

EXTENSION OF FUNDING FOR ABSTINENCE EDUCATION

MAY 14, 2002.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. TAUZIN, from the Committee on Energy and Commerce,  
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 4585]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 4585) to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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## PURPOSE AND SUMMARY

The purpose of H.R. 4585 is to maintain the current funding level of \$50 million for each of the fiscal years 2003 through 2007 for abstinence-only education programs under title V of the Social Security Act.

## BACKGROUND AND NEED FOR LEGISLATION

The landmark 1996 welfare reform law, the Personal Responsibility and Work Opportunity Reconciliation Act, P.L. 104–193, provided a permanent appropriation of \$50 million for each of the fiscal years 1998 through 2002 to enable states to provide abstinence-only education. Such funding also allows states the option to fund mentoring, counseling, and adult supervision to promote abstinence from premarital sexual activity.

This funding is known as the title V abstinence education state block grant program. As part of the National Strategy to Prevent Teen Pregnancy developed by the Department of Health and Human Services, the program is administered by the Health Resources and Services Administration.

The title V abstinence education state block grant program is a formula grant program. State funding is allocated based on the proportion of low-income children in the state as compared to the national total. For example, in fiscal year 2001, federal abstinence education funding under this program ranged from \$69,855 in Vermont to \$4,922,091 in Texas. Funds must be requested by states when they solicit Maternal and Child Health block grant funds and must be used exclusively for the teaching of abstinence-only education.

States are not required to apply for this funding. However, those that do choose to participate are required to match every four federal dollars they receive with three non-federal dollars. In fiscal year 2001, every state except California (and five territories) sponsored an abstinence education program under title V. In an era of tight budgets, the fact that nearly every state has met the high matching requirement for title V funding suggests high state interest in using abstinence-only education as one way to address teen pregnancy. The funding allocation for those states that choose not to apply is returned to the federal treasury.

As part of their title V abstinence education programs, states have launched media campaigns to influence attitudes and behavior, developed abstinence education curricula, revamped sexual education classes, and implemented other activities focused on abstinence education. To ensure that the abstinence message is not diluted, the 1996 welfare reform law defined “abstinence education” as an educational or motivational program that (a) has as its exclusive purpose, teaching the social, psychological, and health gains of abstaining from sexual activity; (b) teaches abstinence from sexual activity outside of marriage as the expected standard for all school-age children; (c) teaches that abstinence is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and associated health problems; (d) teaches that a mutually faithful monogamous relationship within marriage is the expected standard of human sexual activity; (e) teaches that sexual activity outside of marriage is likely to have harmful psychological and physical ef-

fects; (f) teaches that bearing children out-of-wedlock is likely to have harmful consequences for the child, the child's parents, and society; (g) teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and, (h) teaches the importance of attaining self-sufficiency before engaging in sex.

In 1997, Congress funded a scientific evaluation of the abstinence education programs funded under title V. The final evaluation report is due in 2005. An interim report, which was to be delivered to Congress by January 1, 2002, was required in subsequent legislation. It was issued on April 23, 2002. As an early step in the overall evaluation, the interim report did not present programmatic findings but indicated that the foundation for a careful, comprehensive, and rigorous impact study has been put in place. A report on the success of programs in achieving their short-term goals is expected in winter 2003.

#### HEARINGS

The Subcommittee on Health held a hearing on "Welfare Reform: A Review of Abstinence Education and Transitional Medical Assistance" on Tuesday, April 23, 2002. The Subcommittee received testimony from Jacqueline Del Rosario, Executive Director, ReCapturing the Vision International; Joe S. McIlhaney Jr., M.D., The Medical Institute for Sexual Health; David W. Kaplan, M.D., Head of Adolescent Medicine and Professor of Pediatrics, University of Colorado School of Medicine; Cindy Mann, J.D., Senior Fellow, Kaiser Commission on Medicaid and the Uninsured; and William J. Scanlon, Ph.D., Director, Health Care Issues, U.S. General Accounting Office.

