Focus On FOCA

What FOCA Would Do:
All sides in the abortion fight agree, if FOCA were to pass both chambers of Congress and be signed by a pro-abortion President, it would, among other effects, provide for taxpayer-funded abortion on demand even late in pregnancy, grant abortionists immunity from legal action, allow abortionists the discretion to perform abortions on minors without notifying a parent, and deny health care workers the right to refuse to make abortion referrals as a matter of conscience.

- “The legislation (FOCA) would invalidate existing and future laws that interfere with or discriminate against the exercise of the rights protected. It also would provide an individual aggrieved by a violation of the act a private right of civil action in order to obtain appropriate relief” - Planned Parenthood website.
- “As a general matter, if FOCA were enacted, it would wipe out a very large number of existing state laws on abortion, substantially impede the ability of states to regulate abortion, and override nearly 40 years of jurisprudential experience on the subject of abortion.” – USCCB Memorandum on FOCA

FOCA would automatically overturn state abortion reporting requirements in all 50 states, 44 states’ laws concerning parental involvement, 40 states’ laws on restricting later-term abortions, 46 states' conscience protection laws for individual health care providers, 27 states' conscience protection laws for institutions, 38 states' bans on partial-birth abortions, 33 states' laws on requiring counseling before an abortion, and 16 states' laws concerning ultrasounds before an abortion.

FOCA seeks to eliminate any civil pro-life opposition in the public square:
“The bill would give women the right to file civil suits against any person or government agency that sought to limit their ability to get an abortion.” – MSNBC Briefing Book: Issues ’08.
- Presumably this would not only include federal and state legislators who merely introduce legislation seeking restrictions on abortion but also against peaceful pro-lifers who pray and offer alternatives in front of abortion facilities.

FOCA-type legislation increases rates of abortion:
According to NARAL’s website, seven states (California, Connecticut, Hawaii, Maine, Maryland, Nevada and Washington) have legislation on the books similar to FOCA.
- In Maryland, FOCA-type legislation has been on the books since 1991. According to Planned Parenthood's Alan Guttmacher Institute, the abortion rate in the United States DECREASED nine percent since 2000 to 19.4 abortions per 1,000 women of reproductive age in 2005. By contrast, the state of Maryland in 2005 produced a rate of 31.5 abortions per 1,000 women of reproductive age, an INCREASE of eight percent since 1991.
- Other states with similar FOCA laws on the books show abortion rates larger than the national average of 19.4 abortions per 1,000 women of reproductive age:
  - California has a rate of 27.1 abortions per 1,000 women of reproductive age. Abortions in California represent 17.3 of all abortions in the United States.
  - Connecticut has a rate of 23.6 abortions per 1,000 women of reproductive age. The rate has increased 12% since 2000, when it was 21.1 abortions per 1,000 women.
  - Hawaii has a rate of 21.8 abortions per 1,000 women of reproductive age.
  - Nevada’s rate is 27.0 abortions per 1,000 women of reproductive age.