

TAKE ACTION NOW.



NEW YORK STATE CATHOLIC CONFERENCE

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Oppose RHAPP.

Identify and contact your state officials today by going to www.nyscatholic.org. Click the “Take Action Now!” button and click the alert under “extreme abortion proposal.”

Call your State Senator today through the Senate switchboard at 518-455-2800.

Call your Assembly representative through the Assembly switchboard at 518-455-4100.
Call Governor David Paterson at 518-474-8390.

Write to them at the following addresses:

Honorable David A. Paterson
Governor
State Capitol Building
Albany, NY 12224

Honorable _____
New York State Senate
Legislative Office Building
Albany, NY 12247

Honorable _____
New York State Assembly
Legislative Office Building
Albany, NY 12248

For more resources on RHAPP, including a video presentation, flyers and more, go to www.nyscatholic.org and click “Resources,” then “Conference Publications,” then “Stop the Radical Abortion Bill-Advocacy Materials.” Materials are continually updated.

Oppose FOCA.

The bill is expected to be introduced soon in the U.S. Senate and House of Representatives in this 111th Congress. You may read the text of last year’s bill on-line by visiting the Library of Congress at <http://thomas.loc.gov> and searching under the 110th Congress by bill number using the number S.1173.

Contact your U.S. Congressional representative and two U.S. Senators at 202-224-3121.

Write to them at:

Honorable Charles Schumer
United States Senator
313 Hart Senate Building
Washington, DC 20510

Honorable Kirsten Gillibrand
United States Senator
531 Dirksen Senate Office Building
Washington, DC 20510

Honorable _____
United States House of Representatives

Washington, DC 20515

Sign the on-line petition against FOCA at www.fightfoca.com.

For more resources on FOCA, including camera-ready advertisements, bulletin inserts, Q and A, legal analysis and more, go to:

www.nchla.org, and
<http://www.usccb.org/prolife/issues/FOCA>

ABORTION EXTREMISM

“The Reproductive Health & Privacy Protection Act” and the “Freedom of Choice Act”

At both the state and federal levels, citizens now face unprecedented attacks on human life. Two radical legislative proposals promoting abortion-on-demand, both more extreme than the 1973 U.S. Supreme Court decision in *Roe v Wade*, are pending before lawmakers. To stop them, your voice is needed now more than ever.

The “Freedom of Choice Act” (FOCA) now pending in Congress is a far-reaching bill that would declare a “fundamental right” to abortion in our land. It would elevate that right to a level equal to such rights as free speech and the right to vote, and permit absolutely no interference with that right.

FOCA would deprive the American people in all 50 states of the freedom they now have to enact even modest regulations on the abortion industry. FOCA would coerce all Americans into subsidizing and promoting abortion with their tax dollars. It would counteract any and all sincere efforts by government and others of good will to reduce the number of abortions in our country.

Parental notification and informed consent precautions would be outlawed, as would be laws banning procedures such as partial-birth abortion and later-term abortion. Abortion clinics would be deregulated.

The Hyde Amendment restricting federal Medicaid funding of abortions would be abrogated. FOCA would have lethal consequences for prenatal human life.

FOCA would have an equally destructive effect on the freedom of conscience of doctors, nurses and health care workers whose personal convictions do not permit them to cooperate in the private killing of unborn children. It would threaten Catholic health care institutions, social service agencies and schools.

Similarly, New York State lawmakers have introduced a state-level version of FOCA called the “Reproductive Health & Privacy Protection Act” (RHAPP). If enacted, this extreme bill could force doctors to perform abortions, compel the state’s prenatal care program to fund abortion, and coerce Catholic institutions into facilitating the destruction of innocent human lives. The right to abortion in New York State could trump all other rights, eliminating even the right to hold pro-life beliefs.

The following pages will help you separate the myths from the facts about these radical measures, and tell you how you can help stop them from becoming law.

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Myths and Facts About the Reproductive Health & Privacy Protection (RHAPP) Act and the Freedom of Choice Act (FOCA)

Unsafe for the Unborn

MYTH: The legislation would simply “solidify the protections of *Roe v Wade* into our law.”

FACT: These extreme bills would go much further than current federal law. Both FOCA and RHAPP would declare abortion a “fundamental right.” In 1992, in the case of *Planned Parenthood v Casey*, the U.S. Supreme Court specifically rejected the view that a woman has a “fundamental” right to abortion. Instead, the Court said that states may regulate abortion, as long as those regulations do not place an “undue burden” on the right to an abortion. Both FOCA and RHAPP say that abortion is fundamental and thus untouchable – no regulations on abortion, ever.

MYTH: The bills “would continue to allow the government to impose regulations and restrictions on abortion.”