#### COMMITTEE CONSIDERATION

On Wednesday, April 24, 2002, the Full Committee met in open markup session and favorably ordered reported a Committee Print to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007, without amendment, by a roll call vote of 35 yeas and 17 nays, a quorum being present. The Committee also agreed to a unanimous consent request by Chairman Tauzin that the Committee Print would be introduced as a bill, H.R. 4585, and to allow for this report to be filed on that bill.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following are the recorded votes on the motion to report H.R. 4585 and on amendments offered to the measure, including the names of those Members voting for and against.

**COMMITTEE ON ENERGY AND COMMERCE -- 107TH CONGRESS**  
**ROLL CALL VOTE # 24**

**BILL:** H.R. 4585, to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007.

**AMENDMENT:** An amendment by Ms. Harman, No. 1 to amend the Abstinence Education Funding under Maternal and Child Health Program to enable the State to provide abstinence education programs that the State defines as an appropriate approach to abstinence education.

**DISPOSITION:** NOT AGREED TO, by a roll call vote of 22 yeas to 32 nays.

| REPRESENTATIVE | YEAS | NAYS | PRESENT | REPRESENTATIVE | YEAS | NAYS | PRESENT |
|----------------|------|------|---------|----------------|------|------|---------|
| Mr. Tauzin     |      | X    |         | Mr. Dingell    | X    |      |         |
| Mr. Bilirakis  |      | X    |         | Mr. Waxman     | X    |      |         |
| Mr. Barton     |      | X    |         | Mr. Markey     | X    |      |         |
| Mr. Upton      |      | X    |         | Mr. Hall       |      | X    |         |
| Mr. Stearns    |      | X    |         | Mr. Boucher    |      |      |         |
| Mr. Gillmor    |      | X    |         | Mr. Towns      | X    |      |         |
| Mr. Greenwood  | X    |      |         | Mr. Pallone    |      |      |         |
| Mr. Cox        |      | X    |         | Mr. Brown      | X    |      |         |
| Mr. Deal       |      | X    |         | Mr. Gordon     | X    |      |         |
| Mr. Burr       |      | X    |         | Mr. Deutsch    | X    |      |         |
| Mr. Whitfield  |      | X    |         | Mr. Rush       | X    |      |         |
| Mr. Ganske     |      | X    |         | Ms. Eshoo      | X    |      |         |
| Mr. Norwood    |      | X    |         | Mr. Stupak     |      | X    |         |
| Mrs. Cubin     |      | X    |         | Mr. Engel      | X    |      |         |
| Mr. Shimkus    |      | X    |         | Mr. Sawyer     | X    |      |         |
| Mrs. Wilson    |      | X    |         | Mr. Wynn       | X    |      |         |
| Mr. Shadegg    |      | X    |         | Mr. Green      | X    |      |         |
| Mr. Pickering  |      | X    |         | Ms. McCarthy   | X    |      |         |
| Mr. Fossella   |      |      |         | Mr. Strickland | X    |      |         |
| Mr. Blunt      |      | X    |         | Ms. DeGette    | X    |      |         |
| Mr. Davis      |      | X    |         | Mr. Barrett    | X    |      |         |
| Mr. Bryant     |      | X    |         | Mr. Luther     | X    |      |         |
| Mr. Ehrlich    |      | X    |         | Ms. Capps      | X    |      |         |
| Mr. Buyer      |      | X    |         | Mr. Doyle      | X    |      |         |
| Mr. Radanovich |      | X    |         | Mr. John       |      | X    |         |
| Mr. Bass       |      | X    |         | Ms. Harman     | X    |      |         |
| Mr. Pitts      |      | X    |         |                |      |      |         |
| Ms. Bono       |      | X    |         |                |      |      |         |
| Mr. Walden     |      | X    |         |                |      |      |         |
| Mr. Terry      |      | X    |         |                |      |      |         |
| Mr. Fletcher   |      | X    |         |                |      |      |         |

**COMMITTEE ON ENERGY AND COMMERCE -- 107TH CONGRESS**  
**ROLL CALL VOTE # 25**

**BILL:** H.R. 4585, to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007.

**AMENDMENT:** An amendment by Ms. Capps, No. 2, to amend the Abstinence Education Funding under Maternal and Child Health Program by inserting "a medically and scientifically accurate educational" in lieu of the phrase "an educational".

