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409 12th Street, SW, Suite 310

Washington, DC 20024

phone 202.554.2323

fax 202.554.2346

www.womenspolicy.org

## **The 107<sup>th</sup> Congress At-A-Glance: First Session**

### **December 20, 2001**

**T**he 107<sup>th</sup> Congress successfully completed work on a historic tax cut package and an education reform bill, but work on other priority issues such as patient protections and prescription drug coverage was postponed indefinitely after

the tragic events of September 11<sup>th</sup>. The remainder of the session was consumed with deliberation over an airline bailout, increased security measures, homeland defense funding, and an economic stimulus package.

### **Actions Completed**

**Abortion Restrictions:** The FY2002 appropriations bills continued abortion funding restrictions that have been in place for years. Congress voted to restrict the use of federal funds to pay for abortions for military personnel and their dependents, federal employees and their dependents, women in federal prisons, Medicaid recipients and disabled Medicare beneficiaries, low-income women in the District of Columbia, Peace Corps personnel, and Native American women who receive their health care through the Indian Health Service (December 2001).

**Abstinence Education:** The FY2002 Labor, Health and Human Services, and Education appropriations bill allocated \$100.16 million for abstinence-only education programs (December 2001). The House defeated an effort to further increase funding for these programs.

**Adoption Tax Credit:** Congress doubled both the adoption tax credit and employer-provided adoption assistance to \$5,000 each and made them permanent. The law also increased the permanent tax credit for the adoption of special needs children from \$6,000 to \$10,000 (June 2001).

**Afghan Women and Children:** Congress approved legislation to authorize health care and educational assistance to Afghan women and children refugees (December 2001).

**Breast Cancer Research:** Congress approved legislation to appropriate \$150 million for peer-reviewed breast cancer research at the Department of Defense in FY2002 (December 2001).

**Breast and Cervical Cancer Treatment:** Congress approved legislation to allow Native American women access to optional Medicaid treatment for breast or cervical cancer (December 2001).

**Breastfeeding:** Congress approved legislation extending current law, which allows women to breastfeed on federal property. The provision was included in the FY2002 Treasury-Postal Service spending bill (November 2001).

**Brown v. Board of Education 50<sup>th</sup> Anniversary Commission:** Congress approved legislation to establish a federal commission to commemorate the 50<sup>th</sup> anniversary of the landmark U.S. Supreme Court decision, *Brown v. Board of Education in Topeka* (September 2001).

**Child Abuse Prevention:** Congress approved legislation to reauthorize the Promoting Safe and Stable Families program (December 2001).

**Child Care in the Federal Government:** Congress approved legislation allowing federal agencies to use their administrative funds to help low-income employees with child care expenses. The provision makes the program permanent and was included in the FY2002 Treasury-Postal spending bill (November 2001).

**Child Care in the Military:** Congress approved legislation appropriating \$43 million in FY2002 for child development centers under the auspices of the Department of Defense (November 2001).

**Child Nutrition Programs:** Congress approved legislation appropriating \$10.087 billion for child nutrition programs through the FY2002 agriculture appropriations bill (November 2001).

**Child Survival and Health Programs Fund:** Congress approved legislation appropriating \$1.4 billion for this fund through the FY2002 foreign operations appropriations bill (December 2001).

**Child Tax Credits:** Congress doubled the child tax credit from \$500 to \$1,000 over ten years, beginning this year. Additionally, low-income families will receive a refund equal to 10 percent of their earnings above \$10,000, up to the maximum child tax credit allowed for each year (June 2001).

**Contraceptive Coverage:** Congress approved legislation to extend current law by requiring health plans participating in the Federal Employees Health Benefits Program to cover prescription contraceptives if they also cover other prescription drugs. The provision was included in the FY2002 Treasury-Postal Service spending bill (November 2001).

**Dependent Care Tax Credit:** Congress approved legislation to expand the dependent care tax credit by increasing the maximum amount of eligible employment-related expenses from \$2,400 to \$3,000 for one child or dependent adult and from \$4,800 to \$6,000 for two or more children or dependent adults (June 2001).

**Domestic Partner Benefits:** Congress approved legislation allowing the District of Columbia to use its own funds to implement a D.C. law that permits municipal employees to purchase health insurance benefits for their domestic partners, regardless of gender or marital status (December 2001).

