

Sex Discrimination and Abortion

NFPRHA Opposes S. 48: “Prenatal Nondiscrimination Act”

The “Prenatal Nondiscrimination Act” (PRENDA), sponsored by Senator David Vitter (R-LA), attempts to prohibit abortion for the purpose of sex selection. Any additional bans on women’s access to comprehensive reproductive health care are disrespectful to women and restrict their ability to make decisions about health care according to their own circumstances and beliefs.

What Does the Bill Do?

PRENDA imposes criminal penalties on any provider who knowingly:

- Performs an abortion knowing that such abortion is sought based on the sex of the child;
- Uses force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection abortion;
- Solicits or accepts funds for the performance of a sex-selection abortion; or
- Transports a woman into the United States or across state lines for the purpose of obtaining a sex-selection or attempts to do so.¹

Health care provider risks up to five years in prison for any of the above offenses.

The bill also allows a woman who has terminated a pregnancy, her family, or the father of the fetus to seek civil action against a provider that violates any of the above stipulations.²

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- PRENDA attempts to encumber health care providers and dissuade them from offering abortion care, a legal and needed medical service. The bill would place an impossible

burden on providers to discern why a woman may be choosing abortion care.

- PRENDA shows a fundamental distrust for women and their choices, putting women in the position of having to defend their reproductive decision-making to their provider.
- PRENDA interferes with Americans’ private health care choices, and would have far-reaching consequences on providers while targeting abortion care that millions of women need.
- PRENDA is an effort to marginalize women of color, lending credence to the claim that Black, Asian/Pacific Islander, and Latina women seek to terminate a pregnancy because of the sex of their fetus.³ The bill will have a disproportionate negative impact on health care access for women of color and their families.
- PRENDA devalues women as competent and moral decision-makers and intrudes heavily into the doctor/patient relationship.

¹ Prenatal Nondiscrimination Act of 2015, S. 48, 114th Congress. (2015).

² Ibid.

³ “Miriam Yeung, Executive Director, Testifies for the Pro-Choice Movement at Congressional Hearing on HR 3541 (PRENDA),” accessed May 15, 2014, <http://napawf.org/2011/12/6046/>