

The 95-10 Initiative

It is often remarked that Americans are deeply divided over the issue of abortion; and indeed there is deep disagreement over whether abortion in general should be banned or remain legal. But Americans are not at all closely divided over whether abortion is undesirable: huge majorities regard it as morally wrong, and a tragic act, in all or many circumstances.¹ This widespread consensus offers opportunities for we the people, through Congress and our state legislatures, to take serious steps to reduce the number of abortions in America. Democrats for Life look and work toward the day when unborn children can be fully protected in law. But in the meantime – and without waiting on the possibility of the Supreme Court reversing its *Roe v. Wade* abortion-rights decision – we as a society can do much to reduce the tragic incidence of abortion in our nation.

Most women who have abortions do so with great reluctance, and many would decide otherwise if they had greater support in bearing or raising the child and if alternatives were available to them. By far the two most common reasons for having abortions are that the woman's life would be dramatically changed (for example, losing educational or career opportunities) and that she cannot afford another child. These factors are each mentioned by up to ¾ of women having abortions, and between them they constitute the most important reason women give in approximately half of abortions.² Economic and social factors put pressure on women to have abortions; often the decision to abort is a “choice” in name only. Democrats have long recognized, since at least the New Deal, that economic insecurity can easily leave people without real choice, and that a strong safety net of social support can increase true freedom, promote the common good, and protect the most vulnerable among us. A strengthened safety net can also work, in the case of abortion, to protect the unborn child – the most vulnerable among us – as well as the woman who faces great economic and other difficulties in bearing and raising the child.

The 95-10 proposal of Democrats for Life seeks over the next decade to eliminate 95 percent of all abortions performed in the United States through a three pronged strategy: supporting children and their mothers from conception forward, helping mothers make the most informed and best decision with a knowledge of available

¹ See, e.g., <http://people-press.org/reports/display.php3?ReportID=283> (73 percent in Pew Research Center poll, July 2006, with only 24 percent calling it not a moral issue); <http://www.lifenews.com/bio960.html> (51 percent in 2005 Gallup Poll called abortion morally wrong, while among the 40 percent supporting abortion the majority said it should be available only in a few circumstances).

² Lawrence B. Finer, Lori F. Frohwirth, Lindsay A. Dauphinee, Susheela Singh and Ann M. Moore, “Reasons U.S. Women Have Abortions: Quantitative and Qualitative Perspectives,” *Perspectives on Sexual and Reproductive Health*, vol. 37, issue 3 (Sept. 2005), <http://www.guttmacher.org/pubs/journals/3711005.html>. In this study, 75 percent of respondents mentioned life changes from motherhood as a reason for having an abortion, and 73 percent mentioned inability to afford a child. The most important factors were unreadiness to have a child (25 percent of respondents) and inability to afford the (23 percent).

alternatives to abortion, and preventing unwanted pregnancies in the first place. Much of the 95-10 Initiative is embodied in the Pregnant Women Support Act, a comprehensive measure soon to be introduced by Rep. Lincoln Davis (D-TN).

The importance of societal support in reducing abortions is suggested by abortion statistics around the world. Abortion rates have been relatively high in Latin America even though abortion was, at least until recently, illegal or severely restricted throughout the region. Conversely, abortion rates in Western Europe are the lowest in the world – and one third those of Latin America – even though the criminal laws are less restrictive (although they do exist).³ This does not mean that laws against abortion have no effect, or that protecting the unborn through law should not be a goal. But it does show if we truly want to defend vulnerable unborn life – and if we also want to support women in difficult and vulnerable circumstances – then social supports are necessary.

Americans are a generous people, and we have been willing to commit resources to pursuing noble goals at home and abroad. No effort could be nobler than protecting vulnerable unborn children by supporting their mothers who so often are driven to abortion by their economic or social circumstances. The 95-10 Initiative provides a strategy for this effort, through a wide-ranging set of proposals backed by proven research into why women have abortions and what will reduce the perceived need to abort.

