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APPRAISAL OF LIFE ISSUES - 1984

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1/19/84

THE ROSE DINNER
JANUARY 23, 1984
WASHINGTON, D.C.

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APPRAISAL OF LIFE ISSUES - 1984

WE CELEBRATE RELUCTANTLY ON THIS OCCASION A DAY, WHICH LIKE PEARL HARBOR, WILL LIVE IN INFAMY AS LONG AS THE HISTORY OF THIS COUNTRY IS RECORDED. IT IS APPROPRIATE TO THINK OF JANUARY 22 IN THE TERMS WHICH FRANKLIN D. ROOSEVELT SPOKE OF PEARL HARBOR, BECAUSE ALREADY THE NUMBER OF UNBORN DEPRIVED OF LIFE EXCEEDS BY TEN TIMES THE NUMBER OF MEN KILLED IN ALL THE WARS IN WHICH THIS COUNTRY HAS FOUGHT.

UNDERSTANDABLY MANY OF YOU ARE NOT ONLY APPALLED BY THOSE FIGURES BUT ARE DISMAYED AT THE LACK OF PROGRESS TOWARD A CONSTITUTIONAL AMENDMENT, OR A HUMAN LIFE BILL, OR BY THE FAILURE OF THE SUPREME COURT IN THE SPRING OF 1983 TO PULL BACK FROM ITS HARD NOSE POSITION ON ABORTION. WHAT AN OPPORTUNITY THEY HAD WITH THOSE SEVERAL CASES WHICH CAME BEFORE THEM AT THAT TIME. THEY SAID IN ROWE V. WADE: "WE DON'T KNOW WHEN LIFE BEGINS." IN DANFORTH, THEY SAID: "ON THE BASIS OF PRESENT SCIENTIFIC KNOWLEDGE WE DON'T KNOW WHEN LIFE BEGINS." BUT LAST SPRING THEY COULD HAVE SAID: "WE NOW KNOW WHEN LIFE BEGINS BECAUSE WE HAVE THE EVIDENCE OF THE SO CALLED TEST TUBE BABIES, - WHOSE CONCEPTION TOOK PLACE IN A PETRI DISH AND WHOSE FUTURE NECESSITIES REQUIRED ONLY IMPLANTATION AND NOURISHMENT IN THE MATERNAL WOMB TO BECOME A NEWBORN LIVING CHILD."

FOR THOSE OF YOU WHO WISH PROGRESS COULD BE MEASURED IN MORE GLOWING TERMS LET ME POINT TO SOME ACHIEVEMENTS WHICH HAVE COME

ABOUT THROUGH THE DILIGENT EFFORT OF PEOPLE LIKE YOU OUT THERE, OTHERS BY FORCES WE MAY OR MAY NOT HAVE INFLUENCED, AND OTHERS WHERE WE "JUST LUCKED OUT" AS THE SAYING GOES. I SAY LUCKED OUT WITH TONGUE IN CHEEK BECAUSE MY UNSHAKABLE FAITH IN THE SOVEREIGNTY OF GOD LEADS ME TO BELIEVE THAT OUR EFFORT, WHICH IS A RIGHTEOUS EFFORT, WILL BE ACCOMPLISHED ACCORDING TO GOD'S TIMETABLE AND NOT OURS.

- O THE NAME HYDE FOR THOSE OF US WHO KNOW THE MAN WHO BEARS THAT NAME CONJURES UP A STALWART OF THE PRO LIFE MOVEMENT BUT FOR EVERYONE IT BRINGS TO MIND THE HYDE AMENDMENT AND ALL OF ITS SEQUELE WHICH HAVE DONE SO MUCH TO BATTLE ON THE RIGHT SIDE OF THE ABORTION ISSUE.
- O WE HAVE A DISTINCTLY PRO LIFE PRESIDENT IN RONALD REAGAN.
- O WE HAVE ONE HOUSE OF CONGRESS WHICH IS PRO LIFE.
- O AT THE START OF THIS ADMINISTRATION WE HAD A PRO LIFE SECRETARY OF HEALTH AND HUMAN SERVICES IN THE FORM OF RICHARD D. SCHWEIKER WHO STOOD WITH YOU ON THIS ANNIVERSARY AGAINST ABORTION ON SEVERAL OCCASIONS AND WHO TOOK SOME COURAGEOUS STANDS ON SEX EDUCATION, PARENTAL NOTIFICATION, AND FAMILY LIFE.
- O WE HAD A NEAR MISS ON THE HUMAN LIFE BILL.

