

## SURVEY ON THE FAMILY PROTECTION ACT

The attached "Concept Summary" for the Family Protection Act outlines the provisions of this bill using language provided by Senator Jepsen (R-Iowa) who re-introduced this bill in June, 1981.

The NCFR Public Policy Committee believes that this proposed legislation deserves consideration by NCFR members because its stated purpose is to strengthen families by removing government interference and returning "the jurisdiction of the family back home where it belongs."

For possible reference, the Public Policy Committee has listed some questions to help you consider the implications of the different concepts. These are provided only as "thought starters" and are not intended as a thorough analysis of the concepts. (See blue sheet.)

Because the Family Protection Act is a conglomeration of issues, it will not pass as one piece of legislation. Senator Jepsen has and will continue to extract concepts and introduce them as separate bills. Therefore, each concept must be rated individually.

Would you please take the time to rate what you think about each provision? The Public Policy Committee will collect and analyze this information and use it to determine how to respond to the different provisions in the Family Protection Act for NCFR. By participating, you will help NCFR to respond based on the opinions of its members.

### DIRECTIONS

Two rating scales are provided.

1. Circle the number (1-5) which most closely describes your opinion on each separate concept.  
1=strongly agree                      3=redundant or not a                      4=oppose  
2=agree                                      family issue                                      5=strongly oppose
2. Circle "Y" for YES or "N" for NO if NCFR should take a stand on this provision. (Any stand will be determined by the 1-5 ratings).
3. After completing the survey, place your response into the box at the registration area. If you want to keep this copy of the concepts, NEATLY DETACH the voting portion of the survey and place it in the box.

We will try to tally and report the results of all surveys returned by Thursday at 1:00 p.m. at the Plenary Session with Senator Jepsen on Thursday evening. Surveys may be submitted until noon on Saturday.

\*Indicates that this concept has been introduced as a separate bill.  
The bill number and a summary of it are in italics under the old  
concept.

"Amplification" is provided when the concept summary omits key points  
in the legislation. ~~Information quoted is taken~~ Quotes are taken  
directly from the language in the bill.

# United States Senate

WASHINGTON, D.C. 20510

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THE FAMILY PROTECTION ACT -- 97th Congress  
Jepsen-Smith

## CONCEPT SUMMARY

### TITLE I -- Family Preservation

1. Rights of Parents -- Reinforces the responsibility and legal rights of parents to direct the religious and moral upbringing of their children. (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 preempting or interfering with state statutes pertaining to juvenile delinquency. Interstate compacts will be maintained. (Section 103)
4. Child Abuse -- Restricts the federal government from preempting 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 preempting 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)

TITLE II -- Taxation

11. Education Savings Account -- Establishes a savings 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 age 65 or older. This provision allows either the tax credit or the tax exemption -- not both. (Section 203) (Page A) - 5-1581)
14. Parental Care Trust -- Establishes a trust account procedure similar to the Individual Retirement Account, under which taxpayers can save \$1,500 a year for the support of an aged parent or a handicapped relative. (Section 204) (Page A) 5-1582)
- \*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 \$1,500 a year. (Section 205) (Page A) - 5-1583)
- \*16. Day Care -- A corporation may deduct from taxes its contributions to a joint employee-employer day care facility. (Section 206) (Page B) 5-1579
- \*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 biracial. Additionally, this provision allows the individual to deduct the amount of adoption expenses paid during the taxable year. (Section 207) (Page E) - 5 1580)

*See add info below*

TITLE III -- Education

- Cindy - Smart Cause of action explanation here (in italics?)*
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)  
*→ Smart Amplification*
  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)

NOTE: A modified portion of this bill was passed as an amendment to the Economic Recovery Tax Act of 1981 - Married couples filing jointly get an additional \$1500 tax exemption for the year in which a "qualified child" (biracial, minority, handicapped or over 65) is adopted.

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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. *Insert Amplification*  
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)

TITLE IV -- Voluntary Prayer

30. Guarantees the individual's right to the free exercise of religion, whether in public or in private. (Section 401)

*Insert "Amplification"*

TITLE V -- RIGHTS OF RELIGIOUS INSTITUTIONS AND EDUCATIONAL AFFILIATES

- \*31. Federal agencies may not regulate religious activities such as church schools, religious activities, religious youth homes, and ministries of religious institutions. The provision in no way interferes with provisions of the Civil Rights Act of 1964 (with respect to race, creed, color, or national origin) or with the authority of local governments to require reasonable fire, health, and safety standards. Exempts religious organizations from regulations of affirmative action, quotas, guidelines, or actions designed to overcome racial imbalance. (Section 501) [*Include page 4 - 51577*]

TITLE VI -- JURISDICTION

- 32 This section outlines the various courts of jurisdiction to which an action under the Act may be brought by an aggrieved party. (Section 601)

*Insert Amplification*