

Law & Ethics

Sex-Selective Abortion Bans

Anti-Immigration or Anti-Abortion?

Sital Kalantry

A new wave of legislation is sweeping state legislatures across the United States: laws prohibiting health professionals from providing an abortion if they believe a woman is seeking one because she does not want to have a child of a certain sex. Eight states have enacted such laws, and twenty-one other state legislatures in the country have considered them since 2009. Although the texts of the laws do not refer specifically to Asian Americans, supporters argue that these restrictions are needed to curb the trend among Asian-American women to abort female fetuses. This article first describes the narrative that proponents use to justify these laws—namely, that immigrants from countries where women abort female fetuses in favor of male children are coming to the United States and replicating those patterns. The emergence of these bills targeting Asian immigrants occurs at a time when Asian Americans are the fastest growing racial group in the United States. As a result, it is natural to question whether abortion bans are being adopted in response to the growing Asian population in the United States. To test the hypothesis, I determined whether there is an association between whether a state considers and/or passes a ban on sex-selective abortion and the growth rate of Asian immigrants by

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state. Indeed, I found that nearly 70 percent of the states with growth rates of the Asian population in excess of 70 percent between 2000 and 2010 considered and/or adopted laws to ban abortions, whereas only 51 percent of the states with low Asian population growth rates (i.e., below 70 percent) considered and/or adopted sex selective abortion bans.

Asian immigrant growth rates are only part of the explanation for why sex-selective bans are booming in state legislatures, particularly given the fact that there is scant empirical support for the notion that Asians in the United States prefer to have boys and abort girls. Indeed, the strong anti-abortion movement and anti-abortion sentiments in the United States also provide impetus for these bills to emerge. I also found an association between states' consideration of sex-selective abortion bans and other anti-abortion legislation in general. Of the states that had adopted other anti-abortion laws as of 2012, nearly 70 percent of those states also passed and/or considered bills on sex-selective abortion since 2009. On the other hand, only 44 percent of the states that had not adopted other anti-abortion laws as of 2012 considered and/or adopted sex selective abortion bans.

Additionally, according to a logit regression analysis for the binary outcome of passage or consideration of anti-abortion legislation, the passage of other anti-abortion legislation is significantly associated with consideration of sex-selective abortion bans, whereas the growth in Asian immigration is not. Thus, anti-abortion sentiments appear to be driving these bans more

than the rate of Asian immigration. American lawmakers should be careful not to base laws in reaction to practices that occur in other countries assuming that because people in China and India engage in certain practices, Asians in the United States from those countries will also engage in those same practices.

Bans on Sex-Selective Abortion Are Being Enacted to Prevent Asian Americans from Aborting Female Fetuses.

State legislatures are increasingly passing laws to regulate immigration. A well-known example is from Arizona, which enacted a law in 2010 that required state and local law enforcement officials to detain people who they reasonably believed were unlawfully present in the United States.¹ Parts of the law were later declared unconstitutional.² The other well-known example is the ordinance adopted by Hazelton, a city in Pennsylvania, which sanctioned employers for hiring undocumented workers and landlords who rented to undocumented people.³ An appellate court found this to be an improper intrusion on federal government authority and overturned the ordinances.⁴

A new wave of legislation, aimed at Asian immigrants, has hit state legislatures: bans on sex-selective abortions. Eight states have enacted laws prohibiting sex-selective abortion (see Table 1) and twenty-one other state legislatures in the country have considered such bans since 2009 (see Table 2). In 2010, a majority of the U.S. House of Representatives voted in favor of such bans.⁵ Unlike the Arizona law and the Hazelton ordinance, sex-selective abortion bans do not attempt to reg-

ulate illegal immigration, but rather address what is (incorrectly) assumed to be the behavior of Asian immigrants. These laws prohibit medical professionals from performing an abortion if they believe that a woman is seeking to obtain one because of the sex of

A common line of reasoning can be seen in legislative discussions surrounding bills under consideration in the U.S. Congress as well as state legislatures across the United States. First, some argue that a preference for boys in India and China causes women to

There is **scant empirical support** for the notion that Asians in the United States prefer to have boys.

the fetus. Providers in South Dakota for example, the most recent state to pass such a law, are obliged to inquire whether a woman knows the sex of the fetus and whether she is seeking an abortion on that basis.⁶

