



“RACE AND SEX SELECTION” ABORTION BANS: MISLEADING AND HARMFUL

WHAT IS THE PRENATAL NONDISCRIMINATION ACT (PRENDA)? WHAT ARE “RACE AND SEX SELECTION” ABORTION BANS?

While some governments around the world and the international community grapple with the reality of entrenched preference for male children and lopsided sex ratios, antiabortion lawmakers in the United States are exploiting the issue in an attempt to place unwieldy restrictions on abortion access and further stigmatize abortion care, particularly for people of color and immigrants.

The Prenatal Nondiscrimination Act (PRENDA), first introduced in Congress in 2008,¹ purports to ban sex selection and race selection in abortion care, and criminalize providers deemed to be performing prohibited abortions, as well as medical and mental

“Immigrants and people of color already face numerous barriers to accessing healthcare of any kind, including reproductive healthcare and abortion, and this ban would make an already difficult situation far worse.”

— Jessica González-Rojas
Executive Director, National Latina Institute
for Reproductive Health

health professionals who do not report suspected violations of the law.² Additionally, PRENDA would make no exceptions for life- or health-threatening pregnancies, or to allow for medical, sex-linked reasons for an abortion.³

Rep. Trent Franks (R-AZ) originally introduced PRENDA as the Susan B. Anthony and Frederick Douglass Prenatal Nondiscrimination Act (PRENDA) in 2008, and reintroduced it in 2011, and 2013,⁴ as chairman of the Judiciary Committee’s Subcommittee on the Constitution. In the interim, similar bills

to outlaw sex selection abortion were introduced in at least 13 states and enacted in seven.⁵

HOW DO “RACE AND SEX-SELECTIVE” ABORTION BANS HURT LATIN@S*?

If enacted, these bans would discourage many people from going to abortion providers out of fear. Additionally, bans would encourage providers to profile patients based on race and immigration status, or discourage providers from providing abortion care altogether. Specifically, sex selection abortion bans that place restrictions on access to prenatal technologies in addition to banning abortion can create barriers to healthcare for those with critical medical needs; scare healthcare providers from providing safe, otherwise legal abortion services; and force those who want to terminate their pregnancies into sidestepping the regulated healthcare system and possibly seek unsafe methods. Because Latin@s have less access to reliable contraceptives,⁶ are more likely than their white counterparts to experience unintended pregnancies,⁷ and experience structural and institutional barriers in accessing

healthcare, all abortion restrictions disproportionately impact Latin@s’ ability to access care.

Calls to ban so-called “race and sex selection abortion” are rooted in and perpetuate harmful stereotypes about women of color and immigrant women. The right-wing advocacy group Latino Partnership for Conservative Principles launched a billboard campaign in 2011 in Los Angeles, California directed at abortion providers in



Source: <http://thinkprogress.org/politics/2011/06/10/241266/billboard-dangerous-place-womb/>

* NLIRH embraces gender justice and LGBTQ liberation as core values and recognizes that inappropriately gendered language marginalizes many in our community. As such, we use the gender-inclusive term “Latin@” to recognize multiple gender identities and gender nonconforming people.



Latin@ communities.⁸ Insisting that “Latinos are being targeted by organizations that promote abortion like Planned Parenthood,” Latino Partnership for Conservative Principles put up billboards stating, “El lugar mas peligroso para un Latino es el vientre de su madre,” translated to mean “The most dangerous place for a Latino is in the womb.”⁹ Advocacy groups, such as the National Latina Institute for Reproductive Health and California Latinas for Reproductive Justice,

denounced the billboards and campaign as intentional racial profiling and a tool to further associate immigrant women’s reproductive capacity as something immoral that requires regulation.¹⁰ Similar billboards were also placed targeting Black communities, and were ultimately taken down after women of color-led reproductive justice groups mobilized against them.

NLIRH POLICY RECOMMENDATIONS

NLIRH believes that all people, including immigrants and people of color, should be able access to the tools they need to make the best decisions about their reproductive health. Although is there is no simple fix for the generations of son preference that do exist in some countries, PRENDA only further harms immigrants. Instead, policies should invest in equitable solutions that work for every person, family, and community. As a result, NLIRH recommends the following in order to support strong families and communities:

- Congress should enact comprehensive sex education legislation that would ensure federal dollars going to comprehensive sex education programs are medically accurate and age-appropriate, evidence-based, and inclusive of LGBTQ relationships.
- Congress should remove all language in annual appropriations legislation that restricts coverage for, or the provision of, abortion care in public health insurance programs. This includes repeal of the Hyde Amendment, and all policies that restrict funding for abortion care and coverage.
- Congress should support and fully fund Title X family planning counseling and services, including the full range of FDA-approved contraceptive methods.
- State and federal policymakers should support proactive legislation, such as the Women’s Health Protection Act, which aims to ensure reproductive health by working to remove barriers to abortion access.
- State and federal policymakers should oppose and dismantle laws that stigmatize abortion services, criminalize providers, or make it harder for women to access safe and legal care, including abortion bans that criminalize the reasons a person might seek an abortion.

The National Latina Institute for Reproductive Health (NLIRH) is the only national reproductive justice organization dedicated to building Latina power to advance health, dignity, and justice for the 26 million Latinas, their families, and communities in the United States through leadership development, community mobilization, policy advocacy, and strategic communications.

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