- O WE SAW THE APPOINTMENT OF A NEW SECRETARY OF HEALTH AND HUMAN SERVICES WHO LOST HER SEAT IN CONGRESS LARGELY BECAUSE SHE WAS OPPOSED TO ABORTION AND A SECRETARY THAT I CAN ASSURE YOU IS ADAMANTLY PRO LIFE IN EVERY NUANCE OF THAT TERM, - THE HONORABLE MARGARET M. HECKLER.

- O YOU HAVE SEEN THE FADING OF THE INFLUENCE OF THE JOSEPH FLETCHERS OF THIS WORLD WITH THEIR SITUATIONAL ETHICS AND DEGRADING OF HUMAN LIFE.

- O YOU HAVE WITNESSED THE HONEST INQUIRY OF SOME LIBERAL PRO ABORTIONISTS INTO THE DEFENSABILITY OF THEIR POSITION.

- O YOU HAVE SEEN INDIVIDUALS TURN FROM WHAT THEY CALLED PRO CHOICE TO THE PRO LIFE POSITION.

- O I DOUBT THAT MANY OF YOU HAVE SEEN MOVEMENT IN THE OPPOSITE DIRECTION.

- O A NEW SUPREME COURT JUSTICE HAS FORTHRIGHTLY DECLARED THAT ROWE V. WADE WAS ON A COLLISION COURSE WITH ITSELF.

AND THERE ARE SOME UP BEAT THINGS ON THE HORIZON AND IN THE NOT TOO DISTANT FUTURE:

- o THE RE-ELECTION OF A PRO LIFE PRESIDENT.
- o PRO LIFE GAINS IN THE HOUSE.
- o THE PROSPECT OF NEW APPOINTMENTS TO THE SUPREME COURT DURING THE NEXT TERM OF PRESIDENT REAGAN.

AND YET YOU ARE FORCED TO FACE THE FACT THAT THERE ARE STILL MORE THAN 1,500,000 ABORTIONS PERFORMED EVERY YEAR IN THIS COUNTRY. YOU BELIEVE THAT THE ETHICS OF THE MEDICAL PROFESSION HAVE SLIPPED ABYSMALLY. YOU ARE IN AN ANTAGONISTIC POSITION WITH MOST OF THE SOCIETIES AND ORGANIZATIONS REPRESENTING ORGANIZED HEALTH CARE IN THE UNITED STATES. YOU LOB YOUR SHELLS AT THEM; THEY RESPOND BY REFERRING TO YOU AS ANTI-ABORTION ACTIVISTS, AS INDIVIDUALS WITH NOTHING MORE THAN A ONE ISSUE POLITICAL MENTALITY, AND SOME EVEN CALL YOU AND ME THE LUNATIC FRINGE.

I WOULD LIKE YOU TO SUSPEND YOUR THINKING ON ABORTION FOR JUST A MOMENT AND LET ME REMIND YOU OF SOMETHING I HAVE BEEN TALKING ABOUT FOR MORE THAN TEN YEARS AND FOR WHICH SOME OF MY OPPONENTS, EVEN MEMBERS OF THE CONGRESS, HAVE ROUNDLY CRITICIZED ME FOR STATING. IN THE LIFE ISSUES WHICH FACE US I AM CONVINCED THAT THERE IS A DOMINO EFFECT. I DON'T THINK WE WOULD HAVE ENTERED THE FIELD OF INFANTICIDE AS EARLY IN HISTORY OR AS DEEPLY HAD IT NOT BEEN FOR THE DEVALUATION OF HUMAN LIFE CAUSED BY THE MULTITUDE OF ABORTIONS TO THE POINT WHERE THERE WERE THOSE WHO REFERRED TO A NEWBORN BABY AS A FETUS EX-UTERO THEREBY DEPRIVING

HIM OR HER OF PERSONHOOD AND MAKING THE WITHDRAWAL OR THE WITHHOLDING OF MEDICAL TREATMENT OR EVEN NOURISHMENT THAT MUCH EASIER TO ACCOMPLISH.

