

WebMemo



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Revenge of the Dirty Dozen: 12 Policies that Undermine Civil Society

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Last April, The Heritage Foundation released a *WebMemo* titled “The Dirty Dozen: 12 New Policies That Undermine Civil Society.”¹ Seven months later, many of these policies being advocated by Congress and the President have moved closer to becoming law.

In addition, several new issues have emerged that deserve illumination. Taken as a whole, these policies serve to undermine traditional families, devalue life and human dignity, and weaken civil society in American life.

National Policy

1. *Massive Expansion of the Welfare State.* Within his first two years in office, President Obama will have increased spending on means-tested programs for the poor by 30 percent, and over the next decade he will spend \$10.3 trillion on welfare programs alone.² These are programs such as food stamps, Medicaid, housing, and Head Start that are targeted at low-income people. In addition to increased spending, the President and Congress are widening eligibility for the programs so that more people will qualify.

Government-sponsored welfare programs do little to actually help move families from a position of dependence to self-sufficiency. Of the 72 existing welfare programs, only one—Temporary Assistance for Needy Families (TANF)—has been reformed to help move 2.6 million families off welfare and into real jobs. Congress should reform the other 71 programs along the lines of TANF and help people move toward self-sufficiency.

2. *A Big Step toward National Same-Sex Marriage.* The House of Representatives is on a trajectory to pass the Employment Non-Discrimination Act of 2009 (ENDA), just as it did in 2007. This legislation would disallow discrimination in hiring decisions based on “actual or perceived sexual orientation or gender identity.”³ ENDA would give special protected class status to sexual orientation and gender identity—just as is given to race, color, sex and religion.

Legislation like ENDA is a major precursor to legalizing same-sex marriage, as the history of the issue in several states shows. According to a recent Heritage Foundation paper, no state that has approved same-sex marriage has done so without first adopting ENDA-like legislation.⁴ In Vermont, Massachusetts, and five other states, courts have used the non-discrimination law as part of their reasoning to strike down traditional marriage.⁵

3. *Abstinence-Based Education at Risk.* In the annual appropriations bill that funds health care and education, Congress has provided no funding for abstinence-based education and replaced it with a contraceptive-based sex education program. This was done at the President’s request

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according to the FY 2010 budget he submitted to Congress.⁶

However, there is a glimmer of hope. The Senate health care bill was amended by Senator Orrin Hatch (R-UT) to restore \$50 million in abstinence-based education funding. Reports show that abstinent teens are more likely to achieve academically, less likely to be depressed or suicidal, less likely to subsequently live in poverty, and less likely to bear children out of wedlock.⁷ Further, a Zogby Poll found that 96 percent of parents said they want teenagers to be taught that abstinence is best.⁸

4. *Expanding the Federal Government's Role in Education.* A bill moving through the House of Representatives to reform America's higher education system includes the creation of a new \$8 billion federal preschool program. The Early Learning Challenge Fund will provide funding for states to expand their government-subsidized preschool programs.

This is grossly unnecessary and a waste of taxpayer dollars considering that more than 83 percent of all four-year-olds are currently enrolled in some form of early education or care program.⁹

In addition, research and audit reports have found that two states that had instituted universal preschool (Oklahoma and Georgia) showed little to no improvement in test scores.¹⁰

5. *Hate Crimes Expansion.* The FY 2010 Defense Authorization bill recently signed into law by President Obama included language that expands the definition of a federal hate crime to include "sexual orientation" and "gender identity." It creates a new protected class of victims based on their sexual preferences. Among many concerns about this provision is that it could be used to prosecute religious groups or individuals based on their beliefs or speech.

Eroding Civil Society in the District of Columbia

6. *Legalization of Marijuana for Medical Purposes.* In 1998, voters in D.C. approved a ballot initiative that would allow for the legalization of marijuana for medical purposes. Since then, Congress has annually blocked this initiative from taking effect.

While the Senate bill approved in committee maintains this ban, the House-passed appropriations bill would eliminate it and give D.C. the

