



Written Testimony of Jennifer Lahl before the Members of the Washington, D.C. Council

Parenting Agreement Act of 2013

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Members of the DC Council, thank you for allowing me to address you today on your Surrogacy Parenting Agreement Act of 2013.

My name is Jennifer Lahl. I am a nurse with over 20 years' experience in pediatric critical care nursing. I have contributed chapters in a nursing textbook on Maternal and Child Health and was three-time editor of *Facts and Comparisons*, a drug reference book for use by healthcare professionals.

In 2000, I received a Master's degree in bioethics and founded, a non-profit organization, the Center for Bioethics and Culture; I have served as its president since then. For 13 years I have written and spoken extensively on reproductive technologies, the exploitation of women by the profit-driven fertility industry and the risks to the health and well-being of women and children. I have testified to members of the European Parliament in Brussels on the exploitation of women for their eggs by the international fertility industry. I have briefed members of the U.S. Congress on Capitol Hill several times and I have been interviewed by numerous media outlets in print, radio and television. I am also an award winning documentary filmmaker, writing and directing "*Eggsploitation*" which addresses the risks to young women who sell their eggs. Currently I am in production to re-release "*Eggsploitation*" since so many more women have contacted me with their stories of harm after selling their eggs. I am in post-production of my latest documentary which addresses surrogacy. I have interviewed many surrogates, adults who were conceived through surrogacy arrangements, medical, legal and psychological experts.

I am here to urge you not to pass this bill. In fact, your current law, which prohibits and renders unenforceable such contracts, even imposing a civil penalty of up to \$10,000 or imprisonment for not more than 1 year, or both, is model legislation for the United States. This law is similar to Canada's *Assisted Human Reproduction Act* which not only prohibits the purchase of eggs and sperm, or the services of a surrogate mother, it makes it a criminal offense to do so that is punishable by up to \$500,000 or ten years in prison. The basis of Canadian law, and your current law, is the concern over the commodification of women and children and the commercialization of reproduction, which treats human reproduction as a product on the open market.

I am deeply concerned with how little focus is placed on the children created via assisted reproductive technologies and contract pregnancies and on the women needed to supply eggs and wombs. I was a pediatric nurse for over two decades. In that field, a priority is given to the maternal-child bond. The most natural environment for the child, his or her mother's womb, is of utmost importance to the physical and emotional development and well-being of a child. With each year, we learn more about the womb and about the life-long connection between the birth mother and child.

Renowned therapist Nancy Verrier, in her book, *The Primal Wound*, writes about how mothers are biologically, hormonally and emotionally programmed to bond with their babies at birth and in utero. It has been proven over and over again that the baby knows that mother at birth, and that both the mother and the baby will experience grief at any separation at the time of birth; this primal wound is forever present.

The whole new field of epigenetics proves that this nine-month time in the womb plays an important part in the child's later health, sense of identity, and connection. Annie Murphy Paul's new book, *Origins: How the Nine Months before Birth Shape the Rest of our Lives*, addresses maternal programming and the lasting impact the intrauterine environment has on the child. I strongly disagree with those who suggest that the woman's womb is just an oven. Or as the TV show *Modern Family* suggests, women are "Easy-Bake Ovens and the children are cupcakes." There are many things happening *in utero* which cannot be casually and disrespectfully dismissed.

Surrogacy, "traditional" or "gestational", intentionally sets up a negative environment. Instead of encouraging women to bond with their child *in utero* for the benefit of both mother and child, surrogacy demands that she *not* bond with this child. I have interviewed many women who were surrogates who very much regret their decision. Surrogacy is harmful to both the woman who carries the child and to the child she carries.

The health risks to the woman, who must take powerful synthetic hormones to prepare her body to accept an embryo, are real and serious. Women who decide to become surrogates are often motivated by the financial gains they are offered. Most contracts requires that the surrogate mother has already had children so that she can demonstrate her proven track record to carry a child to term, but no one has done any sociological studies on the pre-existing children who observe their mothers keeping some of the babies and giving others away. Living expenses can be an enticement for a woman of low-income with children in the home. Make no mistake; it won't be wealthy women lining up to make themselves available to gestate babies. But it *will* be wealthy individuals or couples seeking to buy such services. Surrogacy takes something as natural as a pregnant woman nurturing her unborn child and turns it into an unnatural contractual, commercialized endeavor. It opens the door for all sorts of exploitation. Your current bill is model legislation. Please, I urge you to keep the status quo which has served the District of Columbia so well for so long.

Jennifer Lahl
President, The Center for Bioethics and Culture