

# Exhibit A

State of Arizona  
House of Representatives  
Fiftieth Legislature  
First Regular Session  
2011

# HOUSE BILL 2443

AN ACT

AMENDING TITLE 13, CHAPTER 36, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3603.02; AMENDING TITLE 36, CHAPTER 20, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2156; RELATING TO ABORTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 13, chapter 36, Arizona Revised Statutes, is amended  
3 by adding section 13-3603.02, to read:  
4 13-3603.02. Abortion; sex and race selection; injunctive and  
5 civil relief; failure to report; definition  
6 A. A PERSON WHO KNOWINGLY DOES ANY OF THE FOLLOWING IS GUILTY OF A  
7 CLASS 3 FELONY:  
8 1. PERFORMS AN ABORTION KNOWING THAT THE ABORTION IS SOUGHT BASED ON  
9 THE SEX OR RACE OF THE CHILD OR THE RACE OF A PARENT OF THAT CHILD.  
10 2. USES FORCE OR THE THREAT OF FORCE TO INTENTIONALLY INJURE OR  
11 INTIMIDATE ANY PERSON FOR THE PURPOSE OF COERCING A SEX-SELECTION OR  
12 RACE-SELECTION ABORTION.  
13 3. SOLICITS OR ACCEPTS MONIES TO FINANCE A SEX-SELECTION OR  
14 RACE-SELECTION ABORTION.  
15 B. THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY MAY BRING AN ACTION IN  
16 SUPERIOR COURT TO ENJOIN THE ACTIVITY DESCRIBED IN SUBSECTION A OF THIS  
17 SECTION.  
18 C. THE FATHER OF THE UNBORN CHILD WHO IS MARRIED TO THE MOTHER AT THE  
19 TIME SHE RECEIVES A SEX-SELECTION OR RACE-SELECTION ABORTION, OR, IF THE  
20 MOTHER HAS NOT ATTAINED EIGHTEEN YEARS OF AGE AT THE TIME OF THE ABORTION,  
21 THE MATERNAL GRANDPARENTS OF THE UNBORN CHILD, MAY BRING A CIVIL ACTION ON  
22 BEHALF OF THE UNBORN CHILD TO OBTAIN APPROPRIATE RELIEF WITH RESPECT TO A  
23 VIOLATION OF SUBSECTION A OF THIS SECTION. THE COURT MAY AWARD REASONABLE  
24 ATTORNEY FEES AS PART OF THE COSTS IN AN ACTION BROUGHT PURSUANT TO THIS  
25 SUBSECTION. FOR THE PURPOSES OF THIS SUBSECTION, "APPROPRIATE RELIEF"  
26 INCLUDES MONETARY DAMAGES FOR ALL INJURIES, WHETHER PSYCHOLOGICAL, PHYSICAL  
27 OR FINANCIAL, INCLUDING LOSS OF COMPANIONSHIP AND SUPPORT, RESULTING FROM THE  
28 VIOLATION OF SUBSECTION A OF THIS SECTION.  
29 D. A PHYSICIAN, PHYSICIAN'S ASSISTANT, NURSE, COUNSELOR OR OTHER  
30 MEDICAL OR MENTAL HEALTH PROFESSIONAL WHO KNOWINGLY DOES NOT REPORT KNOWN  
31 VIOLATIONS OF THIS SECTION TO APPROPRIATE LAW ENFORCEMENT AUTHORITIES SHALL  
32 BE SUBJECT TO A CIVIL FINE OF NOT MORE THAN TEN THOUSAND DOLLARS.  
33 E. A WOMAN ON WHOM A SEX-SELECTION OR RACE-SELECTION ABORTION IS  
34 PERFORMED IS NOT SUBJECT TO CRIMINAL PROSECUTION OR CIVIL LIABILITY FOR ANY  
35 VIOLATION OF THIS SECTION OR FOR A CONSPIRACY TO VIOLATE THIS SECTION.  
36 F. FOR THE PURPOSES OF THIS SECTION, "ABORTION" HAS THE SAME MEANING  
37 PRESCRIBED IN SECTION 36-2151.  
38 Sec. 2. Title 36, chapter 20, article 1, Arizona Revised Statutes, is  
39 amended by adding section 36-2156, to read:  
40 36-2156. Affidavit  
41 A PERSON SHALL NOT KNOWINGLY PERFORM OR INDUCE AN ABORTION BEFORE THAT  
42 PERSON COMPLETES AN AFFIDAVIT THAT:

1           1. STATES THAT THE PERSON MAKING THE AFFIDAVIT IS NOT ABORTING THE  
2 CHILD BECAUSE OF THE CHILD'S SEX OR RACE AND HAS NO KNOWLEDGE THAT THE CHILD  
3 TO BE ABORTED IS BEING ABORTED BECAUSE OF THE CHILD'S SEX OR RACE.