A. The 95-10 Initiative supports children AND their mothers from conception forward.

1. Helping pregnant women stay in college. The 95-10 Initiative will reduce the number of abortions by helping pregnant women and mothers pursue an education while raising a child. The bill provides a pilot program to give grants to states to establish pregnancy and parent counseling programs on any public university or college. The grants also would establish child day care for mothers who need to attend class.

Why this matters: About one of every five abortions are performed on college students.⁴ In a 2004 study,⁵ 34 percent of women who had abortions gave as a reason for abortion that they “can’t afford a baby now” because they were “students or planning to study, and 38 percent said “having a baby would dramatically change my life” because it “would interfere with education.”⁶ These numbers suggest that affordability is a

³ *Sharing Responsibility: Women, Society, and Abortion Worldwide* 25-27 (1999), <http://www.guttmacher.org/pubs/sharing.pdf>. As the text indicates, we use the Guttmacher Institute’s figures on abortion rates, which are widely accepted, without endorsing its claim that laws against abortion have no effect on abortion rates.

⁴ Kate O’Beirne, “America’s earliest feminists opposed abortion,” *Chicago Sun-Times*, Jan. 8, 2006, at B3, available at 2006 WLNR 430757 (citing Serrin Foster, *Feminists for Life of America*).

⁵ Finer et al., *supra* note 2, at Table 2, <http://www.guttmacher.org/pubs/journals/3711005.html>.

significant part of the problem for students. Child care is a major obstacle to affordability.

2. Helping women provide food and health care for their children. The 95-10 Initiative will reduce the number of abortions by making pregnancy and raising a child more affordable. The bill will provide health insurance to all women through the State Children’s Health Insurance Program.

The bill also bans pregnancy as a “pre-existing condition” in the health insurance industry, thus providing private insurance to more pregnant mothers. Currently group health plans must cover pregnancy, but if a pregnant mother attempts to purchase individual health insurance – as she would need to do if she is unemployed or her employer does not provide insurance – the insurance policy does not have to cover pregnancy without a significant price increase.

Finally, the bill also provides more subsidized meals to pregnant women, breastfeeding women, infants, and children up to 5 years old. The bill includes a Sense of Congress for \$5.51 billion in funding for the Women, Infants, and Children food program, which is \$270 million more than both the FY2005 amount and House approved FY2006 amount of \$5.23 billion.

The 95-10 Initiative will reduce the number of abortions from unprepared parents by teaching them how to be better parents. The bill provides grants to states to have registered nurses visit new parents to let them ask questions on infant parenting in the privacy of their own home.

Why these matter: As already noted, three-quarters of women seeking an abortion do so because in part because they believe a child will adversely affect their life by limiting education and career opportunities and by making the child dependent on her for care. Between 2/3 and 3/4 of women seeking abortion do so because they believe they cannot afford having or caring for a baby. Today the cost of raising a child from birth to age 2 is between \$14,000 and \$20,000, depending on income level.⁷ In 1996, the average cost of childbirth was \$7,000. Pre-natal care costs between \$1,000 and \$4,000 more.

Unquestionably, living in poverty or modest circumstances significantly increases the incidence of abortion. The abortion rate among women living below the federal poverty level (\$9,570 for a single woman with no children) is more than four times that of women above 300% of the poverty level.⁸ In 2000, 60 percent of all women having abortions had incomes less than twice the poverty line.⁹ And these numbers are worsening; between 1994 and 2001 abortion rates rose 30 percent among women living below the poverty line, while declining 20 percent among women comfortably out of

⁷ See <http://www.usda.gov/cnpp/FENR/FENRV16N1/fenrv16n1p31.pdf> (2003 U.S. Department of Agriculture Statistics).

⁸ R.K. Jones, J.E. Darroch, and S.K. Henshaw, “Patterns in the socioeconomic characteristics of women obtaining abortions in 2000-2001,” *Perspectives on Sexual and Reproductive Health*, vol, 34, issue 5, at 226-235 (Sept./Oct. 2002), available at <http://www.guttmacher.org/pubs/journals/3422602.pdf>.