**DISPOSITION:** NOT AGREED TO, by a roll call vote of 19 yeas to 31 nays.

| REPRESENTATIVE | YEAS | NAYS | PRESENT | REPRESENTATIVE | YEAS | NAYS | PRESENT |
|----------------|------|------|---------|----------------|------|------|---------|
| Mr. Tauzin     |      | X    |         | Mr. Dingell    | X    |      |         |
| Mr. Bilirakis  |      | X    |         | Mr. Waxman     | X    |      |         |
| Mr. Barton     |      | X    |         | Mr. Markey     | X    |      |         |
| Mr. Upton      |      | X    |         | Mr. Hall       |      | X    |         |
| Mr. Stearns    |      | X    |         | Mr. Boucher    |      |      |         |
| Mr. Gillmor    |      |      |         | Mr. Towns      | X    |      |         |
| Mr. Greenwood  |      |      |         | Mr. Pallone    |      |      |         |
| Mr. Cox        |      | X    |         | Mr. Brown      | X    |      |         |
| Mr. Deal       |      | X    |         | Mr. Gordon     |      |      |         |
| Mr. Burr       |      | X    |         | Mr. Deutsch    | X    |      |         |
| Mr. Whitfield  |      | X    |         | Mr. Rush       | X    |      |         |
| Mr. Ganske     |      | X    |         | Ms. Eshoo      | X    |      |         |
| Mr. Norwood    |      | X    |         | Mr. Stupak     |      | X    |         |
| Mrs. Cubin     |      | X    |         | Mr. Engel      | X    |      |         |
| Mr. Shimkus    |      | X    |         | Mr. Sawyer     | X    |      |         |
| Mrs. Wilson    |      | X    |         | Mr. Wynn       | X    |      |         |
| Mr. Shadegg    |      | X    |         | Mr. Green      | X    |      |         |
| Mr. Pickering  |      | X    |         | Ms. McCarthy   | X    |      |         |
| Mr. Fossella   |      |      |         | Mr. Strickland | X    |      |         |
| Mr. Blunt      |      | X    |         | Ms. DeGette    | X    |      |         |
| Mr. Davis      |      |      |         | Mr. Barrett    | X    |      |         |
| Mr. Bryant     |      | X    |         | Mr. Luther     | X    |      |         |
| Mr. Ehrlich    |      | X    |         | Ms. Capps      | X    |      |         |
| Mr. Buyer      |      | X    |         | Mr. Doyle      |      | X    |         |
| Mr. Radanovich |      | X    |         | Mr. John       |      | X    |         |
| Mr. Bass       |      | X    |         | Ms. Harman     | X    |      |         |
| Mr. Pitts      |      | X    |         |                |      |      |         |
| Ms. Bono       |      | X    |         |                |      |      |         |
| Mr. Walden     |      | X    |         |                |      |      |         |
| Mr. Terry      |      | X    |         |                |      |      |         |
| Mr. Fletcher   |      | X    |         |                |      |      |         |

**COMMITTEE ON ENERGY AND COMMERCE -- 107TH CONGRESS**  
**ROLL CALL VOTE # 26**

**BILL:** H.R. 4585, to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007.

**AMENDMENT:** An amendment by Mr. Waxman, No. 3, to amend the Abstinence Education Funding under Maternal and Child Health Program by adding a subsection limiting the appropriated funds to programs that are based on a model that has been demonstrated to be effective in reducing unwanted pregnancy, or in reducing the transmission of a sexually transmitted disease or the human immunodeficiency virus. This section would not apply to programs approved and funded on or before April 19, 2002.