4           2. IS SIGNED BY THE PERSON PERFORMING OR INDUCING THE ABORTION.

5           Sec. 3. Purpose

6           Evidence shows that minorities are targeted for abortion and that  
7 sex-selection abortion is also occurring in our country. There is no place  
8 for such discrimination and inequality in human society. Sex-selection and  
9 race-selection abortions are elective procedures that do not in any way  
10 implicate a woman's health. The purpose of this legislation is to protect  
11 unborn children from prenatal discrimination in the form of being subjected  
12 to abortion based on the child's sex or race by prohibiting sex-selection or  
13 race-selection abortions.

14          Sec. 4. Construction

15          This act does not establish or recognize a right to an abortion and  
16 does not make lawful an abortion that is currently unlawful.

17          Sec. 5. Severability

18          If a provision of this act or its application to any person or  
19 circumstance is held invalid, the invalidity does not affect other provisions  
20 or applications of the act that can be given effect without the invalid  
21 provision or application, and to this end the provisions of this act are  
22 severable.

23          Sec. 6. Short title

24          This act may be cited as the "Susan B. Anthony and Frederick Douglass  
25 Prenatal Nondiscrimination Act of 2011".

# Exhibit B

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ARIZONA LEGISLATURE

ARIZONA STATE SENATE

Fiftieth Legislature - First Regular Session

Senate Floor Session

March 21, 2011

1 reduce the number of Black children in the United  
2 States. Planned Parenthood eugenics-based racist  
3 history is well-known and fully exposed in the 2009  
4 documentary called Maafa 21. The great majority of  
5 abortion clinics were purposely located in minority  
6 neighborhood by the founders of Planned Parenthood.  
7 More than 70 percent of abortion clinics are still  
8 located in minority neighborhood today.

9 African-American babies are now aborted at  
10 five times the rate of White babies to the point that  
11 nearly 50 percent of Black babies are aborted. This is  
12 perfectly legal in America. This is not who we are as  
13 a nation. The founding principles of the United States  
14 is transcendent value of all innocent life. We  
15 criticize other nations for human right abuses; at the  
16 same time, we look the other way while our own children  
17 are being killed simply because the wrong sex or race.  
18 We undermine the foundation of our own nation and human  
19 dignity itself.

20 I introduced the original Prenatal  
21 Nondiscrimination Act in the U.S. Congress in 2008.  
22 The former Democrat majority in the House refused to

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# Exhibit C

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ARIZONA LEGISLATURE

ARIZONA HOUSE OF REPRESENTATIVES

Fiftieth Legislature - First Regular Session

Committee on Health and Human Services

Wednesday, February 9, 2011, 9:00 A.M.

1 more abortions that are female, and most sex selection  
2 abortions are grisly and late-term abortions.

3           A report by the Harvard University "Economist"  
4 estimated that more than 100 million women were  
5 demographically missing from the world as early as the  
6 1990s due to these sex practices, including sex  
7 selection abortion. Even countries that have  
8 longstanding experience with sex selection, such as  
9 India, the United Kingdom -- I'm sorry -- yeah, the  
10 United Kingdom, and China, have themselves enacted bans  
11 on sex selection abortion.

12           Even Congress has condemned China, in official  
13 resolutions, for its policies that encourage sex  
14 selection. Here in the United States, our own Congress  
15 has failed to take any action to prevent this  
16 discrimination from occurring within our country. The  
17 American medical community has publicly taken a stand  
18 against sex selection abortion. Sex selection, for  
19 social reasons, including family balancing, has  
20 repeatedly been denounced by U.S. medical organizations  
21 such as the American College of OB/GYNs.

22           In 2007, the United States spearheaded a

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1 resolution at the United Nations Commission on the  
2 status of women to condemn sex selection, yet there is  
3 no law prohibiting that practice in the United States.