I WAS FOND OF SAYING THAT THE FIRST DOMINO, ABORTION, FELL WITH A LOUD BANG AND HAS DIVIDED OUR COUNTRY ON A SOCIAL ISSUE THAT HAS NOT BEEN SEEN SINCE THE DAYS OF SLAVERY. I USED TO REFER TO INFANTICIDE, NOW EMASCULATED OF ITS TRUE MEANING WHEN IT IS REFERRED TO AS "A DECISION NOT TO TREAT," - AS THE SILENT DOMINO BECAUSE IT WAS WHEN PRACTICED IN HOSPITALS A WELL KEPT SECRET. THE OBSCURITY OF INFANTICIDE WAS LOST WITH THE BIRTH AND THE DEATH OF A BABY IN BLOOMINGTON, INDIANA KNOWN ONLY AS BABY DOE. THE ISSUE IS NOW DEBATED BY PHYSICIANS AND LAY PERSONS ALIKE, AND THE CONTROVERSY SURROUNDING THE EFFORT TO PROTECT THE LIVES OF IMPAIRED NEWBORNS HAS BEEN RELATIVELY SHORT.

WHEN I MADE THE FILM, THE SLAUGHTER OF THE INNOCENTS, AS PART OF THE SERIES, WHATEVER HAPPENED TO THE HUMAN RACE, WITH FRANCIS SCHAEFFER IN 1978 I WAS ESSENTIALLY THE ONLY PHYSICIAN IN AMERICA WHO WAS SPEAKING OUT AGAINST THE PRACTICE OF INFANTICIDE. IF YOU HAD TOLD ME THEN THAT IN FIVE YEARS EVERYONE WOULD KNOW WHAT INFANTICIDE WAS, THAT THE DEBATE WOULD BE FAR AND WIDE, AND THAT THERE WOULD BE FEDERAL REGULATIONS IN PLACE TO PROTECT HANDICAPPED NEWBORNS I WOULD NEVER HAVE BELIEVED IT. NEVER FORGET THAT IT WAS THE COMPASSION OF ONE INDIVIDUAL FOR BABY DOE WHO HAD THE COURAGE TO TAKE A MORAL STAND AND DEMAND THAT THIS EPISODE NEVER BE REPEATED THAT HAS ENABLED US TO COME AS FAR AS WE HAVE. THAT MAN WAS YOUR PRESIDENT, RONALD REAGAN.

AS I HAVE REVIEWED SOME OF THE HISTORY OF ABORTION, LET ME DO THE SAME THING FOR INFANTICIDE.

- o IN 1973 I HAD BEEN PRACTICING PEDIATRIC SURGERY FOR 27 YEARS. I WAS THE EDITOR IN CHIEF OF THE JOURNAL OF PEDIATRIC SURGERY. I WAS A FOUNDING MEMBER OF THE SURGICAL SECTION OF THE AMERICAN ACADEMY OF PEDIATRICS. I HAD JUST FINISHED MY TERM OF OFFICE AS PRESIDENT OF THE AMERICAN PEDIATRIC SURGICAL ASSOCIATION. I MENTION ALL THESE THINGS MERELY TO INDICATE THAT I WAS IN A POSITION TO KNOW OF WHAT I SPOKE WHEN I TALKED ABOUT THE WITHHOLDING OF TREATMENT FROM HANDICAPPED NEWBORNS AND CALLING IT WHAT IT WAS, - INFANTICIDE.

- o I BEGAN TO SPEAK OUT AND TO QUERY WHY THERE WAS NO OUTCRY EXCEPT MY OWN IN THE PROFESSION.

- o IN A COMMENCEMENT SPEECH AT WHEATON COLLEGE, USING ROWE V. WADE AS MY TEXT, I PREDICTED AMONG OTHER THINGS THAT "THE NEWBORN INFANT WHO IS NOT PERFECT WILL BE THE NEXT TARGET," - AND SURE ENOUGH HE WAS.

- o IN 1974 THE LANDMARK PAPER IN THE NEW ENGLAND JOURNAL OF MEDICINE BY DUFFENCAMPBELL NOT ONLY ACKNOWLEDGED THAT THE AUTHORS HAD INDEED ENGINEERED THE DEATHS OF FOURTEEN PERCENT OF THOSE WHO DIED IN THE NEWBORN INTENSIVE CARE

UNITS BUT WERE PROUD OF IT AND ENCOURAGED OTHERS TO FOLLOW SUIT.