These laws prohibit using abortion as a method for sex selection, but they do not ban other increasingly common methods of sex selection. Families can sex-select through artificial insemination, whereby only sperm that will produce the desired sex are allowed to fertilize the egg. In-vitro fertilization can also allow for sex selection by removing eggs from a woman and fertilizing them outside of the body. Three days after fertilization, one or two cells are removed from the embryo and the sex of the embryo is determined through chromosomal analysis of the removed cells such that only the embryos of the desired sex are implanted in the uterus. These sex-selection procedures are legally available in the United States and, indeed, fertility clinics actively promote their availability. Notwithstanding this, none of the laws that ban sex-selective abortion in the United States prohibit sex selection prior to conception or implantation.

abort female fetuses to avoid having a female child. For example, a report by the Judiciary Committee of the House of Representatives, undertaken in connection with the federal legislative ban on sex-selection, states that "the selective abortion of females is . . . the intentional killing of unborn females, due to the preference for male offspring or 'son preference.'" The report explains why "son preference" exists in other countries: girls are a financial burden and do not carry the family name.⁸

It is true that sex selection in favor of boys is well documented in places like India. Several studies have shown that the ratio of girls to boys has drastically decreased in India. The normal at-birth ratio for boys to girls is 1000 boys to 952 girls. Yet the overall ratio across the country is 1000 boys to 943 girls, according to the 2011 census.⁹ Many assume that these women used ultrasound technology (which became increasingly available since the mid-1980s) to detect the sex of the fetus and abort it if it was female.¹⁰

The second step in the argument supporting sex-selective abortion bans in the United States is the claim that people from India and China are com-

ing to the United States and aborting female fetuses consistent with practices in their countries of origin. For example, Don Hagger, a Republican state representative in South Dakota, stated:

Let me tell you, our population in South Dakota is a lot more diverse than it ever was. There are cultures that look at a sex-selection abortion as being culturally okay. And I will suggest to you that we are embracing individuals from some of those cultures in this country, or in this state. And I think that's a good thing that we invite them to come, but I think it's also important that we send a message that this is a state that values life, regardless of its sex.¹¹

Additionally, the federal bill that would ban sex-selective abortion in the United States asserts: "Evidence strongly suggests that some Americans are exercising sex-selection abortion practices within the United States con-

to ban sex-selective abortion also notes that it is needed to promote equality.¹⁴

Interestingly, this common narrative that has emerged in state legislatures since 2009 was not present in the discussions of bans in the 1980s, possibly reflecting the fact that there were fewer Asian immigrants in the United States at that time. But the wave of legislation can also be attributed to an influential article released in 2008 that claimed to provide empirical evidence of sex selection in favor of boys among Asian Americans. Historically, Illinois was the first state in the United States to ban sex-selective abortion. In 1984, Illinois adopted a bill that modified its abortion law in light of certain rulings by courts, but then also added a provision relating to sex-selective abortion.¹⁵ I found neither discussion nor trends of the global sex ratio or practices of female infanticide or feticide in the transcripts of the Illinois Senate and

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sistent with discriminatory practices common to their country of origin, or the country to which they trace their ancestry."¹²

The third part of the narrative is that sex-selective abortion bans are needed to promote equality for women and girls. In his submission to a House committee, United States Representative Lamar Smith states: "The reason for opposing sex-selection is uniform: the desire to combat discrimination."¹³ The preamble to the Congressional bill

House of Representatives.¹⁶

The second state to ban sex selection was Pennsylvania in 1989. During the deliberations on this bill, no supporters of the bill mentioned the situation in other countries or the global sex ratio. The geographical focus of the discussion was the United States. For example, the main sponsor of the bill, Representative Stephen Friend, cited a *New York Times* poll, which indicated that 20 percent of the medical geneticists interviewed for the poll counseled

for sex-selective abortions. He further admitted that even if no sex-selective abortions “are performed [in the United States] and that poll is wrong, then this legislation prohibiting it does no harm whatsoever.”¹⁷ Senator Karen Ritter, an opponent of the bill, was the only person to mention sex selection in other countries, saying: “This is a terrible practice in other countries like India and China, but we do not do it here.”¹⁸

Growth of Asian Immigration in the United States. The view that Asian immigrants are performing sex-selective abortions in the United States emerged with the growth of Asian immigration in the United States. The number of Asian Americans has nearly doubled every decade since 1970 (see Graph 1). At this moment, the Asian-American population is the fastest-growing racial group in the country.¹⁹ Indeed, as of July 2013, the U.S. Hispanic population grew by 2.1 percent over 2012, whereas the Asian population grew by 2.9 percent.²⁰ Among the 17,329,586 Asian Americans in the United States, 3,183,063 are of Indian descent and 4,010,114 are from Chinese descent.²¹ In other words, nearly 42 percent of all Asian Americans trace their heritage (through one or both parents) to India or China.

