



April 13, 2016

Oppose the Prenatal Nondiscrimination Act of 2016

Dear Members of the House Judiciary Committee Subcommittee on the Constitution and Civil Justice:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, we urge you to oppose the “Prenatal Nondiscrimination Act of 2016” (PRENDA). We oppose this bill because it does not in any way address discrimination on the basis of sex. Rather, it is a veiled attempt to restrict health care for women of color under the guise of civil rights.

The problem of racial and sex disparities in health care is real. According to a report by the Kaiser Family Foundation, 16 percent of African-American women and 28 percent of Latina women are in fair or poor health.¹ Additionally, African-American women² and Latina women³ have less access to contraception, prenatal care and other critical reproductive health services, resulting in stark disparities across a number of sexual and reproductive health indicators. Instead of addressing these critical issues, this bill exacerbates the disparities by further restricting certain women’s access to comprehensive reproductive health care services, scrutinizing the health care decisions of women of color, and penalizing health care providers who serve communities of color.

At a time when large numbers of women, particularly women of color, are concentrated in low wage jobs without access to most benefits and are struggling to support their families,

¹ Alina Salganicoff, Usha Ranji, Adara Beamesderfer, and Nisha Kurani, “Women and Health Care in the Early Years of the Affordable Care Act: Key Findings from the 2013 Kaiser Women’s Health Survey,” Kaiser Family Foundation (May 2014), available at <https://kaiserfamilyfoundation.files.wordpress.com/2014/05/8590-women-and-health-care-in-the-early-years-of-the-affordable-care-act.pdf>.

² “Addressing Sexual and Reproductive Health Disparities among African Americans,” Planned Parenthood Federation of America (March 2015), available at https://www.plannedparenthood.org/files/3614/2773/6927/AA_Disparities.pdf (stating that: African American women are 40% more likely to die of breast cancer than white women; African American women have more than double the unintended pregnancy rate of white women; and, African American men and women account for 44 percent of new HIV/AIDS cases).

³ “Addressing Sexual and Reproductive Health Disparities among Latinos,” Planned Parenthood Federation of America (March 2015), available at https://www.plannedparenthood.org/files/2814/2773/6927/Latino_Disparities.pdf (stating that: Latina women are more likely to be diagnosed with cervical cancer than women of any other racial group, and have the third highest death rates from cervical cancer; 56 percent of pregnancies among Latina women are unintended; and that Latinos and Latinas contract HIV at more than three times the rate of non-Latino whites).

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Congress should take up legislation that would actually alleviate discrimination on the basis of gender and race. Unlike this bill, legislation such as the Paycheck Fairness Act, the Pregnant Workers Fairness Act, the Healthy Families Act, and the Family and Medical Insurance Leave (FAMILY) Act protect women from discrimination and empower women of color to make informed, personal health care decisions.

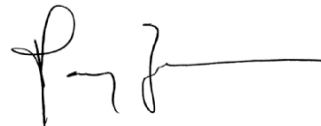
Women and their families continue to bear the negative consequences of persistent sex discrimination. Yet, despite its lofty title, PRENDA does nothing to address the causes or pernicious effects of such discrimination. As the nation's largest civil and human rights coalition, we have worked for decades to address the longstanding problems of sex discrimination in the United States. While we would welcome the opportunity to work with members of the Committee to advance meaningful civil rights legislation, we must oppose PRENDA, which does nothing to address ongoing discrimination.

Thank you for your consideration. If you have any questions, please contact June Zeitlin, Director of Human Rights Policy at zeitlin@civilrights.org or (202) 263-2852.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President