The Business of Abortion: Access to Capital Post *Dobbs*

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Access to credit—that is, the ability to receive financial leverage that could help jump-start businesses—is one of the most significant barriers preventing millions of American women from opening new businesses. Congress has attempted to address this issue since the 1970s, with legislation like the Equal Credit Opportunity Act (ECOA). Nevertheless, studies continue to show a persistent gender gap in access to credit. Scholars have offered a host of explanations for this gap, focusing on both the supply and demand sides of the equation.

This Article contributes to this growing scholarly exploration by offering a new, overlooked explanation for this gap: namely, it links access to reproductive care—particularly the right to abortion—with access to credit. To investigate this connection, this Article adopts a three-stage novel empirical methodology that utilizes the enactment of Targeted Regulation of Abortion Providers ("TRAP Laws") as proxies for abortion restrictions. We find consistent evidence that restrictions on access to reproductive care reduce women's ability to raise capital and leverage their business endeavors. As such, these restrictions widen the gender gap in entrepreneurship and diminish potential economic growth.

This Article thus explores an impact that seems to have slipped under the radar of scholars and policymakers evaluating the negative impact of the decision in Dobbs v. Jackson Women's Health

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Organization *on women's equality. Given the potential expansion of abortion restrictions across the nation, these findings are particularly noteworthy.*

*Legislative efforts, like the ECOA, seem insufficient to overcome the additional barriers that laws restricting access to reproductive rights create. Accordingly, to overcome the gender gap in access to credit, legislative and policy efforts must address more deeply entrenched discriminatory patterns and cultural norms. To that end, this Article proposes three modes of action that could potentially mitigate the devastating effects on women's equal participation in the economy in a post-*Dobbs *era: (1) government-led action; (2) civil society-led efforts; and (3) business owners-led initiatives.*

TABLE OF CONTENTS

INTRODUCTION

The issue of equal access to credit for female entrepreneurs,[1] women who wish to open and operate their own businesses, is crucial to American society. This Article focuses on these women: from owners of technology firms to owners of small businesses such as hair salons, restaurants, or local stores. Indeed, entrepreneurship is one of the primary foundations of economic prosperity and growth in the United States.[2] Entrepreneurial activity boosts economic growth by spurring innovation, increasing market competition, and introducing new job opportunities.[3] It is beneficial for the market as a whole, and for the entrepreneurs themselves. History has proven how entrepreneurship has broken through social and economic barriers—gender disparities among them.[4] This is particularly true in the United States, known as "the world's most entrepreneurial country."[5]

However, over the years scholars and policy makers have come to recognize that participation in the entrepreneurial market is not equally distributed, and that a persistent gender gap restrains women's abilities to own businesses as compared to men.[6]

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1. Moving forward, we will use the terms "business owners" and "entrepreneurs" interchangeably. By "access to credit" we mean the ability of women to receive external financial leverage that could help them jump-start their businesses.

2. Martin Carree & Roy Thurik, *Understanding the Role of Entrepreneurship for Economic Growth* 6 (Max Planck Institute for Research into Economic Systems, No. 1005, 2005); Onome Adejemilua, *Addressing the Funding Gap for Women and Diverse Entrepreneurs*, 2021 N.J. L. MAG. 20, 20. There are many definitions of "entrepreneurship," but the primary definition that this Article will be using is that "[e]ntrepreneurship is the creation of new organizations." Ferdinando Giglio, *Access to Credit and Women Entrepreneurs*, 13 INT'L J. ECON. & FIN. 312, 313 (2021) (considering different definitions of entrepreneurship, including that by scholars Gartner, Venkataramna, Herbert and Link, and more). For additional definitions of entrepreneurship, see D. Gordon Smith & Darian M. Ibrahim, *Law and Entrepreneurial Opportunities*, 98 CORNELL L. REV. 1533, 1540–45 (2013).

3. Michael S. Barr, *Minority and Women Entrepreneurs: Building Capital, Network, and Skills* 8–9 (Brookings Inst., Discussion Paper, 2015), https://www.hamiltonproject.org/assets/legacy/files/downloads_and_links/minority_women_entrepreneurs_building_skills_barr_final.pdf.

4. *Id.* at 9 ("[E]ntrepreneurship is correlated with wealth, savings, job satisfaction, and economic mobility. . . . Business ownership can catalyze social mobility."). *See* Carlos Berdejó, *Financing Minority Entrepreneurship*, 2021 WIS. L. REV. 41, 47–49 (2021).

5. *See* Alexandra Dimitropoulou, *World's Most Entrepreneurial Countries, 2021*, CEOWORLD MAG. (Jan. 3, 2021), https://ceoworld.biz/2021/01/03/worlds-most-entrepreneurial-countries-2021/#:~:text=The%20United%20States%20has%20been,placed%20second%20and%20third%2C%20respectively; Imperial College London*, United States Top in the World for Entrepreneurship*, SCI. DAILY (Apr. 9, 2014), https://www.sciencedaily.com/releases/2014/04/140409094234.htm (considering the 2014 Global Entrepreneurship and Development Index (GEDI)); *see also* Smith & Ibrahim, *supra* note 2 at 1536 ("[P]romoting entrepreneurial action is a fundamental value of the U.S. legal system.").

6. Paul A. Gompers & Sophie Q. Wang, *Diversity in Innovation* (Nat'l Bureau of Econ. Rsch., Working Paper No. 23082, 2017) ("[F]rom 1990-2016 women have been less than 10% of the entrepreneurial and venture capital labor pool."); Benjamin P. Edwards & Ann C. McGinley, *Venture Bearding*, 52 U.C. DAVIS L. REV. 1873, 1877 (2019) ("[U]ncorrected implicit biases pervade the business environment, tilting the investment decisions made by venture capitalists toward men. Because venture capitalists are overwhelmingly white and male, they may be particularly vulnerable to implicit bias in favor of white male founders in evaluating investment opportunities."); Pablo de Andrés, Ricardo Gimeno & Ruth Mateos de Cabo, *The Gender Gap in Bank Credit Access*, 71 J. CORP. FIN. 1, 1 (2021) ("[W]omen led businesses would experience tougher credit

Admittedly, with time the gap has shrunk, and today more women own businesses in the United States than ever before.[7] Despite these encouraging trends, one cannot—and should not—ignore the still-consistent challenges women face when trying to open a business. Among the many challenges documented in the literature,[8] the issue of access to credit is pivotal.[9] In the 1960s and 1970s, the U.S. government enacted legislation to tackle the problem of access to credit and the deep gender disparities embedded in offering such credit.

The primary legislative effort made in the United States to remedy the significant discriminatory patterns identified with regard to access to credit is the 1974 enactment and 1977 amendment of the Equal Credit Opportunity Act (ECOA).[10] This statute forbids discrimination by creditors against any applicant on the basis of sex or marital status, alongside additional categories.[11] The ECOA's counterpart, the Federal Reserve's Regulation B, implements the ECOA and is enforced by the Federal Trade Commission (FTC).[12] When first enacted, some members of congress praised the legislation, including congresswoman Bella Abzug, which described The ECOA as "a victory for the women's movement."[13] Its goal was to combat some preconceived notions about women that presumably hindered their access to credit. But even at its inception,

access, which would have extremely negative consequences."); Elisa Ughetto, Mariacristina Rossi, David Audretsch & Erik E. Lehmann, *Female Entrepreneurship in the Digital Era*, 55 SMALL BUS. ECON. 305, 305 (2020) ("[A] gap in favor of men still persists in entrepreneurship, and the gap is more pronounced than in the labor market as a whole."); Jennifer S. Fan, *Startup Biases*, 56 U.C. DAVIS L. REV. 1243 (2023).

7. Maddie Shepherd, *Women-Owned Businesses: Statistics and Overview*, FUNDERA, https://www.fundera.com/resources/women-owned-business-statistics#:~:text=40%25%20of%20US%20businesses%20are,women%20of%20color%20last%20year (Jan. 23, 2023) (compiling statistics on women-owned businesses in the United States).

8. *See, e.g.*, Athena S. Cheng, Note, *Affirmative Action for the Female Entrepreneur: Gender as a Presumed Socially Disadvantaged Group for 8(a) Program Purposes*, 10 AM. U. J. GENDER SOC. POL'Y & L. 185, 229–30 (2001) (discussing some of the barriers that women have historically faced in the business arena); Rafael Efrat, *Women Entrepreneurs in Bankruptcy*, 45 TULSA L. REV. 527, 529 (2010) (noting barriers in social structures, education, and employment); Patrina Ozurumba, *Girl Power: How Female Entrepreneurs Can Overcome Barriers to Successful Businesses*, 34 WOMEN'S RTS. L. REP. 24, 25–26 (2012) (identifying barriers in access to financing and disparities in pay).

9. Andrés et al., *supra* note 6, at 1; Orkun Akseli, *Financial Inclusion, Access to Credit, and Sustainable Finance: What Role for the UNCITRAL Model Law on Secured Transactions?*, 84 L. & CONTEMP. PROBS. 181, 183–84 (2021).

10. Page Mailliard & Ken Anderson, *Women's Banks and Women's Access to Credit: Competition Between Marketplace and Regulatory Solutions to Gender Discrimination*, 20 LOY. L.A. L. REV. 771, 772 (1987) (explaining the historical discrimination against women in obtaining bank loans, and the subsequent rise of "women's banks" to remedy this problem). Mailliard and Anderson also briefly discusses the role of the ECOA and Regulation B in the issue of credit access discrimination. *Id.* at 789.

11. Additional categories include "race, color, religion, national origin . . . or age." Equal Credit Opportunity Act (Title VII of the Consumer Credit Protection Act), 15 U.S.C. § 1691(a)(1).

12. 12 C.F.R. §§ 202.1–.17 (2023). *But see* Mailliard & Anderson, *supra* note 10, at 789.

13. Winnie F. Taylor, *The ECOA and Disparate Impact Theory: A Historical Perspective*, 26 J.L. & POL'Y 575, 599 (2018) (describing the legislative history of the ECOA and the reactions of various members of Congress, such as Bella Abzug, a New York representative in the House).

some saw that although it was "a start, . . . it's not as far as it should have gone."[14]

Additional legislative and policy initiatives have since been adopted, all hoping to tackle similar issues through different mechanisms.[15] In April 2012, President Barack Obama signed one of the most notable of those recent attempts into law: the Jumpstart Our Business Startups Act (the "JOBS Act").[16] The JOBS Act intended to improve access to capital for women- and minority-owned businesses in particular.[17] One of the JOBS Act's main innovations was "creat[ing] a new exemption under the Securities Act for capital raised through 'crowdfunding,'" which expanded the pool of potential investors available to small businesses and reduced the costs of raising capital.[18]

Despite the enactment of the ECOA—and notwithstanding additional governmental attempts that were later adopted—studies continue to show consistent gender disparities in access to credit.[19] On average, women receive less credit from external sources than men and pay higher interest rates.[20] For example, in 2021, women founders secured only 2 percent of the total venture capital (VC) in the United States, "the smallest share since 2016 and a sign that efforts to diversify the famously male-dominated industry are struggling."[21] These patterns go beyond the VC market and affect all women business owners, regardless of the size and economic impact of their businesses. Furthermore, these patterns can be found across different kinds of creditors—angel investors, VC firms, and banks.[22] Given this concerning reality, scholars have offered a

14. *Id.* (quoting Congresswoman Leonor Sullivan, who had earlier introduced a similar, but broader, bill that ultimately failed to get out of committee).

15. For a review of additional legislative efforts aiming to address the gender gap in access to credit see *infra* Part I.

16. Jumpstart Our Business Startups (JOBS) Act, Pub. L. No. 112-106, 126 Stat. 306 (2012). Berdejó, *supra* note 4, at 80–81.

17. THE AMERICAN JOBS ACT: IMPACT FOR WOMEN AND THE ECONOMY 2 (2011), https://obamawhitehouse.archives.gov/sites/default/files/women_factsheet_jobs.pdf.

18. Berdejó, *supra* note 4 at 79–80. It should be noted that on April 4, 2022, a group of Republicans on the Senate Banking Committee released a legislative discussion draft entitled the "JOBS Act of 2022," which supposed to similarly address challenges of small businesses to access capital. *See* John Dearie, *JOBS Act of 2022 Will Help Diversify American Entrepreneurship*, HILL (Apr. 29, 2022, 7:00 PM EST), https://thehill.com/opinion/congress-blog/3472209-jobs-act-of-2022-will-help-diversify-american-entrepreneurship. In particular, the JOBS Act focused on equity-based crowdfunding and lending-based crowdfunding. For additional discussion see *infra* Part I.

19. *See infra* Part I.

20. Andrés et al., *supra* note 6, at 1–2. *See also* Susan Coleman & Alicia Robb, *Sources of Funding for New Women-Owned Firms*, 32 W. NEW ENG. L. REV. 497, 507–09 (2010) (finding that although both men and women used equity and debt for initial capital, the sources of such capital differed significantly by gender).

21. Lizette Chapman, *Female Founders Raised Just 2% of Venture Capital Money in 2021*, BLOOMBERG (Jan. 11, 2022, 1:50 PM PST), https://www.bloomberg.com/news/articles/2022-01-11/women-founders-raised-just-2-of-venture-capital-money-last-year.

22. VICTOR HWANG, SAMEEKSHA DESAI & ROSS BAIRD, EWING MARION KAUFFMAN FOUNDATION, ACCESS TO CAPITAL FOR ENTREPRENEURS: REMOVING BARRIERS 9 (2019), https://www.kauffman.org/wp-content/uploads/2020/06/Access-To-Capital_2019.pdf (showing that the rate of new women entrepreneurs has consistently been below that of men). *See also* Coleman & Robb, *supra* note 20, at 504–06 (exploring the gender

host of explanations for why the gender gap in access to credit continues to exist from both the supply and demand sides.[23]

This Article argues that scholarship has thus far neglected to investigate one crucial effect—how restrictions on reproductive care affect access to credit to millions of American women of childbearing age that wish to open and operate their own businesses. As such, this Article empirically—and theoretically—links access to credit with the existence of reproductive rights. Specifically, this Article ties reproductive care, business risk, and entrepreneurial finance, showing empirically how restrictions on reproductive care reduce women's ability to raise capital and leverage their business endeavors. To do so, this Article utilizes data from the National Longitudinal Survey of Youth ("NLSY79") and examines whether financing is a channel through which reproductive care affects female entrepreneurship.

This Article's central hypothesis is that better access to reproductive care enables women to better plan their family structure, avoid unplanned pregnancies, and increase their commitment to their businesses' success. The corresponding reduced business risk can either affect the price of credit (supply-side) or the entrepreneurs' willingness to borrow (demand-side).

The analysis is comprised of three stages. First, comparing the average amount raised to establish a business and the number of business-related bankruptcies of female entrepreneurs who had an abortion with those who did not. Second, addressing this setting's possible endogeneity by using difference-in-differences analyses around the staggered enactment of state-level legislation restricting reproductive care access (also known as "TRAP Laws").[24] Finally, to further address a potential omitted variable bias, this Article looks at a synthetic abortion measure and assesses its effect on men, used as a placebo group.

The findings are striking. First, we find that entrepreneurs who obtain an abortion raise more than the average amount raised by female entrepreneurs in general, and more than the average amount raised by female entrepreneurs who have had an unplanned pregnancy in particular. Second, we find that female entrepreneurs are less likely to secure a business-related loan and leverage their business following the enactment of TRAP Laws, suggesting a direct causal effect of access to reproductive care on women's credit utilization. Third, we find no statistically significant difference between the average amount raised and the probability of filing a business-related bankruptcy by men in both

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disparity prevalent in equity financing and noting that women were more likely to apply for financing from angel investors and venture capitalists when there is a higher proportion of women investors participating).