The growth rate of Asian Americans has varied dramatically by state. From 2000 to 2010, the Asian population in Nevada grew over 116 percent whereas it grew by only 30 percent in Rhode Island (see Graph 2).²² Given that sex-selective abortion bans target the (assumed) practices of Asians in the United States, we would expect that

states with the highest Asian population growth rates would be more likely to consider such laws than states with lower growth rates of Asian Americans.

Indeed, nearly 70 percent of the states where the Asian population grew by more than 70 percent from 2000 to 2010 considered and/or adopted laws to ban abortions since 2009 (see Table 3). On the other hand, 51 percent of the states where the Asian population grew less than 70 percent considered and/or adopted the laws ($p=.337$).²³ Pennsylvania and Illinois were not included in this analysis because they adopted the bans in the 1980s. In thirteen of the forty-eight states studied in this analysis, 35 had growth rates below 70 percent and 13 had growth rates of Asian immigration above 70 percent (see Table 7).

Empirical Data on Sex-Selection Abortions in the United States Among Asians. Illinois banned sex-selective abortion in 1984, followed by Pennsylvania four years later. Thereafter, for a period of 20 years, no states introduced bills prohibiting sex-selective abortions until 2009, when five state legislatures considered banning sex-selective abortions. Since then, 21 states have considered adopting such bans, and six have passed them (see Table 2).

This new legislative interest in sex selection bans came immediately after the 2008 publication of an article in the influential journal, the *Proceedings of National Academy of Sciences*, which suggested that sex selection in favor of boys was occurring among certain Asian communities in the United States. Douglas Almond and Lena Edlund calculated

sex ratios at birth, broken down by ethnic groups from the 2000 U.S. Census. Sex ratios at birth are calculated by dividing the number of boys born in a given population at any given time by the number of girls born. They found male-biased sex ratios at birth for the second and third children of foreign-born Chinese, Indian and Korean families after the birth of one and two girls.²⁴ In other words, these three groups were more likely than European Americans to have a boy as their third child when they had two girls.

Policymakers assume from this analysis of birth records that abortion (rather than pre-implantation means of sex selection) is what accounts for the fact that a small number of Asian families are more likely to have a boy as their third child when they already have two girls than European Americans. A number of other studies thereafter confirmed the findings.²⁵

Almond and Edlund's study made very narrow findings about national level data; nonetheless, it has been used extensively to support laws banning sex-selective abortion bills.²⁶ First, a male-biased sex ratio was found only in three very specific foreign-born Asian communities: Indians, Chinese, and Koreans. Within this group, a statistically significant trend was found only in families that had girls as their first two children. Second, the number of families in the study that were foreign-born Chinese, Indian, and Korean that had three children (with the first two being girls) was 324. It should be noted that this data represented only 5 percent of the U.S. census data in a 10-year period. Third, by studying only sex ratios at birth, we cannot be certain of the

method being used to sex-select abortion or pre-implantation reproductive technologies. However, this study (and other studies confirming it) is the entire empirical basis to support this wave of legislation sweeping the states.

Policymakers are thus basing laws on the behavior of a very small group of Asian families. Moreover, this trend is very different from what is happening in their countries of origin. Graph 3 below depicts the sex ratios at birth of foreign-born Chinese and Indian families in the United States and people in India and China. When comparing these groups, we see that the sex ratios at birth of people living in India and China are very male-biased (sex ratios above 1.07 are considered to be male-biased), but they are not male-biased for Asians in the United States (when all of their births are taken into account).

