



Free Abortions for Out-of-Staters Act
(a/k/a Reproductive Freedom and Equity Grant Program)
(Bill S.348-C-Cleare/A.361-B-Gonzalez-Rojas)

MEMORANDUM OF OPPOSITION

“[T]here surely is some common ground when both those who believe in choice and those who are opposed to abortion can come together and say, “We should try to prevent unintended pregnancies by providing appropriate education to our youth, communicating that sexuality is sacred and that they should not be engaged in cavalier activity, and providing options for adoption, and helping single mothers if they want to choose to keep the baby.” Those are all [places]. . . where we can find some common ground, because nobody’s pro-abortion. I think it’s always a tragic situation. We should try to reduce these circumstances.” – Sen. Barack Obama, October 15, 2008.¹

The Free Abortions for Out-of-Staters Act, also known as the Reproductive Freedom and Equity Grant Program (Bill S.348-C-Cleare/A.361-B-Gonzalez-Rojas), is controversial, fiscally irresponsible, and dishonest.

The sponsor memorandum accompanying the bill falsely asserts that “abortion is essential health care.” Based on this false assertion, the legislation would create a grant program within the New York State Department of Health to fund abortion providers and nonprofits that facilitate abortion access. The program would have a three-part purpose: Increasing access to abortion, paying for abortions for women who cannot afford them, and offering “practical support” to women seeking abortions. Specifically, the program would increase abortion access by “growing the capacity of abortion providers to meet present and future care needs.”

¹ See <https://slate.com/technology/2008/10/can-obama-take-the-politics-out-of-abortion.html>, last accessed January 8, 2024.

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Funds would be distributed for the purpose of building new abortion clinics, renovating existing clinics, and recruiting and retaining staff.

The sponsors' false assertion that abortion is "essential health care" is the premise upon which the entire legislation is based. Whatever else abortion may be, it is certainly not "essential." Abortion is not like food, clothing, or shelter; it is not necessary for survival. Women who become pregnant can carry their pregnancies to term and bear children, and women who do not wish to have children can take steps to avoid pregnancy. The very rhetoric of the pro-choice movement reveals the non-essential nature of abortion; the use of the term "choice" necessarily implies that abortion is just one of multiple options available to a pregnant woman.

In their memorandum, the bill's sponsors strongly imply that the fall of *Roe v. Wade* will result in a dramatic increase in the number of out-of-state women coming to New York to obtain abortions. Accordingly, the sponsors contend that the state of New York "must be a leader in the fight for abortion justice" by facilitating abortion access. However, given that abortion is not truly essential, the provisions of this bill cannot be justified. The state of New York already funds abortion through Medicaid. Why should more of New Yorkers' tax dollars be used to fund an optional (and highly controversial) procedure? And why should New Yorkers pay for abortions for people who do not even live here?

If this bill's sponsors are truly concerned about the plight of pregnant women in other states, why have they not proposed to create a funding stream for abortion alternatives? Why not allocate funds to New York's adoption agencies? Providing funding for abortion clinics without providing funding for abortion alternatives implies that abortion is somehow preferable to childbirth. Furthermore, it implies that the unborn children of low-income women—many of them women of color—are of so little value that the state of New York will gladly pay to end their lives.

During a 2008 presidential debate, then-U.S. Senator Barack Obama correctly stated that an abortion is "always a tragic situation." Sen. Obama added that "nobody's pro-abortion." Unfortunately, this second statement was inaccurate. The sponsors of this legislation are pro-abortion. They view abortion as a positive good, and they wish to use tax dollars for the purpose of making New York an abortion mecca. Taking heed to Sen. Obama's words, the New York State Legislature should refrain from passing the Free Abortions for Out-of-Staters Act.

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