- o POLLS INDICATED THAT MORE THAN FIFTY PERCENT OF PEDIATRICIANS HERE AND THERE ABOUT THE COUNTRY WOULD NOT HAVE OFFERED LIFESAVING TREATMENT TO A BABY WITH DOWNS SYNDROME PARTICULARLY IF THE FAMILY DID NOT WISH IT.
- o A QUESTIONNAIRE ANSWERED BY MEMBERS OF THE SURGICAL SECTION OF THE AMERICAN ACADEMY OF PEDIATRICS AND PROFESSORS OF PEDIATRICS IN THE VARIOUS MEDICAL SCHOOLS ABOUT THE COUNTRY REVEALED SOME ASTONISHING CHANGES IN THE ETHICS OF THE CARE OF THE NEWBORN.
- o IN 1976 A SMALL PAPERBACK BOOK, THE RIGHT TO LIVE THE RIGHT TO DIE, ENUNCIATED MANY OF MY CONCERNS. THERE WAS STILL NO OUTCRY FROM THE PROFESSION, INDEED NOT MUCH RESPONSE AT ALL.
- o BY 1978 A NUMBER OF PEOPLE BELIEVED MY OFT STATED BELIEVE THAT THE PRO LIFE ISSUES WERE INDEED LIKE FALLING DOMINOES.
- o THAT SAME YEAR 1978 SAW THE RELEASE OF THE FIVE FILMS WHATEVER HAPPENED TO THE HUMAN RACE WITH FRANCIS SCHAEFFER.

BY LATE 1979 AND EARLY 1980 THE SAME ACCESS I HAD TO INFORMATION ALREADY REFERRED TO LED ME TO BELIEVE THAT ATTITUDES HAD INDEED BEGUN TO CHANGE. I HOPE THE FILMS AND THE BOOKS WERE IN PART RESPONSIBLE. THE FILMS WERE SEEN BY SEVERAL MILLION PEOPLE. WHATEVER HAPPENED TO THE HUMAN RACE EXCEEDED 250,000 IN SALES, AND THE RIGHT TO LIVE THE RIGHT TO DIE PASSED THE 100,000 MARK IN 1982.

- o IN 1982 FOLLOWING A SYMPOSIUM ON "INFANTICIDE AND THE HANDICAPPED CHILD" A BOOK OF THE SAME TITLE WAS PUBLISHED EDITED BY HORAN AND DELAHOYDE.

BY THIS TIME IT IS MY BELIEF THAT THE PRACTICE OF INFANTICIDE NOW BETTER KNOWN BY MANY IN THE PRO LIFE GROUPS HAD ACTUALLY PEAKED OUT IN FREQUENCY AND WAS BEGINNING TO DECLINE. THE HEALTH PROFESSIONS WERE AWARE ALTHOUGH MANY NOT INTIMATELY INVOLVED DENIED IT AND OTHERS JUST DIDN'T KNOW. THE GENERAL PUBLIC WAS ESSENTIALLY UNKNOWING. THEN THE BLOOMINGTON BABY WAS BORN AND THE SUPREME COURT OF THE STATE OF INDIANA CONFIRMED THE DECISION REACHED BY THE PARENTS AND A PEDIATRICIAN THAT THE CHILD SHOULD NOT BE FED. IT DIED PROBABLY AS THE RESULT OF STARVATION AND DEHYDRATION AS WELL AS ASPIRATION OF GASTRIC ACID THROUGH ITS CONGENITAL DEFECT A TRACHEO ESOPHAGEAL FISTULA. PRESIDENT REAGAN WAS INCENSED AND DIRECTED THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DEPARTMENT OF JUSTICE TO TAKE STEPS TO SEE THAT

THIS SORT OF OCCURRENCE WOULD NOT BE REPEATED. LETTERS WERE SENT BY THE OFFICE OF CIVIL RIGHTS TO EACH OF THE HOSPITALS IN THE COUNTRY CALLING THEIR ATTENTION TO THE FACT THAT DISCRIMINATION AGAINST A CHILD ON THE BASIS OF HIS HANDICAP WAS FORBIDDEN IN HOSPITALS SUPPORTED BY FEDERAL FUNDS AND THAT THE ULTIMATE PENALTY FOR VIOLATION OF SECTION 504 OF THE REHABILITATION ACT OF 1973 WAS WITHHOLDING FEDERAL FUNDS.