In other work, my co-author analyzed more recent data from 2007 to 2011 from the American Community Survey, using the same methodology used by Almond and Edlund, and confirmed that a very small group of Asian families in the United States are more likely to have a boy in their third birth when they have two girls than white Americans. We also found, however, that when foreign-born Indian, Chinese, and Korean families have two girls, they are more likely to have boys than are white Americans after having two girls. Thus, what more recent U.S. census data suggests is that Asian Americans do not seem to have an aversion to daughters; they want both boys and girls.²⁷ Indeed, certain economic and social factors that drive people in India to prefer sons over daughters are not

present in the United States.²⁸

Sex-Selective Abortion Bans and the Anti-Abortion Movement. Anti-abortion groups in the United States have pushed for federal and state bans on sex-selective abortion. Steven Mosher for example, the head of leading anti-abortion group Population Research Institute, wrote in 2008:

I propose that we—the pro-life movement—adopt as our next goal the banning of sex-selective abortion. . . . By formally protecting all female fetuses from abortion on ground of their sex, we would plant in the law the proposition that the developing child is a being whose claims on us should not depend on their sex.²⁹

In furtherance of this strategy, Americans United for Life have developed a legislative toolkit to help promote state-wide legislative bans on sex-selective abortion.³⁰ A ban on sex-selective abortion is seen as one more restriction on access to abortion, which (for example) requires an inquiry into

(1) those that as of 2012 had passed laws either (a) requiring women seeking abortions to submit to ultrasounds, (b) allowing health care providers to refuse to perform abortions and other medical procedures they may find morally objectionable, (c) declaring that life begins “at the moment of conception,” (d) defunding Planned Parenthood by limiting funds to the organization, and/or (e) outlawing abortions after 20 weeks gestation; and (2) states which had not passed such laws as of 2012.³¹ Twenty-four states were included in category (1) and twenty-four states were included in category (2) (see Table 7). I use the state’s passage of anti-abortion laws as a proxy for the general climate in the state legislatures towards abortion rights. It should be noted that I have not identified whether there was a change in elected members of state legislatures from the time that the sex-selective abortion ban was introduced and the other anti-abortion measures was introduced, but I assume that the general climate towards abortion has remained the same in state legislatures

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the reasons of every woman seeking an abortion (not just Asian-American women).

To determine whether there is an association between a state’s general climate towards abortion restrictions and whether or not sex-selective bans are introduced in state legislatures, I categorized states into two categories:

between 2009 to 2014 (the time period within which the sex-selective abortion bills that are part of this study were considered and/or adopted).

Of the states that had adopted other anti-abortion laws as of 2012, nearly 70 percent of those states also passed and/or considered bills on sex-selective abortion since 2009. On the other

hand, only 44 percent of the states that had not adopted other anti-abortion laws as of 2012 considered and/or adopted sex-selective abortion bans. This suggests that the decision among states to adopt other abortion restrictions is associated with the adoption of sex-selective abortion bans ($p=.089$).³² Indeed, an analysis of the voting

states considered and/or passed the bans (Table 6). This suggests that in-state legislatures that passed other anti-abortion laws, the level of Asian immigration into the state does not seem to impact whether or not they considered the bans ($p=.449$).³⁵

Indeed, according to a logit regression analysis for the binary outcome

Laws that purport to address immigration face the risk of being based on **stereotypes rather than reality.**

records of the six states also suggests a strong connection to abortion politics in the United States. Over 90 percent of Republican representatives (who I assume are more likely to be anti-abortion) in the six states that enacted bans in the last four years voted for the bans. In contrast, less than 10 percent of Democrats voted for the bans in four of the six states.³³

In further examining the states that did not have other anti-abortion laws, only 37 percent of the low Asian immigration growth rate states considered and/or passed the law and 67 percent of high Asian immigration growth rate states considered and/or passed the laws (Table 5). This suggests that high Asian growth rate is associated with consideration of the bans in state legislatures that do not have a record for passing anti-abortion laws ($p=.098$).³⁴ On the other hand, in states that had other anti-abortion laws in place by 2012, 68 percent of the states that had low Asian immigration growth considered and/or passed the bans, while 71 percent of high Asian immigration growth

of passage or consideration of anti-abortion legislation (Table 8), the passage of other anti-abortion legislation is significantly associated with consideration of sex-selective abortion bans ($p=.88$), whereas the growth in Asian immigration is not ($p=.315$). Thus, it appears that anti-abortion sentiments are more likely driving consideration of sex-selective abortion bans rather than Asian immigration growth. Conversely, supporters of these bills argue that the laws must be passed to stop the (assumed) practices of Asian immigrants.

Conclusion. In the last five years, over half of the state legislatures in the United States have considered banning sex-selective abortion because of the (false) belief that Asian Americans are disproportionately giving birth to more boys than are European Americans. Supported by the data that applies to a very small subset of Asian Americans, proponents of the law stereotype Asian Americans by assuming that their birthing patterns are the same as those of

people in India and China.