4 The reason I mention this is because the  
5 United Nations affiliates have made repeated public  
6 statements that aborting a girl child is one of the  
7 most pervasive human rights abuses, and the most  
8 extreme form of violence against women.

9 Zogby, in 2006, did a poll, an international  
10 poll, that showed 86 percent of the American public  
11 desires a law to ban sex selection abortion.

12 Now, in regards to race, we also see that  
13 there are American abortion providers, most of whom  
14 receive government funds, and they are responsible for  
15 eliminating nearly 50 percent of African Americans  
16 conceived in the United States each year, as compared  
17 to 20 percent that are white unborn children.

18 The number of abortions financed with  
19 earmarks, donations, perhaps we don't know, but the  
20 Spring of 2008, federally funded clinics were exposed  
21 as having agreed to accept funds from persons who  
22 expressly requested that their donation be used to

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1 reduce the African American population. This was  
2 exposed. There is currently, again let me repeat, no  
3 law to stop this or prohibit this in the United States  
4 or in our State of Arizona.

5           The history of American family planning  
6 movement is replete with evidence of the purposeful  
7 placement of family planning clinics in areas with high  
8 concentration of minorities. An overwhelming majority  
9 of abortion clinics in America today, including those  
10 receiving federal funds today, remain  
11 disproportionately located in areas with high  
12 concentrations of minorities and women.

13           I could go on forever, but I am moved by all  
14 this data. Even the civil rights advocates have  
15 repeatedly rallied and protested that the Democratic  
16 National Committee and the Republican National  
17 Committee and the NAACP call for an end to racially  
18 targeted abortion policies. That's what print (ph) is  
19 doing, that's what this bill is doing here today. This  
20 bill is supported by the King for America organization,  
21 which is a civil rights organization led by Dr. Alveda  
22 King, the niece of Dr. King; the Black Pro-Life Union

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1 President Day Gardner; the Frederick Douglass  
2 Foundation, whom we have a letter from them and we have  
3 a note that will be presented here a little later; the  
4 Learn (ph) Network. The list goes on.

5 This is something that needs to be addressed,  
6 and so even in the State of Arizona we have numbers.  
7 DHS, in 2009, released numbers that shows that this is  
8 data just barely beginning to be released because it  
9 started in 2009 due to the bill, but it shows that the  
10 sex of aborted children, there is incontrovertible  
11 national statistics that prove that this occurs, and  
12 even here in Arizona. A Black baby, or an African  
13 American baby, is five times more likely to be aborted,  
14 and a Hispanic child is three times more likely to be  
15 aborted. Even Planned Parenthood, by their own  
16 statistics and numbers, show that African American, the  
17 unborn, are 42 percent more at risk or receive  
18 abortions. This is their numbers.

19 So I bring this to you, and there will be more  
20 evidence of who is supporting after me, and I ask you  
21 to support this bill. I mean, like I said, it's  
22 something that we can all agree on. I know abortion is

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1 a topic that there is large controversy about, but I  
2 think it's never okay to discriminate against the  
3 unborn in the form of selective abortion on the basis  
4 of sex or race.

5 Thank you for that, Mr. Chairman. And if you  
6 have any questions, I humbly will do my best to answer  
7 them.

8 MR. ASH: Any questions by Members of the  
9 Committee for Representative Montenegro?

10 Ms. Hobbs?

11 MS. HOBBS: Mr. Chair and Mr. Montenegro, I do  
12 agree with you that discrimination is never okay. I am  
13 not going to agree that this is a problem that's  
14 actually happening. I am wondering how you got the  
15 statistic about the number of abortions being  
16 predominantly women. Do abortion clinics routinely  
17 keep track of the gender of terminated pregnancies?

18 MR. MONTENEGRO: Thank you, Mr. Chairman,  
19 Representative Hobbs. And I'm not the only one that  
20 would disagree with you, Representative Hobbs. As I  
21 stated earlier today, the National Academy of Sciences  
22 found that there is a strong bias, so it's not just

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1 especially --

2 MS. HOBBS: The (inaudible).

3 MR. MONTENEGRO: Okay --

4 MR. ASH: Ms. Hobbs, let him answer, please.

5 MR. MONTENEGRO: But this is different civil  
6 right activists, different groups, that have standing  
7 surely in our country. I mean, abortion is a known  
8 risk factor for subsequent extremely pre-term birth.  
9 Now, a birth at less than 28 weeks of pregnancy is  
10 known as an extremely pre-term birth. What they have  
11 found is that Black babies are aborted at five times  
12 the rate as white babies, and Black women are four  
13 times as likely to suffer this XPB.