⁹ *Ibid.* at 231.

poverty.¹⁰

Finally, training for parenthood is important because 1/3 of women seeking abortions do so in part because they believe they are not ready for the responsibility.

3. Helping pregnant women in abusive relationships. The 95-10 Initiative will decrease the number of abortions by offering support to pregnant women who might not want to carry a baby while in an abusive relationship. For example, the bill will offer additional funding to the Office of Violence Against Women to provide counseling and shelter for women in crisis pregnancies.

Why this matters: Each year, one in 12 pregnant mothers – as many as 324,000 women – are abused by their partners.¹¹

B. The 95-10 Initiative will educate mothers so they are able to make the best decision.

1. Providing sonograms. The 95-10 Initiative will reduce the number of abortions by increasing access to sonograms through granting funds to non-profit community health centers for purchase of ultrasound equipment. The equipment will be used to provide free examinations, through licensed professionals, to pregnant women needing such services.

Why this matters: Seeing a sonogram helps mothers make the emotional attachment to their unborn child. This has become increasingly true for women “raised in today’s visually oriented society.”¹² An unpublished study at a Boston clinic showed that the abortion rate dropped from 60 percent to 25 percent among women undergoing a sonogram at the clinic. According to leading crisis pregnancy network, among women strongly considering abortion or at risk, from 75 percent to more than 80 percent choose to carry their pregnancy to term after viewing an ultrasound, whereas the same group of abortion-vulnerable women would choose life 64 percent of the time with traditional peer counseling and no ultrasound.¹³

2. Requiring informed consent. The 95-10 Initiative will reduce the number of abortions by requiring federally funded clinics to provide that mothers sign an informed consent agreement, ensuring that the mothers understand the potential physical and emotional risks of abortion.

¹⁰ See, e.g., Marc Kaufman, “Unwanted Pregnancies Rise for Poor Women,” *Washington Post*, May 5, 2006, at A3, <http://www.washingtonpost.com/wp-dyn/content/article/2006/05/04/AR2006050400820.html>.

¹¹ J.A. Gazmarian et al., “Violence and reproductive health: current knowledge and future research directions,” *Maternal and Child Health Journal*, vol. 4, issue 2, at 79-84 (2000).

¹² Melinda Delahoyde and Kristin Hansen, “Pregnancy Centers: A Practical Response to the Abortion Dilemma,” (*Howard Center*) *Religion and Society Report*, vol. 23, issue 3 (April/May 2006), <http://www.profam.org/pub/rs/rs.2303.htm#fn12>.

¹³ *Ibid.*

Why this matters: A 2004 study, using regression analysis to isolate causal effects, shows that the passage of a state law requiring informed consent reduces the number of abortions in the state by anywhere from 12 to 22 abortions yearly per 1,000 live births.¹⁴ Thus, if informed-consent requirements were in effect throughout the entire nation, they would prevent between 50,000 and 100,000 abortions a year.¹⁵ Although 27 states have informed-consent laws, there remain significant gaps in coverage that should be closed.

3. Providing information concerning genetic disability testing. The 95-10 Initiative will reduce abortions by requiring doctors to give all parents of unborn children diagnosed with a genetic disease information on the accuracy of the tests which lead to the diagnosis. The bill mandates that HHS provide information on federal support services available to treat and raise a child with genetic diseases. The bill requires HHS to compile information on services to help families with a diagnosed child.

Why this matters: 80 percent of babies diagnosed with Down’s syndrome and 95 percent of babies diagnosed with cystic fibrosis are aborted. The test used to diagnose these conditions before childbirth can be prone to error.

4. Providing toll-free information on pregnancy support. The 95-10 Initiative will reduce abortions by creating a federally funded toll-free number and public awareness program that will direct women to organizations that support pregnant women who want to carry their child until birth.