One might assume that the rapidly growing Asian immigrant community in the United States provides impetus for states to adopt these bans. Indeed, I found an association between the growth rate of Asian immigration in U.S. states and the decision to consider and/or adopt legislation prohibiting sex-selective abortion in those states. Bills were introduced (and in some cases garnered enough votes to pass) in 70 percent of state legislatures that had high growth rates (over 70 percent) of Asian immigrants from 2000 to 2010.

While there does seem to be some association with immigration, there is also another story behind these laws: a strong anti-abortion movement and anti-abortion sentiments are encouraging these laws in the United States. I found a strong association between a state's adoption of other anti-abortion laws and its adoption of sex-selective abortion bans. Of the states that had adopted other anti-abortion laws since 2012, nearly 70 percent of those states also passed and/or considered bills on sex-selective abortion since 2009. On the other hand, only 44 percent of the states that had not adopted other anti-abortion laws as of 2012 considered and/or adopted sex-selective abortion bans.

Upon further analysis, I also found that high Asian immigrant growth rates are associated with consideration of the bans in state legislatures that do not have a record for passing anti-abortion laws, but in state legislatures that passed other anti-abortion laws, the level of Asian immigration into the state does not seem to impact whether or not they considered the bans. It

should be noted that we are not able to determine whether the growth of Asian immigration and/or the general climate towards abortion in the state legislatures causes them to consider and/or pass bans on sex-selective abortion, but there appears to be a stronger association with anti-abortion sentiments than with Asian immigration growth. Indeed, according to a logit regression analysis for the binary outcome of passage or consideration of anti-abortion legislation, the passage of other anti-abortion legislation is significantly associated with consideration of sex-selective abortion bans, whereas the growth in Asian immigration is not.

Laws such as sex selective abortion bans that purport to address immigration face the risk of being based on stereotypes rather than reality. The aforementioned Arizona laws allow police to detain people who they suspect are undocumented based on their looks alone. Sex-selection laws are based on the (inaccurate) stereotype that Asian immigrants into the United States (particularly those from China and India) favor boys and abort girls at the same rates as people in India and China. As previously discussed, this is clearly not the case. As a result of anti sex-selection bans, Asian women who desire to obtain reproductive services could be profiled by medical professionals and denied services even when they are not attempting to sex-select.

Because of the undue focus on Asian immigrants in the discussions of sex-selection bans, the real conversation that should occur in the American democratic system is short-circuited. States legislators and voters fail to discuss whether or not sex selection is a

gateway to eugenics concerns, whether or not sex selection perpetuates gender stereotypes, and whether or not sex selection should be used for family balancing. Any bans on sex-selective

abortion should take these issues into account and should not be based on misinformed views about the practices of Asian immigrants in the United States.

Graphs and Tables.

Table 1: States That Have Passed Anti Sex-Selection Abortion Laws

State	Year of Enactment
Illinois	1984
Pennsylvania	1989
Oklahoma	2010
Arizona	2011
Kansas	2013
North Carolina	2013
North Dakota	2013
South Dakota	2014

Table 2: States That Have Considered But Not Passed Anti Sex-Selection Abortion Laws

State	Year(s) Considered by State Legislature
California	2014
Colorado	2013
Florida	2012, 2013
Georgia	2010
Iowa	2013, 2014
Idaho	2010
Indiana	2013
Massachusetts	2012, 2013
Michigan	2009, 2010, 2012
Minnesota	2009, 2010
Missouri	2012, 2013, 2014
Mississippi	2009, 2010, 2014
New Jersey	2009, 2010, 2011, 2012
New York	2011, 2012, 2013, 2014
Ohio	2012
Oregon	2013, 2014
Rhode Island	2011, 2012, 2013, 2014
Texas	2013
Virginia	2013, 2014
Wisconsin	2013, 2014
West Virginia	2009, 2010, 2011, 2012, 2013, 2014

Table 3: Sex-Selective Abortion Laws and Growth Rate of Asian Population

	Asian Growth Rate Below 70%	Asian Growth Rate Above 70%
States that did not Consider or Pass Sex-Selective Abortion Bans	17 (48.57%)	4 (30.77%)
States that Considered and/or Passed Sex-Selective Abortion Bans	18 (51.43%)	9 (69.23%)
Total	35 (100%)	13 (100%)

Table 4: States that Considered and Passed Sex-Selective Abortion Bans and Other Anti-Abortion Laws