23. *See, e.g.*, Giglio, *supra* note 2, at 16–19 (describing the barriers on the supply- and demand-sides); Andrés et al., *supra* note 6, at 1–2 (listing sources that discuss the supply- and demand-sides of the credit market). *See also infra* Part I.

24. TRAP stands for "Targeted Restriction on Abortion Providers." *See* Ashoko Mukpo, *TRAP Laws are the Threat to Abortion Rights You Don't Know About*, ACLU (Mar. 3, 2020), https://www.aclu.org/news/reproductive-freedom/trap-laws-are-the-threat-to-abortion-rights-you-dont-know-about ("[TRAP laws] provide a back door for lawmakers to curtail abortion access."). *See also infra* Part II.

groups, reducing the probability that unobservable socioeconomic characteristics drive the main results.

These findings contribute to the research on the role of reproductive care on gender equity.[25] Specifically, they illustrate how restrictions on access to reproductive care directly and indirectly affect women's financial opportunities, widen the gender gap in entrepreneurship, and diminish potential economic growth. As such, the findings offer a new, overlooked perspective on the potential effects of *Dobbs v. Jackson Women's Health Organization*[26] on gender equality that goes beyond the current scholarly focus.[27] The findings show that the gender gap in access to credit is wider in states that adopted TRAP Laws—that is, states that adopted restrictive abortion regimes but did not ban abortion altogether. After *Dobbs* declared that women in the United States no longer have a constitutional right to an abortion, many predict that more than thirty states will take the extra step to ban abortion.[28] In the context of this Article, the

25. *See, e.g.*, Ruth Bader Ginsburg, *Some Thoughts on Autonomy and Equality in Relation to* Roe v. Wade, 63 N.C. L. REV. 375 (1985) (evaluating the impact of *Roe v. Wade* on women's rights generally); Martha J. Bailey, Brad Hershbein & Amalia R. Miller, *The Opt-In Revolution? Contraception and the Gender Gap in Wages*, 4 AM. ECON. J. 225 (2012) (connecting access to birth control pills with a smaller gender wage gap); Kate Bahn, Adriana Kugler, Melissa Holly Mahoney & Annie McGrew, *Do U.S. TRAP Laws Trap Women Into Bad Jobs?*, 26 FEMINIST ECON. 44 (2020) (exploring other negative impacts that TRAP laws have on women); Jonathan Zandberg, *Family Comes First: Reproductive Health and the Gender Gap in Entrepreneurship*, 140 J. FIN. ECON. 838 (2021) (connecting reproductive care access to entrepreneurship); Gillian E. Metzger, *Abortion, Equality, and Administrative Regulation*, 56 EMORY L.J. 865, 866 (2007) (discussing the value of abortion rights as a means of women's "achieving full and equal status in society").

26. Dobbs v. Jackson Women's Health Org., 597 U.S. 215 (2022).

27. *See, e.g.*, David S. Cohen, Greer Donley & Rachel Rebouché, *Rethinking Strategy after* Dobbs, 75 STAN. L. REV. ONLINE 1, 1–2 (2022) (examining possible strategies for abortion rights supporters and advocates following *Dobbs*, and noting many likely consequences of the decision, including negative impacts on physical and mental health, deeper economic gender inequity, greater maternal mortality, and higher child poverty rates); David S. Cohen, Greer Donley & Rachel Rebouché, *The New Abortion Battleground*, 123 COLUM. L. REV. 1 (addressing the complexities that the *Dobbs* decision created regarding procedural issues arising from the interjurisdictional nature of abortion rights post-Dobbs) [hereinafter Cohen et al., *Battleground*]; Julie C. Suk, *A World Without* Roe*: The Constitutional Future of Unwanted Pregnancy*, 64 WM. & MARY L. REV. 443 (2022) (examining the implications of *Dobbs* on the pregnant women's lives, careers, and livelihoods, and suggesting a full and fair evaluation and balancing of society's gains and women's losses from pregnancy and motherhood); Jonathan A. Rapping, *The Critical Role of Public Defenders in a Post*-Dobbs v. Jackson *World*, 37 CRIM. JUST. 3, 5 (2023) (claiming that *Dobbs* has launched a "War on Pregnancy" that may be "the next driver of mass incarceration"); Leah A. Plunkett & Michael S. Lewis, *The Wages of Crying Life: What States Must Do to Protect Children After the Fall of* Roe, 49 PEPP. L. REV. 14 (2022) (proposing certain remedies for public ends in states that ban abortions post-*Dobbs*, such that vulnerable children's welfare is protected); Amanda Hainsworth, Dobbs *and the Post*-Roe *Landscape,* BOS. BAR J. (Nov. 7, 2022), https://bostonbar.org/journal/dobbs-and-the-post-roe-landscape (considering *Dobbs*'s potential impact on constitutional privacy rights generally); Yvonne Lindgren, Dobbs v. Jackson Women's Health *and the Post*-Roe *Landscape*, 35 J. AM. ACAD. MATRIM. LAW. 235 (2022) (examining such implications of the *Dobbs* decision as criminalization, surveillance, reproductive health, and assisted reproductive technology); John Villasenor, *The First Amendment and Online Access to Information About Abortion: The Constitutional and Technological Problems with Censorship*, 20 NW. J. TECH. & INTELL. PROP. 87 (2022) (examining state-level online censorship regarding abortion information in response to *Dobbs*).

28. *See e.g.*, Caroline Kitchener, Kevin Schaul, N. Kirkpatrick, Daniela Santamariña & Lauren Tierney, *States Where Abortion is Legal, Banned or Under Threat*, WASH. POST, https://www.washingtonpost.com/politics/2022/06/24/abortion-state-laws-criminalization-roe (Feb. 28, 2024,

implications for gender equality and women's ability to remain equal participants in the entrepreneurial market are alarming.

Furthermore, the findings expose the limitations of the ECOA and additional legislative solutions in tackling entrenched disparities in women's access to capital. This Article illustrates how gender disparities in access to credit remain despite legislative attempts to tackle such disparities. The persistence of this difference brings to the surface the underlying social and economic sources of these disparities (including issues of reproductive justice), and how new or existing laws and policies might assist in narrowing the gap.

As such, this Article ends by offering some prescriptive suggestions to achieve these goals, both on the supply- and demand-side of the credit market. Specifically, this Article offers a three-layered model to address the gender gap in access to credit in a post-*Dobbs* era: (1) federal government-led initiatives; (2) civil society-led efforts mostly through crowdfunding; and (3) initiatives led by business owners themselves through litigation. The model offers innovative steps that tackle the gender gap in access to credit holistically in hopes of addressing entrenched cultural norms that contribute to its persistence. While we illustrate the model in the context of access to credit, we argue that the descriptive model offered here can be extrapolated to other battlegrounds where limitations on reproductive rights affect women's equality rights.

This Article proceeds as follows. Part I offers a brief overview of the gendered history of entrepreneurship in the United States, creating what is known in the corporate and finance literature as "the gender gap in entrepreneurship." It further focuses on access to credit as one of the main challenges faced by women entrepreneurs who wish to open their own businesses, surveys legislative efforts that attempted to address this problem, and offers an overview of studies showing that despite these efforts, disparities in access to credit persist. Last, this Part discusses traditional explanations for this phenomenon vis-à-vis this Article's approach: offering a new explanation for the gap—limitations on reproductive rights. Part II discusses the data used in this Article's analysis. Part III elaborates on the different phases of the research methodology and reports the findings in each of the phases. Part IV summarizes the results, while Part V discusses their implications, particularly given the decision in *Dobbs*. Part V also introduces the three-layered model

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7:26 PM EST) (tracking the states that have, or likely will, ban abortions following the *Dobbs* decision, and noting that in only twenty states and D.C., abortion has been legal and will likely be protected); Sarah Knight, *Here's Where Abortions are Now Banned or Strictly Limited, and Where They May Be Soon*, OR. PUB. BROAD. (July 25, 2022, 2:31 PM EST), https://www.opb.org/article/2022/07/25/here-s-where-abortions-are-now-banned-or-strictly-limited-and-where-they-may-be-soon (finding that only sixteen states and D.C. currently have laws that protect women's right to abortion); Quoctrung Bui, Claire Cain Miller & Margot Sanger-Katz, *How Abortion Bans Will Ripple Across America*, N.Y. TIMES (June 24, 2022), https://www.nytimes.com/interactive/2022/06/24/upshot/dobbs-roe-abortion-driving-distances.html (examining the impact that the *Dobbs* decision will have on women).

which offers legal and policy recommendations that can assist in addressing issues of gender gap in credit access in a post-*Dobbs* era.

I. THE GENDER GAP IN ENTREPRENEURSHIP AND ACCESS TO CREDIT

Entrepreneurship is one of the primary foundations of economic prosperity and growth in the United States.[29] Entrepreneurial activity boosts economic growth by spurring innovation, increasing market competition, and introducing new job opportunities.[30] The U.S. Small Business Administration estimates that in 2019, the country's 30.7 million small businesses employed 47.3 percent of all United States employees.[31] Small businesses are responsible for 62 percent of the new jobs created between 1995 and 2020.[32] Furthermore, these small businesses contribute between 43.5 percent and 48 percent of the country's annual Gross Domestic Product (GDP).[33] Aside from their significant contribution to the country's job market and GDP, entrepreneurs and the small businesses they create drive competition within global markets and encourage larger corporations to innovate and improve.[34]

Although the United States is a world leader in entrepreneurship,[35] the country's entrepreneurial history was traditionally dominated by male entrepreneurs—with some exceptions[36]—the reasons for which will be discussed below.[37] Prior to the 1930s, there was little to no discussion of entrepreneurship in the literature.[38] The idea of women entrepreneurs as a unique

29. Adejemilua, *supra* note 2, at 20; Giglio, supra note 2, at 13; Barr, *supra* note 3, at 2.

30. Alexander S. Kritikos, *Entrepreneurs and Their Impact on Jobs and Economic Growth*, IZA WORLD LAB. (May 2014), https://wol.iza.org/articles/entrepreneurs-and-their-impact-on-jobs-and-economic-growth/long#:~:text=Entrepreneurs%20boost%20economic%20growth%20by,the%20short%20and%20long%20term.

31. SBA Office of Advocacy, *2019 Small Business Profile*, U.S. SMALL BUS. ADMIN. (2019), https://advocacy.sba.gov/wp-content/uploads/2019/04/2019-Small-Business-Profiles-States-Territories.pdf. The SBA estimates that in 2019, there were nearly 60 million small business employees. *Id.*

32. Martin Rowinski, *How Small Businesses Drive the American Economy*, FORBES (Mar. 25, 2022, 9:15 AM EST), https://www.forbes.com/sites/forbesbusinesscouncil/2022/03/25/how-small-businesses-drive-the-american-economy/?sh=691a5f704169.

33. *See 2019 Small Business Profile*, *supra* note 31.

34. *See* Rowinski, *supra* note 32 (explaining that large corporations often acquire small businesses to gain the talent and ideas that entrepreneurs bring).

35. *See* sources cited *supra* note 5.

36. CENTER FOR WOMEN IN BUSINESS, WOMEN-OWNED BUSINESSES: CARVING A NEW AMERICAN BUSINESS LANDSCAPE 16 (2014), https://www.uschamber.com/assets/archived/images/documents/files/CCFWIB_report_design_final2.pdf (identifying industries that have significant shares of self-employed women).

37. HWANG ET AL., *supra* note 22, at 9 (showing that the rate of new women entrepreneurs has consistently been below that of men); AMERICAN EXPRESS, 2018 STATE OF WOMEN-OWNED BUSINESSES REPORT 3 (2018), https://mycnote.com/resources/2018-state-of-women-owned-businesses-report_FINAL.pdf (noting that in 1972, less than 5 percent of all firms in the U.S. were women-owned).

38. Vanita Yadav & Jeemol Unni, *Women Entrepreneurship: Research Review and Future Directions*, 6 J. GLOB. ENTREPRENEURSHIP RSCH. 2 (2016) (outlining the history of U.S. entrepreneurship and corresponding literature).

sub-domain did not emerge until the late 1970s.[39] The first works examining female entrepreneurship highlighted how little was known about women in the field prior to the late 1980s and early 1990s.[40] This lack of early scholarship aligns well with the lack of women in the field at that time. In 1972, women-owned businesses comprised only 4.6 percent of all firms in the United States and received 0.3 percent of the national revenue.[41] These numbers have been on the rise; approximately 40 percent of all United States firms are now women-owned, and these firms are responsible for 4.3 percent of private sector annual revenue.[42]

It was only in the late 1970s and the beginning of the 1980s that more American women began exploring entrepreneurship, presumably with the understanding that entrepreneurial businesses are likely a pivotal engine for personal economic growth.[43] Women entered the workforce and the entrepreneurial field in scores during World War II, as necessity dictated when many men went away to serve in the military.[44] Female entrepreneurship continued to grow alongside the American feminist movement in the 1960s and 1970s, as an attractive solution to the issues of competing family responsibilities and a desire to participate in business.[45]

It is one thing for women to aspire to entrepreneurship, and quite another for them to overcome the many obstacles that stand in their way. Among these obstacles, access to credit was proven to be detrimental to the formation and performance of new businesses in general and of female-led businesses in particular. The financial institutions that are a necessary entry point into entrepreneurial projects were heavily male-dominated and reluctant to offer equal opportunities to women.[46] In particular, these banks and other institutions historically engaged in "organizational adaptation," which internalizes and reinforces discriminatory ideas and practices.[47] This practice made it extremely difficult for women to gain access to the credit that could jump-start their

39. *Id.* at tbl.1 (compiling the first academic and policy studies on female entrepreneurship).

40. *Id.* at 5, 10–11 (examining early publications relating to female entrepreneurship).

41. S. COMM. ON SMALL BUSINESS AND ENTREPRENEURSHIP, 113TH CONG., MAJORITY REP. 21ST CENTURY BARRIERS TO WOMEN'S ENTREPRENEURSHIP 5 (July 23, 2014), https://cameonetwork.org/wp-content/uploads/2014/07/21st-Century-Barriers-to-Womens-Entrepreneurship.pdf [hereinafter MAJORITY REPORT].

42. Shepherd, *supra* note 7.

43. Eleanor Brantley Schwartz, *Entrepreneurship: A New Female Frontier*, 5 J. CONTEMP. BUS. 47, 51 (1976).

44. Makayla Seger, *Women Entrepreneurs: History of Women in Business*, HOME BUS. MAG. (Sept. 18, 2017), https://homebusinessmag.com/blog/success-stories-blog/women-entrepreneurs-history-women-business.

45. *Id.*

46. Mailliard & Anderson, *supra* note 10, at 771.

47. Giglio, *supra* note 2, at 18.

businesses.[48] In fact, the stronger a country's social, historical gender biases, the greater the discriminatory effects on women entrepreneurs seeking credit.[49] And the United States is no different. While gender discrimination is apparent in many areas of society and the law, discrimination in the distribution of credit to women entrepreneurs is still too often left out of legal discussions.[50]

Such a lack of legal debate is surprising given that over the years, numerous studies have documented unequal access to credit to women entrepreneurs.[51] The average women-owned business receives only half as much start-up capital as one owned by men.[52] Studies have also shown that when pitching the same business, men are 60 percent more likely to secure funding than women.[53] And to be clear, this pattern is not limited to a single type or source of credit—it can be found in the actions of angel investors, VC firms, and banks alike.[54] Moreover, Coleman and Robb show that women start their firms with significantly less capital than men and go on to raise significantly smaller amounts of follow-on capital (both debt and equity).[55] In addition, they point out the need to further explore both supply- and demand-side constraints on women's access to capital.