14 And I mentioned to you civil rights activists  
15 who have acknowledged -- there's extremely -- there's a  
16 lot of studies and a lot of research that has been done  
17 in this country, and some of it you'll hear today, the  
18 groups that will be testifying, but this is evidence  
19 not just going on a whim, it is longstanding civil  
20 rights activists that have recognized that this is a  
21 problem, and that's why they're asking -- as they're  
22 asking the Republican National Committee, the

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1 Republicans, and the Democrats. I mean, this is not  
2 something -- like I said, we can all agree it's  
3 happening, the evidence is there, and I think we can  
4 all agree that we need to have in our books and our  
5 laws that something heinous like this should not be  
6 happening in our country or in our state.

7 MR. ASH: Further questions, Ms. Hobbs?

8 MS. HOBBS: Yeah, Mr. Chairman,  
9 Mr. Montenegro, can you explain the purpose of the  
10 affidavit that is in the bill that the doctor is  
11 supposed to sign?

12 MR. MONTENEGRO: Absolutely. We want to make  
13 sure -- I know that there are concerns about -- one  
14 Member mentioned to me sometimes -- the accusation  
15 enough is hard on the doctors, and I understand that,  
16 so what we were trying to do is make sure that there's  
17 a way that the doctor can express how he knowingly is  
18 making sure, or in his heart he is not knowingly  
19 performing an abortion due to sex selection or race  
20 selection. So the affidavit is to actually help the  
21 doctor and the person, the woman, with the abortion so  
22 that they acknowledge. They don't have to explain why

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1 they're doing the abortion, they just have to recognize  
2 that it's not on this criminal, in my opinion, act of  
3 sex selection and race selection. So that's why the  
4 affidavit is there, to actually help the doctor and the  
5 clinic in that sense.

6 MR. ASH: Ms. Hobbs?

7 MS. HOBBS: Mr. Chair, Mr. Montenegro, I  
8 guess, what's the -- where do those affidavits go? Is  
9 there some place that they're filed or -- and this --

10 MR. MONTENEGRO: I appreciate the question,  
11 Chairman Ash and Representative Hobbs. You know, this  
12 is something that they're going to hold. We're not  
13 asking them to send it in somewhere, but this is  
14 something for their records so that if they are  
15 questioned at any time, they could say, "You know what?  
16 I did everything I could to make sure that this was not  
17 the reason, sex selection or race selection was the  
18 reason, for this abortion, and I have this affidavit  
19 signed."

20 MR. ASH: Further questions, Members of the  
21 Committee?

22 Mrs. Brophy McGee?

1 MRS. BROPHY MCGEE: Thank you, Mr. Chairman.  
2 Mr. Montenegro, just a couple questions.

3 MR. MONTENEGRO: Yes, ma'am.

4 MRS. BROPHY MCGEE: Does a doctor in Arizona  
5 or anywhere else currently have to determine the  
6 purpose for a requested abortion?

7 MR. MONTENEGRO: Chairman Ash and  
8 Representative McGee, to my knowledge, no, but this  
9 bill doesn't do that either. We're not asking them to  
10 find out, investigate, what the purpose is. We just  
11 want them to make sure it's not based on sex selection  
12 or race selection.

13 MRS. BROPHY MCGEE: One more question.

14 MR. ASH: Mrs. Brophy McGee?

15 MRS. BROPHY MCGEE: In -- and I don't know if  
16 you can answer this, and I'm embarrassed that I can't  
17 because I have three grown boys, but how far along in  
18 pregnancy before sex can be determined?

19 MR. ASH: Mr. Montenegro, are you qualified to  
20 answer that question?

21 MR. MONTENEGRO: Chairman Ash, I would  
22 actually like to defer to the expert so that she can

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1 have excellent information.

2 MRS. BROPHY MCGEE: I apologize.

3 MR. ASH: Do you want to ask a question or  
4 answer that question?

5 MR. HEINZ: Mr. Chairman, if I may ask the  
6 sponsor a question.

7 MR. ASH: Representative Heinz, go ahead.

8 MR. HEINZ: Thank you. And I apologize,  
9 Mr. Chairman and the Committee, I was testifying in the  
10 MAPS Committee, and it took a little longer than I  
11 expected.