	States that Did not Adopt Other Anti- Abortion Bills	States that Adopted Other Anti-Abortion Bills
States that did not Consider or Pass Sex-Selective Abortion Bans	14 (56%)	7 (30.43%)
States that Considered and/or Passed Sex-Selective Abortion Bans	11 (44%)	16 (69.57%)
Total	25	23

Table 5: States That Have Considered But Not Passed Anti Sex-Selection Abortion Laws and Asian Immigration Growth

States that Considered and/or Passed Sex Selective Abortion Bans	Asian Immigration Growth Below 70%	Asian Immigration Growth 70% or more
No	12 (63.15%)	2 (33.33%)
Yes	7 (36.84%)	4 (66.66%)
Total	19	6

Table 6: States That Adopted Other Anti-Abortion Laws and Asian Immigration Growth

States that Considered and/or Passed Sex Selective Abortion Bans	Asian Immigration Growth Below 70%	Asian Immigration Growth 70% or more
No	5 (31.25%)	2 (28.57%)
Yes	11 (68.75%)	5 (71.42%)
Total	16	7

Table 7: Sex-Selective Abortion Laws and Growth Rate of Asian Population by State

States	Considered (But Did not Pass) Ban	Passed Ban	% Change in Asian Popu- lation From 2000 to 2010	States that Passed Other Anti-Abor- tion Laws as of 2012
Alabama	No	No	69.9	Yes
Alaska	No	No	54.2	Yes
Arizona	**	Yes	94.6	Yes
Arkansas	No	No	76.9	No
California	Yes	No	33.7	No
Colorado	Yes	No	53.7	Yes
Connecticut	No	No	64.7	No
Delaware	No	No	77.9	No
Florida	Yes	No	72.1	Yes
Georgia	Yes	No	82.9	Yes
Hawaii	No	No	11.1	No
Idaho	Yes	No	70.8	Yes
Indiana	Yes	No	74.0	No
Iowa	Yes	No	49.6	Yes
Kansas	**	Yes	49.7	Yes
Kentucky	No	No	67.4	Yes
Louisiana	No	No	31.1	No
Maine	No	No	55.0	No
Maryland	No	No	55.2	No
Massachusetts	Yes	No	48.9	No
Michigan	Yes	No	39.0	Yes
Minnesota	Yes	No	52.2	No
Mississippi	Yes	No	39.9	Yes
Missouri	Yes	No	62.1	Yes

SEX-SELECTIVE ABORTION BANS

Montana	No	No	47.6	No
Nebraska	No	No	51.3	Yes
Nevada	No	No	116.0	Yes
New Hampshire	No	No	79.6	Yes
New Jersey	Yes	No	51.6	Yes
New Mexico	No	No	52.0	No
New York	Yes	No	35.1	No
North Carolina	**	Yes	85.4	No
North Dakota	**	Yes	85.1	No
Ohio	Yes	No	49.1	Yes
Oklahoma	**	Yes	43.3	Yes
Oregon	Yes	No	46.3	No
Rhode Island	Yes	No	30.0	Yes
South Carolina	No	No	68.4	Yes
South Dakota	**	Yes	70.0	No
Tennessee	No	No	64.5	No
Texas	Yes	No	72.4	No
Utah	No	No	59.7	No
Vermont	No	No	58.0	No
Virginia	Yes	No	71.5	Yes
Washington	No	No	52.7	No
West Virginia	Yes	No	38.7	Yes
Wisconsin	Yes	No	47.4	No
Wyoming	No	No	63.8	No

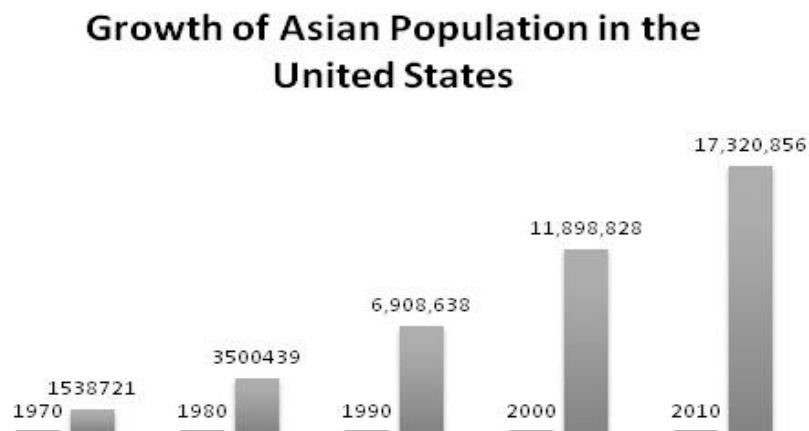
**States that passed the laws

Note: Pennsylvania and Illinois are not included because they adopted the bans in the 1980s, whereas all of the other states that have considered and/or adopted the laws have done so after 2009.

