

Hearing on H.R. 3541,  
The Susan B. Anthony and Frederick Douglass  
Prenatal Nondiscrimination Act (PRENDA) of 2011

**Written Testimony from the Reproductive Justice Community**

**December 6, 2011**

We write to you as organizations concerned with protecting the rights and ensuring the well-being of women of color. We are organizations dedicated to reproductive justice, women's empowerment, racial justice, and human rights, and we are outraged by the introduction of H.R. 3541, the "Prenatal Nondiscrimination Act." This bill is a deceptive attempt to limit abortion access for women of color, and it targets Black, Latina and Asian American and Pacific Islander communities. We write to go on record with our opposition to this legislation.

While this bill purports to support gender equity and civil rights, it does neither. Instead, it discriminates against women of color and calls into question our ability to make decisions about our own bodies.

We recognize that this bill is an attack on our right to self-determine whether and when to have children, and we refuse to allow race and gender to be wielded as a weapon to undermine abortion rights by decision makers who have never been friends to our community. For example, this year, Congress members Chabot (R-OH), Franks (R-AZ), Pence (R-Ind.), and Smith (R-TX) voted to defund family planning, ban abortion coverage in state health insurance exchanges, and allow providers to refuse abortion care even when a woman's life is in danger.

This bill places an unfair burden on women of color that other women do not have to face—increased scrutiny around our motives for seeking abortion care. This scrutiny promotes racial profiling by pushing doctors to assume Black, Latina, and Asian women are seeking abortions because of the race or sex of the fetus.

Moreover, making abortion harder to obtain will exacerbate the health disparities women of color already face. For example, Black women are already three to four times more likely to die from pregnancy related causes than white women<sup>1</sup>, and the unintended pregnancy rate is 67% compared to 40% for white women<sup>2</sup>. This bill would encourage unsafe practices that put women's lives at risk. Family planning programs allow women of color to access contraceptives, prevent unplanned pregnancies, and improve healthcare outcomes for themselves and their children. Yet, the proponents of this bill, who claim they are concerned about women of color, want to introduce another barrier to access and have repeatedly proposed legislation to cut funding for family planning and women's healthcare programs.

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<sup>1</sup> U.S. Department of Health and Human Services Office on Women's Health, "Pregnancy Related Death." Last modified 18 May 2010. <http://www.womenshealth.gov/minority-health/african-americans/pregnancy.cfm>

<sup>2</sup> Guttmacher Institute, "Facts on Induced Abortion in the United States." Last modified Aug. 2011. [http://www.guttmacher.org/pubs/fb\\_induced\\_abortion.html](http://www.guttmacher.org/pubs/fb_induced_abortion.html)

The truth is that we know what is best for us and our families, and our decisions are most often based on whether we can raise children with dignity and in a healthy way. We have seen state versions of this bill and are still being targeted by the insulting media campaign attached to it, which became famous for its billboards. Further evidencing that this is an effort to chip away at abortion rights, the groups that funded the billboards were anti-choice organizations, such as Georgia Right to Life<sup>3</sup> and Heroic Media<sup>4</sup>. We have fought these efforts in the past and will continue to do so at the federal level.

This anti-choice measure dressed as an anti-discrimination bill is not a way to promote racial and gender inequality. Instead, it further exacerbates inequities and diminishes the health, well-being, and dignity of women and girls by restricting their access to reproductive health care.

We represent the women and people of color this bill purports to protect, and we are announcing our unequivocal condemnation of it.

Sincerely,

ACCESS Women's Health Justice  
Act for Women and Girls  
Alliance for Human Biotechnology  
American Medical Student Association  
Asian Communities for Reproductive Justice (ACRJ)  
California Latinas for Reproductive Justice  
California Black Women's Health Project  
Center for Genetics and Society  
Center for Reproductive Rights (CRR)  
Civil Liberties and Public Policy  
Feminists for Changes (Eastern Kentucky University)  
Generations Ahead  
Jahajee Sisters  
Law Students for Reproductive Justice (LSRJ)  
National Asian Pacific American Women's Forum (NAPAWF)  
National Network of Abortion Funds  
National Latina Institute for Reproductive Health (NLIRH)  
Our Bodies, Ourselves (OBOS)  
Physicians for Reproductive Choice  
Religious Coalition for Reproductive Choice  
Reproductive Health Technologies Project (RHTP)  
SPARK Reproductive Justice NOW

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<sup>3</sup> Shaila Dewan. "To Court Blacks, Foes of Abortion Make Racial Case." *The New York Times*. 26 Feb. 2010. Retrieved December 2, 2011, from <http://www.nytimes.com/2010/02/27/us/27race.html?pagewanted=all>

<sup>4</sup> Titania Kumeh. "Mother Sues Anti-Choice Groups Behind Billboards." *Mother Jones*. 29 Apr. 2011. Retrieved December 2, 2011, from <http://motherjones.com/mixed-media/2011/04/mother-sues-anti-abortion-groups-billboards>

Trust Black Women  
Young Women United