**Earned Income Tax Credit (EITC):** Congress approved an expansion of the EITC by minimizing the existing tax penalty on low-income married couples who might otherwise qualify for a greater EITC benefit if they were single filers. Starting in 2002, the income level at which the EITC begins to decline for married couples will increase by \$1,000 in 2002 through 2004, by \$2,000 in tax years 2004-2007, and by \$3,000 in 2008 (June 2001).

**Education Reform:** Congress approved legislation to reauthorize the Elementary and Secondary Education Act (December 2001).

**Education Savings Accounts:** Congress approved legislation to expand education savings accounts. Starting in 2002, the amount that taxpayers may set aside annually for education savings accounts will increase from \$500 to \$2,000 and allowable education expenses will be expanded to include elementary and secondary school costs as well as those for higher education.

**Embryo Research Ban:** Congress approved the FY2002 Labor, Health and Human Services, and Education appropriations bill with a restriction prohibiting the use of federal funds for embryo research (December 2001).

**Employer-Provided Child Care:** Congress approved legislation creating a new tax credit for employers who provide child care for their employees. Starting in 2002, employers are

eligible for a tax credit equal to 25 percent of qualified expenses for providing employee child care and 10 percent of qualified expenses for child care resource and referral services (June 2001).

**Ergonomics:** Congress approved a resolution to rescind rules for ergonomics in the workplace (March 2001).

**Estate Tax Repeal:** Congress approved legislation to repeal the estate tax over a ten-year period (June 2001).

**Family Caregivers:** Congress appropriated \$141.5 million for the newly created National Family Caregivers Support program under the FY2002 Labor, Health and Human Services, and Education appropriations bill (December 2001).

**Global HIV/AIDS Prevention:** Congress appropriated \$300 million for a global HIV/AIDS multilateral trust fund. One-third of that amount was appropriated through the FY2001 emergency supplemental appropriations bill (July 2001); one-third through the FY2002 foreign operations appropriations bill; and one-third through the FY2002 Labor, Health and Human Services, and Education appropriations bill (December 2001).

Additionally, the FY2002 foreign operations bill appropriated \$475 million for global HIV/AIDS initiatives (December 2001).

**Higher Education Tax Deduction:** Congress approved legislation that will allow taxpayers to claim a deduction for higher education expenses in years 2002 through 2005. Individuals with incomes up to \$65,000 and couples with incomes up to \$130,000 may deduct up to \$3,000 per year in 2002 and 2003, and up to \$4,000 in 2004 and 2005. Individuals making up to \$85,000 and couples making up to \$160,000 could deduct up to \$2,000 for higher education expenses (June 2001).

**Homeless Assistance:** Congress approved legislation appropriating \$1.1 billion for homeless assistance grants through the FY2002 Veterans Affairs, Housing and Urban Development, and Related Agencies appropriations bill (November 2001).

**Housing Opportunities for People with AIDS Program (HOPWA):** Congress approved legislation appropriating \$277 million for the HOPWA program through the FY2002 Veterans Affairs, Housing and Urban Development, and Related Agencies appropriations bill (November 2001).

**Income Tax Reductions:** Congress enacted an across-the-board income tax reduction. A new bottom rate of 10 percent was created, replacing the 15 percent rate. By 2006, the current tax rates of 39.6, 36, 31, and 28 percent will be gradually reduced to 35, 33, 28, and 25 percent (June 2001).

**International Family Planning:** Congress approved \$446 million for international family planning programs in FY2002. After a protracted debate, Congress also increased funding for the United Nations Population Fund to \$34 million. Funding for these programs was allocated through the FY2002 foreign operations appropriations bill (December 2001).

**Marriage Penalty Relief:** Congress approved marriage penalty relief by gradually increasing the standard income tax deduction for married couples filing jointly, making it equal to twice the standard deduction for single filers. The law also phases-in an expansion of the 15 percent bracket for married filers (June 2001).

**Maternal and Child Health Block Grant:** Congress appropriated \$731 million for the block grant in the FY2002 Labor, Health and Human Services, and Education appropriations bill (December 2001).

