



TEXAS SPA NEWSLETTER August 2008

To: NCJW Texas State Public Affairs Action Network
From: Marlene Cohen and Janet Neuenschwander, Co-Chairs

DAY ON THE HILL – February 16 – 17, 2009

Join NCJW members from around Texas for a day of speakers and training that will help you learn about what's happening with the issues NCJW cares about and then it's off to the Capitol to speak with our legislators.

COALITIONS

Healthy Women, Healthy Families

NCJW Texas SPA is a partner in the Healthy Women, Healthy Families statewide coalition project. The coalition – spearheaded by NARAL Pro-Choice Texas Foundation and including diverse organizations from across Texas – was formed to collect stories and surveys from Texas women about healthcare challenges they and their families have faced. The coalition will bring these stories to our state lawmakers and demand what we need to keep our families and ourselves healthy.

Visit www.HealthyWomenHealthyFamilies.org to take the survey today!

Texas Dream Act Coalition

NCJW supports the federal DREAM Act, which would make it possible for young people who enter the U.S. as minors to attend college and serve in the military.

The Greater Dallas Section has joined the Texas Dream Act Coalition. Among its many outreach activities, it currently is working on encouraging members of Congress to become co-sponsors of the DREAM Act. NCJW Texas SPA has also joined this coalition.

If you are interested in this coalition or want more information, please contact us.

Fighting Poverty with Faith

NCJW has partnered with the Jewish Council for Public Affairs (JCPA), Catholic Charities USA, and a number of other religiously affiliated organizations to elevate the issue of poverty in the 2008 elections. The centerpiece of the initiative is "FIGHTING POVERTY WITH FAITH: A WEEK OF ACTION" to take place between September 10-16, 2008.

You are invited to participate in a National Phone Call Launching the Effort. On **September 9 at 1:00 PM (Eastern Time)**, Your Sections and communities may be planning other activities for this week. Watch for further information.

Election Protection

NCJW has become a partner on an exciting project aimed at ensuring that every eligible voter is able to vote and that every vote cast is fairly counted. This Election Protection Coalition, led by the Lawyers Committee for Civil Rights Under Law, includes hundreds of other organizations. A fully staffed hotline, 1-866-OUR-VOTE, will go into effect in mid-August and will put voters and election officials in touch with lawyers and others who can address election-related problems prior to and on Election Day. A Spanish language hotline will also go into effect: 1-888-VE-Y-VOTA. Stay tuned for information on how you can get involved to protect the vote in your communities.

Election Activities from Texas Sections

Austin is planning a lunch speaker in September on voter issues, including ID proposals and other obstacles, electronic voting issues, etc. They are possibly joining with another organization that helps disabled or otherwise mobility-challenged people to get to the polls when the time comes.

Greater Dallas Section will be hosting a Promote the Vote, Protect the Vote Event on Thursday, September 4, 2008 at 7:30 PM. Speakers will include Oscar Joyner, Executive Producer of the Tom Joyner Morning Show, a nationwide morning drive time talk show, and promotional partner of MyVote1, a national toll free hotline for voters experiencing problems with the voting process; Bruce Sherbet, Dallas County Voter Registrar and Elections Administrator; and Ken Smukler, CEO of InfoVoter and lead partner of the MyVote1 Consortium.. NCJW will be co-sponsoring this event with the Dallas Chapter of the NAACP and the League of Women Voters.

Dallas will also be registering voters and assisting residents who wish to request mail-in ballots at area nursing homes.

San Antonio Section is planning a lunch-and-learn in October. Topic will be Under the Influence... media's influence on politics.

NATIONAL ISSUES and ACTION REQUESTS

NCJW staff keeps us abreast of the latest activity that concerns NCJW's priority issues. Some highlights follow. See also www.ncjw.org to learn more and to take action on pending legislation.

- [Americans with Disabilities Act Amendments Act](#)

In 1990, Congress passed the Americans with Disabilities Act (ADA), a law that protects disabled individuals from discrimination in the work place. Unfortunately, the courts have eroded the employment protections and accommodations required by the ADA. Numerous cases decided over the past eight years have set a dangerous precedent that has been applied to mean that individuals, who employ measures mitigating their disabilities, including prosthetic limbs, use of medications, or hearing aids, are no longer protected. In June, the House passed the Americans with Disabilities Act Amendments Act of 2007 (ADAAA), HR 3195, a bill that would restore protection to all disabled individuals. **NCJW strongly supports this legislation.**

Act Now: The ADAAA could move in the Senate as soon as September. Contact your senators to urge them to support this legislation and look for an action alert in the coming days.