12 So I think that you probably did a little bit  
13 of this before, but just so I can be absolutely clear,  
14 you mentioned -- I mean, you discussed I think the  
15 problem that you're trying to address, but I have not  
16 heard or at least seen before me specific information  
17 regarding the State of Arizona that the practice that  
18 you're trying to address with this legislation is  
19 actually occurring, and I would very much like to have  
20 that elaborated before we discuss this further.

21 MR. MONTENEGRO: Thank you, Chairman Ash and  
22 Representative Heinz. You know, I will do my best to

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1 answer Representative McGee's question or to have  
2 somebody answer it in this Committee.

3 MRS. BROPHY MCGEE: Thank you.

4 MR. MONTENEGRO: Representative Heinz, the  
5 reason we don't have in-depth data in the state is  
6 because it hasn't been asked -- or provided. It wasn't  
7 until 2009 that finally that we could see some numbers.  
8 And I can have somebody -- do you have your computer in  
9 front of you right now?

10 MR. HEINZ: Uh-huh.

11 MR. MONTENEGRO: If my assistant is watching  
12 right now, if he could e-mail that to you right now,  
13 data, so you could have that in front of you. And I'm  
14 not trying to be facetious, I apologize if I came  
15 across that way, but these are the numbers that came  
16 directly from the DHS here in Arizona. We have some  
17 numbers that show us, you know, like the Hispanic  
18 population is about 32.8 percent here in Arizona; they  
19 account for about 27.8 percent of abortions in the  
20 state. As well as you can see through the data that  
21 has been given to us by DHS that white non-Hispanic  
22 Arizonans account for 60 percent of the population here

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1 in Arizona, but they only account for 45.5 percent of  
2 abortions in Arizona.

3           So this shows us that there is a  
4 disproportionate amount of abortions being had, or  
5 performed, better say, in the minority population. And  
6 so I -- no one can read anybody's mind, I can't read  
7 minds, I don't think anybody can, but I think what the  
8 gist of this bill goes to -- and, again, it's something  
9 that we can all agree on -- is that abortion -- or the  
10 unborn should never be discriminated against based on  
11 sex selection or race selection when it comes to  
12 abortions.

13           MR. HEINZ: Mr. Chairman, thank you.

14           MR. ASH: Mr. Heinz.

15           MR. HEINZ: Mr. Montenegro, the numbers that  
16 you just gave me, the 32 percent, or 32.8 percent, of  
17 the Hispanic population, and then I believe it was 27  
18 percent of the abortions performed in the state, in  
19 that community, it doesn't seem to me that that shows a  
20 disproportionately high percentage of terminations in  
21 that community. I would expect if there was some sort  
22 of disproportion, you would have 48 percent or 62

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1 but I would think that you would want to direct efforts  
2 to prevent all abortions from happening, to reduce the  
3 number of abortions, and I guess there seems to be an  
4 assumption underlying this bill, I'm reading into it  
5 maybe, but that there are doctors, providers of  
6 abortion services, who would prey on women of color and  
7 target them for abortions, and I think that that kind  
8 of then negates the fact that these are doctors who,  
9 again, have taken an oath to practice ethically and to  
10 do no harm, and I think that -- I guess I don't know  
11 where my question is, but if you have a response to  
12 that, then I would be interested in hearing it.

13 MR. ASH: Representative Montenegro.

14 MR. MONTENEGRO: Sure. Chairman Ash and  
15 Representative Hobbs, I largely agree with what you  
16 said. Myself, being against abortion, see this, and  
17 the thing is that I report to you sadly that it's  
18 happening, and the evidence is there. There are  
19 clinics that are taking money from people who have  
20 sworn -- "Listen, I'm going to give you my  
21 contribution, but only if you agree to use this on  
22 Black babies." They were exposed in 2008. There are

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1 clinics who are preying on women. The evidence is  
2 there, as we earlier spoke. So I do agree. I want to  
3 make sure that -- I want to honor the practice, the  
4 medical practice, we all do, but when there are -- when  
5 there is evidence that it's happening and some people  
6 are doing it based on these circumstances of sex and  
7 race, we need to address it. That's why we're elected.

8 Thank you, Chairman Ash.

9 MR. ASH: Any other questions for  
10 Mr. Montenegro?

11 (No audible response.)

12 MR. ASH: Mr. Montenegro, tell me again the  
13 source from Harvard. Was it Harvard Medical School or  
14 the business school that came up with the estimate of  
15 the 100 million women?

