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UNDERSTANDING THE PLAGUE OF TITLE X

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During the 1960s, the United States government took some preliminary but cautious steps toward population control. Its first step was to include “population assistance” in the foreign aid budget and it later allowed funds from President Lyndon B. Johnson’s “War on Poverty” program to be used for so-called “family planning” initiatives.

The Family Planning and Population Research Act (FPPRA) was the response of Congress to the “population explosion” hysteria, which reached its peak about the time the legislation was passed in 1970. Planned Parenthood Federation of America (PPFA) had been trying for several years to convince Congress to pass such a program.

Title X (Roman numeral ten) of the Public Health Service Act was enacted by Congress with the passage of the FPPRA. Under the program, nearly five million people obtain birth control from nearly 4,800 Title X facilities nationwide each year.

Title X and Abortion

When Title X was passed, abortion was still illegal in most states. At the urging of Rep. John Dingell, D-Michigan, Congress inserted a provision (§1008) into the bill that banned the use of Title X funds for “any program in which abortion is a method of family planning.” However, Dr. Louis Hellman, the PPFA leader appointed by President Richard M. Nixon to run the program, interpreted this to mean that no Federal funds could be used to directly pay for abortions, but agencies funded by Title X could recommend and arrange for them.

Throughout the 1970s, the fallacious interpretation of the law went unchallenged. The Office of Population Affairs, which administers Title X, became a virtual adjunct to PPFA. Prominent leaders of the abortion-committing organization succeeded one another as administrator of Title X and after leaving government service they often returned to top positions at PPFA.

An accurate interpretation of the law that created Title X was issued by President Ronald Reagan. The regulations included four key provisions. Title X funds were to be limited to groups and programs that do not: 1) include abortion as a method of family planning; 2) engage in any activities that encourage, promote, or advocate abortion as a method of family planning; and 3) provide counseling and referral for abortion. The fourth provision required organizations doing any of the aforementioned prohibited activities to maintain physical and financial separation from the legitimately funded Title X programs. The regulations impacted Planned Parenthood more than any other group.

PPFA filed suit challenging the new regulations. But the United States Supreme Court (in *Rust v. Sullivan*) ruled them to be both constitutional and a reasonable interpretation of the law that created the program in the first place.

Fighting *Rust v. Sullivan*

In its effort to convince Congress that the Title X regulations should be reversed, PPFA placed several full-page newspaper ads in which the organization emphasized freedom of speech, medical ethics, fairness to women, and similar issues. One PPFA ad was headed, “A Pregnant Woman Needs Her Doctor’s Advice. Not the Government’s Opinion.” It pictured a gagged female medical worker:

The Supreme Court’s latest decision keeps safe abortion a secret from women whose futures depend on it. The Gag Rule stops doctors from giving a woman the medical facts, even if a pregnancy is dangerous to her health. Tell Congress to prevent these rules from destroying women’s lives. Call or write your representatives today.

The ad was part of the “Emergency Campaign to Overturn the Gag Rule” series and was placed in newspapers by the PPFA’s Action Fund.

Abortion foes emphasized the original intent of Title X as a pre-conceptive program, the difference between abortion and contraception, and the financial interest of PPFA in fighting the regulations. They pointed out that PPFA's multi-million dollar campaign was an investment with at least a \$37 million payoff—*per year*. The campaign over the regulations quickly became one of the most heated in American political history.

While it was expected that PPFA would make effective use of advertising, particularly given its budget, many were surprised to see a coalition of abortion foes place newspaper ads in support of the regulations. PPFA had threatened to spend nearly \$5 million in defense of its position, a sum supporters of the regulations could not hope to match, but "The Abortion Is Not Family Planning Coalition" placed several ads in influential newspapers. Christian radio stations were also urged to spread the Coalition's message.

Despite the unprecedented effort, expense and cooperation of pro-life organizations, Congress passed a bill which would have effectively nullified the Title X regulations. George Bush, who had continued the regulations when he became President, vetoed the legislation. Those who opposed the Title X regulations narrowly failed to override the veto. Consequently, the Department of Health and Human Services prepared to enforce the regulations.

PPFA officials were supposedly left with a choice: adhere to the rules, lose federal dollars, or find a way around the regulations (a loophole) while simultaneously working in Congress in another attempt to nullify the regulations. In the meantime, PPFA and its affiliates sought ways to circumvent the regulations. In any case, the Title X regulations did not last long, despite court victories. On his second day in office, President Bill Clinton issued an executive order reversing the proper interpretation of the law and required Title X grantees to recommend and arrange for abortions.

