

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

12549 S. BROUGHAM DR.
OLATHE, KS 66062
(913) 782-5885

STATE CAPITOL, ROOM 165-W
TOPEKA, KS 66612
(785) 296-7692
lance.kinzer@house.ks.gov



TOPEKA

LANCE KINZER
REPRESENTATIVE, 14TH DISTRICT

COMMITTEE ASSIGNMENTS
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JUVENILE JUSTICE
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TESTIMONY REGARDING HB 2598

HB 2598 began as a bill designed to follow the lead of HR 3, the No Taxpayer Funding of Abortion act at the federal level. A bill that included all 4 members of the Kansas Congressional delegation as co-sponsors, and that has already passed the U.S. House. The bill has since those early stages evolved into a more comprehensive bill dealing with a variety of important issues where expansion, clarification or codification is necessary in our law.

Core elements of the bill include:

- 1) Tightens restrictions on state funding of abortion, including limitations on tax credits for performance of an abortion.
- 2) Prohibits discrimination by state agencies against individuals or entities that refuse to provide, pay for or refer for abortion.
- 3) Bans sex selection abortions.
- 4) Limits access of abortion providers to participation in public school sex education classes.
- 5) Bans civil actions for wrongful birth or wrongful life.
- 6) Establishes a cause of action for wrongful death of non-viable unborn child.
- 7) Updates certain definitions in late term post-viability abortion statute to comport with those enacted in fetal pain bill. (Def. of bodily function and medical emergency).
- 8) Codifies certain language in the current informed consent information produced by KDHE.
- 9) Updates heart monitor/sonogram viewing provisions to include use of Doppler fetal monitor to make heart beat audible for mother.
- 10) Expanded informed consent information on sign required in every clinic.

Thank you for your consideration of this matter. I would be please to speak to you in greater detail at any time regarding the content of this bill.

Lance Y Kinzer

State Representative
District 14

House Fed & State Affairs

Date 2-8-12

Attachment 2

Son-biased sex ratios in the 2000 United States Census

Douglas Almond^{*†} and Lena Edlund^{**}

^{*}Department of Economics, Columbia University, New York, NY 10025; and [†]National Bureau of Economic Research, 1050 Massachusetts Avenue, Cambridge, MA 02138

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We document male-biased sex ratios among U.S.-born children of Chinese, Korean, and Asian Indian parents in the 2000 U.S. Census. This male bias is particularly evident for third children: If there was no previous son, sons outnumbered daughters by 50%. By contrast, the sex ratios of eldest and younger children with an older brother were both within the range of the biologically normal, as were White offspring sex ratios (irrespective of the elder siblings' sex). We interpret the found deviation in favor of sons to be evidence of sex selection, most likely at the prenatal stage.

sex-selective abortion | son preference

The ratio of male to female births exceeds the biological norm of 1.05 (1) in a number of Asian countries, notably India (2, 3), China (4, 5), and South Korea (6, 7). Availability of prenatal sex determination and induced abortion have been identified as important factors (3, 8), to the point of the former being (ineffectively) banned in India and China. Sex selection is no less controversial outside Asian countries, but so far there has been little evidence of prenatal diagnostics being used to that end (an exception being ref. 9).

We document male-biased sex ratios among U.S.-born children to Chinese, Koreans, and Asian Indians in the U.S. The male bias is particularly evident for higher parities, echoing patterns in the corresponding Asian countries (4, 6, 10). At third parity, sons outnumbered daughters 1.51:1 if there was no previous son. As a comparison, for India, the corresponding figure was found to be 1.39:1 in a recent large-scale survey (2) and 2.25:1 for China in the 1990 Census (3).

Results

Using the 2000 U.S. Census, we find that the sex ratio of the oldest child to be normal, but that of subsequent children to be heavily male if there was no previous son. The sex ratio of the second child was 1.17 if the first child was a girl. At third parity, boys outnumbered girls by 1.51:1 if the two previous children were girls (Fig. 1 *Lower*).

By comparison, White offspring sex ratios varied only slightly with parity and sex composition of previous children, and the tendency was for repetition of the previous sex (Fig. 1 *Upper*).

Robustness. Similar results were obtained if we linked children to only mothers or only fathers. The found male bias at higher parity was true irrespective of the mother's citizenship status (a possible marker of cultural assimilation and expectations regarding future dependence on children for old age support). If anything, mothers with citizenship had more male-biased offspring sex ratios, but the difference was not statistically significant.