IT WAS EVIDENT THAT THERE WAS STILL THE PRACTICE OF WITHHOLDING SUSTENANCE AND TREATMENT FROM HANDIAPPED NEWBORNS AND DURING THE TRANSITION FROM SECRETARY SCHWEIKER TO SECRETARY HECKLER AN INTERIM FINAL RULE WAS PUBLISHED TO AMEND SECTION 504. THE GOVERNMENT WAS SUED BY THE AMERICAN ACADEMY OF PEDIATRICS, THE NATIONAL ASSOCIATION OF CHILDREN'S HOSPITALS, AND THE NATIONAL CHILDREN'S MEDICAL CENTER IN WASHINGTON. THE PLAINTIFFS WON IN COURT BEFORE JUDGE GEARHARD GESSELL ON THE PROCESS RATHER THAN THE SUBSTANCE OF THE REGULATION. ANOTHER SUIT INITIATED BY THE AMERICAN HOSPITAL ASSOCIATION BECAME MOOT WHEN THE AFOREMENTIONED DECISION WAS REACHED.

THE REGULATIONS WERE REWRITTEN, THIS TIME WITH A LENGTHY PREAMBLE AND WITH GUIDELINES AND SPECIFIC INCIDENCES OF WHAT THE GOVERNMENT WAS TRYING TO DO IN THE PROTECTION OF IMPAIRED NEWBORNS AND WHAT IT WAS NOT TRYING TO DO. THESE REGULATIONS WERE PUBLISHED IN THE FEDERAL REGISTER IN EARLY JULY WITH A 60-DAY COMMENT PERIOD ENDING AT ABOUT LABOR DAY OF 1983. HERÉ'S WHERE WE WERE AT THAT TIME:

- 0 WE HAD A RIGHTEOUS CAUSE.

- 0 WE HAD A LAW, - SECTION 504 OF THE REHABILITATION ACT TO SAY NOTHING ABOUT THE LAWS IN EVERY STATE OF THE UNION PROHIBITING THE KILLING OF ANYONE AT ANY AGE FOR ANY REASON.

- 0 THE GOVERNMENT WAS SEVERELY MISUNDERSTOOD.

- 0 THE ADMINISTRATION WAS CONSTANTLY CRITICIZED.

- 0 I, WHO HAD ESSENTIALLY NO ROLE IN THE INTERIM FINAL RULE OR THE NOTICE OF PROPOSED RULEMAKING IN JULY OF 1983, WAS VILIFIED EDITORIALY FROM COAST TO COAST.

- 0 ORGANIZED MEDICINE WAS VIGOROUSLY OPPOSED TO THE RULES. THIS INCLUDED OTHER HEALTH CARE SOCIETIES, ORGANIZATIONS, AND ASSOCIATIONS AS WELL.

- 0 THERE WERE MANY INCONGRUOUS CIRCUMSTANCES (AS THERE ARE WITH ABORTION). THE MOST BIZARRE OF THESE BEING THAT OUR GREATEST OPPOSITION CAME FROM THOSE WHO ADVERTISED THEMSELVES TO BE ADVOCATES FOR CHILDREN BUT OPPOSED THE GOVERNMENT THAT SOUGHT TO PROTECT THEM.

IT MAY BE INCORRECT TO DESCRIBE WHAT HAPPENED NEXT AS A MIRACLE, BUT I THINK I CAN BE FORGIVEN IF I USE THE ADJECTIVE MIRACULOUS. A DIALOGUE BEGAN BETWEEN THOSE PEOPLE WHO HAD SUED US AND THOSE WHO HAD SUPPORTED US. THOSE THAT HAD SUPPORTED US ORGANIZATIONALLY WERE THE ADVOCACY GROUPS REPRESENTING THE HANDICAPPED AS WELL AS SOME OF THE PRO LIFE ORGANIZATIONS. IT WAS THE HANDICAPPED ADVOCATES THAT ENTERED INTO THE DIALOGUE WITH THOSE WHO OPPOSED US.

- o WHILE THIS WAS GOING ON ALMOST 17,000 COMMENTS WERE COMING INTO HHS AND HAD TO BE SORTED AFTER READING INTO APPROPRIATE CATEGORIES AND AN EVENTUAL RESPONSE WRITTEN. ALL OF THIS APPEARS IN THE RULES NOW PUBLISHED IN THE FEDERAL REGISTER. YOU MIGHT BE INTERESTED TO KNOW THAT A MAJORITY OF THE FOLLOWING CATEGORIES WRITING IN AS INDIVIDUALS SUPPORTED THE REGULATIONS. A MAJORITY OF PHYSICIANS OTHER THAN PEDIATRICIANS AND NEONATOLOGISTS, A MAJORITY OF NURSES, AND AN OVERWHELMING MAJORITY OF THE PARENTS OF HANDICAPPED CHILDREN AND ALL OF THE ORGANIZED^s HANDICAPPED ADVOCACY GROUPS.
- o THE GOVERNMENT IN GENERAL AND I IN PARTICULAR, TALKED AND TALKED, TRIED TO UNDERSTAND, AND TRIED TO EXPLAIN.
- o A REGULATION WAS BORN THAT IS ESSENTIALLY NO DIFFERENT IN SUBSTANCE THAN THE FIRST BUT ONE IN WHICH INFLAMMATORY

LANGUAGE IS REMOVED, UNNECESSARILY HARSH AND IMPALPABLE RULES WERE SOFTENED OR ELIMINATED.

