

# Freedom of Choice Act Would Remove All Limitations on Abortions

By Bishop Robert W. Finn, Kansas City-St. Joseph

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The Freedom of Choice Act (FOCA), was first introduced in November of 1989 by Representative Don Edwards (D-Calif) and Senator Alan Cranston (D-Calif). It was proposed to "codify Roe v. Wade," and was, at that time, opposed by Senator Carol Moseley Braun (D-Ill), who argued that it did not go far enough to unleash - on a national level - a complete and unrestricted access to abortion. The first version, according to the Senator, dangerously allowed some conscience protection to health care professionals and did not require states to fund abortions.

The more recent wording of FOCA, introduced last year, is as follows:

“A government may not (1) deny or interfere with a woman's right to choose - (A) to bear a child; (B) to terminate a pregnancy prior to viability; or (C) to terminate a pregnancy after viability where termination is necessary to protect the life or health of the woman; or (2) discriminate against the exercise of the rights set forth in paragraph (1) in the regulation or provision of benefits, facilities, services, or information.

This act applies to every Federal, State, and local statute, ordinance, regulation, administrative order, decision, penalty, practice, or other action enacted, adopted, or implemented before or after the date of enactment of this act.” *Text of H.R. 1964 and S. 1173, introduced on April 19, 2007*

It is clear that FOCA would immediately make null and void every current restriction on abortion in all jurisdictions. According to a recent article by Tom McCloskey, "FOCA Would Harm Women and Remove Freedoms," and reported by the Family Research Council, if FOCA was passed it would automatically overturn:

- State abortion reporting requirements in all 50 states
- Forty-four states' laws concerning parental involvement
- Forty states' laws on restricting later-term abortions
- Forty-six states' conscience protection laws for individual health care providers
- Twenty-seven states' conscience protection laws for institutions
- Thirty-eight states' bans on partial-birth abortions
- Thirty-three states' laws on requiring counseling before an abortion
- Sixteen states' laws concerning ultrasounds before an abortion

There is evidence of a very significant reduction of reported abortions, particularly among teens, through the passage of parental involvement laws and the use of ultrasounds. The August, 2008, report of the Alan Guttmacher Institute notes the greatest decline in abortions over the last 30 years is

among teens, attributable in large part to the above restrictions, as well as a later initiation of sexual activity. It must be concluded that chastity formation or abstinence education has a positive effect on lowering these rates, as well as enriching the lives of our young men and women.

I was recently asked to comment on claims by a group calling itself Catholics in Alliance for the Common Good, which says that electing candidates who have permissive or clearly pro-choice stances in support of abortion, but are determined to provide more assistance to poor and vulnerable women and families would actually help to reduce abortions in the United States. This group, I believe has its priorities backwards. It seems unlikely that candidates advocating full access to abortion - which attacks the most vulnerable poor, the unborn - will at the same time have a consistent or principle-based plan for helping other poor people.

It should be noted that the Catholic Church worldwide provides more help in assisting the needy than any other single private agency - religious or secular. At the same time, she operates from the principle that the measure of our charity is first defined by what we do to and for the most vulnerable.

When a candidate pledges to provide "comprehensive sex education" to school children and promises to promote - or to "sign immediately upon taking office" - the Freedom of Choice Act, Catholics and all people of good will have cause to question the sincerity of the candidate's determination to reduce abortions, when these already existing limits have caused a decrease of more than 100,000 abortions each year. (cf. Michael New-Matthew Bowman, *Combined Reductions in Abortions*, with data supplied by NARAL Pro-Choice America)

As Archbishop Naumann and I stressed in our recent Pastoral Letter, "Our Moral Responsibility as Catholic Citizens," we can never vote for a candidate because of his or her permissive stand on abortion. At the same time, if we are inclined to vote for someone despite their pro-abortion stance, it seems we are morally obliged to establish a proportionate reason sufficient to justify the destruction of 45 million human persons through abortion. If we learn that our "candidate of choice" further pledges - through an instrument such as FOCA - to eliminate all existing limitations against abortion, it is that much more doubtful whether voting for him or her can ever be morally justified under any circumstance.

I urge you to learn more about the Freedom of Choice Act and its advocates so that you can make informed decisions in the voting booth.

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