**Mexico City Policy:** Congress approved legislation retaining the Mexico City policy, which prohibits nongovernmental organizations that use their own funds to perform abortions from receiving U.S. funds. The language was included in the FY2002 foreign operations appropriations bill (December 2001).

**Microbicides:** Congress approved legislation appropriating funding for microbicides research through the U.S. Agency for International Development. Report language urges the National Institutes of Health to fund microbicide research (December 2001).

**Needle Exchange Funding Restrictions:** Congress approved the FY2002 D.C. appropriations bill with a restriction on the use of federal and local funds to implement needle exchange programs (December 2001).

**Osteoporosis Research:** Congress approved legislation to appropriate \$2.8 million for osteoporosis research at the Department of Defense in FY2002 (December 2001).

**Ovarian Cancer Research:** Congress approved legislation

to appropriate \$10.2 million for ovarian cancer research at the Department of Defense in FY2002 (December 2001).

**Retirement Expansions:** Congress approved legislation that raises the annual contribution limit to Roth Individual Retirement Accounts from \$2,000 to \$5,000. Contribution limits would rise to \$3,000 in 2002, \$4,000 in 2005, and \$5,000 in 2008 (June 2001).

Congress approved legislation to increase the annual contribution limit to a 401(k) plan from \$10,500 to \$15,000 over five years. Additionally, individuals 50 and older are allowed to make “catch up” contributions to their IRAs and pension plans. From 2002 through 2005, individuals in this group may make an additional annual contribution of \$500 to an IRA, and in 2006, these individuals may contribute an additional \$1,000 to an IRA (June 2001).

**Shaken Baby Awareness:** Congress approved a resolution expressing the support of Congress for the establishment of a National Shaken Baby Syndrome Awareness Week (April 2001).

**Student Loan Interest Deduction:** Congress approved legislation that increases the income phase-out for deductions on student loans to between \$50,000 and \$65,000 for single filers and to between \$100,000 and \$130,000 for married couples filing jointly. Under current law, individuals are allowed to deduct up to \$2,500 for interest paid on qualifying student loans for the first 60 months of payments. The law extends the deduction for the life of the loan (June 2001).

**Trafficking in Women and Children:** Congress approved legislation appropriating funding for several trafficking prevention programs under the FY2002 foreign operations appropriations bill and the FY2002 Commerce, Justice, State, and Related Agencies appropriations bill (December 2001).

**Veterans' Life Insurance:** Congress approved legislation to extend coverage under the Servicemembers' Group Life Insurance program to spouses and children of servicemembers (June 2001).

### Bills in Conference

**Bankruptcy:** Both the House and Senate approved legislation to reform the nation's bankruptcy laws (March 2001). However, disagreement over several issues, including a Senate-passed provision that would prohibit individuals found guilty of threats, violence, harassment, or property damage targeting anyone who provides legal services from discharging fines associated with such a conviction, delayed a final agreement.

**Patients' Bill of Rights:** Both the House and Senate approved legislation to provide individuals in managed care plans with additional protections, while allowing those individuals to sue their health plans for denial of coverage (June/August 2001).

## Outstanding Issues

**Born Alive Infant Protection:** The House Judiciary Committee approved legislation that would change the definition of an individual under the U.S. criminal code (July 2001). The Senate approved an identical bill during its consideration of patient protection legislation, which is currently in conference (August 2001).

**Child Sex Offenders:** The House Judiciary Subcommittee on Crime approved a bill that would require life sentences without parole for repeat child sex offenders (August 2001). The Senate did not consider a similar bill.

The same subcommittee approved another bill that would expand the use of wiretaps by law enforcement agents investigating the sexual exploitation of children (June 2001). The Senate did not consider a similar bill.

**Economic Stimulus:** The House approved legislation designed to boost the weakened economy (October 2001). While a similar bill was approved by the Senate Finance Committee (November 2001), Senators were unable to overcome procedural hurdles during floor consideration and the measure was set aside.

While the House passed a revised package prior to adjournment, the House and Senate were unable to reach an agreement with the administration as to the scope of the legislation (December 2001).