Paying the Bill

As with any Federal program, taxpayers pay the bills—whether or not the program is successful. Throughout the 1970s, the Title X budget increased steadily, from about \$60 million at the beginning of the decade to \$160 million by 1980.

Naturally, enrollment in birth control programs increased along with the budgets and the number of enrolled teenagers went from 518,000 in 1971 to 1,726,000 in 1980. The 1999 appropriations bill called for spending more than \$202 million on Title X. President Clinton had requested \$218 million.

Targeting Teenagers

About one-third of the clients at Title X-funded facilities are teenagers. Title X is the major source of birth control for unmarried teenagers. Every Title X grantee is required by Federal regulation to provide "services" to minors without regard to age or marital status and without informing the parents or guardians of those minors.

Congress may not have intended that parents be kept in the dark about the "care" being given to their minor children when it created Title X, but Hellman seized on one provision of the law requiring that "services" be provided "in a confidential manner." He issued regulations forbidding Title X grantees from informing parents, law enforcement officials or anyone else when a child receives birth control from a Title X agency.

Throughout the entire history of Western medicine, no health care provider could have a confidential relationship with a minor. The confidential relationship was always between the health care provider and the parent or guardian of the minor, but not under Hellman's misinterpretation.

Since regulations have the force of Federal law, they overrode all state statutes intended to protect parents and children. In 1998, Congress slightly modified this secrecy rule by allowing clinic personnel to report cases in which they suspect children are victims of rape to law enforcement.

Failed Efforts for Parental Rights

Shortly after President Reagan came into office, he instructed the Department of Health and Human Services to develop new regulations to protect the rights of parents in the Title X program. Unfortunately, those regulations provided for notification of parents only in certain cases and only *after* their children had been given birth control. PPFA challenged the new regulations before they went into effect and a court ruled that there was no "rational basis" for notifying parents after the delivery of "services."

In 1983, Rep. Bill Dannemeyer, R-California, proposed an amendment requiring parental consent *before* minors receive “services” at Title X-funded agencies. The amendment failed.

Following the defeats in court and Congress, parental rights forces waited until 1995 to try again. Rep. Ernest Istook, R-Oklahoma, offered an amendment similar to that proposed by Dannemeyer. It was also rejected by the House of Representatives. PPFA and its legions had actually succeeded in convincing members of Congress, most of whom are parents and all of whom “represent” parents, that it was in everyone’s best interest if those legally responsible for minors—not to mention those who know and love them the most— were left in the dark about these critical issues.

In 1997, media reports about an Illinois girl who was sexually abused by her junior high school physical education teacher with the help of Title X-funded birth control injections heightened interest in this subject. Istook, along with Reps. Don Manzullo, R-Illinois and James Barcia, D-Michigan, offered an amendment to require notification of parents before minors receive prescription birth control. The Istook-Barcia-Manzullo amendment was narrowly defeated, but passed the House when it was reintroduced the following year. The portion of the amendment concerning the reporting of rape and other crimes against children was retained and signed into law.

Demanding Title X

By far, the single largest revenue source for Planned Parenthood has been the American taxpayer. Efforts to cut funding for this advocacy group have been largely unsuccessful due to court decisions and a large, powerful lobby. Naturally, PPFA seeks federal funding of all abortions as it would guarantee the organization more money. PPFA would then get money to do abortions on women who could not otherwise afford them—creating what it would view as a never-ending customer base.

One of PPFA’s primary doctrines is that taxpayers should pay for birth control—making it free of charge for anyone who wants it. PPFA officials claim that if abortion is a constitutional right, government should pay for it. This logic extends to birth control as well, but it is fundamentally flawed.

The right to vote, for those over 18 years of age, is guaranteed by the Constitution, but voters cannot bill the government for transportation expenses to and from the polling place. After all, is it not discriminatory that the poor may not be able to pay for such transportation while the wealthy can afford it? Similarly, if there is a constitutional right to own a gun, is the federal government responsible for giving weapons to the poor? Should the poor be provided with printing presses so they can exercise their right to free speech?