- Lilly Ledbetter Fair Pay Act

In the case of *Ledbetter v. Goodyear*, the Supreme Court overturned years of precedent and ruled that Lilly Ledbetter, who discovered after 17 years at the Goodyear plant in Alabama that she had been earning less than her male counterparts, had only 180 days from the first discriminatory paycheck to file her claim. Their decision misinterpreted congressional intent in Title VII of the 1964 Civil Rights Act. In her dissent, Justice Ruth Bader Ginsberg called on Congress to clarify the civil rights laws governing discrimination in the workplace. The House responded by passing the Ledbetter Fair Pay Act of 2007 (HR 2831), which clarifies the original intent of Title VII, but the Senate has failed to garner enough votes to end debate and pass this bill. A watered down version of the bill has been offered by Sen. Kay Bailey Hutchison (R-TX) that does not fully address the problem caused by the Court decision. **NCJW opposes the Hutchison bill and supports the bill that passed the House.**

Act Now: The cloture motion on the Lilly Ledbetter Fair Pay Act failed by only three votes. Please contact your senators to urge them to make passage of this legislation -- without damaging amendments -- a priority this year.

- Paycheck Fairness Act

On July 31, the House of Representatives passed the Paycheck Fairness Act, HR 1338, by a vote of 247-178. Sponsored by Rep. Rosa DeLauro (D-CT), HR 1338 strengthens the Equal Pay Act by taking steps to encourage more transparency in the workplace, provide more training for and enforcement by appropriate government agencies, and strengthen penalties against employers who violate equal pay laws. This bill differs from the Ledbetter bill, which restores the grounds needed to pursue recourse for discrimination under Title VII of the Civil Rights Act of 1964. The Paycheck Fairness Act addresses the ways in which discrimination is perpetuated and what can be done to prevent and identify it. Now, it's on to the Senate. **NCJW supports efforts to close the wage gap and protect women from pay discrimination.**

Act Now: Urge your senators to cosponsor the Paycheck Fairness Act to ensure that women earn equal pay for equal work.

- Federal Employees Paid Parental Leave Act

On June 19, the House passed the Federal Employees Paid Parental Leave Act (HR 5781), legislation that would give federal employees four weeks of paid parental leave to be used within a year of giving birth or adopting a child. Currently, federal employees are only entitled to unpaid leave through the Family and Medical Leave Act, which provides 12 weeks of unpaid leave. By enacting HR 5781, the federal government -- this country's largest employer -- would be setting a positive example of family-friendly workplace policies. A similar bill has been introduced in the Senate and is awaiting action. NCJW supports laws, policies, and employment practices that allow workers to meet both family and work responsibilities. **As such, NCJW supports the Federal Employees Paid Parental Leave Act.**

Act Now: Urge your senators to promote family-friendly workplace policies by cosponsoring S 3140, the Federal Employees Paid Parental Leave Act. Working families deserve workplace policies that allow them to meet both their personal and professional obligations -- S 3140 is a great step toward that goal.

On the Hill

- Reproductive Health Regulation

According to a leaked draft of a proposed Department of Health and Human Services (HHS) regulation, plans are underway to expand the definition of abortion to include many forms of widely used contraceptives, such as the pill and IUDs. Should this regulation be implemented, it would impact women's access to reproductive health services and information by allowing individuals and institutions to refuse to offer any service they deem morally objectionable. In addition, in altering the definition of abortion, this regulation would redefine pregnancy in contradiction to existing federal government policies, as well as the definition accepted by the American College of Obstetricians and Gynecologists. Furthermore, this regulation would preempt many state laws currently in place to protect women's access to health care services. **NCJW believes that it is critical for women to have access to the full range of reproductive services and information. For this reason, NCJW urges HHS Secretary Mike Leavitt not to promulgate this rule.**

Appropriations

Despite predictions that the appropriations process will not be completed before the beginning of the fiscal year (October 1), both the House and Senate began their work this spring to fund the federal government through fiscal year 2009.