FACT: Both FOCA and RHAPP state that the government may not “deny or interfere” with the abortion decision at all. Yet, as noted above, current federal law prohibits only “undue” government intrusion, not any and all regulations. By outlawing any and all “interference” with the abortion decision, FOCA and RHAPP would prohibit a broad range of

abortion regulations, including parental notification, clinic regulations, waiting periods, bans on partial-birth abortion and later-term abortion.

FOCA would likely invalidate the current federal ban on partial-birth abortion, and force taxpayers to finance abortion.

Dangerous for Religious Liberty

MYTH: The bills “would not force religiously affiliated hospitals to provide abortion.”

FACT: Not only could FOCA and RHAPP compel all hospitals to provide abortion, they could also force all social service providers to counsel for abortion, all schools to refer for abortion and all insurance plans to cover abortion. Both FOCA and RHAPP declare that the government “shall not discriminate” against the fundamental right to abortion in the provision of benefits, facilities, services or information. If either bill is enacted, government regulatory agencies could deny operating certificates, funding, or other benefits to entities that choose not to promote abortion, on the grounds that they are “discriminating.”

The Late-Term Abortion Myth and RHAPP.

Some people suggest that the RHAPP bill would allow late-term abortions only in cases of extreme health risk to the mother. Not true. Here are the facts.

New York’s law currently bans abortions after 24 weeks of pregnancy (with an exception for cases in which the very life of the mother would be endangered by the pregnancy). Unfortunately, this law is currently unenforceable under U.S. Supreme Court decisions. As a result, abortion is legal in New York State through all 9 months of pregnancy for any reason. But if the High Court were to reverse these decisions, New York’s law would once again go into effect, and there would be some reasonable restrictions on late-term abortions.

The RHAPP bill would repeal this law and the minimum protection it provides to the unborn. It would give complete discretion to abortionists to perform the procedure at any time during pregnancy, and in so doing, encourage more late-term abortions. RHAPP would ensure that unfettered abortion is legal in New York State through the final months of pregnancy for the slightest reasons, including emotional “health,” economic “health” or social “health.”

MYTH: “Nobody will be required to perform an abortion” under the terms of the legislation.

FACT: Despite state and federal laws protecting the conscience rights of medical professionals who choose not to be involved in abortion for religious or moral reasons, these protections are under attack. Challenged both in court and in practice, conscience protections are pejoratively called “refusal clauses” by abortion advocates who believe that the right of a woman to a timely abortion must always prevail over a health care provider’s right of conscience.

In 2008, Governor David Paterson’s administration submitted comments to the federal government specifically opposing new regulations that would strengthen the conscience rights of hospitals and other medical providers to refuse to participate in abortion. It’s not surprising, then, that the Governor supports RHAPP. It is quite probable that RHAPP would invalidate New York’s conscience protection laws, and FOCA would invalidate such federal laws, eliminating “choice” and tolerance in the medical profession. Medical licenses could be withheld from those who adhere to pro-life principles.

Hazardous for Women

MYTH: The bills “would not allow unqualified medical professionals to provide abortion.”

FACT: RHAPP would delete all references to “duly qualified physician” in our current law and replace them with the words “health care practitioner” with regard to who may perform abortions. This intentionally broadens the scope of practice for various other health practitioners, including nurses, nurse practitioners, midwives and virtually any other licensed practitioner, allowing any of them to perform abortions.

FOCA would likely subject women across the country to abortions performed by non-physicians.

MYTH: Passage of RHAPP would ensure that New York “remains a safe haven for all women.”

FACT: Passage of RHAPP would actually endanger the health and safety of women. By precluding laws that would protect maternal health such as those requiring a brief waiting period before an abortion is performed and those requiring that abortions be performed only by licensed physicians, the bill would put the health and safety of women at risk. Both FOCA and RHAPP would eliminate regulations that protect women from unsafe abortion clinics.

MYTH: The bills would not jeopardize any program that encourages pregnant women to bring their babies to term.

FACT: Any government program or public benefits that promote childbirth and other health services but not abortion, such as New York’s Prenatal Care Assistance Program, could be ruled “discriminatory” under either of these bills and declared invalid because they treat abortion differently than other “reproductive services.” This argument has been specifically promoted by pro-abortion advocates. Thankfully, it was defeated in a final court ruling in our state, but under FOCA or RHAPP, the argument could now prevail.

New York State is the Abortion Capital of the United States and has absolutely no restrictions on the procedure whatsoever. In the nation as a whole, 19% of pregnancies end in abortion; in New York State, 33% of pregnancies are terminated by abortion.

Does our law really need to be strengthened to encourage more abortions? Shouldn’t the government be working to make abortion rare?