Planned Parenthood is the primary beneficiary of Title X funds, receiving as much as \$50,000,000.00 per year. The more young people PPFA can get into its doors, the more taxpayer dollars it receives.

Since the start of the program, Title X funds and income from committing abortions have jockeyed for first place as the single largest revenue source for PPFA. Consequently, spending money to protect Title X has been an excellent investment and, as previously noted, PPFA has been willing to spend millions of dollars to protect the lucrative program.

Impact on Pregnancy and Abortion Rates

The number of teenagers pregnant outside of wedlock has increased just as steadily as funding of Title X. Using figures from the inception of the program to its peak funding in 1980, premarital pregnancy jumped from 332,000 to 708,000.

The response from Title X apologists was to blame cultural factors such as rock music, along with an alleged lack of sex education and birth control, for pushing teen pregnancy rates up. Those rates would have been even higher, PPFA argued, if it were not for the “good work” of Title X grantees.

PPFA’s theory was disproved in 1981 and 1982 when budget cuts led to a decrease in the number of teenagers enrolled in “family planning” programs (down to 1,300,000 in 1981 and then to 1,250,000 in 1982). Editorials, largely based on information supplied by PPFA, predicted an enormous increase in teen pregnancy. In reality, the number of unmarried teenagers who became pregnant in those two years fell by about two percent each year to 672,000 in 1982. These were the only years in recorded history when the number of premarital teen pregnancies declined.

Bowing to pressure from PPFA and the pharmaceutical industry, Congress increased Title

X funding in 1982 and the number of premarital teen pregnancies again started to increase. It was not until the mid-1990s, when abstinence education programs began to show a positive effect, that the pregnancy rate began to decrease.

“Family planning” programs that target teenagers increase the pregnancy rate among that age group because they lead to higher levels of sexual activity. Such programs represent official, government-approved “permission” to engage in premarital sex. Furthermore, the prevalence of birth control use among sexually active teenagers has no significant relationship to the overall pregnancy rate among unmarried teenagers. The only variable significantly related to the pregnancy rate is the percentage of teenagers who are sexually active.

More Birth Control Programs

Since 1980, the funding streams have become more complex as a number of other federal and state programs have provided “family planning.” Today, Title X represents only a small portion of the overall public spending on “family planning.” (In 1995, more than \$750 million was spent on domestic “family planning” programs alone.) PPFA still gets a large share of that money.

If Title X did not exist, there would be an insignificant change in the amount of public funding going to “family planning” programs. The difference would be that publicly funded agencies would not be required to provide birth control to unmarried minors in secrecy from parents and then willfully arrange for abortions when pregnancy eventually occurs.

Ideological and Program Failure

Title X not only provides millions of dollars in revenue to PPFA and its affiliates, it also forces all publicly funded “family planning” programs to adopt the same flawed ideology. This ideology includes the beliefs that minors have a “right” to government subsidized fornication, that it is the “responsibility” of “family planning” providers to arrange abortions for their customers who get pregnant, and that hiding information from parents is a “necessity” if the program is going to work.

Even though Title X has been funded, it has not been reauthorized as a federal program by Congress for more than a decade. The program continues to exist only because some members of Congress will

do virtually anything PPFA asks, no matter how damaging to the public.

Robert J. Conrad, Jr., a Charlotte, North Carolina, attorney and member of the 1987 Mecklenburg County (North Carolina) Adolescent Health Task Force, argued in a guest editorial that programs like those funded by Title X are part of the problem, not part of the solution. Conrad wrote that “statistical research showed that teenage family planning program participation was associated with higher rates of both pregnancy and abortion.” He argued that Planned Parenthood is simply a duplication of already available services that are “better and without the ideological baggage.”

Planned Parenthood cannot independently prove that Title X has been a successful program. It can only prove that the more money it has, the higher the number of teens and young adults who are being “served.”

If the armed forces of the United States had the failure rate of Title X, we would all be speaking Russian. Title X is a direct grant of immense power from the United States government to PPFA. Like the tobacco industry, Planned Parenthood has targeted America’s young people. Why? Profits.

When Will It End?

Title X has not merely been a failure; it has been a colossal disaster for the very group it claims to “serve.” Yet it continues to receive increased funding—a fact that thrills PPFA and its ilk.

As long as politicians place the “welfare” of PPFA ahead of that of America’s youth, we suffer the violation of the rights of parents, the exploitation of teenagers, and the destruction of human life through abortion.

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