Reports have shown, however, that women are generally more reliable in loan repayment than men.[56] This tendency, *ceteris paribus*, should result in lower interest rates, as the high likelihood of repayment makes these women a lower risk than their male counterparts. This paradox is just one piece of

48. *Id.* (defining organizational adaptation and applying the theory to credit markets). Banks that engage in organizational adaptation tended to adopt a general sense of female inferiority, which in turn leads to an unwillingness to lend to women. *Id.*

49. Jérémie Bertrand & Caroline Perrin, *Girls Just Wanna Have Funds? The Effect of Women-Friendly Legislation on Female-Led Firms' Access to Credit*, 72 INT. REV. L. & ECON., Dec. 2022, at 4–5.

50. *See*, *e.g.*, Rachel Dibenedetto, *To Shatter the* Glass Ceiling*, Clean the* Sticky Floor *and Thaw the* Frozen Middle*: How Discrimination and Bias in the Career Pipeline Perpetuates the Gender Pay Gap*, 29 AM. U. J. SOC. POL'Y & L. 151, 157–58 (2021) (discussing the impact of gender biases and discrimination as relating to the wage gap, career advancement opportunities, academics, and athletics); Kenneth L. Karst, *Woman's Constitution*, 1984 DUKE L.J. 447, 464–66, 472–73 (1984) (discussing gender discrimination as relating to civil service employment, military forces, birth control, and the right to vote).

51. *See*, *e.g.*, HWANG ET AL., *supra* note 22; NAT'L WOMEN'S BUS. COUNCIL, PROBLEM: WOMEN ENTREPRENEURS NEED GREATER ACCESS TO CAPITAL (June 9, 2015), https://www.nwbc.gov/wp-content/uploads/2023/11/fact-sheet-access-to-capital.pdf; WHITE HOUSE COUNCIL ON WOMEN & GIRLS, THE COUNCIL ON WOMEN AND GIRLS: ENTREPRENEURSHIP AND INNOVATION ACCOMPLISHMENTS (June 2016), https://obamawhitehouse.archives.gov/sites/whitehouse.gov/files/documents/Women%20and%20Girls_Entrepreneurship%20and%20Innovation.pdf; MAJORITY REPORT, *supra* note 41.

52. NAT'L WOMEN'S BUS. COUNCIL, *supra* note 51 (noting that a woman's average start-up capital, as of 2014, is $75,000, whereas a man's is $135,000). High growth potential firms' disparity is even more pronounced, with women and men receiving $150,000 and $320,000, respectively. *Id.*

53. HWANG ET AL., *supra* note 22, at 10.

54. *Id.* at 9.

55. Susan Coleman & Alicia Robb, *A Comparison of New Firm Financing by Gender: Evidence from the Kauffman Firm Survey Data*, 33 SMALL BUS. ECON. 397, 409 (2009) (finding that, consistent with earlier research, women start firms with less capital than men).

56. Caroline Perrin & Laurent Weill, *No Man, No Cry? Gender Equality in Access to Credit and Financial Stability*, FIN. RSCH. LETTERS, June 2022, at 1–2 (explaining various reasons that women may be more reliable in loan repayment, including higher risk aversion or stronger influence of social pressure).

evidence demonstrating the tangible prevalence of gender disparities in the market for credit.

Many countries, including the United States, have attempted to minimize the gender gap in entrepreneurial credit access through legislation.[57] The primary legislative effort of the United States, the ECOA, forbids discrimination by creditors against any applicant on the basis of sex or marital status.[58] While the ECOA was a meaningful first step to address the issue of the gender gap in access to capital, it was certainly not the only legislative attempt to do so. Over the years, the government has advanced numerous legislative efforts, all aiming to achieve similar goals, sometimes through different means.

Among these legislative efforts was the Women's Business Ownership Act of 1988 ("WBOA")—which intended to "vigorously promote" women-owned businesses and "remove, insofar as possible, the discriminatory barriers that are encountered by women in accessing capital."[59] The WBOA "eliminated state laws requiring women to obtain the signature of a husband or other man as a prerequisite for a business loan, and required the first federal government reporting on contracting with women-owned companies."[60] It also authorized the Small Business Administration ("SBA") to establish a certified loan program for lenders of small businesses.[61]

The 2012 JOBS Act is another significant piece of legislation that attempted to improve women's access to credit.[62] One of the main innovative tools made possible by the JOBS Act was investment crowdfunding—in the form of equity-based crowdfunding and lending-based crowdfunding—which was intended to provide a path for the "democratization of capital markets."[63]

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57. Bertrand & Perrin, *supra* note 49, at 4–7 (detailing some of the legislative efforts that countries have undertaken, such as the United States' ECOA legislation).

58. 15 U.S.C. § 1691(a).

59. 15 U.S.C. § 631(h)(2)(A)–(B).

60. *See* MAJORITY REPORT, *supra* note 41, at 9.

61. WBOA also subsequently developed the Small Business Intermediary Lending Pilot Program, or ILPP. *See* The Small Business Jobs Act of 2010, Pub. L. No. 111-240, 124 Stat. 2504 (codified as amended at 15 U.S.C. § 636(*l*)). Among other things, this Act amended the Small Business Act, 15 U.S.C. § 636, to create the ILPP, which was intended to fill the gap between loans awarded under the SBA Microloan Program and the 7(a) loan program. *See also* MAJORITY REPORT, *supra* note 41, at 9.

62. *See* THE AMERICAN JOBS ACT, *supra* note 17, at 2.

63. Berdejó, *supra* note 4, at 81. *See also* Jason Greenberg & Ethan R. Mollick, *Activist Choice Homophily and the Crowdfunding of Female Founders*, 62 ADMIN. SCI. Q. 341, 343–45 (2017) (explaining the success of female crowdfunding using concept of "activist choice homophily"); Andrew A. Schwartz, *The Digital Shareholder*, 100 MINN. L. REV. 609, 624 (2015); Alma Pekmezovic & Gordon Walker, *The Global Significance of Crowdfunding: Solving the SME Funding Problem and Democratizing Access to Capital*, 7 WM. & MARY BUS. L. REV. 347, 364–65 (2016). It should be noted that on top of these legislative efforts additional government-led programs have been implemented. For example, The Small Business Jobs Act raised the SBA Microloan amount from $35,000 to $50,000 and developed the Intermediary Lending Pilot Program to provide loans of up to $200,000. *See* MAJORITY REPORT, *supra* note 41, at 10. Section 1071 of the Dodd-Frank Wall Street Reform and Consumer Protection Act also amended the ECOA to require lenders to collect and report data on loans to small women-owned businesses. *Id.* at 11. *See also* Berdejó, *supra* note 4, at 61–68 (questioning the effectiveness of these programs).

In 2018, Congress enacted the Women's Entrepreneurship and Economic Empowerment (WEEE) Act.[64] This law seeks to address gender imbalances in entrepreneurship globally, through mandatory reporting and resource allocation specifically targeting women-owned and controlled businesses.[65]

Indeed, nearly fifty years have passed since the ECOA became law, years in which additional legislative and government-led programs have been implemented in hopes of narrowing the persistent gender inequalities in access to credit. Despite these efforts, however, studies still show a significant gender gap in access to credit for women entrepreneurs.[66]

All this goes to show that the simple enactment of anti-discrimination measures is insufficient to create real change for female entrepreneurs. Clearly, there must also be enforcement.[67] For example, in the context of the ECOA, inadequate enforcement and continual biases against women are two primary reasons that the law has not successfully leveled the playing field for women entrepreneurs.[68] Without strong enforcement of antidiscrimination laws, such as the ECOA, customs that disfavor women will persist. Enforcement thus remains paramount for at least as long as biases against women remain a part of the societal norm.[69] Furthermore, a lack of enforcement discourages women from participating in the credit market, which negatively affects the demand-side of that market.[70]

Negative perceptions of women are so ingrained in society that they often outweigh the legal ramifications associated with antidiscrimination laws.[71] That is, while a legal environment dissuading discrimination against women tends to affect women's behavior, there is little evidence that this environment actually challenges or changes societal norms.[72] Although these laws, not strictly enforced, may decrease women's discouragement or fear of failure, enactment alone is unlikely to change lenders' behavior.[73]

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64. Women's Entrepreneurship and Economic Empowerment Act, Pub. L. No. 115-428, 132 Stat. 5509 (2018).

65. *Id.* Because the WEEE Act was created to make global change, the reporting and allocation requirements are implemented upon the U.S. Agency for International Development, or USAID.

66. *See generally* Dubravka Ritter, *Do We Still Need the Equal Credit Opportunity Act?* (Fed. Rsrv. Bank of Phila. Payment Cards Ctr., Working Paper No. 12-03, 2012), http://www.ssrn.com/abstract=2154865 (arguing that the ECOA is still necessary because discrimination in credit access still exists); Berdejó, *supra* note 4(offering a thorough discussion aiming to explain why the existing governmental programs have failed); Chapman, *supra* note 21.

67. Bertrand & Perrin, *supra* note 49, at 7.

68. John H. Matheson, *The Equal Credit Opportunity Act: A Functional Failure*, 21 HARV. J. ON LEGIS. 371, 402–03 (1984) (noting issues of ECOA enforcement as early as 1984); *see also* Abbye Atkinson, *Modifying Mortgage Discrimination in Consumer Bankruptcy*, 57 ARIZ. L. REV. 1041, 1060 (2015) (noting prevalence of gender discrimination decades after the ECOA made such discrimination illegal under federal law).

69. Bertrand & Perrin, *supra* note 49, at 16.

70. *Id.* at 4.

71. *Id.* at 15.

72. *Id.* at 2, 15.

73. *Id.* at 9.

Given the consistent research pointing to the enduring gender gap in access to entrepreneurial credit despite legislative efforts to address it, scholars have attempted to understand the reasons behind its persistent presence. Consistent with Goldin's terminology regarding the wage gap, most discuss a "residual" portion of the gap, with the "residual" often attributed to various types of biases against women by either venture capitalists or lenders.[74] Traditionally, one can find several explanations either on the supply or the demand side of the credit.[75]

On the *supply side* of the credit market, scholars have proposed numerous explanations. For example, women's decreased probability of success in securing financing from "traditional" sources could be due in part to the significant male dominance of the investor field.[76] As discussed above, countries' deeply rooted gender biases tend to permeate the actions of institutions that engage in organizational adaptation, which has a direct impact on women's ability to secure financing from those institutions.[77]

For example, Guzman and Kacperczyk show that female-led endeavors are sixty-three percentage points less likely than male-led endeavors to obtain VC financing.[78] One-third of this gap is driven by statistical discrimination on the part of the venture capitalists where, conditional on the receipt of funding, women and men are equally likely to have a successful exit. Hebert finds that much of the gap in VC financing is due to context-dependent stereotypes deterring investors from investing in women who open firms in male-dominated sectors.[79] Ewens and Townsend's results are similarly consistent with the existence of a gender bias in early-stage financing.[80]

When it comes to debt financing of small businesses, the evidence of discrimination is mixed. Aristei and Gallo show that credit rationing against

74. Claudia Goldin, *A Grand Gender Convergence: Its Last Chapter*, 104 AM. ECON. REV. 1091, 1093 (2014) (outlining the terminology used in discussion of the gender wage gap).

75. *See* Giglio, *supra* note 2, at 12–13 (explaining the main reasons that women entrepreneurs struggle to access credit).

76. Berdejó, *supra* note 4, at 60 (noting that because venture capitalists' networks are primarily white and male, their costs for identifying and monitoring women- and minority-owned firms is higher); *see also* Ulrike Glatz & Siddhartha Sharma, *The Gender Investment Gap*, THEORIES OF CHANGE 393, 396, 399–400 (Karen Wendt ed., 2021) (noting that for every female billionaire, there are 8.4 male billionaires, and calling the investment industry "an old boy's club"). Glatz and Sharma also note that as of 2015, there were nearly 228,000 men investors and only 77,000 women investors. *Id.* at 401.

77. Steven Ongena & Alexander Popov, *Gender Bias and Credit Access*, 48 J. MONEY, CREDIT & BANKING 1691, 1715 (2016) (finding that in countries with strong gender biases, women-owned firms have lower access to bank credit than men-owned firms). In their study, the authors used what they call "traditional gender role" as a variable to assess gender bias. *Id.*

78. Jorge Guzman & Aleksandra (Olenka) Kacperczyk, *Gender Gap in Entrepreneurship*, 48 RSCH. POL'Y 1666, 1672 (2019).

79. Camille Hebert, Gender Stereotypes and Entrepreneur Financing 5 (Dec. 2023) (working paper) https://papers.ssrn.com/sol3/Papers.cfm?abstract_id=3318245.

80. *See generally* Michael Ewens & Richard R. Townsend, *Are Early Stage Investors Biased Against Women?*, 135 J. FIN. ECON. 653 (2020) (finding that male investors are less likely to fund female entrepreneurs).

female-led firms is mainly due to unexplained factors.[81] Gender gaps in financing constraints are not explained by differences in the observed characteristics included in their empirical model but can be interpreted as related to gender-based discrimination in credit markets. A study done by Muravyev, Talavera, and Schäfer, which examined data from thirty-four countries, found results consistent with the hypothesis of discrimination against female entrepreneurs.[82] They find that firms managed by women face a lower probability of receiving a loan and are charged higher interest rates.[83]

Another supply-side explanation for the gender gap in credit access is that women tend to start businesses with different characteristics than men; namely, women-owned businesses are smaller and the owners have different levels and types of education and experience than their male counterparts.[84] Three different studies, the first by Haynes and Haynes, the second by Coleman, Treichel and Scott, and the third by Carter, Shaw, Lam, and Wilson, indeed found that financing differences are mainly driven by the characteristics of the firm rather than the gender of the owner.[85]

The *demand-side* explanations to credit access difficulties relate both to women's discouragement and self-confidence, which impact both the rate at which they seek credit from traditional sources, and their likelihood of successfully obtaining credit from those sources.[86] For example, Howell and Nanda find that women entrepreneurs are less likely to proactively reach out to venture capitalists and, as a result, build a weaker professional network, leading to constrained access to VC.[87]

Some scholars indicate that women are skeptical that pursuits to obtain a loan will be successful, so they simply do not seek external financing as

81. David Aristei & Manuela Gallo, *Does Gender Matter for Firms' Access to Credit? Evidence from International Data*, 18 FIN. RSCH. LETTERS 67, 74 (2016).

82. Alexander Muravyev, Oleksandr Talavera & Dorothea Schäfer, *Entrepreneurs' Gender and Financial Constraints: Evidence from International Data*, 37 J. COMPAR. ECON. 270, 271 (2009).

83. *Id.*; *see also* Susan Smith Blakely, *Credit Opportunity for Women: The ECOA and Its Effects*, 1981 WIS. L. REV. 655, 657 (1981) (quoting the 1973 President of the American Bankers Association, who expressly admitted to banks' and creditors' tendency to discriminate against women).

84. *See* Giglio, *supra* note 2, at 12–13 (noting some of the characteristics that differ between men- and women-owned companies).

85. George W. Haynes & Deborah C. Haynes, *The Debt Structure of Small Business Owned by Women in 1987 and 1993*, 44 CONSUMER INTS. ANN. 36, 39 (1998); Susan Coleman, *Access to Capital and Terms of Credit: A Comparison of Men- and Women-Owned Small Businesses*, 38 J. SMALL BUS. MGMT. 37, 48–49 (2000) [hereinafter Coleman, *Access to Capital and Terms of Credit*]; Susan Coleman, *Constraints Faced by Women Small Business Owners: Evidence from the Data*, 7 J. DEVELOPMENTAL ENTREPRENEURSHIP 151, 151 (2002); Monica Zimmerman Treichel & Jonathan A. Scott, *Women-Owned Businesses and Access to Bank Credit: Evidence from Three Surveys Since 1987*, 8 VENTURE CAP. 51, 51 (2006); Sara Carter, Eleanor Shaw, Wing Lam & Fiona Wilson, *Gender, Entrepreneurship and Bank Lending: The Criteria and Processes Used by Bank Loan Officers in Assessing Applications*, 31 ENTREPRENEURSHIP THEORY & PRAC. 427, 433 (2007).