Discussion

We document son-biased sex ratios at higher parities in a contemporary Western society. We interpret the found deviation in favor of sons to be evidence of sex selection, most likely at the prenatal stage. Since 2005, sexing through a blood test as early as 5 weeks after conception has been marketed directly to

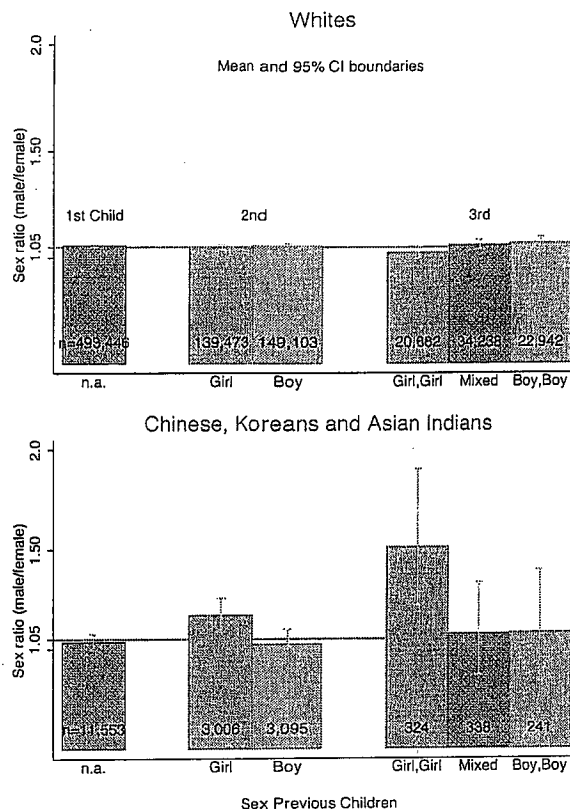


Fig. 1. Sex ratio by parity and sex of previous child(ren).

consumers in the U.S., raising the prospect of sex selection becoming more widely practiced in the near future.

Son-biased sex ratios were found despite the absence of many of the factors advanced to rationalize son bias in India, China, and Korea, such as China's one-child policy, high dowry payments (India), patrilocal marriage patterns (all three countries) (11), or reliance on children for old age support and physical security.

Although the magnitude of the deviations we find for second and third children is comparable to that documented for India, China, and South Korea, the marriage market consequences for the U.S. are likely limited. Low fertility in the U.S. means that births are concentrated at lower parities, where sex ratios are closer to the biological norm. In addition, because Indians,

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[†]To whom correspondence should be addressed. E-mail: le93@columbia.edu.

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2-2

Chinese, and Koreans make up <2% of the U.S. population, the effect on the breeding population sex ratio is small.

Finally, the male bias we find in the U.S. appears to be recent. In the 1990 U.S. Census, the tendency for males to follow females among Indians, Chinese, and Koreans is substantially muted.

Materials and Methods

We used the 2000 U.S. Census, 5% public use sample. We restricted the sample to families where both the mother's and the father's race was given as Chinese, Korean, or Indian, where either parent headed the household, and where all children were born in the United States (to ensure that the offspring sex composition was not the result of, for example, China's one-child policy). We excluded families with adopted or step-children. To reduce the probability that there was an eldest child not in the household, we also restricted our

sample to families where the oldest child was 12 years or younger. Focusing on parity one through three yielded an analysis sample of 18,557 children in 11,553 families.

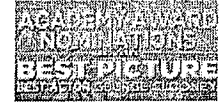
We investigated the sex ratio of children by parity (as calculated by the age of children reported in the household) and sex of previous children. In the absence of manipulation, we expected the sex ratio at each parity and sex composition of older siblings to be random, with a mean of 1.05 at birth. Lower parity children were older, but were born to younger mothers, two factors known to exert small and roughly offsetting effects on the sex ratio. As for sex of previous children, there may have been a small tendency toward repeating the same sex (1, 12).

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June 15, 2009

U.S. Births Hint at Bias for Boys in Some AsiansBy **SAM ROBERTS**

The trend is buried deep in United States census data: seemingly minute deviations in the proportion of boys and girls born to Americans of Chinese, Indian and Korean descent.

In those families, if the first child was a girl, it was more likely that a second child would be a boy, according to recent studies of census data. If the first two children were girls, it was even more likely that a third child would be male.

Demographers say the statistical deviation among Asian-American families is significant, and they believe it reflects not only a preference for male children, but a growing tendency for these families to embrace sex-selection techniques, like in vitro fertilization and sperm sorting, or abortion.

New immigrants typically transplant some of their customs and culture to the United States — from tastes in food and child-rearing practices to their emphasis on education and the elevated social and economic status of males. The appeal to immigrants by clinics specializing in sex selection caused some controversy a decade ago.

But a number of experts expressed surprise to see evidence that the preference for sons among Asian-Americans has been so significantly carried over to this country. "That this is going on in the United States — people were blown away by this," said Prof. Lena Edlund of Columbia University.

She and her colleague Prof. Douglas Almond studied 2000 census data and published their results last year in the Proceedings of the National Academy of Sciences.