16 MR. MONTENEGRO: It is a report by the Harvard  
17 University "Economist," Mr. Chairman.

18 MR. ASH: Okay, thank you.

19 Other questions for Mr. Montenegro? We have  
20 signed in to speak --

21 And thank you for coming over, Mr. Montenegro.

22 MR. HEINZ: Oh, Mr. Chairman, I feel it's

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1 important to point out that Mr. Montenegro's assistant  
2 actually did e-mail me exactly as you requested. So  
3 thank you.

4 MR. ASH: We're glad that our hearing is being  
5 watched by our assistants.

6 Okay, signed in to speak is Sidney Hayes  
7 (sic). Sidney Hay, I apologize.

8 MS. HAY: Mr. Chairman, Members of the  
9 Committee, my name is Sidney Hay, and I represent  
10 Defending America's Future, and I am so grateful for  
11 you taking the time to hear this bill today, I truly  
12 am. And here's where the study is, and I'll make sure  
13 everybody has a copy of it because here's the headline  
14 in "The Economist" magazine. It's called,  
15 "Gendercide," "Gendercide: What happened to 100  
16 million baby girls?" It's a pretty devastating  
17 article, and I'll be sure and get you copies of it.  
18 This is my only copy, but I'll make them for you.

19 In fact, in this article the facts are laid  
20 out whether overtly killed, aborted, or abandoned to  
21 die, well over 100 million girls from disappeared from  
22 the world, and many experts now believe that sex

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1 selection abortion is the primary cause. And this is  
2 not just a hidden catastrophe in countries like India  
3 and China, where son preference, stemming from one-  
4 child policies and other cultural factors, has had a  
5 devastating impact on their societies. It is a  
6 practice that evidence does show goes on in this  
7 country, and no civilized society should allow this.

8           Women in America have the same human  
9 fundamental rights as you men. United States law  
10 prohibits sex discrimination in employment, education,  
11 housing, health insurance, even in school athletics,  
12 but the targeted victims of sex selection abortion in  
13 the United States and worldwide are overwhelmingly  
14 female. I will quote from the findings and  
15 declarations of HR1822 from the 111th Congress, "Sex  
16 selection abortions are performed in the United States.  
17 In a March 2008 report, published in the 'Proceedings  
18 of the National Academy of Sciences,' Columbia  
19 University economists examined the sex ratio of United  
20 States born children and found 'evidence of sex  
21 selection most likely at the prenatal stage.' The data  
22 revealed obvious son preference in the form of

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1 unnatural sex ratio imbalances within certain segments  
2 of the United States population, primarily those  
3 segments tracing their ethnic or cultural origins to  
4 countries where sex selection abortion is prevalent.  
5 The evidence strongly suggests that some Americans are  
6 exercising sex selection practices within the United  
7 States consistent with discriminatory practices common  
8 to their country of origin or the country to which they  
9 trace their ancestry. While sex selection abortions  
10 are more common outside the United States, the evidence  
11 reveals that female feticide is also occurring in the  
12 United States," and that's the end of the quote.

13           Because these abortions take place largely  
14 after the sex can be determined by an ultrasound --  
15 now, sex can be determined earlier by genetic testing  
16 and other things like that, as Dr. Heinz is the expert  
17 on, but 17 weeks into the fourth month, fifth month,  
18 often is when the sex is determined by an ultrasound.  
19 So these abortions, when they occur, are grisly, they  
20 are inhumane, they are late-term abortions, and this is  
21 what we're trying to deal with that.

22           So despite the failure of the United States to

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1 outlaw sex selection abortion, the United States has  
2 repeatedly condemned it, through congressional  
3 resolution, at the United Nations, calling on other  
4 countries to ban the practice while we haven't done  
5 that yet here in our own country. That's what this  
6 bill is seeking to address. Countries that have been  
7 the worst offenders in the past, like India and the  
8 United Kingdom and China, have since enacted total  
9 bans, while the United States has not done so, making  
10 the United States a safe haven for those who would seek  
11 what is illegal in their own country to come here for  
12 this procedure.