O ONE OF THE MOST REMARKABLE OCCURRENCES THAT STARTED BACK IN THE SUMMER WITH THE AFOREMENTIONED DIALOGUE BETWEEN OPPOSING FORCES CAME TO FRUITION ON THE 29TH OF NOVEMBER IN A PUBLISHED STATEMENT ON "PRINCIPLES FOR THE CARE OF HANDICAPPED NEWBORNS." THIS STATEMENT WAS SIGNED BY THE ACADEMY OF PEDIATRICS AND THE NATIONAL ASSOCIATION OF CHILDREN'S HOSPITALS, BY THE NATIONAL SOCIETY FOR UNIVERSITY AFFILIATED FACILITIES AND SIX ADVOCATE GROUPS FOR THE HANDICAPPED. I MUST TELL YOU THAT THESE PRINCIPLES ARE SO STRICT THAT I WOULD HAVE HESITATED TO WRITE THEM AND PROPOSE THEM FOR SIGNATURE BY GROUPS AS DIVERSE AS THOSE THAT DID SIGN.

O A GREAT EFFORT WAS EXPENDED TO CLARIFY OUR POSITION, TO SPELL OUT DETAIL, TO GIVE GUIDELINES AND EXAMPLES, AND TO OFFER SPECIFIC CASE HISTORIES TO CLARIFY WHAT WE WERE TRYING TO DO AND WHAT WE WERE NOT TRYING TO DO. MANY QUOTATIONS FROM THE LETTERS FROM THE PARENTS OF HANDICAPPED CHILDREN WERE INCLUDED.

THE BOTTOM LINE IS THAT WE HAVE A REGULATION:

- O THAT PROTECTS CHILDREN BASED UPON UNASSAILABLE PRINCIPLES IN THE MANAGEMENT OF IMPAIRED NEWBORNS.
- O THAT IS ACCEPTABLE TO THOSE WHO ARE ON THE FIRING LINE WITH NEWBORN DECISIONS DAY BY DAY.
- O THAT INVOLVES THE COMMUNITY AND ADVOCATES FOR THE DISABLED IN ANY DECISION MAKING PROCESS.
- O A REGULATION MADE IN THE CLIMATE WHERE - BECAUSE OF THE HISTORY ALREADY ACCOUNTED - THE PROTOCOL FOR THE ESTABLISHMENT OF INFANT CARE REVIEW COMMITTEES IN HOSPITALS WILL BE UNDERTAKEN BY GROUPS THAT DID NOT SPEAK TO EACH OTHER EIGHT MONTHS AGO.
- O A REGULATION THAT STILL PERMITS NOTIFICATION OF VIOLATION OF SECTION 504 TO STATE CHILD PROTECTION SERVICE AGENCIES AND TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES SO THAT THEY CAN STEP IN TO INVESTIGATE SITUATIONS WHERE VIOLATION OF THE LAW IS SUSPECTED.

COULD THE RULE BE TIGHTER? YES. WOULD THAT BE PREFERABLE? NO. WHEN YOU DEMAND 100 PERCENT YOU TAKE A GREAT RISK OF GETTING NOTHING. WHEN YOU ARE WILLING TO AIM FOR 95 PERCENT YOU VERY FREQUENTLY GET 97 PERCENT OR BETTER. THE ALTERNATIVE TO THESE REGULATIONS WOULD HAVE BEEN CONSTANT

LITIGATION WITH EVENTUAL REFERRAL TO THE SUPREME COURT AND THE RISK OF LOSING IN THAT DECISION.