86. Bertrand & Perrin, *supra* note 49, at 2 (defining the supply- and demand-side barriers to credit that women face).

87. Sabrina T. Howell & Ramana Nanda, *Networking Frictions in Venture Capital, and the Gender Gap in Entrepreneurship* 25–26 (Nat'l Bureau of Econ. Rsch., Working Paper No. 26449, 2019) (finding that women are less likely than men to proactively network and that tendency's implication for women's business successes).

frequently as men.[88] Other studies indicate that women's tendency to take fewer and smaller loans is due to the general proposition that women are more risk averse than their male counterparts.[89]

There are other explanations regarding the supply and demand sides. For example, women's limited access to traditional credit markets—at least on favorable terms—often results in women turning to alternative, informal sources of funding, such as personal savings, borrowing from family or friends, or using credit cards.[90] Furthermore, women are consistently less likely than men to secure funding from "traditional" sources,[91] and are thus more likely to turn to "informal" sources of credit.[92] These outcomes might have changed, had women had more success in the credit market.

To conclude, new businesses rely heavily on external sources of capital. Therefore, women's limited access to capital prevents them from establishing their own firms and growing their businesses. While various factors can drive their limited access, a large portion of it is currently unexplained and is therefore attributed to differential treatment of women. The unexplained portion motivates this Article's search for additional sources of gender differences in access to capital. We explore the direct effect of reproductive care on entrepreneurial finance and the indirect regulatory obstacles that lead to a constrained utilization of credit by female entrepreneurs of childbearing age.

This Article's main contribution is in narrowing down the "residual" with an unexplored friction to credit markets in the form of access to reproductive care. It ties together reproductive care, business risk, and entrepreneurial finance, and shows how restrictions to reproductive care reduce women's ability to raise capital and leverage their business endeavors. The next Part discusses data used to offer this new perspective.

88. *See* Agnieszka Kwapisz & Diana M. Hechavarría, *Women Don't Ask: An Investigation of Start-Up Financing and Gender*, 20 VENTURE CAP. 159, 160 (2018) (finding that one reason there is a difference in start-up financing between the genders is that women are less likely to ask for help in financing their endeavors); Claire Leitch, Friederike Welter & Colette Henry, *Women Entrepreneurs' Financing Revisited: Taking Stock and Looking Forward*, 20 VENTURE CAP. 103, 107 (2018) (noting that research suggests that women perceive more significant financial barriers in entrepreneurship than men, which can lead to discouragement and a lower tendency to seek external financing).

89. See *generally* Nancy Ammon Jianakoplos & Alexandra Bernasek, *Are Women More Risk Averse?*, 36 ECON. INQUIRY 620 (1998) (finding that women tend to exhibit more risk aversion than men with regards to financial decision-making). *But see* Renate Schubert, Martin Brown, Matthias Gysler & Hans Wolfgang Brachinger, *Financial Decision-Making: Are Women Really More Risk Averse?*, 89 AM. ECON. REV. 381 (1999) (identifying the perception that women are risk-averse as a reason for statistical discrimination (on the supply side) and "glass ceilings" for women in corporate managerial positions).

90. Coleman, *Access to Capital and Terms of Credit*, *supra* note 85, at 37 (describing the major sources of credit for small firms).

91. HWANG ET AL., *supra* note 22, at 9–10.

92. Coleman, *Access to Capital and Terms of Credit*, *supra* note 85, at 37–38 (noting that small businesses are often dependent on more obscure sources of credit, such as trade credit, personal savings, credit cards, and home equity loans).

II. DATA

This Article uses the restricted portion of the National Longitudinal Survey of Youth 1979 ("NLSY79"). The NLSY79 is a sample of 12,686 young men and women who were 14-to-22 years old when they were first surveyed in 1979 by the Bureau of Labor Statistics. These individuals were interviewed annually through 1994 and biannually through 2016. As such, this data offered a unique opportunity to follow large numbers of individuals over time to learn about family and business choices.[93]

To address survival bias concerns, we present summary statistics on three samples: either all 12,686 respondents, only the 6111 respondents of the nationally representative sample, or the "continuous sample" comprised of 4613 individuals that appear in all twenty-seven survey years.

There are 848 individuals who owned at least one business during the years surveyed, who we define as entrepreneurs or business owners. Out of these, 365 are female entrepreneurs (or 354 with all control variables populated). Due to the size of the entrepreneurs' sample, we use all of them in the analysis regardless of their original sample.

From Table 1, 9.8 percent of individuals in the representative sample are entrepreneurs, 9.5 percent of women and 12.5 percent of men.[94] The abortion ratio derived from the data is between 18.1 to 19.4 percent, which resembles the latest figure of 18.6 percent reported by the Center for Disease Control and Prevention (CDC),[95] strengthening this measure's validity.

Table 1 below offers summary statistics of key variables in each of the samples.

93. The sample is comprised of three sub-samples: (1) a representative sample of 6,111 respondents designed to represent the population of the United States in 1979, (2) a supplemental sample of 5,295 civilian Hispanic or Latino, black, and economically disadvantaged nonblack/non-Hispanic individuals, and (3) a sample of 1,280 respondents designed to represent the population serving in one of the four branches of the United States military as of September 30, 1978. *NLSY79 Data Overview*, U.S. BUREAU OF LAB. STAT., https://www.bls.gov/nls/nlsy79.htm#intro-to-sample (Feb. 26, 2024).

94. This figure is consistent with the Bureau of Labor Statistics's report of 10.1 percent self-employment in the United States, STEVEN F. HIPPLE & LAUREL A. HAMMOND, U.S. BUREAU OF LABOR STAT., SELF-EMPLOYMENT IN THE UNITED STATES 2 (2016), https://www.bls.gov/spotlight/2016/self-employment-in-the-united-states/pdf/self-employment-in-the-united-states.pdf, but is slightly higher than the BLS's estimate of 7.1 pecent female self-employment, Kristin Roche, *Female Self-Employment in the United States*, 137 MONTHLY LAB. REV. 1, 3 (2014).

95. Tara C. Jatlaoui, Lindsay Eckhaus, Michele G. Mandel, Antoinette Ngyuen, Titilope Oduyebo, Emily Petersen, Maura K. Whiteman, *Abortion Surveillance – United States, 2016*, 68 SURVEILLANCE SUMMARIES, no. 11, Nov. 29, 2019, at 1.

Table 1: Summary Statistics

	All		Women		Men	
Complete Sample	Women	Man	Entr.	Non-Entr.	Entr.	Non-Entr.
Num of Individuals	6,283	6,403	365	5,918	483	5,920
Num Businesses Owned	461	655	461	0	655	0
Num of Children	1.84	1.59	1.99	1.83	2.18	1.54
Children≥1	78.6%	69.0%	83.0%	78.3%	81.8%	68.0%
Ever Married	82.2%	74.4%	92.6%	81.5%	90.3%	73.1%
Years of Education	13.3	12.9	14.2	13.2	13.8	12.9
Minorities	40.8%	40.8%	35.3%	41.1%	38.9%	41.0%
Black	24.8%	25.2%	18.9%	25.2%	22.8%	25.4%
Hispanic	15.9%	15.6%	16.4%	15.9%	16.1%	15.6%
Num of Abortions	0.27		0.39	0.26		
Had an Abortion	18.1%		24.7%	17.7%		
Representative Sample						
Num of Individuals	3,108	3,003	269	2,839	333	2,670
Num Businesses Owned	341	459	341	0	459	0
Num of Children	1.87	1.66	1.95	1.86	2.07	1.61
Children≥1	80.2%	71.9%	81.4%	80.1%	81.1%	70.7%
Ever Married	87.3%	80.5%	94.1%	86.6%	91.6%	79.1%
Years of Education	13.7	13.4	14.2	13.6	13.9	13.4
Minorities	20.3%	18.8%	12.3%	21.1%	13.5%	19.4%
Black	13.0%	11.5%	5.9%	13.7%	9.0%	11.8%
Hispanic	7.3%	7.3%	6.3%	7.4%	4.5%	7.6%
Num of Abortions	0.27		0.35	0.26		
Had an Abortion	18.3%		23.4%	17.9%		
Continuous Sample						
Num of Individuals	2,572	2,041	257	2,315	264	1,777
Num Businesses Owned	257	264	257	0	264	0
Num of Children	2.09	1.97	1.96	2.1	2.28	1.92
Children≥1	84.1%	79.5%	83.3%	84.1%	84.8%	78.7%
Ever Married	85.7%	85.6%	92.2%	85.0%	94.7%	84.3%
Years of Education	13.8	13.6	14.2	13.7	14.2	13.5
Minorities	48.6%	44.0%	30.7%	50.6%	31.8%	45.8%
Black	31.9%	28.5%	17.1%	33.5%	18.6%	29.9%
Hispanic	16.7%	15.5%	13.6%	17.1%	13.3%	15.9%
Num of Abortions	0.29		0.39	0.28		
Had an Abortion	19.4%		25.3%	18.7%		

A. PRELIMINARY ANALYSIS AND CONSTRUCTION OF VARIABLES

We first assess the null hypothesis that female entrepreneurs terminate their pregnancies more than non-entrepreneurs. A one-tail t-test assessing the hypothesis is presented in Table 2 below. As displayed in the Table, entrepreneurs in the representative sample are 5.6 percentage points more likely

to have an abortion than non-entrepreneurs or 30 percent more than the sample's unconditional mean.[96]

Table 2: One Tail T-test Comparing Between Female Entrepreneurs & Non-Entrepreneurs[97]

	Mean Levels			Number of Observations		
Complete Sample	Non-Entr.	Entrepreneurs	Diff.	Non-Entr.	Entrepreneurs	P(T<t)
Had an Abortion	.177	.247	.0698	5,918	365	.001
Had an Unplanned Pregnancy	.328	.403	.074	5,918	365	.002
»Had an Abortion	.533	.612	.0788	1,944	147	.032
Married	.537	.589	.0524	5,918	365	.026
Minorities	.411	.353	-.0579	5,918	365	.014
Years of Education	13.2	14.2	.9225	5,918	365	.001
Representative Sample						
Had an Abortion	.179	.234	.0556	2,839	269	.012
Had an Unplanned Pregnancy	.354	.375	.0215	2,839	269	.241
»Had an Abortion	.498	.624	.1262	1,005	101	.007
Married	.581	.647	.0657	2,839	269	.018
Minorities	.211	.123	-.0880	2,839	269	.001
Years of Education	13.62	14.23	.6146	2,839	269	.001
Continuous Sample						
Had an Abortion	.187	.253	.0659	2,315	257	.006
Had an Unplanned Pregnancy	.412	.389	-.0223	2,315	257	.757
»Had an Abortion	.450	.650	.1998	953	100	.001
Married	.527	.615	.0874	2,315	257	.004
Minorities	.506	.307	-.198	2,315	257	.001
Years of Education	13.73	14.19	.466	2,315	257	.003

One of the main challenges in assessing how access to reproductive care affects women's careers is that household wealth and conservative beliefs may confound the results. Wealthier women are less constrained when in need of either an abortion for an unintended pregnancy or collateral to obtain external funding. By the same principle, more conservative women might be less likely to obtain an abortion or become entrepreneurs due to their personal preferences. Therefore, controlling for the individuals' initial wealth and personal

96. We do not find substantial evidence that entrepreneurs experience more unplanned pregnancies than non-entrepreneurs, but conditional on experiencing one, they are 26 percent more likely to terminate it than non-entrepreneurs. The fact that entrepreneurs do not experience more unplanned pregnancies than non-entrepreneurs weakens the possibility that risk-taking behavior drives the greater usage of abortion. In addition, entrepreneurs have about one additional year of education, are more likely to be married, and less likely to be a minority than non-entrepreneurs. Additional characteristics can be found in Table A.1 in the Appendix.

97. Note: A one-tail t-test examining the following null hypothesis: women who own a business are (1) more likely to have an abortion than women who do not, (2) more likely to have an unplanned pregnancy than women who do not, (3) more likely to have an abortion than women who do not, conditional on experiencing an unplanned pregnancy (4) are more likely to be married, (5) less likely to be a minority, (6) and have more years of education.

preferences or looking at variation in supply instead of demand for reproductive care are essential for the analyses. To address this challenge, we construct two variables, namely *Log Level of Wealth* and *Conservatism*, and, most importantly, exploit the enactment of TRAP Laws that generate variation in the supply of reproductive care.

1. *Log Level of Wealth*

To construct this variable, the *Total Net Family Wealth* variable constructed by the BLS was used. The variable was first Winsorized at the 0.5% and 99.5% to clean a small number of observations with unreasonable values. We then added $68,000 to make all values non-negative and took its natural logarithm.[98]

2. *Conservatism*

Conservatism is defined as the "tendency to preserve traditional values and oppose change."[99] Therefore, a possible concern that might arise is that women's conservative beliefs might guide their reproductive choices and career aspirations. To address this concern, the individual level of conservatism was assessed by using a series of seven statements presented in the 1979, 1982, 1987, and 2004 surveys.[100]

We do not find support for the hypothesis that conservative women are less likely to engage in entrepreneurial activities. Columns (3), (6), and (9) in Table A.2 in the Appendix suggest no correlation between the level of conservatism and the number of businesses ever owned by women in the survey. This is consistent with the assumption that it is access to reproductive care that

98. Negative $68,000 is the smallest Winsorized net family wealth in the data. It should be noted that the variable Total Net Family Wealth is created by summing all asset values and subtracting all debts. The variable appears for the first time in 1985 when the youngest individual in the survey was older than 18 years old. We use the variable in the cross-sectional analyses in two settings. We either use the 1985 figure as the households' Initial Wealth or the last year at which the subject appears in the survey as the household's Current Wealth. In the time-series analyses, Current Wealth is simply the respondents annual wealth each year. Current wealth might be closely related to the decision to terminate a pregnancy, become an entrepreneur, or apply for a loan. To mitigate this endogeneity concern surrounding the use of wealth as a control, we run all of the analyses with either Initial Wealth, Current Wealth, or no wealth at all. All of the results hold, regardless of the chosen measure.

99. *Conservatism*, CAMBRIDGE DICTIONARY, https://dictionary.cambridge.org/us/dictionary/english/conservatism (last visited Jan. 23, 2023). While others might suggest additional definitions, the dictionary definition was chosen for the sake of clarity.

100. Positive (conservative) statements could be, for example, "Women are much happier if they stay at home and take care of their children" or "The employment of wives leads to more juvenile delinquency". Negative (less conservative) statements could be, for example, "Men should share the work around the house with women, such as doing dishes, cleaning, and so forth." To generate the conservatism index, we add the positive statements and subtract the negative ones. The index ranges from -3 to 18, -3 being the least conservative and 18 the most conservative. To avoid biases caused by life experiences, either the answers from 1979 or the answers from last year were used. The analyses are robust to this choice. In the time-series analyses, we interpolate the data between surveys and extrapolate it beyond 2004 if the individual is still in the sample. Table A.2 in the Appendix offer a strong support for the assumption that more conservative women have more children and obtain fewer abortions, strengthening this index's validity as a relevant measure of conservatism.

matters to entrepreneurs and not the choice of whether to obtain it. Hence, it weakens the possibility that conservative beliefs confine the results.