Table 8: Logistic regression relating the passage or consideration of anti-abortion legislation with the passage of other anti-abortion legislation (OTHER LEGIS) and growth in Asian immigration over 70% (ASIAN GROWTH). Standard error are in parenthesis, "*" indicates $p < .10$, $n=48$, and c-statistic = 0.725.

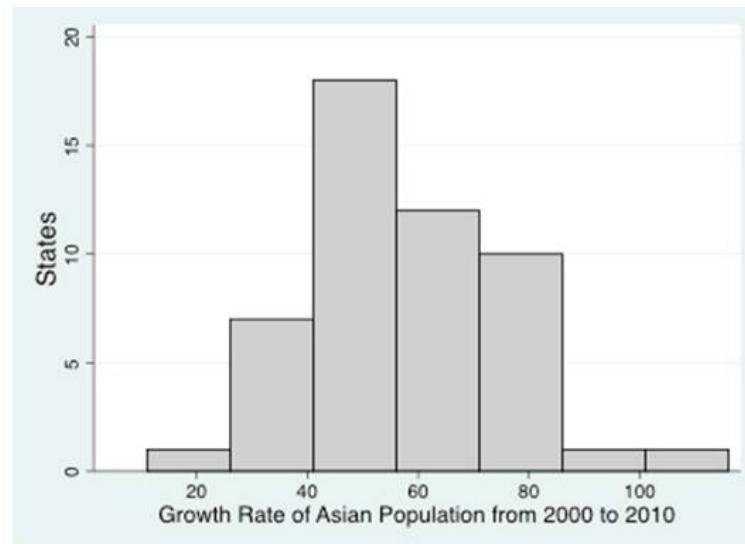
	Odds Ratio
Other Legis	2.85* (1.75)
Asian Growth	2.04 (1.45)
Constant	.0.66 (.29)

Graph 1: Growth of Asian Population in the United States



Source: U.S. Census (1970, 1980, 1990, 2000, 2010)

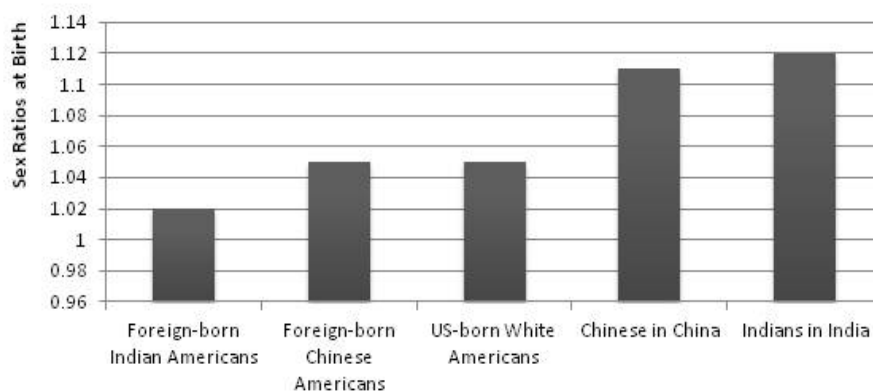
Graph 2: Histogram of Growth in Asian Immigration Population in U.S. States



Source: U.S. Census 2010

Graph 3: Comparison of the at birth sex ratios (boys to girls) of various groups

Comparison of Sex Ratios at Birth in India and China with Foreign-Born Indian and Chinese Americans and US-Born White Americans



Source: For sex ratios in India and China, the CIA World Factbook. For sex ratios of foreign-born Indian and Chinese Americans and US-born whites, the American Community Survey from 2007 to 2011.

NOTES

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6 H.B. 1162, 89th Leg. Reg. Sess. (S.D 2014) (enacted).

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8 Ibid.

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10 Mara Hvistendahl, *Unnatural Selection: Choosing Boys Over Girls, and the Consequences of A World Full of Men*, (New York: Public Affairs, 2011), 49. Also Christophe Z. Guilmoto, *Characteristics of Sex-Ratio Imbalance in India, and Future Scenarios* (4th Asia Pacific Conference on Reproductive and Sexual Health and Rights, Hyderabad, India, 29-31 October 2007), 4-8, Internet, <http://www.unfpa.org/gender/docs/studies/india.pdf> (date accessed: 1 November 2014).