IT GRIEVES ME TO HERE THE SHRILL VOICES OF SOME IN THE PRO LIFE MOVEMENT LASHING OUT ABRASIVELY AGAINST THE ADMINISTRATION AND AGAINST ME PERSONALLY BECAUSE OF THE RULES ANNOUNCED IN REFERENCE TO SECTION 504 ON JANUARY 9. IT ESPECIALLY GRIEVES ME WHEN THESE VOICES BELONG TO THOSE WHO DIDN'T KNOW WHAT INFANTICIDE WAS UNTIL I TOLD THEM ABOUT IT AND DIDN'T UNDERSTAND ITS GRAVITY FOR YEARS. I SINCERELY TRUST THAT WHEN THESE TEMPER TANTRUMS ARE OVER THE PRO LIFE MOVEMENT WILL ONCE AGAIN RECOGNIZE ITS FRIENDS IN GOVERNMENT AND GET ON WITH THE JOB OF SAVING LIVES.

YOU WILL RECALL THAT I ASKED YOU A FEW MINUTES AGO TO SUSPEND YOUR THINKING ABOUT ABORTION WHILE I TALKED A LITTLE BIT ABOUT INFANTICIDE. I FINISHED THAT SUBJECT AND NOW WISH TO TELL YOU WHY I CONSIDER SPEAKING FOR THAT LENGTH OF TIME ABOUT INFANTICIDE IS IMPORTANT TO YOU. FIRST OF ALL THESE LIFE ISSUES HANG TOGETHER AND I HAVE BEEN TALKING ABOUT A DISINFRANCHISED GROUP OF NEWBORNS WHO WITH THE SEMANTIC APPALATION OF FETUS EX-UTERO ARE SUBJECT TO THE SAME LOSS OF PERSONHOOD AS AN UNBORN BABY IN THE WOMB AND THEREFORE NOT PROTECTED BY LAW. I AM ALSO SPEAKING SPECIFICALLY TO A GROUP OF PRO LIFE PEOPLE WHO ARE ON THE FIRING LINE DAY BY DAY, WHO ARE THE MOVERS AND THE SHAKERS AND FROM WHOM ANYTHING CREATIVE AND INNOVATIVE MUST COME.

I ALSO HAVE RECOUNTED THIS HISTORY BECAUSE I AM CONVINCED THAT EITHER THROUGH LEGISLATION THROUGH THE CONGRESS OR BY SUPREME COURT DECISIONS MADE AFTER NEW APPOINTMENTS TO THE BENCH ARE WE GOING TO HAVE A MUCH MORE PALATABLE SITUATION IN REFERENCE TO ABORTION THAN THE ONE WE NOW ENDURE. JUST BE CERTAIN THAT THE RIGHT MAN IS IN THE WHITE HOUSE WHEN THE TIME COMES TO FILL VACANCIES ON THE BENCH. IF THERE WAS EVER A JUSTIFICATION FOR YOUR MAXIMAL EFFORT TO GET THIS PRO LIFE PRESIDENT RE-ELECTED THERE IT IS. THE AMERICAN PUBLIC HEALTH ASSOCIATION HAS LONG SINCE BEEN SO INVOLVED IN THE POLITICAL SCENE THAT SOME OF US DOUBT THE VALIDITY OF THEIR CHARTER AS A HEALTH ORGANIZATION HAVE RECENTLY POLLED ALL OF THE DEMOCRATIC FOR PRESIDENT EXCEPT JESSE JACKSON. ALL ARE IN FAVOR OF ABORTION, MOST BELIEVE IN FEDERAL FUNDING FOR ABORTION AND ALL THINK THE SURGEON GENERAL SHOULD BE REPLACED FOR A VARIETY OF REASONS. IN AS MUCH AS THE MAIN OPPOSITION TO MY APPOINTMENT WAS MY ANTI ABORTION STAND AND IN AS MUCH AS THAT HASN'T CHANGED ONE BIT I SUSPECT THAT WHATEVER REASONS ARE GIVEN THE HIDDEN ONE IS STILL WHERE I STAND ON THIS VITAL ISSUE. IF WE ARE GOING TO HAVE THE ADVANCES I HAVE SUGGESTED BY ONE PATHWAY OR ANOTHER IN DAYS AHEAD I THINK IT BEHOOVES US TO BEGIN TO TALK TO AT LEAST SOME OF THOSE WHO ARE ON THE OTHER SIDE OF THE ISSUE. I THINK A DIALOGUE WOULD DO MUCH TO HASTEN THE DAY AND TO MAKE THE NECESSARY APPLICABLE LAW IF EACH SIDE KNEW THE OTHER AND SOME OF THEIR CONCERNS AND CHERISHED HOPES.