1. Jennifer A. Marshall and Katherine Bradley, "The Dirty Dozen: 12 New Policies That Undermine Civil Society," Heritage Foundation *WebMemo* No. 2389, April 9, 2009, at <http://www.heritage.org/Research/Family/wm2389.cfm>.
2. Robert Rector, Katherine Bradley, and Rachel Sheffield, "Obama to Spend \$10.3 Trillion on Welfare: Uncovering the Full Cost of Means-Tested Welfare or Aid to the Poor," Heritage Foundation *Special Report* No. SR-67, September 16, 2009, at <http://www.heritage.org/Research/Welfare/sr0067.cfm>.
3. The Employment Non-Discrimination Act of 2009, H.R. 3017, at <http://www.thomas.gov/cgi-bin/bdquery/D?d111:1:./temp/~bd3Q9h:@@L&-summ2=m&-/bss/111search.html> (November 9, 2009).
4. Thomas M. Messner, "ENDA and the Path to Same-Sex Marriage," Heritage Foundation *Backgrounder* No. 2317, September 18, 2009 at <http://www.heritage.org/Research/Religion/bg2317.cfm>.
5. *Ibid.*
6. FY 2010 Budget of the U.S. Government, Appendix, p. 490, at <http://www.whitehouse.gov/omb/budget/fy2010/assets/appendix.pdf> (November 6, 2009).
7. Robert Rector and Kirk A. Johnson, "Teenage Sexual Abstinence and Academic Achievement," Heritage Foundation paper presented at the Ninth Annual Abstinence Clearinghouse Conference, August 2005, at www.heritage.org/Research/Abstinence/whitepaper10272005-1.cfm.
8. Robert Rector, Melissa Pardue, and Shannan Martin, "What Do Parents Want Taught in Sex Education Programs?" Heritage Foundation *Backgrounder* No. 1722, January 28, 2004, at www.heritage.org/Research/Abstinence/bg1722.cfm.
9. Kristin Denton Flanagan and Cameron McPhee, "The Children Born in 2001 at Kindergarten Entry: First Findings from the Kindergarten Data Collections of the Early Childhood Longitudinal Study, Birth Cohort (ECLS-B)," Institute of Education Sciences, October 2009, at <http://www.nces.ed.gov/pubSearch/pubsinfo.asp?pubid=2010005> (November 3, 2009).
10. *Ibid.*

ability to legalize medical marijuana using taxpayer money.

7. *Taxpayer-Funded Abortion.* A measure known as the “Dornan Amendment” has long been included in the annual D.C. appropriations bill to ban taxpayer dollars (federal and local) from being used for abortion services. The House overturned this ban and would allow taxpayer dollars to fund abortions using “local” dollars, effectively creating public promotion of abortion in D.C. However, the Senate version approved in committee maintains the ban.
8. *Needle Exchange for Drug Addicts.* The House-passed appropriations bill ends the policy barring D.C. from public distribution of free needles and syringes to drug users. The Senate language adopted in committee continues the ban.

Federal taxpayer dollars would be better spent on programs that help move addicts away from addiction and toward recovery rather than sustaining serious drug addiction.

9. *Ending Parental School Choice for Low-Income Children.* Both the House and Senate versions of the funding bills include language that would phase out the first federally funded K-12 school scholarship initiative. Since 2004, this program has served some 3,700 low-income students in D.C. with scholarships worth \$7,500 to attend the school of their parents’ choosing. A recent evaluation has shown a statistically significant increase in reading scores for scholarship students compared to their public school peers.¹¹

Health Care Reform in the Wrong Direction

10. *Federal Funding for Abortions in the Health Care Overhaul.* While the health reform bill approved by the House on November 7 would restrict the use of federal taxpayer dollars for abortions, the Senate committees have thus far rejected amendments to codify the longstanding policy that federal funds cannot be used to per-

form elective abortions or to subsidize plans that provide such abortions.

For example, about 8 million federal employees now receive their health care through the Federal Employees Health Benefits (FEHB) program. There are over 250 different health insurance carriers in FEHB, all of whom are prohibited from paying for elective abortions in these plans because they receive subsidies from the government.

11. *Limiting Parental Rights and Expanding Family Planning.* Initially jettisoned from the 2009 stimulus package because of negative attention, this provision has resurfaced as part of the health care reform bills under consideration by Congress.

The policy would allow states under Medicaid to disregard the family income of an applicant for family planning services. A child would be eligible for services under this section regardless of the family’s income level, without notification of the parents. Further, the proposal would remove from current law the ability of states to offer coverage that excludes family planning services.

12. *New Government Parenting Program.* Tucked away in the mammoth health care reform bills is a little-known provision creating a specific funding stream for a new voluntary home visitation program. The program would send federally funded workers to the homes of low-income adults who are expectant parents or parents of young children and “educate” them with parenting skills.¹²

The ever-expanding reach of the federal government goes too far when it attempts to enter the homes of vulnerable families and teach them how to parent.

Small Pieces, Big Impact. With a flurry of activity surrounding the agenda coming from the White House and Congress, it is easy to overlook the

11. U.S. Department of Education, “Evaluation of the DC Opportunity Scholarship Program: Impacts after Three Years,” March 2009, at <http://ies.ed.gov/ncee/pubs/20094050/pdf/20094051.pdf> (April 7, 2009).

12. Lindsey Burke, “Stealth Agenda in Health Care Bill: Early Childhood Home Visitation,” *The Foundry*, July 17, 2009, at <http://blog.heritage.org/2009/07/17/stealth-agenda-in-health-care-bill-early-childhood-home-visitation>.

smaller pieces of legislation that would have a big impact on American families and society.

Taken as a whole, the people and communities these policies claim to assist would rely less on strong neighborhood, faith-based, and private networks for support and more on costly and highly

regulated federal projects, weakening the same virtues of civil society they purport to nurture.

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