13           Now, likewise, when it comes to abortion and  
14 race, the evidence, I will tell you, is equally  
15 chilling. When asked, "What is the leading cause of  
16 death in the American Black community?" the most common  
17 answer given by average Americans is heart disease.  
18 The correct answer is abortion. Since 1973, legal  
19 abortion has killed more African Americans than heart  
20 disease, cancer, stroke, accidents, AIDS, diabetes, and  
21 violent crime, all other causes, combined. It's been  
22 devastating to the Black community.

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# Exhibit D

# Capital Reporting Company

ARIZONA LEGISLATURE

ARIZONA HOUSE OF REPRESENTATIVES

Fiftieth Legislature - First Regular Session

House Floor Session Part 2

Committee of the Whole

Monday, February 21, 2011

1 abortions. An unborn child is dismembered because she  
2 is female. This is perfectly legal in America.

3 Most developed countries have passed  
4 restrictions on sex-selection abortion, and the United  
5 States has become a well-known safe haven for people of  
6 other countries who want to sex select. There have  
7 been several news stories detailing this problem. We  
8 must end this niche industry in the United States.

9 Race-targeted abortion is also real. A  
10 succession of investigative videos about Planned  
11 Parenthood revealed that this organization, the largest  
12 abortion franchise in America, has agreed to accept  
13 donations earmarked solely for the abortion of Black  
14 children by donors who made clear that they wanted to  
15 reduce the number of Black children in the United  
16 States.

17 Planned Parenthood's eugenics-based, racist  
18 history is well-known and was fully exposed in 2009  
19 with the documentary called "Maafa 21." The greatest  
20 majority of abortion clinics were proposedly (ph)  
21 located in minority neighborhoods by the founders of  
22 Planned Parenthood.

1           More than 70 percent of abortion clinics are  
2 still located in minority neighborhood today. African-  
3 American babies are now aborted at five times the rate  
4 of White babies to the point that nearly 50 percent of  
5 Black babies are aborted. This is also perfectly legal  
6 in the America. This is not who we are as a nation.

7           The founding principles of the United States  
8 is the transcendent value of all innocent human life.  
9 When we criticize other nations for human rights abuses  
10 and at the same time look the other way while our own  
11 children are being killed simply because they are the  
12 wrong sex or the wrong race, we undermine the  
13 foundations of our own nation and human dignity itself.

14           I introduced the original Prenatal  
15 Nondiscrimination Act in the United States Congress in  
16 2008. The former Democrat majority in the House  
17 refused to permit the bill to come to the floor for a  
18 vote. And since we still face a Democrat Senate and  
19 White House, the Republican-led Congress has  
20 prioritized other pro-life measures ahead of this bill  
21 in the short term.

22           Consequently, we must look to the states for

1           And so what the gist of this bill is something  
2 that I think everybody behind -- everybody not on the  
3 floor has told me that they agree that no one should be  
4 discriminated against based on their sex or race in  
5 abortion. The problem is nobody wants to do it in  
6 public.

7           I know that there is a lot of confusion,  
8 Representative Hobbs as to what this bill, and there's  
9 a lot of confusion that is trying to be brought forward  
10 to muddy up the waters of what this bill does. But  
11 simply, that is -- there's countries like China,  
12 countries in Asia that have a strong problem in sex  
13 selection. Our country there's evidence that this is  
14 happening.

15           The United States has gone to the United  
16 Nations advocating for a law to be passed in other  
17 countries to outlaw sex selection, yet we in our  
18 country, yet we in our state don't have a law in the  
19 books and don't want to acknowledge that there is a  
20 problem when there is evidence that this is happening.

21           Planned Parenthood by their own numbers they  
22 state that 42 percent of Black babies are aborted.

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# Exhibit E

# Capital Reporting Company

ARIZONA LEGISLATURE

ARIZONA SENATE

Fiftieth Legislature - First Regular Session

Committee on Healthcare and Medical Liability Reform

Wednesday, March 2, 2011, 2:00 P.M.

1 countries besides China." That article, "Gendercide,"  
2 had to do with China and India. It was not anything to  
3 do with the United States.

4 MS. SYDNEY HAY: Madam Chair and Senator  
5 Lopez, you're absolutely right, but my point is that  
6 this article shows what a devastating impact it has  
7 when you change the balance of gender in a culture, and  
8 it devastating when you read the article that that  
9 impact can have. And I have presented to you from the  
10 National Academy of Sciences where we're seeing it  
11 happening in the United States of America. Now it's  
12 not yet to the impact that has happened in China and  
13 India, but China and India have now banned the practice  
14 because it's been so devastating to them. My point  
15 being that it's time for the United States to do the  
16 same and be proactive and do the same.