**DISPOSITION:** NOT AGREED TO, by a roll call vote of 20 yeas to 32 nays.

| REPRESENTATIVE | YEAS | NAYS | PRESENT | REPRESENTATIVE | YEAS | NAYS | PRESENT |
|----------------|------|------|---------|----------------|------|------|---------|
| Mr. Tauzin     |      | X    |         | Mr. Dingell    | X    |      |         |
| Mr. Bilirakis  |      | X    |         | Mr. Waxman     | X    |      |         |
| Mr. Barton     |      | X    |         | Mr. Markey     | X    |      |         |
| Mr. Upton      |      | X    |         | Mr. Hall       |      | X    |         |
| Mr. Stearns    |      | X    |         | Mr. Boucher    |      |      |         |
| Mr. Gillmor    |      | X    |         | Mr. Towns      | X    |      |         |
| Mr. Greenwood  | X    |      |         | Mr. Pallone    |      |      |         |
| Mr. Cox        |      | X    |         | Mr. Brown      | X    |      |         |
| Mr. Deal       |      | X    |         | Mr. Gordon     |      |      |         |
| Mr. Burr       |      | X    |         | Mr. Deutsch    | X    |      |         |
| Mr. Whitfield  |      | X    |         | Mr. Rush       | X    |      |         |
| Mr. Ganske     |      | X    |         | Ms. Eshoo      | X    |      |         |
| Mr. Norwood    |      | X    |         | Mr. Stupak     |      | X    |         |
| Mrs. Cubin     |      | X    |         | Mr. Engel      | X    |      |         |
| Mr. Shimkus    |      | X    |         | Mr. Sawyer     | X    |      |         |
| Mrs. Wilson    |      | X    |         | Mr. Wynn       | X    |      |         |
| Mr. Shadegg    |      | X    |         | Mr. Green      | X    |      |         |
| Mr. Pickering  |      | X    |         | Ms. McCarthy   | X    |      |         |
| Mr. Fossella   |      |      |         | Mr. Strickland | X    |      |         |
| Mr. Blunt      |      | X    |         | Ms. DeGette    | X    |      |         |
| Mr. Davis      |      |      |         | Mr. Barrett    | X    |      |         |
| Mr. Bryant     |      | X    |         | Mr. Luther     | X    |      |         |
| Mr. Ehrlich    |      | X    |         | Ms. Capps      | X    |      |         |
| Mr. Buyer      |      | X    |         | Mr. Doyle      |      | X    |         |
| Mr. Radanovich |      | X    |         | Mr. John       |      | X    |         |
| Mr. Bass       |      | X    |         | Ms. Harman     | X    |      |         |
| Mr. Pitts      |      | X    |         |                |      |      |         |
| Ms. Bono       |      | X    |         |                |      |      |         |
| Mr. Walden     |      | X    |         |                |      |      |         |
| Mr. Terry      |      | X    |         |                |      |      |         |
| Mr. Fletcher   |      | X    |         |                |      |      |         |

