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# An End To Federal Abortion Research?

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As soon as Congress returns from the Easter recess, pro-life forces on Capitol Hill will introduce an amendment to the Family Planning and Population Research Act of 1975 (S. 66 and H.R. 4925). This amendment will bring economic hardship to mad scientists all over America and save the lives of human babies who would otherwise perish in the course of "research."

Before we look at the actual wording of the Amendment, a little background might be helpful. In 1968, Lyndon Johnson appointed a Committee on Population and Family Planning, which he asked "to define (among other things) the Federal government's direct role in research and training in population matters." The committee responded by recommending that a newly established Center for Population Research should "accelerate the Federal government's research and training programs in both the biological and social sciences and that within two years the Center be expanded into a national institute." Without conscious irony, this "center," devoted to the nonbeing of children and hence to the nondevelopment of new humans, was set up the same year, 1968, within the National Institute of Child Health and Human Development. It soon became the main focus of Federal activity in the population area, dispensing funds appropriated under Section 301 of the Public Health Service (PHS) Act which grants broad authority for any kind of biomedical research including, in this case "contraceptive development, medical effects of contraceptives, human reproduction, and the social sciences including demography."

In the middle 1960s, the term "contraceptive development" still referred to a search for what were (on the whole) in fact, contraceptives. Scientists at National Institutes of Health, Upjohn, and in the universities still believed that a new pill or vaccination could be developed which would suppress ovulation and (slash) or prevent the penetration of sperm with 100 percent certainty and with zero side effects. In other words, they felt they already had a viable birth-control technology in the form of the famous "Pill," and the only problem was to get the bugs out of it.

This point of view was shattered by experience. The only way to achieve these objectives, it became clear, was to interfere with a woman's infuriatingly complex endocrinological system, with side effects which would be both inevitable and uncomfortable even for the small percentage of women who could take the Pill for a great length of time with comparative safety. Therefore a totally new attack became advisable, if the population crusade was to have a future. Rather than drugging a woman, the scientists would learn to "intercept" or "expel" what she had conceived. The primacy of the Pill yielded to the primacy of the IUD. The development of "contraceptive technology" became in real life the pursuit of abortion technology with the name unchanged to deceive the innocent.

Thus it was really abortion research which Congress was authorizing in Nixon's first Administration, when both Houses passed the Tydings Act, properly known as the Family Planning and Population Research Act of 1970 (P.L. 91-572). The effect of the Tydings measure was to

amend the Public Health Service (PHS) Act by adding to it a new Title X, which gave specific authority to the secretary of Health, Education, and Welfare to award project, formula, and research grants in the population field. The matter which concerns us here, the research grants, were authorized by Section 1004 of Title X, which spoke of "research in the biomedical, contraceptive development, behavioral, and program implementation fields related to family planning and population." Under this Section, \$30 million was authorized for 1971, \$50 million for 1972, and \$60 million for 1973, but in fact these enormous sums were never actually appropriated or spent. The real research expenditures of HEW under this Section 1004 ran about \$2.5 million per year from 1971 to 1974. This fact looks rather comforting until one discovers the reason for it: HEW was laying the real golden eggs for abortionists under its old authority in Section 301 of the PHS Act.

The reader must remember that those congressional committees which deal with authorization bills (such as the Tydings and its now pending extensions, S. 66 and H.R. 4925) and those congressional committees which deal with appropriations bills are different and often at odds. If HEW doesn't like the legislative intent expressed in an authorization bill, it can nullify that intent by conniving with the Appropriations Committee to make funds available under one title rather than another. This is exactly what happened with "contraceptive" research.

You see, in 1970, the new Title X was ambushed by anti-abortion forces who succeeded in attaching to it a new Section

(1008), saying that none of the funds appropriated under **this title** could be used in programs "where abortion is a method of family planning." This was (and is) sloppy language, but it did express a vague congressional intent that Title X money should not be funneled into anything that was obviously abortive rather than contraceptive. Now, how would this congressional intent affect research programs that were labeled "contraceptive development" but were actually developing (for example) prostaglandins for second trimester abortions, if such programs were funded under Section 1004? HEW didn't know and didn't want to find out. Better to keep "hot" projects under good old Section 301, which is not in Title X.

Thus, from fiscal year 1971 through fiscal 1975, HEW has spent more than \$40 million per year under Section 301 for population research (a grand total of over \$204 million). These were the real golden eggs, and the House and Senate Appropriations Committees helped HEW go on laying them, as we have seen, by appropriating paltry sums for Section 1004 and princely sums for Section 301.

Today, however, pro-life forces have a chance to stop this research gold mine due to a happy convergence of interests. You see, there is a certain number of fanatics in Congress. These people are seriously convinced that HEW is loafing on the population control job. They will not rest content until Casper Weinberger can honestly report that he had used Federal money to shove an IUD into every woman in America who wants one but is too cheap

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to pay for it herself. And, since the IUD has its own nasty side effects, the fanatics want Weinberger to give top priority to such research as will produce every baby-hater's dream device, the perfect birth-control agent (which if it can be found, will almost certainly be an abortifacient, for the reasons already indicated). Alas, HEW's present (complicated) funding arrangements make it very difficult for the fanatics to really find out whether Weinberger is doing his "duty." For exactly the same reason, of course, pro-life people cannot determine the extent of his iniquity. Congressional staffers have been forced to read through such a mountain of documents to find out what research HEW has funded through its myriad channels, that they have decided the department is not sufficiently "accountable" to the Congress. Therefore, bless their hearts, they have moved to get all the "contraceptive development and population control" grants together in one convenient place for ready reference. And that place will be Section 1004.

Right now Congress is considering S. 66 and H.R. 4925, which extend Title X authorizations. Both bills amend Section 1004 to read as follows:

**"Section 1004. (a.) The secretary may —**

**"(1) conduct, and**

**"(2) make grants to public or nonprofit private entities and enter into contracts with public or private entities and individuals for projects for, research in the bio-medical, contraceptive development, behavioral, and program implementation fields related to family planning and population.**

**"(b.) (1) To carry out subsection (a.) there are authorized to be appropriated \$60,000,000 for the fiscal year ending June 30th, 1975, and \$75,000,000 for the fiscal year ending June 30th, 1976.**

**"(2) No funds appropriated under any provision of this Act (other than this subsection) may be used to conduct or support the research described in subsection (a.)."**

In other words, HEW will be forbidden by law to finance abortifacient or contraceptive research under Section 301 of the PHS Act or under any other section besides 1004. The eggs will all be in one basket.

Hence our opportunity. Pro-life members of both Houses are presently being solicited to introduce just one more amendment to the now crucial Section 1004. After the word "population," insert the following:

**"Provided that no part of the funds authorized by this Act shall be used for the conduct of research, or making of grants, or contracts therefor, which research has as its purpose or principal effect the development or modification of techniques for performing abortions."**

It is vital to the pro-life cause that this amendment be introduced and passed. It, joined with the Dingell language and the proposed Bartlett Amendment to the Social Security Act (see *The Wanderer*, April 3rd, 1975, p. 4), will present a formidable barrier to continuing Federal involvement in any form of abortion financing.

At this writing, there is a good possibility that Sen. John Pastore (D., R.I.), or Sen. Jesse Helms (R., N.C.), will be persuaded to introduce the anti-research amendment. Readers in Rhode Island and North Carolina, especially, are urged to write and telephone the Senators' offices to support this step.

As soon as the language is introduced let all pro-life forces, including the National Right to Life Committee, the National Committee for a Human Life Amendment, and the United States Catholic Conference, unite in its support.