LET ME GIVE YOU ANOTHER EXAMPLE FROM ANOTHER PHASE OF MY LIFE IN GOVERNMENT. I AM CONVINCED THAT THE VIOLENCE EXHIBITED ON TELEVISION IS DETRIMENTAL TO THE HEALTH OF OUR SOCIETY AND ESPECIALLY DETRIMENTAL TO OUR YOUTH AND OUR CHILDREN. RESEARCH BY THE GOVERNMENT HAS BEEN GOING ON FOR TEN YEARS AND HAS BEEN REPORTED TO CONGRESS BY THREE SURGEONS GENERAL AND NOTHING HAS COME OF IT IN THE WAY OF LAW, RULE, OR REGULATION. THE GOVERNMENT STILL LOBS ITS SHELLS AT THE NETWORKS AND THE NETWORKS RESPOND IN KIND. LAST TUESDAY I BEGAN THE FIRST OF THREE SEPARATE DIALOGUES AIMED TO BREAK THIS STALEMATE. I SAT DOWN WITH EXECUTIVES FROM CBS AND INSTEAD OF HAVING AN ABRASIVE CONVERSATION ABOUT THE QUALITY OF EACH OTHERS RESEARCH WE DISCUSSED WAYS AND MEANS THAT WE COULD COOPERATE WITH EACH OTHER AND WITH THE ACADEMIC COMMUNITY TO INVESTIGATE WHY OUR SOCIETY IS SO ATTRACTED TO VIOLENCE AND WHY THAT ATTRACTION HAS PRODUCED THE BYSTANDER SYNDROME WHERE AN INDIVIDUAL SEEING ANOTHER ASSAULTED WILL NOT ONLY NOT COME TO HIS OR HER AID BUT MIGHT STAND BY AND CHEER ON THE ASSAILANT AS HAPPENED RECENTLY IN A RAPE IN NEW BEDFORD, MASSACHUSETTS.

EVEN WITH A FAVORABLE TURN THAT I PREDICT THE FIGHT WILL NEVER BE ABLE TO SHELVE OUR CONCERNS AND SAY THAT'S DONE. INSTEAD WE HAVE TO GUIDE WHAT IS TO COME INTO BEING TO THE BEST OF OUR ABILITY AND WE HAVE TO MONITOR THE SITUATION FOR COMPLIANCE THEREAFTER. THAT IS ANOTHER REASON WHY I SAY IT WILL BE THAT MUCH EASIER AND MORE PRODUCTIVE IF WE ARE TALKING TO PEOPLE OF THE CALIBER OF LETS SAY THE AMERICAN COLLEGE OF

OBSTETRICIANS AND GYNECOLOGISTS AND MOVE ON FROM THERE TO OTHER GROUPS THAT MIGHT BE ENCOURAGED BY THAT DIALOGUE.

I WOULD BE REMISS IF I LEFT WITHOUT SAYING THANK YOU TO MANY OF YOU INDIVIDUALLY AND TO THE GROUPS YOU REPRESENT FOR THE MANNER IN WHICH YOU HAVE CONDUCTED THE FIGHT UP UNTIL NOW. YOU HAVE PRICKED THE CONSCIENCE OF AMERICA AND I KNOW THAT YOU WON'T LET THAT WOUND HEAL READILY. ON A MORE PERSONAL NOTE, THIS IS THE FIRST TIME I HAVE HAD THE OPPORTUNITY TO THANK MANY OF YOU FOR YOUR TIMELY AND MUCH APPRECIATED SUPPORT DURING MY EARLY DARK DAYS IN WASHINGTON WHEN THE MEDIA AND THE WEALTHIER OF OUR OPPONENTS JOINED TOGETHER TO DISCREDIT ME AND TO ATTEMPT TO ROB ME OF MY POTENTIAL ON THE BASIS OF MY LONG PRO LIFE STAND. I HAVEN'T CHANGED MY POINT OF VIEW I STAND WHERE I ALWAYS STOOD AND I WOULD LIKE TO CLOSE REMINDING YOU OF THE DEDICATION THAT FRANCIS SCHAEFFER AND I WROTE ON THE FRONTICE PIECE OF WHATEVER HAPPENED TO THE HUMAN RACE: "TO THOSE WHO ARE ROBBED OF LIFE, THE UNBORN, THE WEAK, THE SICK, THE OLD, DURING THE DARK AGES OF MADNESS, SELFISHNESS, LUST AND GREED FOR WHICH THE LAST DECADES OF THE TWENTIETH CENTURY ARE REMEMBERED."