Human Needs Funding

Unfortunately, human needs programs have not received the kind of funding increases for which advocates had hoped. According to the Coalition on Human Needs, a preliminary look at the current House and Senate spending bills found that only about half of the domestic human needs programs have been funded at levels that allow for any growth in services (taking inflation into account) compared with the current year. Still, both the Senate the House did vote to increase funding for Violence Against Women Act (VAWA) programs. While the appropriations process is still far from over (the House Appropriations Committee has only completed its work on about half of the 12 spending bills), these bills are a signal that more work must be done to meet the needs of the growing number of families struggling to make ends meet. NCJW believes that a democratic society must fulfill its obligation to provide for the needs of those unable to provide for themselves. **NCJW urges Congress to make domestic human needs programs a priority.**

Reproductive Justice Provisions

Reproductive health programs have fared only slightly better than human needs programs in this year's appropriations process. The House Subcommittee bill includes a small increase for Title X (ten), the nation's family planning program, while the Senate bill provides level funding for this critical program.

Fortunately, the Senate Committee cut 25% from the Community-Based Abstinence Education (CBAE) program, the largest pot of abstinence-only funding. NCJW believes this cut is an important step toward eliminating funding for abstinence-only-until-marriage programming.

Congress has also taken steps to improve the funding for reproductive health abroad. The House Subcommittee bill includes historic increases in funding for international family planning, allocating \$600

million. The Senate Appropriations Committee approved a slightly smaller amount, but still okayed \$525 million for international family planning. Both bills include strong language in support of the important work of the United Nations Population Fund (UNFPA). Additionally, the Senate Committee bill also repeals the Global Gag Rule, a harmful policy that withholds US family planning funds from any organization that lobbies their own governments for abortion law reform or even provides accurate medical counseling or referrals regarding abortion -- even if they use their own private money for these activities. **NCJW supports increasing family planning funding and repealing the Global Gag Rule to increase women's access to the full range of vital reproductive health services in the US and around the world.**

Foreign Intelligence Surveillance Act

Despite opposition from NCJW and others, on July 10, the President signed the Foreign Intelligence Surveillance Act Amendments (FISA) into law. The Senate passed the House version of FISA, HR 6304, by a vote of 68-29 on July 9. NCJW opposed this so-called compromise bill because it failed to protect and preserve the privacy rights of Americans by institutionalizing and legalizing the administration's previously illegal warrant-less wiretapping activities. Congress has given retroactive permission to the Bush administration to continue to do broad electronic surveillance of international communications with no Fourth Amendment warrants required. Additionally, this bill provides immunity to the telecommunications companies who participated in breaking the law and violating the civil liberties of American citizens. The ACLU has filed a lawsuit, challenging the constitutionality of the law. **NCJW continues to stand for upholding individual rights and liberties.**

Medicare

- On July 15, the Medicare Improvement for Patients and Providers Act (HR 6331) became law, after Congress successfully overrode a Presidential veto. The measure was critical to improving care for Medicare beneficiaries and ensuring that providers serving Medicare patients receive adequate reimbursement. Specifically, HR 6331 prevented a 10 percent payment reduction for physicians in Medicare, enhanced Medicare preventive and mental health benefits, improved and extended programs for low-income Medicare beneficiaries, and extended expiring provisions for rural and other providers. On June 24, the House passed the bill, but it stalled in the Senate just a few days later when supporters were unable to get the 60 votes necessary to end debate. Over the July 4th recess, senators were inundated by advocates and on July 9, cloture was invoked by a strong 69-30 vote before passing by a voice vote. On July 15, the President vetoed HR 6331. That same day, both the House and Senate overrode the veto making the bill law. **NCJW applauds Congress for enacting these critical improvements to the Medicare program.**

In the Courts

Habeas Decision

NCJW applauded the Supreme Court's 5-4 decision on June 12th in *Boumediene v. Bush* that enemy combatants held in US territory are entitled to habeas corpus. The writ of habeas corpus has been an essential instrument for the safeguarding of individual freedom. The practical implication of this decision is that enemy combatants may not be detained indefinitely without receiving fair hearings under civilian courts. **NCJW believes that every person has the right to a fair trial and will continue support habeas corpus rights.**