**COMMITTEE ON ENERGY AND COMMERCE -- 107TH CONGRESS  
ROLL CALL VOTE # 27**

**BILL:** H.R. 4585, to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007.

**MOTION:** Motion by Mr. Tauzin to order H.R. 4585 reported to the House, without amendment.

**DISPOSITION:** **AGREED TO**, by a roll call vote of 35 yeas to 17 nays.

| REPRESENTATIVE | YEAS | NAYS | PRESENT | REPRESENTATIVE | YEAS | NAYS | PRESENT |
|----------------|------|------|---------|----------------|------|------|---------|
| Mr. Tauzin     | X    |      |         | Mr. Dingell    |      | X    |         |
| Mr. Bilirakis  | X    |      |         | Mr. Waxman     |      | X    |         |
| Mr. Barton     | X    |      |         | Mr. Markey     |      | X    |         |
| Mr. Upton      | X    |      |         | Mr. Hall       | X    |      |         |
| Mr. Stearns    | X    |      |         | Mr. Boucher    |      |      |         |
| Mr. Gillmor    | X    |      |         | Mr. Towns      |      | X    |         |
| Mr. Greenwood  | X    |      |         | Mr. Pallone    |      |      |         |
| Mr. Cox        | X    |      |         | Mr. Brown      |      | X    |         |
| Mr. Deal       | X    |      |         | Mr. Gordon     |      |      |         |
| Mr. Burr       | X    |      |         | Mr. Deutsch    |      | X    |         |
| Mr. Whitfield  | X    |      |         | Mr. Rush       |      | X    |         |
| Mr. Ganske     | X    |      |         | Ms. Eshoo      |      | X    |         |
| Mr. Norwood    | X    |      |         | Mr. Stupak     | X    |      |         |
| Mrs. Cubin     | X    |      |         | Mr. Engel      | X    |      |         |
| Mr. Shimkus    | X    |      |         | Mr. Sawyer     |      | X    |         |
| Mrs. Wilson    | X    |      |         | Mr. Wynn       | X    |      |         |
| Mr. Shadegg    | X    |      |         | Mr. Green      |      | X    |         |
| Mr. Pickering  | X    |      |         | Ms. McCarthy   |      | X    |         |
| Mr. Fossella   |      |      |         | Mr. Strickland |      | X    |         |
| Mr. Blunt      | X    |      |         | Ms. DeGette    |      | X    |         |
| Mr. Davis      |      |      |         | Mr. Barrett    |      | X    |         |
| Mr. Bryant     | X    |      |         | Mr. Luther     |      | X    |         |
| Mr. Ehrlich    | X    |      |         | Ms. Capps      |      | X    |         |
| Mr. Buyer      | X    |      |         | Mr. Doyle      | X    |      |         |
| Mr. Radanovich | X    |      |         | Mr. John       | X    |      |         |
| Mr. Bass       | X    |      |         | Ms. Harman     |      | X    |         |
| Mr. Pitts      | X    |      |         |                |      |      |         |
| Ms. Bono       | X    |      |         |                |      |      |         |
| Mr. Walden     | X    |      |         |                |      |      |         |
| Mr. Terry      | X    |      |         |                |      |      |         |
| Mr. Fletcher   | X    |      |         |                |      |      |         |

# COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee held an oversight hearing and made findings that are reflected in this report.

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

The objective of H.R. 4585 is to extend level funding for five years for abstinence-only education programs funded under title V of the Social Security Act in an effort to allow these programs to continue to be a viable alternative to more comprehensive contraception-focused education programs.

## NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 4585, to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

## COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

## CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 2, 2002.*

Hon. W. J. "BILLY" TAUZIN,  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4585, a bill to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Alexis Ahlstrom.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.



*H.R. 4585—A bill to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007*

H.R. 4585 would authorize direct appropriations totaling \$250 million for the abstinence education program, which is administered by the Health Resources and Services Administration, through 2007. The program was established by the Welfare Reform Act of 1996, which appropriated mandatory funds of \$50 million each year from 1998 through 2002.

CBO estimates that implementing H.R. 4585 would cost \$185 million over the 2003–2007 period (with the remainder of the \$250 million to be spent after 2007). However, CBO assumes that mandatory appropriations for this program would have continued under current law (i.e., the program is assumed in our baseline) based on the provisions in the Balanced Budget and Emergency Deficit Control Act for projecting direct spending for expiring programs. Therefore, CBO estimates that implementing H.R. 4585 would have no effect on direct spending and thus would not be subject to pay-as-you-go procedures.

H.R. 4585 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. By extending the authorization of funding for abstinence education programs through 2007, grants currently available to states would continue.

The CBO staff contact for this estimate is Alexis Ahlstrom. This estimate was approved by Peter H. Fontaine, Deputy Assistance Director for Budget Analysis.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes.

#### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

## SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

*Section 1. Extension of abstinence education funding under Maternal and Child Health Program*

Under current law, funding for abstinence-only education programs under title V of the Social Security Act lapses on October 1, 2002.

This section extends level funding—\$50 million—for each of the fiscal years 2003 through 2007 to be used exclusively for the teaching of abstinence from premarital sexual activity.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**SECTION 510 OF THE SOCIAL SECURITY ACT**

## SEPARATE PROGRAM FOR ABSTINENCE EDUCATION

SEC. 510. (a) \* \* \*

\* \* \* \* \*

(d) For the purpose of allotments under subsection (a), there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$50,000,000 for each of the fiscal years 1998 through **[2002]** 2007. The appropriation under the preceding sentence for a fiscal year is made on October 1 of the fiscal year.