**Emergency Contraception:** During House consideration of the FY2002 Labor, Health and Human Services, and Education appropriations bill, an attempt was made to offer an amendment restricting the provision of emergency contraception in school-based health clinics. While the amendment was withdrawn, an agreement was reached to consider the legislation at a later date.

**Faith-Based Initiatives:** The House approved legislation that would allow religious organizations to compete equally with other organizations for federal funds to provide social services (July 2001). The Senate did not consider a similar bill.

**Foster Care Families:** The House approved legislation that would allow foster families to exclude from their taxable income payments made by any agencies that are licensed or certified by states, including for-profit agencies. The legislation also would lift the current age restrictions on foster families whose payments are limited to children and youth under the age of 19 (May 2001). The Senate did not consider a similar bill.

**Global HIV/AIDS Prevention:** The House approved legislation that would authorize funding for global HIV/AIDS prevention, education, and treatment programs (December 2001). The Senate did not consider a similar bill.

**Grants for Child Safety Seats:** The House approved legislation to extend for two years the child passenger protection education grant program (June 2001). The Senate did not consider a similar bill.

**Hate Crimes Prevention:** The Senate Judiciary Committee approved legislation that would expand federal hate crimes (July 2001). The House did not consider similar legislation.

**Human Cloning:** The House approved legislation to prohibit human cloning (July 2001). During Senate consideration of the FY2002 Labor, Health and Human Services, and Education appropriations bill, an attempt was made to attach legislation that would ban human cloning. The amendment was not offered when an agreement was reached to consider cloning legislation in February or March 2002 (November 2001).

Another attempt was made to attach a six-month moratorium on human cloning to a railroad retirement bill, but the Senate defeated the amendment (November 2001).

**Juvenile Delinquency:** The House approved legislation that would reauthorize existing programs designed to prevent and reduce crimes committed by juvenile offenders (September 2001). The Senate did not consider a similar bill.

**Math and Science Education:** The House approved legislation designed to encourage colleges, universities, and the business community to partner with local school systems to improve math and science education, particularly for girls (August 2001). The Senate did not consider a similar bill.

**Mental Health Parity:** The Senate Health, Education, Labor, and Pensions Committee approved legislation that would expand mental health parity (August 2001). That legislation was then included in the Senate-passed version of the FY2002 Labor, Health and Human Services, and Education appropriations bill but was dropped during conference (December 2001).

**Mexico City Policy:** The Senate Foreign Relations Committee approved legislation that would overturn the Mexico City policy (August 2001). Similar legislation was not considered by the House.

**Multilateral Development Banks:** The House Financial Services Committee approved two pieces of legislation that would reauthorize the Export-Import Bank and reauthorize U.S. participation in multilateral development organizations (October 2001).

**Nursing Shortage:** The House approved legislation designed to reduce the nursing shortage (December 2001). The Senate

approved a more comprehensive bill prior to adjournment (December 2001).

**Social Security and Medicare Lock Box:** The House approved legislation designed to protect the Social Security and Medicare programs (February 2001). The Senate did not consider a similar bill.

**State Department Reauthorization:** The House approved legislation to reauthorize the State Department (May 2001). The legislation would continue the Mexico City policy, which denies U.S. funds to nongovernmental organizations that use their own money to perform abortions abroad or to lobby on abortion policy. The Senate did not consider a similar bill.

**Stem Cell Research:** An agreement was reached in the Senate to consider legislation pertaining to stem cell research in early 2002 (November 2001).

**TANF Supplemental Grants:** The Senate approved legislation that would reauthorize for one year a supplemental block

grant program for welfare recipients (December 2001). The House did not consider a similar bill.

**Unborn Victims of Violence:** The House approved legislation that would create a separate offense if an individual kills or injures an “unborn child” while committing a federal crime against a pregnant woman (April 2001). The Senate did not consider a similar bill.

**Violence Against Women Office:** The House approved legislation that would establish a permanent Violence Against Women Office within the Department of Justice (July 2001). The Senate Judiciary Committee approved similar legislation (October 2001).

**Women Veterans:** The House approved legislation that would authorize funding for the improvement and renovation of Veterans Affairs medical centers. The bill delineates a number of projects that the Secretary of Veterans Affairs should consider a priority, including improving privacy and accommodations for women veterans (March 2001). The Senate did not consider a similar bill.