C. The 95-10 Initiative protects children, unborn and newly born, by encouraging alternatives to ending life.

1. Encouraging adoption. The 95-10 Initiative will reduce abortions by encouraging adoption as a better decision. The bill makes tax credits for adopting families permanent by repealing the sunset provision on existing credit. The bill also mandates that any federally funded maternity group home must offer adoption referral services and parenting counseling. Further, the bill mandates federally funded health centers that offer pregnancy counseling to provide adoption referral services.

Why this matters: “Before 1973, about one in five non-marital births to white women were placed for adoption. By the late 1970s, this proportion had shrunk to less than one in 10, and by the late 1980s, to one in 30.”¹⁶ As abortion numbers rose,

¹⁴ Michael J. New, “Analyzing the Effects of State Legislation on the Incidence of Abortion During the 1990s,” Center for Data Analysis Report #04-01, <http://www.heritage.org/Research/Family/CDA04-01.cfm>.

¹⁵ Based on the Center for Disease Control figure of 4,115,590 live births in the U.S. in 2004. See http://www.cdc.gov/nchs/data/nvsr/nvsr54/nvsr54_08.pdf.

¹⁶ National Council for Adoption, *Adoption Factbook III*, at 281 (1999), <http://www.adoptioncouncil.org/docs/AdoptionFactbook.pdf>.

adoption numbers fell – suggesting that any measure that makes infant adoption more attractive will reduce the number of abortions.

2. Supporting safe haven laws. The bill provides grants to states to promote and implement safe haven laws, which allow a parent to leave a child at any designated state agency without fear of prosecution for child abandonment.

Why this matters: Safe haven laws, now in place in 47 states, were a response to a dramatic increase in the 1990s in the number of newborns being killed or left abandoned in unsafe places. The laws have made a difference: in New York state, for example, an average of 18 newborns a year were killed before the state’s law took effect, but by 2002, two years later, 10 newborns were safely surrendered and there were zero deadly or dangerous abandonments.¹⁷ In 2003, a study conservatively estimated that having safe-haven laws in all states could save at least 85 lives nationwide annually.¹⁸ Supporters of safe-haven laws concede that there is insufficient awareness of safe havens among women who may find themselves desperate and in need of this option. Further funding would help state publicize these options and make them even more effective than they have been.

D. The 95-10 Initiative works to prevent unwanted pregnancies.

Finally, we strongly believe that preventing pregnancy is also an important part of reducing the abortion rate in America. Statistics show that 49 percent of pregnancies in America are unintended, and in 47 percent of unintended pregnancies the child is aborted. There are several ways to address prevention, but there is no clear consensus at this time due to the debate about scientific, ethical, religious, or personal ramifications of prevention methods. There are several bills before Congress that address pregnancy prevention. While we have not endorsed a particular bill, we support finding the most effective way to reduce unplanned pregnancies. We cannot deny that abstinence is the only sure way to prevent pregnancy, but we also cannot turn our heads and pretend that our children are not engaging in risky behavior nor ignore the fact that contraception is not 100 percent effective.

Federal and state governments have made a strong commitment to support prevention efforts and spent \$1.26 billion on family planning in FY2001. In FY 2005, Congress allocated a record \$288.3 million in FY 2005 for family planning under title X which accounts for 15 percent of prevention efforts. Family Planning under Medicaid accounts for over half of federal spending for prevention. The 95-10 Initiative will bolster these efforts by providing grants to schools to administer age appropriate,

¹⁷ http://www.adoptioncouncil.org/Bill_Pierce_tributes.htm.

¹⁸ Testimony of Thomas Atwood, National Council for Adoption, Hearing on Mass. Bill S766, Joint Committee on Human Services and Elderly Affairs, June 18, 2003, http://www.adoptioncouncil.org/media_News_13.htm.

factually accurate, and scientifically proven pregnancy prevention education with a parent's consent.

We believe that the strong commitment to pregnancy prevention must be matched with support for pregnant women and their children. The 95-10 Initiative and the Pregnant Woman Support Act aim to do just that.



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