3. *TRAP Laws*

In 1992, in *Planned Parenthood of Southeastern Pennsylvania v. Casey*,[101] the Supreme Court overruled *Roe v. Wade*'s[102] inflexible trimester framework and declared that laws placing restrictions on abortions pre-viability are constitutional if the purpose or effect of the statute does not "plac[e] a substantial obstacle in the path of the woman seeking an abortion."[103] While offering little guidance as to what constitutes a "substantial obstacle," [104] the Court clarified that a law which has the "*incidental effect* of making it more difficult or more expensive to procure an abortion" passes constitutional muster if it serves a valid purpose and does not "strike at the right [to have an abortion] itself."[105]

This critical language opened the door to a wide array of "seemingly-neutral" regulations that de facto placed burdensome restraints on women seeking abortions[106] and prompted a movement of anti-abortion legislation throughout the United States that resulted in the systematic erosion of women's access to abortions.[107] While one can trace their beginning to the early 1970s, the 1990s and 2000s have experienced an exponential growth in the number of states enacting TRAP Laws that place excessive restrictions on abortion facilities that were criticized for having little to do with health and safety.[108] While promoted as reasonable measures to ensure patient safety, lawmakers have used TRAP Laws to limit women's access to abortions.[109] These regulations place administrative and financial burdens on abortion providers,

101. Planned Parenthood of Se. Pa. v. Casey, 505 U.S. 833 (1992).

102. Roe v. Wade, 410 U.S. 113 (1973).

103. *Casey*, 505 U.S. at 877.

104. Erwin Chemerinsky & Michele Goodwin, *Abortion: A Woman's Private Choice*, 95 TEX. L. REV. 1189, 1220 (2017) (quoting *Casey*, 505 U.S. at 878).

105. *Casey*, 505 U.S. at 874.

106. B. Jessie Hill, *The Geography of Abortion Rights*, 109 GEO. L.J. 1081, 1112 (2021) (providing an overview of spatial abortion regulations).

107. Marshall H. Medoff, *State Abortion Politics and TRAP Abortion Laws*, 33 J. WOMEN, POL. & POL'Y 239, 245 (2012) ("Enactment of a TRAP law by a state is not a symbolic action that indicates a state is not supportive of abortion rights but is a substantive abortion policy that makes it more difficult for women to exercise their constitutional right to choose to have an abortion. Thus, enactment of TRAP laws by states represents an unmistakable, clear, and unambiguous means by a state to effectively overturn the Supreme Court's 1973 Roe v.Wade (410 U.S. 113) decision legalizing abortion").

108. Hill, *supra* note 106, at 1099; *see* Dawn Johnsen, *"TRAP"ing* Roe *in Indiana and a Common-Ground Alternative*, 118 YALE L.J. 1356, 1369 (2009) (discussing TRAP laws in Indiana and their potential impact on the right to abortion); Rebecca J. Mercier, Mara Buchbinder & Amy Bryant, *TRAP Laws and the Invisible Labor of US Abortion Providers*, 26 CRITICAL PUB. HEALTH 77, 79 (2015); *Targeted Regulation of Abortion Providers*, GUTTMACHER INST., https://www.guttmacher.org/state-policy/explore/targeted-regulation-abortion-providers (last modified Aug. 31, 2023); *Abortion*, GALE, https://www.gale.com/open-access/abortion (last modified 2024) (describing how state legislatures introduced new abortion restrictions (TRAP laws) in the 1990s that resulted in restricted access to abortions); Mary Ziegler, *Liberty and the Politics of Balance: The Undue-Burden Test After* Casey/Hellerstedt, 52 HARV. C.R.-C.L. L. REV. 421, 451–52 (2017).

109. GUTTMACHER INST., *supra* note 108.

which cause many clinics to shut down or face crippling lawsuits. Overall, since 1970, states across the United States initiated more than 1,300 abortion restrictions, with TRAP Laws serving as the most dominant tool to achieve these restrictions.[110]

This Article assesses the effect of a supply shock to reproductive care on credit utilization by female entrepreneurs, by examining the various state-level TRAP Laws enacted between 1979 and 2008. The data used was collected by Medoff, who flags the year at which the first set of TRAP Laws was enacted in each state.[111] The choice of years is constrained by Medoff's data as some of the states overturned these laws and others enacted new ones after 2008. We use a binary variable turning one to quantify when a state first enacted a TRAP Law. An extract from Medoff listing the years when each state enacted a TRAP Law can be found in the Appendix Table A.3.

III. EMPIRICAL STRATEGY

The empirical strategy is comprised of three parts:

- First, we show how abortion usage covaries with entrepreneurial finance.
- Second, we focus on identifying how access to reproductive care affects female entrepreneurs' credit availability by analyzing the staggered adoption of state-level TRAP Laws.

110. Elizabeth Nash & Lauren Cross, *2021 Is on Track to Become the Most Devastating Antiabortion State Legislative Session in Decades*, GUTTMACHER INST. (June 14, 2021), https://www.guttmacher.org/article/2021/04/2021-track-become-most-devastating-antiabortion-state-legislative-session-decades; Miriam Berg, Roe v. Wade *at Risk: Nationwide Legal Abortion May Be a Thing of the Past*, PLANNED PARENTHOOD (Jan. 21, 2022, 12:09 PM), https://www.plannedparenthoodaction.org/blog/roe-v-wade-at-risk-nationwide-legal-abortion-may-be-a-thing-of-the-past. For a comprehensive discussion about the history of TRAP laws, see generally Itay Ravid & Jonathan Zandberg, *The Future of* Roe *and the Gender Pay Gap: An Empirical Assessment*, 98 IND. L.J. 1089 (2023). Several empirical studies have explored the effects of TRAP Laws and access to reproductive care more broadly on women in different contexts. For more TRAP laws effects on abortions, see, for example, STANLEY K. HENSHAW, THEODORE J. JOYCE, AMANDA DENNIS, LAWRENCE B. FINER & KELLY BLANCHARD, RESTRICTION ON MEDICAID FUNDING FOR ABORTIONS: A LITERATURE REVIEW (2009) (offering a review of 38 studies conducted between 1979-2008 exploring the effects of restrictions imposed on access to abortions (particularly Medicaid funding restrictions) on reproductive outcomes). For more regarding the effects of access to reproductive care on women's lives, including economic status, mental health, and more, see, for example, Martha J. Bailey & Jason M. Lindo, *Access and Use of Contraception and Its Effects on Women's Outcomes in the U.S.* (Nat'l Bureau of Econ. Rsch., Working Paper No. 23465, 2017); Claudia Goldin & Lawrence F. Katz, *The Power of the Pill: Oral Contraceptives and Women's Career and Marriage Decisions*, 110 J. POL. ECON. 730 (2002); Diana Greene Foster, M. Antonia Biggs, Heather Gould, Katrina Kimport, Sarah Raifman, Lauren Ralph, Sarah Roberts, Corinne Rocca, Gretchen Sisson, Ushma Upadhyay & Katie Woodruff, *The Turnaway Study,* ADVANCING NEW STANDARDS IN REPROD. HEALTH, https://www.ansirh.org/research/ongoing/turnaway-study (last visited Jan. 23, 2024); Kate Bahn, Adriana Kugler, Melissa Holly Mahoney & Annie McGew, *Do U.S. TRAP Laws Trap Women Into Bad Jobs?*, 26 FEMINIST ECON. 44 (2020); Kelly M. Jones & Mayra Pineda-Torres, *TRAP'd Teens: Impacts of Aborion Provider Regulations on Fertility and Education*, 234 J. PUB. ECON. (2024). For additional review of existing research, see Ravid & Zandberg, *supra* at 1104–07. This Article, however, focuses on a different question by specifically connecting access to credit with abortion restrictions.

111. Medoff, *supra* note 107, at 246 (focusing on TRAP physical plant/personnel laws).

- Finally, we conclude by testing the baseline results on a matched placebo sample of men.

Part IV.A looks at the first part—the correlations between abortion utilization and entrepreneurial finance by looking at the total amount raised to establish a business, and at risk by looking at business-related bankruptcies. We use a matched sample, instead of a simple OLS regression, to better compare women across groups with similar observable characteristics.[112] We compare the mean level of the log-transformed total amount raised to establish a business and the propensity for filing a business-related bankruptcy. In both analyses, two different matching techniques were used to address a potential model-dependence bias. Data on the total amount raised and business-related bankruptcies are not available in a panel setting and all of these analyses are, therefore, cross-sectional. Standard errors are bootstrapped with fifty repetitions.[113]

Part IV.B focuses on identification (the second part of the empirical strategy) by replacing actual abortion utilization with policy reforms that restrict access to reproductive care, namely TRAP Laws. We run a series of difference-in-differences analyses around the enactment of a TRAP Law. We look at three variables of interest provided or created in a panel structure: either (1) the existence of an outstanding business-loan, (2) the total outstanding business-related debt, or (3) the entrepreneurs' leverage ratio.[114] We focus on the female entrepreneurs' population to conduct nine sets of tests using the three variables of interest.

We first run our core, state-year level, dynamic difference-in-differences where the dynamic treatment is a binary variable turning one every time a TRAP Law is enacted in the entrepreneur's state of residency. Second, to test whether attrition is driving the results, we re-run the analyses on the sub-sample of years at which businesses where operating. Third, to test whether selection into riskier industries is driving the results, industry fixed effects were added. Fourth, we test the results on two placebo groups, either women above a childbearing age, or, fifth, men. Sixth, we test for pre-trends by examining the entrepreneurs' leverage ratio in the four years before and after the enactment of a TRAP Law. Seventh, we examine whether cross-sectional differences between female entrepreneurs drive the results by adding individual fixed effects. Finally, we

112. The sample was limited to either include all female entrepreneurs or only female entrepreneurs who reported an unplanned pregnancy.

113. A number shown to be sufficiently large for unbiased standard error for kernel matching. *See* Kmatch: Stata Module for Multivariate-Distance and Propensity-Score Matching by Ben Jann, Boston College Department of Economics, https://econpapers.repec.org/software/bocbocode/s458346.htm (last revised Sept. 19, 2020) (install this module from within Stata by typing "ssc install kmatch"). In the Appendix, I also validate the results from Zandberg, *supra* note 25, on business formation and show how abortion usage correlates to woman's propensity for owning a business.

114. These measures are used instead of raised capital and bankruptcies that are not provided annually in the data and thus cannot be used in this setting.

test the robustness of the results by looking at an alternative leverage-ratio measure and only at businesses that opened before a TRAP Law enactment.

Limiting the sample to entrepreneurs who owned a business before a TRAP Law enactment or to years at which businesses were operating addresses a potential selection bias. In the former, we test whether women anticipate the effect of a TRAP Law and as a result refrain from entrepreneurial activity, and in the latter, we test whether business closures drive the drop in leverage. In all nine sets of tests, the standard errors are clustered at the state-year level.[115]

Part IV.C, the third part of our empirical strategy, addresses a potential omitted-variable bias by generating a synthetic abortion variable for a matched sample of men. The analyses reported in Part IV.A are then repeated on the population of men in the sample using the synthetic variable instead of the women's actual abortions variable. In this analysis we match men to women with similar observable characteristics and flag the ones who were matched to women who had an abortion. The null hypothesis is that we should expect to see similar results on the men's sample if the women's results are confounded by socioeconomic characteristics.

IV. RESULTS

A. BASELINE ANALYSES – MATCHED SAMPLES

In the baseline analyses, two cross-sectional variables of interest are examined: the total amount raised to establish a business and business-related bankruptcies. Table 3 reports the results of a one tail t-test assessing the difference in the total amount raised and the business-related bankruptcy rates between female and male entrepreneurs. We find that women raise on average $24,000 less than men entrepreneurs, or 42 percent less than the sample's unconditional mean. Women are also two percentage points more likely than men, or 20 percent more likely than the sample's unconditional mean, to file for a business-related bankruptcy, but this difference is only significant with a *P*-value of 0.158.

115. In the appendix, the results from Zandberg, *supra* note 25, on business formation and survival are validated by monitoring the years at which female-led businesses operate and examining how they are affected by the enactment of a TRAP law. This Article looks at all types of female-owned businesses in the NLSY79 and, consistent with Zandberg, shows how the survival and the establishment of new businesses decline following an enactment.

Table 3: One Tail T-test Comparing Between Female and Male Entrepreneurs[116]

	Mean Levels			Num. of Observations		
	Women	Men	Diff.	Women	Men	P(T<t)
All Entrepreneurs						
Total Amount Raised	$43,532	$67,410	-$23,878	365	483	0.079
Business-Related Bankruptcy	.122	.100	.022	365	483	0.158
Entrepreneurs Who Raised Capital						
Total Amount Raised	$53,319	$79,801	- $26,482	298	408	0.096
Business-Related Bankruptcy	.128	.105	.022	298	408	0.181

In the baseline results summarized in Table 4, Panel A, we look at the difference in the mean of the log amount raised between female entrepreneurs who had an abortion and those who did not. The first two columns represent the difference in the entire population of female entrepreneurs, and the last two columns represent female entrepreneurs who had an unplanned pregnancy.[117] We match the sample based on the individuals' number of children, marital status, ethnicity, years of education, household wealth, conservatism, and age.[118] Panel A of Table 4 reports the differences in the mean of the variable of interest, and Panels A.4a and A.4b, of Table A.4 of the Appendix, report the covariates' means and standard errors in the treated (meaning, women who had an abortion) and control groups (meaning, women who did not) in both the raw and matched samples.

116. Note: A one-tail t-test examining the null hypothesis that women entrepreneurs raise less capital than men and are more likely to file for business related bankruptcy.

117. Individuals with an unplanned pregnancy were classified based on the answers to question Q9-63 / MFER-10 worded as follows: "When [you/your wife/spouse/partner] became pregnant with [youngest child's name], were you trying to have a baby or trying not to have a baby?" The possible answers are: "Trying to have a baby/Trying not to have a baby/Neither."

118. In the first and third columns, a propensity-score kernel matching was utilized. *See* Paul R. Rosenbaum & Donald B. Rubin, *The Central Role of the Propensity Score in Observational Studies for Causal Effects*, 70 BIOMETRIKA 41, 41 (1983) (defining the propensity score (PSM) as "the conditional probability of assignment to a particular treatment given a vector of observed covariates"). In the second and fourth columns, a Mahalanobis multivariate distance kernel matching, as suggested by King and Nielsen, was utilized. *See* Gary King & Richard Nielsen, *Why Propensity Scores Should Not be Used for Matching*, 27 POL. ANALYSIS 435, 435 (2019) (rejecting PSM because of the "PSM paradox," and instead suggesting Mahalanobis Distance Matching (MDM), which pairs close units on a standardized scale). Both use the Epanechnikov Kernel function.

Table 4: Amount Raised, Bankruptcies, Entrepreneurship, and Abortions Among Women in Matched Regressions[119]

Panel A - Dependent Variable: Log (Total Amount Raised to Establish a Business)				
	All Female Entrepreneurs		Female Entr. w/ Unintended Pregnancy	
	(1)	(2)	(3)	(4)
	Logit PSM	Mahalnobis MDM	Logit PSM	Mahalnobis MDM
Abortions	0.954**	1.127***	1.212*	1.351**
	(0.447)	(0.387)	(0.648)	(0.640)
Observations	354	354	120	120
Matched	335	350	115	118
Treated	83	87	61	64
Untreated	252	263	54	54
Panel B - Dependent Variable: Number of Business-Related Bankruptcies				
Abortions	-0.0569**	-0.0358	-0.202***	-0.0555
	(0.0288)	(0.0287)	(0.0743)	(0.0538)
Observations	354	354	120	120
Matched	338	353	120	118
Treated	82	87	66	64
Untreated	256	266	54	54

Panel A shows that the average amount raised by women who had an abortion is larger than the average amount raised by women who did not, regardless of the model used or the control group chosen. Entrepreneurs who obtained an abortion raise 14 to 17 percent more than the average amount raised by female entrepreneurs in general, and 18 to 20 percent more than the average among female entrepreneurs who have had an unplanned pregnancy.[120]

In Table 4 Panel B, we repeat this analysis using a binary variable that turns one if the individual had a business-related bankruptcy.[121] We add to the

119. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. In panel A, the dependent variable is the log amount raised to establish a business. In panel B, the dependent variable is a binary variable turning one if an individual had a business-related bankruptcy. Panels A and B include only female entrepreneurs. Columns (1) and (2) report the difference in the average log amount raised between women with and without abortion in a sample matched based on the number of children, marital status, ethnicity, years of education, age, wealth, and conservatism. Columns (3) and (4) restrict the sample to only female entrepreneurs with unintended pregnancies. Columns (1) and (3) use propensity score matching, and columns (2) and (4) use Mahalanobis multivariate distance matching. We use the Epanechnikov kernel density function and bootstrap standard errors with 50 replications.