In general, more boys than girls are born in the United States, by a ratio of 1.05 to 1. But among American families of Chinese, Korean and Indian descent, the likelihood of having a boy increased to 1.17 to 1 if the first child was a girl, according to the Columbia economists. If the first two children were girls, the ratio for a third child was 1.51 to 1 — or about 50 percent greater — in favor of boys.

Studies have not detected a similar preference for males among Japanese-Americans.

The findings published by Professors Almond and Edlund were bolstered this year by the work of a University of Texas economist, Prof. Jason Abrevaya. He found that on the basis of census and birth records through 2004, the incidence of boys among immigrant Chinese parents in New York was higher than the national average for Chinese families. Boys typically account for about 515 of every 1,000 births. But he found that among Chinese New Yorkers having a third child, the number of boys was about 558.

Joyce Moy, executive director of the Asian American/Asian Research Institute of the City University of New York, said that family values prevalent in China, including the tradition of elder parents depending on their

sons for support, have seeped into American culture even among younger immigrants, and even when some of the historic underlying reasons for the preference are less relevant here than in China, Korea and India.

"Inheritance in the old country is carried through the male line," she said. "Families depend on the male child for support."

Dr. Norbert Gleicher, medical director of the Center for Human Reproduction, a fertility and sex-selection clinic in New York and Chicago, said that from his experience, people were more inclined to want female children, except for Asians and Middle Easterners.

The preference for males among some immigrant Asians may fade with assimilation, experts said. And no one expects it to result in the lopsided male majorities like those in China, where, according to a study published this year in the British Medical Journal, the government's one-child policy has resulted in the world's highest sex disparity among newborns — about 120 boys for every 100 girls.

"The patients come in and they all think they owe me an excuse, but the bottom line is it's cultural," said Dr. Jeffrey Steinberg, medical director of the Fertility Institutes, a California clinic that began sex-selection procedures in New York in March.

The Fertility Institutes, which does not offer abortions, has unabashedly advertised its services in Indian- and Chinese-language newspapers in the United States.

"Culturally, there are a lot of strange things that go on in the world," Dr. Steinberg said. "Whether we agree with it, it's not harming anyone."

Efforts by clinics to appeal to Indian families in the United States provoked criticism and some community introspection in 2001. Some newspapers and magazines that ran advertisements promoting the clinics, which offered sex-selection procedures, expressed regret at the perpetuation of what critics regard as a misogynistic practice.

In this country, some Asian families are having more than the two children they had planned for if the first two are girls. "I do have girlfriends who have had multiple children in anticipation there will ultimately be a boy," Ms. Moy said.

Experts say that Asian-American families are using sex-selection techniques, also called family balancing.

In China, sex selection is usually achieved by aborting female fetuses, which doctors say also occurs in this country, although few parents were willing to be interviewed about it.

"It's a real touchy thing," Dr. Steinberg said. "It's illegal in Asia, and culturally, it's private."

One New York couple, Angie and Rick, Chinese immigrants who were brought here by their parents as young children and now own several food markets in the city, agreed to be interviewed only if their last name was not used.

The first time Angie became pregnant and learned that the baby was a girl, she and her husband were merely disappointed. They had planned on having a second child anyway. When she learned she was pregnant with a girl again, though, the couple considered an abortion.

Their doctor argued against terminating the second pregnancy, they said. The couple reluctantly agreed to try for a third child.

“Our theory was that to raise kids, it’s tough already, so we didn’t want too many,” Rick recalled.

They explored various forms of sex selection, which could cost \$15,000 or more, but they feared that because Angie was so fertile, the process would result in multiple births. She became pregnant a third time naturally. The couple were delighted to learn they were finally having a boy.

“If the third one was going to be a girl, then I would say probably I would have terminated,” Angie said.

A 1989 study of sex selection in New York City, conducted by Dr. Masood Khatamee, a clinical professor at N.Y.U. Langone Medical Center, found that all the foreign-born couples — mostly from Asia and the Middle East — preferred boys, predominantly for cultural and economic reasons. Often, the pressure comes from the husband’s parents.

“I have two daughters and am married to an only child,” said a Chinese-American professional woman who is married to an engineer. “Early on, after the two girls were born and another two years went by and there was not a third, I found myself in the living room with four or five older relatives in a discussion of ‘Wouldn’t it be lovely for you to have a boy?’ It’s extremely uncomfortable.”

Dr. Lisa Eng, a Hong Kong-born gynecologist who practices in Chinatown and Sunset Park, Brooklyn, said she tried to discourage couples who prefer boys from having abortions.

But, she said, “If it’s going to be a third, they’re pretty determined to have a boy. If it’s a boy, they keep it. If it’s a girl, they’ll abort.”

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