## MINORITY VIEWS

We submit these minority views because H.R. 4585 was reported by the Committee on Energy and Commerce without the adoption of three common sense amendments offered by our colleagues Representatives Harman, Capps, and Waxman. The purpose of these amendments was not to decrease or discontinue the allocation of federal funds in the sum of \$50 million per year for each of the fiscal years 2003 through 2007, under Title V of the Social Security Act. The purpose of these amendments was merely to provide states with the flexibility to offer programs that are best suited to the needs and desires of their citizens and to ensure that federal funds are spent on effective programs that provide medically accurate information.

Representative Harman's amendment would have provided states with the flexibility to choose the type of abstinence-based sex education programs appropriate for their citizens. Currently, no federal funding is provided for comprehensive sex education programs, while funding for abstinence-only education will exceed \$100 million this year alone. A recent study by the Kaiser Family Foundation found that 84 percent of parents support age appropriate comprehensive sex education programs over restrictive abstinence-only programs.<sup>1</sup> The Harman amendment would have allowed the scarce school-based teen pregnancy prevention resources provided by Title V to be used by each state in a manner consistent with the desires of its citizens.

Abstinence is an important message to send to all teens, but it should not be the only message sent. Many leading medical experts agree that teenagers need comprehensive sex education. A National Academy of Sciences' Institute of Medicine report, "No Time to Lose: Getting More from HIV Prevention," supported comprehensive sex education programs as an effective way to reduce high-risk sexual behaviors among adolescents. Other respected health organizations including the National Institutes of Health, the American Academy of Pediatrics, the American Medical Association, and the American Public Health Association, recommend school districts offer comprehensive sex education as a way to impart this important public health information to students, as well as reduce risky behavior. The Harman amendment would have allowed states to use federal funds under Title V for a choice of abstinence-based curricula.

Representative Capps' amendment would have required that federal funding only be dispensed to educational programs deemed "medically accurate" by leading medical, psychological, psychiatric, and public health organizations and agencies. Some abstinence-

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<sup>1</sup> Kaiser Family Foundation (KFF), Sex Education in America: A View From Inside the Nation's Classrooms, Chart Pack, Charts 12, 14 (2000).

only programs are actually harmful to teenagers because they provide incomplete, inaccurate, and misleading information with regard to contraceptives, pregnancy, and sexually transmitted diseases (STDs). Some curricula promote the idea that contraceptives fail so often as to be worthless, yet such claims are statistically unfounded according to the Centers for Disease Control and Prevention (CDC).

Some curricula sensationalize depictions of late-stage STDs, but do not inform teens to the first symptoms of treatable STDs. Anyone receiving medical services or public health education is entitled to receive medically accurate facts. Depriving teens of medically accurate information will not protect them; it will only make them more vulnerable to the very problems that sex education programs are supposed to address.

Finally, Representative Waxman's amendment would have required that federally funded programs be based on models that have demonstrated effectiveness in reducing unwanted pregnancies or in reducing the transmission of STDs or HIV/AIDS. To date, there are no studies that have proven conclusively that abstinence-only education programs actually fulfill their stated goals of reducing teen pregnancy and decreasing the incidences of HIV/AIDS and other STDs. A recent study found no credible evidence that abstinence-only education has any significant impact on participants' initiation of or frequency of sexual activity.<sup>2</sup> This amendment would have simply required that federal funding only be distributed to programs which have undergone a review process and which have demonstrated an ability to decrease teenage pregnancy and STD rates. Continuing to support programs, with no proven efficacy is fiscally and socially irresponsible.

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<sup>2</sup>Douglas Kirby, *The National Campaign to Prevent Teen Pregnancy, Emerging Answers: Research Findings on Programs to Reduce Teen Pregnancy* (2001), at 88, 95.

Unfortunately, all three of these amendments were defeated, essentially ensuring that states will not have the flexibility to accept federal dollars for a comprehensive sex education program of their choice, ensuring that there is no requirement for schools to teach medically accurate facts with regard to sex education, and ensuring that unproven, potentially detrimental programs will continue to receive large amounts of federal funding.

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