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THE FAMILY PROTECTION ACT

The paranoid liberals who see a "moral majority" boogeyman under every bed have discovered a new threat. The most recent target of their hysterical editorials and television interviews is "The Family Protection Act."

An examination of the bill shows that some of what the liberals complain about isn't in the bill at all. Most of the bill is so reasonable that one wonders why the liberals are so agitated. The explanation must be that the FPA has touched the tender nerves which lead to federal control over our lives.

Title I, called "family preservation," starts off by asserting a legal presumption in favor of parental supervision of the religious and moral formation of a child. That is the law now; it needs reaffirmation only because it has been so widely violated.

Three sections of this title prohibit federal-funds from being used to litigate in such sensitive family-related areas as abortion, divorce, and homosexual rights. It seems only reasonable that persons advocating those goals should do so at their own expense and not at the taxpayers'.

Another three sections of this title restrict the Federal Government from preempting or interfering with state statutes on child abuse, spouse abuse, or juvenile delinquency. Those should be areas of state, not federal, jurisdiction. The diversity of state approaches promises better solutions than putting all our hopes in the federal basket.

Title II has a variety of tax provisions that encourage families to provide for their own family members with their own resources. It provides tax incentives to save for a child's education, to care for a dependent relative age 65 or older, to establish a trust account for an aged or handicapped relative, and to establish a retirement savings account for a dependent-spouse. Married couples filing jointly would be granted an additional $1,000 exemption in the year in which a child is born or adopted, and $3,000 if the child is handicapped.

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Title III on Education should be one of the most popular sections. It prohibits the Legal Services Corporation funds from being used to litigate in favor of forced busing solely for the attainment of racial quotas.

Another section of this Title would take the federal money currently spent on education and "block-grant" it to the states. ("Block-grant" is a Reaganomics verb which simply means sending federal money in a "block" to the states to spend as needed.)

Four sections of Title III provide a cause of action for parents if the schools deny parents their rights such as to visit their children's classrooms, to review textbooks prior to their use, and to supervise their children's enrollment in religion courses. It seems elementary that parents should be able to sue to assert such legal rights.

Another section states that, if schools require a course on "parenting" (the new euphemism for classroom sex courses), parents may arrange for their children to be taught by the parents or their church on a released-time basis. That, too, sounds very reasonable; the Free Exercise Clause of the First Amendment should enable parents to remove their children from classes that offend their religious values.

Title IV on Voluntary Prayer would simply allow parents to bring a civil action in court if their children are denied the right to participate in religious exercises. That's only fair, since parents who do not want their children to participate in religious exercises have had full sway in the courts for the last 20 years.

Title V would assert the rights of religious institutions by barring the federal government from imposing restrictions on curriculum, religious activities, licensure, and operating procedures. Except for reasonable health and fire regulations, the federal government should not be in the business of supervising church-operated child-care centers, orphanages, foster homes, emergency shelters for abused persons, or schools.

The sponsors of the Family Protection Act should be commended for this effort to get the federal government out of areas where it does not belong and to restore responsibility to the families and to the states. The sponsors are Senators Roger Jepsen, Paul Laxalt, Jake Garn and Orrin Hatch in the Senate, and Representatives Albert Lee Smith, Philip Crane, George Hansen, Larry McDonald, William Dannemeyer, and James Jeffries in the House.

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