120. Panels A.4a and A.4b illustrate the importance of the matching process. In the unmatched sample, female entrepreneurs who have an abortion are less likely to be married, more likely to be a minority, poorer, and significantly less conservative. Additional balancing analyses can be found in the Appendix Figure A.1.

121. Many of the entrepreneurs in this sample own a sole proprietorship and are therefore free to file for personal bankruptcies. To tackle this issue, we control for whether the individual filed for any type of bankruptcy and look at whether the bankruptcy was related to a business failure. We use the answer to question PS-3C as our dependent variable. The question is worded as follows: "[Please think about the most recent time that you (or your spouse/partner) declared bankruptcy.] Was this bankruptcy related to the failure of a business that you

matching vector a binary variable turning one if the individual ever had *any* type of bankruptcy and the total amount raised.[122]

Panel B offers suggestive evidence that abortions are linked to a lower risk of business-related bankruptcies. From columns (1) and (3), the probability of filing for business-related bankruptcy is 29 percent and 47 percent lower compared to all female entrepreneurs or female entrepreneurs with unplanned pregnancies, respectively. Columns (2) and (4) imply that these relations are not robust to the model chosen.[123] Due to the small number of bankruptcies in the sample and the statistical insignificance presented in Columns (2) and (4), this Article refrains from concluding that this evidence is decisive. This leaves open the question of whether the riskiness of businesses led by women of childbearing age or discrimination against them drives the effect of access to reproductive care on entrepreneurial finance. The riskiness of a business can affect both the supply and demand for credit. Either credit providers lend less, or women aware of the increased maternity risk decide to borrow less. We will address this issue further in Part V. Additional balancing analyses relevant to this matched sample can be found in the Appendix Table A.6 and Figure A.2.

B. IDENTIFICATION – THE EFFECTS OF TRAP LAWS

To address potential endogeneity in our baseline analyses, we exploit variation in the availability of reproductive care induced by the staggered enactment of state-level TRAP Laws. Instead of looking at the actual utilization of abortions, we examine how laws restricting access to reproductive care affect female entrepreneurs' raised capital.

[or] [Spouse/partner's name] owned?". We classify entrepreneurs who answered positively as individuals with a business-related bankruptcy.

122. Table A.5 Panels A.5a and A.5b. report covariates' means and standard errors.

123. In other, unreported results, the negative correlation was found to be economically and statistically meaningful in a standard OLS regression.

1. *Dynamic Difference-in-Differences*

Most external funding resources are not detailed annually but the total amount of outstanding debt and business-related liabilities is. Therefore, we can examine how the total amount received as a business-related loan is affected by changes in the availability of reproductive care. Moreover, we can examine how the individual's leverage ratio changes as these laws are enacted. Equivalent to a firm's debt-to-enterprise value ratio, we define entrepreneurs' *Leverage Ratio* at year *t* as:

$$Leverage\ Ratio_t = \frac{Total\ Outstanding\ Debt_t}{Total\ Wealth_t + Total\ Outstanding\ Debt_t}$$

The *Leverage Ratio* variable was Winsorized at the 0.5% and 99.5% levels to deal with a small number of extreme ratios and use the Winsorized values in our regressions.

We start with a dynamic difference-in-differences analysis examining the regression below on the sub-sample of entrepreneurs:

$$Y_{i,s,t} = \Phi_{state} + \Psi_{time} + \beta_1 TRAP\ Laws_{s,t} + \beta_2 X_{i,t} + \beta_3 Z_{s,t} + \epsilon_{i,s,t}$$

The subscript *i* indexes individuals, *s* indexes state of residence, and *t* indexes survey year. $Y_{i,s,t}$ is either a binary variable turning one in a year in which an entrepreneur has an outstanding business-related loan, the natural logarithm of the total amount borrowed plus one, or the individual's *Leverage Ratio* at any given year. Φ_{state} are state fixed-effect and Ψ_{time} are year fixed-effects. *TRAP Laws* is a binary variable turning one whenever a TRAP Law is in place in that state. $X_{i,t}$ is a set of individual level controls including the number of children in a household, accumulated years of education, a binary variable whenever the subject is married, a binary variable for being a minority, age, and the individuals' level of conservatism over time. $Z_{s,t}$ are state level controls including the fraction of senators representing the state who are Republicans, and the annual state gross domestic product growth.

The results are summarized in Table 5, columns (1)–(3). We observe a negative coefficient on the treatment variable *TRAP Law* suggesting that a negative shock to reproductive care reduces the probability of a female entrepreneur to receive a business-related loan, decreases the overall amount she borrows, and reduces the overall leverage ratio of her business. The results hold when we control for current or initial wealth (Table A.7, columns (1)–(3) and Table A.8, columns (1)–(3) in the Appendix, respectively).

Table 5: Business-Related Debt and TRAP Laws Among Female Entrepreneurs – 1985-2008[124]

	Baseline Regression			While Businesses Operate			Industry Fixed Effects		
VARIABLES	Received Loan (1)	Total Amount (2)	Leverage Ratio (3)	Received Loan (4)	Total Amount (5)	Leverage Ratio (6)	Received Loan (7)	Total Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.0408**	-0.445***	-0.0162***	-0.0493*	-0.611**	-0.0258**	-0.0533**	-0.598***	-0.0176**
	(0.0141)	(0.132)	(0.00522)	(0.0274)	(0.243)	(0.0115)	(0.0202)	(0.175)	(0.00672)
Num. of Child.	-0.00707*	-0.0721*	-0.00192	-0.0132	-0.121	-0.00329	-0.00643	-0.0760	-0.00144
	(0.00367)	(0.0383)	(0.00117)	(0.0102)	(0.0927)	(0.00224)	(0.00582)	(0.0646)	(0.00194)
Years of Edu.	0.00533*	0.0620**	0.00143*	0.00741	0.0839	0.00233	0.00929**	0.103**	0.00182
	(0.00260)	(0.0274)	(0.000781)	(0.00584)	(0.0607)	(0.00167)	(0.00363)	(0.0395)	(0.00108)
Married	0.0441***	0.492***	0.0123***	0.0493**	0.609**	0.0153**	0.0420***	0.479***	0.0130***
	(0.00871)	(0.0927)	(0.00275)	(0.0207)	(0.220)	(0.00582)	(0.00792)	(0.0886)	(0.00299)
Minorities	-0.0351***	-0.345***	-0.00676**	-0.0477*	-0.508**	-0.00710	-0.0272**	-0.269**	-0.00596
	(0.00984)	(0.0937)	(0.00285)	(0.0231)	(0.213)	(0.00584)	(0.0102)	(0.0956)	(0.00398)
Conservatism	0.0000369	0.00355	0.000449	-0.00272	-0.0216	0.000362	0.000136	0.00586	0.000434
	(0.00134)	(0.0145)	(0.000556)	(0.00432)	(0.0473)	(0.00128)	(0.00220)	(0.0240)	(0.000714)
Age	0.00542**	0.0495*	0.00113	0.00835	0.0795*	0.00121	0.00626*	0.0563	0.00157
	(0.00233)	(0.0237)	(0.000811)	(0.00489)	(0.0444)	(0.00152)	(0.00320)	(0.0316)	(0.000989)
Fraction Rep.	-0.00507	-0.0130	0.00368*	-0.0103	-0.123	0.00322	-0.0273	-0.224	-0.000987
	(0.00983)	(0.0994)	(0.00192)	(0.0224)	(0.249)	(0.0101)	(0.0194)	(0.195)	(0.00296)
GDP Growth	0.158	1.543	0.0304	-0.559*	-4.781	-0.0345	0.140	1.309	0.0930
	(0.280)	(3.131)	(0.106)	(0.304)	(4.914)	(0.217)	(0.347)	(3.664)	(0.157)
Observations	5,853	5,853	5,619	1,886	1,886	1,832	3,948	3,948	3,794
R-squared	0.077	0.079	0.060	0.142	0.141	0.127	0.152	0.163	0.145

The baseline specifications, that is, Table 5, columns (1)–(3) are used to assess the economic magnitude of a TRAP law enactment. A TRAP Law enactment translates into a 53.3 percent drop in the probability a female entrepreneur receives a business-related loan, a 57.5 percent drop in the total amount borrowed, and an 83.7 percent drop in the entrepreneur's leverage ratio compared to the pre-TRAP era.

To deal with a possible overestimation of these magnitudes caused by attrition of entrepreneurs, the regressions were rerun on the sub-sample of female entrepreneurs while including only years during which their businesses were operating. If business closures drive the results, one should expect to see a significant drop in these magnitudes and the statistical significance of the correlation between the enactment and the variables of interest. Columns (4)–

124. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Note: Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws is a binary variable turning one whenever the first set of TRAP laws passed in that state. The dependent variable is either a binary variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. Columns (1)–(3) include all female entrepreneurs, year, and state fixed effects; Columns (4)–(6) include only female entrepreneurs in years at which their businesses operate; and Columns (7)–(9) include all female entrepreneurs and industry fixed effects.

(6) show that these economic magnitudes equal a 33.2 percent drop in the probability a female entrepreneur receives a business-related loan, a 40.1 percent drop in the total amount borrowed, and a 72.6 percent drop in the entrepreneur's leverage ratio at the 10 percent statistical threshold, suggesting attrition plays a small role in the original regressions.[125] That said, this Article refrains from suggesting that these economic magnitudes are conclusive given the small size of this data set and large variance in the amount borrowed. Further research into these magnitudes is needed with more extensive data on the terms of the loans.

2. *Risk Taking – Industry Fixed Effects*

One alternative explanation is that the results are driven by lower appetite for risk in states with limited access to reproductive care. Women sort into industries that require lower leverage once a TRAP Law is enacted and are therefore borrowing less money. To address this alternative explanation, the baseline regression was rerun adding industry fixed effects. The industry fixed effects demean the probability of having a loan, the amount borrowed, and the leverage ratio at the industry level and absorb the differences between industries with low and high leverage requirements. We use the 1980 three-digit Industry and Occupation Classification code from the survey.[126]

As shown in Table 5, columns (7)–(9), the original results (columns (1)–(3)) are robust to the inclusion of industry-fixed effects suggesting self-selection into riskier industries is not driving the original results. All three coefficients are in the same order of magnitude (and even slightly larger and statistically more significant) as the ones obtained without those fixed effects regardless of whether we control for current or initial wealth (Table A.7, columns (7)–(9) and Table A.8, columns (7)–(9) in the Appendix, respectively).

3. *Placebo Tests – Women Above Childbearing Age and Men*

We test whether the result affected two placebo groups that should not be directly affected by changes to reproductive care accessibility—either women above childbearing age or men—and examine how these laws affect their businesses' leverage. The null hypothesis is that one should see similar correlations between the enactment of a TRAP Law and their leverage if a general business cycle is what drives the original results. Using thirty-five as the

125. This setting is also robust to the inclusion of current (Table A.7, columns (4)-(6) in the Appendix) or initial (Table A.8, columns (4)–(6) in the Appendix) wealth.

126. Detailed classification can be found in U.S. DEP'T OF COM., BUREAU OF THE CENSUS, TECH. PAPER NO. 59, THE RELATIONSHIP BETWEEN THE 1970 AND 1980 INDUSTRY AND OCCUPATION CLASSIFICATION SYSTEMS at xi (1989), https://bit.ly/3hnaIfu. There are total of 201 industries in the sample with no significant difference in the number of entrepreneurs in a specific industry between states that enacted a TRAP Law and those that did not. In Table A.11 in the Appendix, the top 20 industries by operating years in TRAP and non-TRAP state are reported.

cut-off age[127] gives us roughly three thousand seven hundred observations at childbearing age and two thousand one hundred observations above that age. The actual years with relevant observations in the sample are 1985 to 2000 for the first group and 1993 to 2008 for the second; both include numerous TRAP Law enactments.

As reported in Table 6, columns (1)–(3), the effect of reproductive care on leverage is solely driven by women ages thirty-five or younger. As expected, there is no effect whatsoever on women above thirty-five (columns (4)–(6)), suggesting that restrictions on reproductive care matter less to female entrepreneurs who are above childbearing age.

In columns (7)–(9), the regression was rerun on the male entrepreneurs' population. Like women above a childbearing age, the findings show that male-led businesses' leverage is not affected by the treatment (the enactment of a TRAP Law) regardless of whether we control for the entrepreneurs' current or initial wealth. The results from these two placebo groups significantly weaken the possibility of a general business cycle story surrounding the enactment of a TRAP Law that is confounding the results. TRAP Laws matter the most to individuals who are most likely to require reproductive health services.

127. Fabrizio Core, Female Innovative Entrepreneurship and Maternity Risk 25 (Nov. 28, 2022) (unpublished working paper) (available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3539508).

Table 6: Business-Related Debt and TRAP Laws' Enactment Among Women at Childbearing Age, Above Childbearing Age, and Male Entrepreneurs – 1985-2008[128]

	Treated Group			Placebo Group					
	Women Age ≤ 35			Women Age > 35			Male Entrepreneurs		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)	Received Loan (7)	Loan Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.0783***	-0.867***	-0.0308**	0.0229	0.175	-0.000217	-0.00640	-0.110	-0.00165
	(0.0243)	(0.242)	(0.0108)	(0.0244)	(0.248)	(0.00598)	(0.0128)	(0.140)	(0.00489)
Num. of Child.	-0.00499	-0.0487	-0.00208	-0.0104	-0.103	-0.00170	0.00250	0.0284	0.000891
	(0.00526)	(0.0533)	(0.00186)	(0.00645)	(0.0666)	(0.00120)	(0.00484)	(0.0516)	(0.00157)
Years of Edu.	0.00852**	0.0989**	0.00227*	0.000127	0.00340	0.000123	0.00532***	0.0607***	0.00124*
	(0.00362)	(0.0363)	(0.00119)	(0.00230)	(0.0260)	(0.000580)	(0.00180)	(0.0189)	(0.000612)
Married	0.0486***	0.520***	0.0140***	0.0348**	0.426**	0.00907**	0.0111	0.126	-0.000315
	(0.01000)	(0.104)	(0.00344)	(0.0142)	(0.161)	(0.00332)	(0.0112)	(0.122)	(0.00376)
Minorities	-0.0478***	-0.461***	-0.00991**	-0.0196*	-0.198*	-0.00242	-0.0354**	-0.379**	-0.00829*
	(0.0156)	(0.149)	(0.00416)	(0.0100)	(0.105)	(0.00239)	(0.0152)	(0.157)	(0.00455)
Conservatism	-0.000226	0.00563	0.000594	0.000213	-0.00178	0.000217	-0.00130	-0.0117	-0.000418
	(0.00218)	(0.0243)	(0.000840)	(0.00183)	(0.0195)	(0.000507)	(0.00167)	(0.0178)	(0.000517)
Age	0.0102***	0.0972**	0.00237*	0.0000399	-0.00281	0.000287	0.00563*	0.0641*	0.00158*
	(0.00295)	(0.0350)	(0.00119)	(0.00179)	(0.0225)	(0.000699)	(0.00298)	(0.0316)	(0.000864)
Fraction Rep.	0.0133	0.162	0.00628	0.0340	0.344	0.0108	-0.00620	-0.0837	-0.000898
	(0.0204)	(0.220)	(0.00440)	(0.0277)	(0.286)	(0.00918)	(0.0184)	(0.191)	(0.00523)
GDP Growth	0.284	1.386	0.0131	0.453	7.576	0.228*	0.122	0.847	0.0183
	(0.402)	(4.513)	(0.158)	(0.751)	(7.564)	(0.118)	(0.340)	(3.566)	(0.112)
Observations	3,797	3,797	3,617	2,055	2,055	2,001	7,434	7,434	7,069
R-squared	0.086	0.092	0.071	0.094	0.090	0.066	0.071	0.071	0.050

4. *Parallel Trends*

A possible explanation to the original difference-in-differences result is that TRAP Law enactments are correlated with a general impairment of women's social status. Therefore, it is the impaired status that led to the reduced leverage rather than the enactment of the legislation restricting reproductive care.