17 MS. LOPEZ: Madam Chair, I would just say --

18 MS. BARTO: Senator Lopez.

19 MS. LOPEZ: -- that we're talking about  
20 Arizona. There is no evidence to indicate that there  
21 is any problem in Arizona. We're trying to fix a  
22 problem that doesn't exist. Shouldn't we be focusing

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1 much as it is paternalistic attitude. I want to  
2 appreciate though Senator Nelson's comments because  
3 I've calmed down just hearing your own voice and  
4 hearing how you look at it, taking a little broader and  
5 deeper look at it, and I'll tell you that I've calmed  
6 down, and I appreciate that, and I appreciate that  
7 about you and your willingness to do that.

8 I think the other part that makes it so  
9 emotional for me is when something is presented as  
10 being a problem and there's no substantiation for it,  
11 and then it feels like it's just being covered over and  
12 talked through it rather than being shown it.

13 And I know that in China it's an issue. And  
14 we've known it in America for a long time that it's  
15 been an issue. In fact China is even saying now that  
16 it's an issue because they don't even have enough girls  
17 to marry off to the boys. So it is becoming that kind  
18 of a problem.

19 And I recognize and I want to honor the  
20 feelings that Senator Lopez has because she had direct  
21 experience with the communities that are being  
22 referenced here. I don't think anybody on the

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1 compassion and understanding to each other. I'll try  
2 to monitor my feelings a little bit. This one just got  
3 to me. So I apologize for that, but I do also honor  
4 Senator Lopez and Senator Nelson. And I really don't  
5 like to see bills presented the way that this was. And  
6 I vote no.

7 SECRETARY: Senator Murphy.

8 MR. MURPHY: Madam Chair, may I explain my  
9 vote please.

10 MS. BARTO: Please.

11 MR. MURPHY: Thank you. A couple of points  
12 that I just want to make. One, I don't think that we  
13 have enough data because we didn't collect it until  
14 just recently to really be sure whether or not the  
15 problem that this bill would address is happening now  
16 in Arizona and in the United States or not.

17 But be that as it may, why does that mean that  
18 we should wait and see whether it happens before we  
19 address it? Because we know that it's something that's  
20 going on in the world. We know that it's something  
21 that is pervasive in some areas. We know that people  
22 from those countries and from those cultures are moving

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1 and immigrating in some reasonable numbers to the  
2 United States and to Arizona. And so with that in  
3 mind, why in good conscience would we want to wait  
4 until the problem does develop and bad things are  
5 happening and then react when we can be proactive and  
6 try to prevent the problem from happening in the first  
7 place? Will we be a hundred percent? No. Because  
8 people disobey the law sometimes, but that doesn't mean  
9 we shouldn't make the effort.

10 As to some of the comments that -- and I  
11 appreciate the frustration, perhaps, that some members  
12 may be feeling about this or other bills. But I really  
13 -- I don't want to take offense. That's a little too  
14 strong. But I take exception to comments that just  
15 because somebody is in favor of this bill or as a  
16 member of the majority that we don't care about  
17 children that are born. Because the fact of the matter  
18 is there are a lot of us, myself being one, I have a  
19 higher profile, but there are a lot of people without  
20 the profile who do take care of those children.

21 It just so happens that all of my children are  
22 children of color at the moment, and that seems to

1 before us, and I think that can be a problem when we're  
2 trying to discover the right policy based on the bill  
3 in front of us.

4           And I guess I feel a little offended that we  
5 are accused when we're really not dealing with those  
6 particular issues. But I can understand it. And I  
7 guess I expect a little bit of emotion around this  
8 issue in particular.

9           Having said that, I think this policy deserves  
10 a lot of consideration, and I appreciate the sponsor  
11 bringing it forward. Because as ugly as the eugenics  
12 movement was and the history abortion movement was in  
13 our country, it was real, it was true. And the motives  
14 may not be the same now, but the actions may continue,  
15 and we don't want to promote those actions. And I  
16 think when women are discriminated even if they're  
17 unborn, they should be protected. And minorities too.  
18 I think it's a place we can all agree. We have to  
19 admit what is happening. The trend lines are there.  
20 With a multicultural society as America is becoming  
21 more of, we have to guard against that. So I applaud  
22 the sponsor's work because this is a tough issue to

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