with or have supported. Only a few times in history has a president directed his Justice Department to not defend an existing federal law. In those rare circumstances, the House of Representatives can step in and have its lawyers defend the law in court.

The House has an advisory group, called the Bipartisan Legal Advisory Group, which is bipartisan in makeup, to consider when the chamber will take legal action outside of the legislative process. The bipartisan panel infrequently rules in cases like this.

The House’s five-member legal advisory group is composed of the Speaker, party majority and minority leaders, and party majority and minority “whips” – that is, deputy party leaders. At the direction of that group, the House’s non-partisan general counsel acts as the chamber’s attorney.

On March 9, 2011, the panel directed the House general counsel to “initiate a legal defense of” the Defense of Marriage Act. The decision by the panel allows the House’s legal team to intervene when the Department of Justice does not defend DOMA in court - an act that could rack up legal bills for the House.

House Minority Leader Nancy Pelosi (D-Calif.) and Minority Whip Steny Hoyer (D-Md.) opposed the decision stating that it would “sap hundreds of thousands of taxpayer dollars, if not more, during a time of limited fiscal resources.”

Several federal courts have struck down DOMA's section 3 – the one that defines marriage – as unconstitutional. It is expected that legal challenges and court battles will continue regarding DOMA.

“DON’T ASK DON’T TELL”

During the “lame duck” session of the 111th Congress, Congress cleared landmark legislation repealing the “don’t ask, don’t tell” law.” The policy was signed into law in 1993 by Democratic President Bill Clinton as a compromise after the military objected to his calls to open its doors to gays. It bans openly-gay people from serving in the military, but prohibits military officials from initiating inquiries on sexual orientation when soldiers are abiding by the rules.

President Obama, who had also made a promise to repeal the law during the 2008 presidential campaign, called for repeal of “don’t ask, don’t tell” in his 2010 State of the Union address, putting a spotlight on the hot-button issue.

Many top military officers and Republicans in Congress believed that having gays openly serve in uniform would undermine morale and discipline, but more importantly before any change in law or policy can be made, adequate attention and study must be completed in order to fully understand the potential impact on readiness and military effectiveness.

Then-Defense Secretary Robert Gates, who had voiced caution in the past against moving too quickly to repeal the policy, said he fully supported the president’s position and announced a team of advisers to start reviewing steps the U.S. military would have to take to integrate openly gay servicemembers.

In March 2010, the Pentagon began a nine-month review of the implications inside the military of overturning the law. Then-Defense Secretary Robert M. Gates argued that, while the review was under way, it would be premature for Congress to legislate a repeal of the ban. Then-House Armed Services Committee Ranking Member Howard P. “Buck” McKeon (R-Calif.) questioned whether a precipitous move to repeal “don’t ask, don’t tell” would improve overall military readiness while Americans are fighting in Iraq and Afghanistan.

But in May 2010, congressional advocates of repeal and gay rights activists negotiated a compromise with the White House and Pentagon stipulating that the repeal would occur only after the review was complete and the Administration had certified that changing the law would not harm military readiness, morale or unit cohesion. The compromise also stated that the repeal would not take effect until at least 60 days after such a certification was sent to Congress. The change was enough to allow Gates to drop his opposition to Congress acting on the issue before the review was completed.

Gates expressed that his earlier concerns about the repeal’s potential effect on unit cohesion could be addressed. Gates also noted that he would not allow the change until he was satisfied that all necessary training and education was completed across the military. The repeal also received strong backing from then-Joint Chiefs Chairman Admiral Mike Mullen and then-Vice Chairman General James E. Cartwright. The officials cited a Pentagon survey taken this year that found that 70 percent of U.S. military personnel surveyed believe a change in the law would have a positive effect, mixed effect or no effect.

In May 2010, the House voted on adoption of an amendment to the 2011 defense authorization, offered by Patrick J. Murphy (D-Penn.), which was the initial House attempt to repeal the 1993 law. You can see how they voted [here](#).

However, it became clear that the defense authorization bill could only clear the Senate if it was stripped of controversial provisions such as the repeal of “don’t ask, don’t tell.” The provision was stripped from the

larger defense bill and was instead passed as a standalone measure (H.R. 2965) by the House and Senate in December 2010.

The House passed H.R. 2965 by a vote of 250-175, on Dec. 15, 2010. You can see how they voted [here](#). The Senate cleared the bill by a vote of 65-31, on Dec. 18, 2010. The President signed the bill into law on Dec. 22, 2010.

HATE CRIMES

After years of trying, Democrats won enactment of legislation that expands the definition of federal hate crimes to cover attacks based on gender, gender identity, sexual orientation and disability. Expanding the application of hate crimes law was a longtime goal of civil rights and gay rights groups. The existing law covered the use or threat of use of force based on race, color, religion or national origin.

Republican opponents said that the provisions singled out some types of crime victims and that the legislation could expose religious leaders to prosecution because of the actions of people who heard their sermons. Supporters argued that the bill was needed to combat attacks on people because of their gender identity and sexual orientation, and that fears about religious leaders' liability were unfounded.

In the previous 111th Congress, the House passed a free-standing hate crimes bill (H.R. 1913) in April 2009, by a vote of 249-175 (D: 231-17; R: 18-158). See how they voted [here](#).

Senate Democratic leaders managed to add the hate crimes measure as a floor amendment to the defense authorization bill (H.R. 2647). Republicans in the House tried to block the outcome with procedural moves citing that hijacking the defense policy bill was not the appropriate legislative procedure with which to address this issue. However, those efforts failed and the House ultimately adopted the conference report on H.R. 2647, which included the hate crimes provisions, by a vote of 281-146 (D: 237-15; R: 44-131) in October 2009. See how they voted [here](#). H.R. 2647 was signed into law by President Obama on Oct. 28, 2009 (P.L. 111-084).