Changes in political sentiments are slow-moving.[129] The conditions that led to a TRAP Law enactment should have led to a gradual decrease in women's credit availability and produce a pre-trend. To test the parallel-trends assumption

128. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Note: Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws is a binary variable turning one whenever the first set of TRAP laws passed in that state. The dependent variable is either a binary variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. Columns (1)–(3) include only women at childbearing age (years 1985–2000); Columns (4)–(6) include only women above childbearing age (years 1993-2008); and Columns (7)–(9) include only male entrepreneurs.

129. *See* JAMES A. STIMSON, PUBLIC OPINION IN AMERICA: MOODS, CYCLES, AND SWINGS 3 (Lawrence C. Dodd ed., 2d ed. 1991); Robert H. Durr, *What Moves Policy Sentiment?*, 87 AM. POL. SCI. REV. 158, 164 (1993).

and refute the existence of pre-trends, we split the original difference-in-differences analysis by years and examine the following regression:

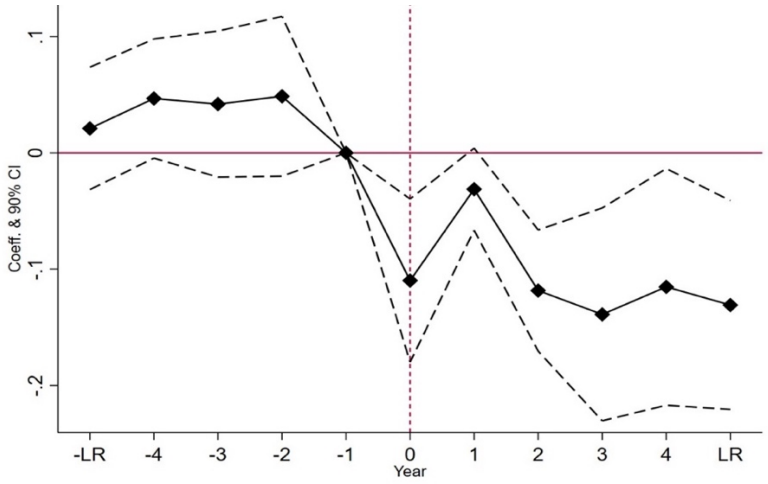
$$Y_{i,s,t} = \Phi_{state} + \Psi_{time} + \gamma_{-LR} TRAP\ Laws_{s,n<-4} + \sum_{j=-4\,(j\neq-1)}^{4} \gamma_j TRAP\ Laws_{s,n+j} + \gamma_{LR} TRAP\ Laws_{s,n>4} + \beta_2 X_{i,t} + \beta_2 Z_{s,t} + \epsilon_{i,s,t}$$

where *n* indexes the year at which a TRAP Law was enacted, *j* indexes the year relative to the enactment, $-LR$ indexes the period of time that ends five years before the enactment, and *LR* indexes the long-run effect five years after the enactment onward. $Y_{i,s,t}$ is the individual *i*'s leverage ratio at year *t*. $TRAP\ Laws_{s,n+j}$ is a binary variable turning one in year *j* after the enactment, $TRAP\ Laws_{s,n<4}$ is a binary variable turning one five years before the enactment or earlier, and $TRAP\ Laws_{s,n>4}$ is a binary variable turning one five years after the enactment onward.

As illustrated in Figure 1, plotting coefficients γ and 90% confidence intervals, there is no evidence of pre-trends and a persistent negative effect in the years following the enactment, t=0 represents the enactment time of a TRAP Law. As such, the figure provides additional support for the negative effects of TRAP Laws on the entrepreneurs' leverage ratio.[130]

130. Moreover, the fact that TRAP Laws were enacted in different years, and that this analysis focuses on relative time, mechanically limits the sample to observations from states that enacted at least one TRAP Law during the years of the survey. This constraint provides an important treatment-on-the-treated test and evidence that these relations are not merely driven by cross-sectional differences between women in states that enacted a TRAP Law and women in states that did not. The negative effect of limiting access to reproductive care holds even when omitting women who live in states that did not enact a TRAP Law at all. This setting is therefore testing both the parallel trends assumption and the treatment-on-the-treated which provides evidence to the consistent long-term impact of those laws and their effect on women living in those states.

Figure 1: Entrepreneurs' Leverage Ratio in States That Enacted a TRAP Law[131]



5. *Individual Fixed Effects*

To further test the importance of the cross-sectional differences among women, individual fixed effects were added to the original regressions. If the initial results are somehow solely driven by unobserved characteristics unique to specific women, then the fixed effects would absorb the effect of a TRAP Law's enactment.

As reported in Table 7, Columns (1)–(3), the treatment coefficients are similar to the original ones presented in Table 6 with an even stronger statistical significance. These coefficients provide evidence that cross-sectional differences among women do not solely drive the effect of the treatment. Columns (4)–(6) again show that these results are robust to the inclusion of current wealth. The fixed effects absorb initial wealth, race, and age.

131. Note: the coefficients of binary variables turning one in year n before and after the enactment of a TRAP law in a dynamic difference-in-differences regression where the left-hand side variable is the respondents' leverage ratio that year. −LR indexes the period of time that ends five years before the enactment, and LR indexes the long-run effect five years after the enactment onward. The sample is limited to female respondents in states that enacted a TRAP law during the years of the survey and to years in which their business where open.

Table 7: Business-Related Debt and TRAP Laws' Enactment Among Female Entrepreneurs with Individual Fixed Effects – 1985-2008[132]

	Baseline Regression			Control for Current Wealth		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)
TRAP Laws	-0.0401***	-0.445***	-0.0152***	-0.0406***	-0.449***	-0.0151***
	(0.0131)	(0.129)	(0.00428)	(0.0131)	(0.130)	(0.00427)
Num. of Child.	-0.00150	-0.0208	-0.000557	-0.00197	-0.0250	-0.000496
	(0.0245)	(0.444)	(0.0277)	(0.0333)	(0.0159)	(0.0140)
Years of Edu.	0.00802	0.0642	0.00147	0.00898***	0.0727**	0.00140
	(0.00549)	(0.0446)	(0.00186)	(0.00298)	(0.0307)	(0.00179)
Married	0.0312***	0.356***	0.0112***	0.0292**	0.338***	0.0116***
	(0.0105)	(0.107)	(0.00349)	(0.0107)	(0.104)	(0.00316)
Conservatism	0.000588	0.00354	-0.00000729	0.000339	0.000644	0.0000113
	(0.00236)	(0.0191)	(0.000652)	(0.00205)	(0.0197)	(0.000679)
Fraction Rep.	-0.00751	-0.0488	0.00336	-0.00590	-0.0327	0.00320
	(0.00955)	(0.0892)	(0.00301)	(0.0107)	(0.106)	(0.00292)
GDP Growth	0.139	1.641	0.0298	0.134	1.575	0.0295
	(0.299)	(3.303)	(0.110)	(0.307)	(3.368)	(0.110)
Current Wealth				0.0133*	0.127	-0.00169
				(0.00757)	(0.0902)	(0.00239)
Observations	5,851	5,851	5,617	5,805	5,805	5,617
R-squared	0.235	0.249	0.208	0.238	0.252	0.208

6. *Robustness Tests*

To conclude this section, we use two additional robustness tests: (1) examining the robustness of the original leverage ratio measure; and (2) testing whether the results are driven by women adjusting their expectations.

132. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Note: Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws is a binary variable turning one whenever the first set of TRAP laws passed in that state. The dependent variable is either a binary variable turning one whenever the individual reports an outstanding business debt—the natural logarithm of the individual's total outstanding business debt plus one—or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. Columns (1)–(3) include all female entrepreneurs, year, state, and individual fixed effects and no control for wealth; Columns (4)–(6) also include current wealth. Initial wealth, race and age are absorbed by the fixed effect.

We examine the robustness of the *Leverage Ratio* variable by replacing it with the ratio of the individuals' outstanding debt and business-related liabilities to total wealth the year before:

$$Alternative\ Leverage\ Ratio_t = \frac{Total\ Outstanding\ Debt_t}{Total\ Wealth_{t-1}}$$

The loan approval process takes time and relies on existing assets for collateral. Moreover, the fact that debt and assets are reported annually might generate a measurement error driven by the timing of the actual loan issuance. Therefore, looking at the entrepreneur's wealth the year before a new loan was issued helps address these obstacles by separating the conditions under which credit was given from the possible outcome of the leverage that might be reflected in the entrepreneur's current wealth.

Table 8 shows the original results hold whether we control for current or initial wealth. As before, none of the coefficients are economically or statistically significant when tested on the male entrepreneurs' population. This result also weakens the possibility that an increase in wealth, rather than a decrease in the amount borrowed, drives the original leverage ratio outcomes.

Table 8: Business-Related Debt and TRAP Laws' Enactment Among Female Entrepreneurs – Leverage Ratio Measure Robustness – 1985-2008[133]

VARIABLES	Female Entrepreneurs			Male Entrepreneurs		
	No Wealth (1)	Current Wealth (2)	Initial Wealth (3)	No Wealth (4)	Current Wealth (5)	Initial Wealth (6)
TRAP Laws	-0.0360***	-0.0362***	-0.0374***	-0.0117	-0.0117	-0.00830
	(0.0109)	(0.0108)	(0.0113)	(0.0140)	(0.0143)	(0.0133)
Num. of Child.	-0.00565	-0.00587	-0.00648	0.00127	0.000768	-0.00116
	(0.00379)	(0.00383)	(0.00423)	(0.00406)	(0.00409)	(0.00347)
Years of Edu.	0.00335*	0.00296	0.00312	0.00248	0.00176	0.00124
	(0.00181)	(0.00186)	(0.00186)	(0.00146)	(0.00149)	(0.00163)
Married	0.0278***	0.0255***	0.0317***	-0.000935	-0.00292	0.00412
	(0.00566)	(0.00502)	(0.00680)	(0.00871)	(0.00858)	(0.00753)
Minorities	-0.0160**	-0.0136*	-0.0102	-0.0222**	-0.0203*	-0.0140
	(0.00736)	(0.00765)	(0.00880)	(0.00997)	(0.0101)	(0.00933)
Conservatism	0.00145	0.00143	0.00104	-0.00117	-0.00130	-0.000943
	(0.00150)	(0.00151)	(0.00162)	(0.00117)	(0.00118)	(0.00126)
Age	0.00298	0.00281	0.00214	0.00231	0.00202	0.000390
	(0.00194)	(0.00191)	(0.00215)	(0.00197)	(0.00192)	(0.00165)
Fraction Rep.	0.0146**	0.0154**	0.0157**	0.00246	0.00294	-0.00233
	(0.00631)	(0.00588)	(0.00640)	(0.0137)	(0.0137)	(0.0142)
GDP Growth	0.120	0.113	0.217	0.215	0.219	0.129
	(0.314)	(0.319)	(0.368)	(0.282)	(0.286)	(0.246)
Current HH Wealth		0.00695			0.00990	
		(0.00623)			(0.00607)	
Initial HH Wealth			0.0272			0.0383***
			(0.0167)			(0.00927)
Observations	5,247	5,247	4,713	6,621	6,621	6,247
R-squared	0.043	0.045	0.046	0.041	0.043	0.043

In the last possible scenario we could come up with, reproductive care might have affected female-led businesses' survival also through a different, unobserved channel. Women might be aware of this channel and might adjust their expectations accordingly. These adjusted expectations can lead women to

133. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Note: Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws is a binary variable turning one whenever the first set of TRAP Laws passed in that state. The dependent variable is the individual's alternative leverage ratio calculated as the ratio between the current outstanding debt and the individual's total wealth the year before. Columns (1)–(3) include all female entrepreneurs, year, and state fixed effects and Columns (4)–(6) include all men entrepreneurs and the same set of fixed effects.

(1) drop out of entrepreneurial activity once a TRAP Law is enacted or (2) avoid entrepreneurship in an expectation for such a law.

To test the former, we limited the sample to years at which businesses operate as reported in Part IV.B.1, Table 5, columns (4)–(6). If attrition solely drove the drop in borrowing, then the relations would not have survived this sample selection. To test the latter, we limit the regressions to women who owned a business prior to a TRAP Law enactment. If the drop in the number of new female entrepreneurs is what drives the drop in borrowing following a TRAP Law enactment, one would see no effect of a TRAP Law on this sub-sample.

The results are largely robust to this selection as illustrated in Table 9 below. While the relatively small number of observations makes it significantly harder to show statistical significance in all specifications, the coefficients on the baseline regressions strengthen the hypothesis that selection is not the only driving force of our baseline results.