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12 Prenatal Nondiscrimination Act of 2013, H.R. 447, 113th Cong. § 2(a)(1)(J) (2013).

13 Submission of United States Representative Lamar Smith (R-TX) to the Committee of the Whole House on the State of the Union, H.R. Rep. No. 112-496, (2012) 15.

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19 U.S. Census Data available at <http://www.census.gov/newsroom/releases/archives/population/cb14-118.html> (date accessed: 1 November 2014).

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21 U.S. Bureau of the Census, *The Asian Population: 2010*. Prepared by Elizabeth M. Hoeffel et al., March 2012, Internet, <http://www.census.gov/prod/cen2010/briefs/c2010br-11.pdf> (date accessed: 1 November 2014).

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23 The p-value was obtained using the Fisher's exact two-tailed test. In small data sets such as in Tables 3, 4, 5 and 6, p values that are below .1 are considered to be statistically significant. In exact small sample tests it is typical to see p-values that are not below the standard .05 significance level, the marginal significance is considered sufficient evidence of an effect. See B. Burt Gerstman, *Basic Biostatistics: Statistics for Public Health Practice* (Boston: Jones and Bartlett Publishing, 2008).

24 Douglas Almond and Lena Edlund, "Son-biased sex ratios in the 2000 United States Census," *PNAS* 105, no. 15 (2008): 5681-5682.

25 See Jason Abrevaya, "Are There Missing Girls In the United States? Evidence From Birth Data," *American Economic Journal* 1, no. 2 (April 2009): 1-34, Internet, <http://www.aeaweb.org/articles.php?doi=10.1257/app.1.2.1> (date accessed: 1 November 2014).

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26 See H.R. 447 at § 2(a)(1)(F) (citing the Almond and Edlund study as showing an "obvious 'son preference' in the form of unnatural sex-ratio imbalances within certain segments of the United States population, primarily those segments tracing their origins to countries where sex-selection abortion is prevalent"). Also New Jersey, A.B. 2157(1)(f), 215th Leg., Reg. Sess. (N.J. 2013) ("[I]n a March 2008 report published in the Proceedings of the National Academy of Sciences, two economists from Columbia University examined the sex ratio of children born in the United States and found 'evidence of sex-selection, most likely at the prenatal stage'"). Also Florida, H.B. 845, 115th Leg., Reg. Sess. (Fla. 2013) ("In a March 2008 report published in the Proceedings of the National Academy of Sciences, Columbia University economists Douglas Almond and Lena Edlund examined the sex ratio of United States born children and found 'evidence of sex-selection, most likely at the prenatal stage.' The data revealed obvious 'son preference' in the form of unnatural sex-ratio imbalances within certain segments of the United States population, primarily those segments tracing their ethnic or cultural origins to countries where sex-selection abortion is prevalent.").

27 Sital Kalantry and Miriam Yeung, "Replacing Myths with Facts: Sex-selective Abortion Laws in the United States - A Project of University of Chicago Law School's International Human Rights Clinic, National Asian Pacific Women's Forum, Advancing New Standards for Reproductive Justice," Internet, <https://ihrcclinic.uchicago.edu/sites/ihrcclinic.uchicago.edu/files/uploads/Replacing%20Myths%20with%20Facts%20-%20Sex-Selective%20Abortion%20Laws%20in%20the%20United%20States.pdf> (date accessed: 1 November 2014).

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28 Ibid.

29 Mara Hvistendahl, *Unnatural Selection* (2011), 240.

30 Americans United for Life, "Ban on Abortions for Sex Selection and Genetic Abnormalities: Model Legislation and Policy Guide For the 2012 Legislative Year," Internet, <http://www.aul.org/wp-content/uploads/2012/01/Sex-Selective-and-Genetic-Abnormality-Ban-2012-LG.pdf> (date accessed: 1 November 2014).

31 Igor Volsky, "Interactive Map: The Most Restrictive Abortion Measures in the States," Internet, <http://thinkprogress.org/health/2012/03/07/439383/interactive-map-abortion/> (date accessed: 1 November 2014).

32 The p-value was obtained using Fisher's exact two-tailed test.

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34 The p-value was obtained from exact two sample proportion tests. See Alan Agresti, *Categorical Data Analysis* (Hoboken: John Wiley & Sons, Inc., 2002).

35 The p-value was obtained from exact two sample proportion tests.