Table 9: Business-Related Debt and TRAP Laws' Enactment Among Female Entrepreneurs Owning a Business Before TRAP Laws' Enactment – 1985-2008[134]

	Baseline Regression			Control for Current Wealth			Control for Initial Wealth		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)	Received Loan (7)	Loan Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.112*	-1.245*	-0.0501*	-0.138*	-1.541*	-0.0534*	-0.101	-1.140	-0.0503*
	(0.0610)	(0.651)	(0.0245)	(0.0691)	(0.735)	(0.0246)	(0.0668)	(0.719)	(0.0268)
Num. of Child.	-0.00374	-0.0198	-0.00184	-0.00574	-0.0416	-0.00219	-0.00303	-0.0345	-0.00256
	(0.0160)	(0.151)	(0.00535)	(0.0162)	(0.160)	(0.00590)	(0.0158)	(0.151)	(0.00546)
Years of Edu.	0.0160	0.174	0.00180	0.00934	0.0983	0.000911	0.0108	0.122	0.00105
	(0.00973)	(0.0987)	(0.00394)	(0.00983)	(0.0988)	(0.00399)	(0.0102)	(0.0987)	(0.00429)
Married	0.0681***	0.786***	0.0175*	0.0533**	0.619**	0.0153	0.0772***	0.853***	0.0180
	(0.0201)	(0.186)	(0.00946)	(0.0219)	(0.214)	(0.00976)	(0.0200)	(0.217)	(0.0105)
Minorities	-0.0702*	-0.720*	-0.0209	-0.0576	-0.578	-0.0190	-0.0702	-0.632	-0.0196
	(0.0350)	(0.358)	(0.0135)	(0.0361)	(0.363)	(0.0136)	(0.0401)	(0.405)	(0.0163)
Conservatism	0.000937	0.0320	0.00250*	-0.000432	0.0169	0.00232	-0.00276	-0.0163	0.00136
	(0.00412)	(0.0455)	(0.00136)	(0.00484)	(0.0500)	(0.00135)	(0.00527)	(0.0574)	(0.00211)
Age	0.0103	0.0966	0.00211	0.0105	0.0982	0.00213	0.00705	0.0649	0.00255
	(0.00755)	(0.0769)	(0.00309)	(0.00701)	(0.0699)	(0.00297)	(0.00731)	(0.0815)	(0.00294)
Fraction Rep.	0.115	1.338*	0.0134	0.0918	1.080	0.00981	0.124	1.433*	0.0111
	(0.0838)	(0.751)	(0.0117)	(0.0744)	(0.659)	(0.0138)	(0.0829)	(0.709)	(0.00845)
GDP Growth	-0.623	-5.361	0.0978	-0.924	-8.812	0.0495	-0.427	-4.040	0.152
	(1.144)	(11.40)	(0.440)	(1.151)	(11.21)	(0.426)	(1.160)	(11.58)	(0.440)
Current Wealth				0.0688***	0.779***	0.00918**			
				(0.0203)	(0.232)	(0.00319)			
Initial Wealth							0.111	1.219	0.0102
							(0.0644)	(0.711)	(0.0166)
Observations	917	917	879	909	909	879	848	848	820
R-squared	0.144	0.153	0.124	0.175	0.189	0.129	0.164	0.172	0.131

C. SYNTHETIC ABORTIONS AND MALE ENTREPRENEURS

To further tackle a possible omitted-variable bias, we perform a one standard deviation caliper match of women to men with comparable characteristics. We matched the women's population to men in a 1:1 caliper matching process based on age, marital status, race, years of education, initial wealth, and conservatism. Once matched, a hypothetical "predicted" abortion variable was assigned to the men matched with women who had an actual abortion. We then run the baseline cross-sectional analyses on either the entire population of male entrepreneurs or the sub-sample of male entrepreneurs who reported an unintended pregnancy by their significant other. We replace the actual abortion variable used in the sample of women with the *Synthetic*

134. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws is a binary variable turning one whenever the first set of TRAP laws passed in that state. The dependent variable is either a binary variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio

Abortions variable and compare the mean level of the total amount raised between men who "experienced" a synthetic abortion and those who did not. We also compare the propensity for filing a business-related bankruptcy between those two groups. This strategy aims to assess whether other non-observable socioeconomic factors affect women's propensity to obtain an abortion and gain access to entrepreneurial finance. The null hypothesis is that the *Synthetic Abortions* variable will positively impact men if such non-observable factors—those related to other socioeconomic characteristics—indeed drive our baseline results.

We matched 5238 men (10,476 individuals) when using a one standard error caliper width. As observed in Table 10, the predicted synthetic abortions' coefficient is statistically indistinguishable from zero regardless of whether one looks at all male entrepreneurs or only male entrepreneurs with unplanned pregnancies in their families. Panel A compares the average amount raised and Panel B tests the probability of filing a business-related bankruptcy. Additional balancing analyses can be found in Appendix Tables A.12–A.14.

To conclude, a synthetic event to a placebo group with characteristics similar to those of women who obtained an abortion is not correlated with any of our variables of interest. This result weakens the possibility that unobservable socioeconomic characteristics are omitted from the baseline regression and are what drives our initial results.

Table 10: Amount Raised, Bankruptcies, Entrepreneurship, and Predicted Abortions Among Male Entrepreneurs in Matched Regressions[135]

Panel A - Dependent Variable: Log (Total Amount Raised to Establish a Business)				
	All Male Entrepreneurs		Male Entr. w/ Unintended Pregnancy	
	Logit PSM (1)	Mahalnobis MDM (2)	Logit PSM (3)	Mahalnobis MDM (4)
Synthetic Abortions	0.372 (0.571)	0.0365 (0.390)	0.596 (0.583)	0.528 (0.568)
Observations	448	448	221	221
Matched	426	443	207	218
Treated	99	101	83	88
Untreated	327	342	124	130
Panel B - Dependent Variable: Number of Business-Related Bankruptcies				
Synthetic Abortions	-0.0256 (0.0319)	-0.0212 (0.0294)	0.0512 (0.0452)	0.0587 (0.0365)
Observations	448	448	221	221
Matched	430	445	204	220
Treated	98	101	82	88
Untreated	332	344	122	132

V. DISCUSSION: A THREE-LAYERED MODEL FOR A POST-DOBBS WORLD

The history of U.S. entrepreneurship is heavily male-dominated.[136] For decades, women have struggled to break yet another "glass ceiling"—this time pertaining their ability to open and run their own businesses, a phenomenon known as the "entrepreneurial gender gap." As discussed earlier, while a positive upward trend can be traced, suggesting that the gap narrowed over the years, persistent gender disparities in entrepreneurship remain the norm.

Entrepreneurship has a special place in the U.S. economy. It is not only one of the main foundations of economic growth to society at large, but also the space where the proverbial "American Dream" comes true; where traditional issues such as class, race, and gender can clear the stage to the "entrepreneurial

135. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. In panel A, the dependent variable is the log amount raised to establish a business. In panel B, the dependent variable is a binary turning one if an individual had a business-related bankruptcy. Panels A and B include all male entrepreneurs. Columns (1) and (2) in Panel A report the difference in the average log amount raised between male entrepreneurs with and without a synthetic abortion in a sample matched based on the number of children, marital status, ethnicity, years of education, age, wealth, and conservatism. Columns (3) and (4) restrict the sample to male entrepreneurs with unintended pregnancies by their significant other. Columns (1) and (3) use propensity score matching, and columns (2) and (4) use Mahalanobis multivariate distance matching. The Epanechnikov kernel density function was used and bootstrapped standard errors with fifty replications.

136. *See* Elizabeth N. Brandt, Note, *The Crowdfund Act's Impact on Women-Owned Businesses' Access to Capital*, 2017 COLUM. BUS. L. REV. 807, 852 (2017) (discussing the disparity in women's participation in the finance and VC fields and explaining how greater participation could improve women entrepreneurship).

spirit" and allow all individuals opportunities to flourish financially. The reality, as we all know, is different. In the entrepreneurial context, access to credit was identified over the years as one of the main, if not *the* main, barrier for women entrepreneurs to open and run their businesses.[137] Legislative efforts to tackle this issue, like the enactment of the ECOA and the JOBS Act, were only partially successful, as evidenced by continual gender-based differences in access to credit. While one can find a rich literature aiming to tease out the reasons for these persistent disparities, most scholars have focused on direct channels—both in discriminatory patterns on the supply-side, and the idiosyncrasy of women entrepreneurs in requesting credit on the demand-side.

This Article offers an alternative way to explain the gap in access to credit both from the supply and the demand end. We utilized a novel three-step approach to empirically investigate whether access to reproductive care, and particularly access to abortion, can explain part of that gap.

The findings offer an affirmative answer. First, this Article establishes the access to credit gender gap in the data and finds that women raise, on average, $24,000 less than men entrepreneurs (or 42 percent less than the mean raised in our sample). Second, we find that the average amount women who have an abortion raise is larger than the average amount women who do not have an abortion raise. Specifically, we find that women entrepreneurs who obtained an abortion raise 14 to 17 percent more than the average amount entrepreneurs raised in general and 18 to 20 percent more than the average among women entrepreneurs who had an unplanned pregnancy. Third, and as part of the dynamic difference-in-differences analysis, this Article finds that the enactment of TRAP Laws negatively affected women's access to credit. Particularly, the enactment of TRAP Laws reduced the probability of women entrepreneurs receiving a business-related loan by 53 percent, decreased the overall amount borrowed by 57.7 percent, and reduced the overall leverage ratio of their businesses compared to a pre-TRAP Law era by 83.7 percent. As elaborated in Parts III and IV, these findings were subjected to a host of robustness checks. The findings remained robust to different specifications.

Many individuals are required to balance their family and career choices. The working hours and the physical and mental commitment make the success probability of entrepreneurial endeavors specifically vulnerable to these choices. The findings show, however, that biological and cultural differences between men and women in the context of bearing and raising children make this trade-off much more costly to women than men. Unplanned pregnancies can interfere with the entrepreneurial process and negatively affect the survival and success of the firm. This Article demonstrates how this increased risk translates into limited utilization of leverage.

137. *See* Bertrand & Perrin, *supra* note 49, at 7; Coleman, *Access to Capital and Terms of Credit*, *supra* note 85.

Given that access to credit is imperative for small business formation and survival, this Article illustrates how reproductive care access affects women seeking to open a business, raise capital, and grow. Better access to reproductive care—particularly the right to an abortion—enables women to reduce the risk of unplanned pregnancies, increase the stability of their endeavors, and as a result, gain access to external funds that enable them to leverage their operations. As such, better access to reproductive care can directly contribute to the advancement of gender equality in the entrepreneurial market. As discussed, advancing gender equality in the entrepreneurial context will not only benefit women, but also society at large given the contribution of entrepreneurship to economic prosperity and growth in the United States.[138]

The current reality, however, raises concerns regarding the potential success of de-facto advancing gender equality. TRAP Laws have expanded exponentially in the United States in the last decade, while recent years (pre-*Dobbs*) have had among the highest number of TRAP Laws adopted.[139] Now, with the decision in *Dobbs*, things will likely worsen, with more states planning to move beyond the administrative limitations conveyed in TRAP Laws and ban abortions altogether.[140] The potential effects on the health and well-being of women, particularly minority women, are of serious concern and are discussed extensively among academics and in the popular media.[141] This Article adds another domain of potential negative effects on women: the economic effects on women business owners through the deepening the already-prevalent gender gap in access to credit. More broadly, it contributes to the scholarship investigating the gender pay gap in entrepreneurship, particularly access to credit, by offering an overlooked factor explaining the challenges women business owners face when looking to open and operate their own businesses.

As discussed, the federal government has the ECOA in its toolbox as a main mechanism to combat gender-based discrimination in access to credit. On the other hand, we have seen that the legislation is only partially successful in achieving that goal. This Article offers one potential explanation for this failure by pointing at the complex nature of women's participation in the entrepreneurial market and the importance of deeply studying social biases and their effects that go beyond direct economic measures. In fact, the issue identified in this Article could easily go under the ECOA's radar given its

138. For example, A Boston Consulting Group (BCG) research paper from 2019 suggests that equal participation of women in entrepreneurship could increase global GDP by approximately 3 to 6 percent, boosting the global economy by between $2.5 trillion and $5 trillion. Shalini Unnikrishnan & Cherie Blair, *Want to Boost the Global Economy by $5 Trillion? Support Women as Entrepreneurs*, BOS. CONSULTING GRP. (July 30, 2019), https://on.bcg.com/3aMbL7m.

139. *See* Elizabeth Nash & Sophia Naide, *State Policy Trends at Midyear 2021: Already the Worst Legislative Year Ever for U.S. Abortion Rights*, GUTTMACHER INST. (Jan. 1, 2021), https://www.guttmacher.org/article/2021/07/state-policy-trends-midyear-2021-already-worst-legislative-year-ever-us-abortion.

140. *See supra* notes 27-28 and accompanying text.

141. *Id.*

connection to reproductive rights, which are, by definition, most relevant to women and are often not being explored in the business ownership context. Moreover, the findings suggest that the problem of abortions could affect both the supply-side and the demand-side. As such, one must consider solutions that could have an impact on both.

The broad scope of the problems we identify in this Article, however, requires a more far-reaching approach that goes beyond the direct assessment of economic considerations and also considers the idiosyncratic nature of access to reproductive rights. We thus offer a multi-layered model to tackle the gender disparities in access to credit that can be attributed to reproductive rights limitations: government-led actions, civil society-led efforts, and business owners-led initiatives. While we will discuss this model in the context of barriers to credit, we argue that it offers a mechanism that can be implemented in broader contexts that call for the protection of reproductive rights in the aftermath of *Dobbs*.

A. GOVERNMENT-LED EFFORTS

First and foremost, the federal government has a legal duty, established by the ECOA, to guarantee gender equality in access to credit. In the access to credit context, and particularly in this new post-*Dobbs* world, some of the main supply-side concerns are that banks and lenders will be less inclined to offer women entrepreneurs the required financial support with the concern that it will be harder for them to terminate unplanned pregnancies and will thus make their businesses riskier. *Enforcement* of the ECOA provisions could offer a new front for the federal government through the Consumer Financial Protection Bureau (CFPB) to tackle the deterioration of women's rights and offset the price women will likely pay in states that adopt stricter abortion regimes. Studies have shown that enforcement is a *sine qua non* condition to ensure the efficacy of legislation aiming to tackle entrenched disparities in access to credit.[142] As such, more aggressive enforcement measures might contribute to narrowing some of the gaps in access to credit that will likely increase in the post-*Dobbs* era.

On the demand side, there is a concern that women in states that limit access to reproductive care will submit fewer applications, arguably due to their fear of being denied.[143] In the context of reproductive care, an internalization process affected by the supply-side might also affect the decisions to apply for credit and attempt to open new businesses. The solutions here could likely follow additional steps already considered by different entities, including additional mentorship, financial support for health insurance, access to

142. *See* Bertrand & Perrin, *supra* note 49, at 2; Karsten Müller, *Busy Bankruptcy Courts and the Cost of Credit*, 143 J. FIN. ECON. 824, 827 (2022); Kee-Hong Bae & Vidhan K. Goyal, *Creditor Rights, Enforcement, and Bank Loans*, 64 J. FIN. 823, 823 (2009).

143. *See supra* notes 77–79; *see* Vanessa Naegels, Neema G. Mori & Bert D'Espallier, *The Process of Female Borrower Discouragement*, 50 EMERGING MKT. REV. 1, 21 (2022).

contraceptives, or funds to perform abortions in states that will keep it legal.[144] Crowdfunding could provide positive support of women who find themselves in such a situation.

Alternatively, funding made available through other channels may alleviate women's discouragement. Other sources could include, for example, a federally funded program which provides loans to impacted women via local financial institutions, as a federally controlled program is more likely to ensure equal lending and strong enforcement of the ECOA.[145] If such a program were implemented, it could further provide relief for women facing unplanned pregnancies by allowing for a moratorium on loan repayment when unplanned pregnancies do occur in states which forbid or severely limit abortions.[146] Furthermore, women's business endeavors could be improved on both the supply- and demand-sides by recognizing women as a presumptively socially disadvantaged group under the SBA's 8(a) Business Development Program.[147]

B. CIVIL SOCIETY-LED EFFORTS

Tackling issues of access to credit due to limitations on reproductive rights likely requires, however, more than government-led efforts. In the context of access to credit, another potential solution to mitigate some of the concerns could be leveraging crowdfunding as a form of political resistance.

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144. *See State Legislation Tracker: Major Developments in Sexual & Reproductive Health*, GUTTMACHER INST., https://www.guttmacher.org/state-policy (last updated Mar. 1, 2024) (tracking state legislation regarding abortion and noting state measures protecting abortion coverage in Medicaid and private healthcare plans, expanding access to abortion training and provision, expanding access to medication abortion, and other protective measures); Christine Fernando, John Fritze, Cady Stanton & Molly Beck, *After* Roe v. Wade*, Nationwide Women's Marches Focus on State-Level Fight for Abortion Rights*, https://www.usatoday.com/story/news/nation/2023/01/22/womens-march-protests-roe-v-wade-anniversary/11067800002 (Jan. 23, 2023, 4:29 PM EST); Ensuring Access to Abortion Act of 2022, H.R. 8297, 117th Cong. (2022) (as passed by House, July 15, 2022) (prohibiting interference with out-of-state abortion services, particularly medication abortion via federal legislation); *see also* Shea Holman & Hannah Naylor, *The* Dobbs *Decision: Emerging Trends in Corporate Response*, PURPLE CAMPAIGN (July 21, 2022), https://www.purplecampaign.org/purple-post/2022/7/20/the-dobbs-decision-emerging-trends-in-corporate-response (discussing various ways that corporations have planned to help employees access reproductive care, such as covering expenses through healthcare plans, expanding coverage to part-time employees, and expanding travel benefits); Cohen et al., *Battleground*, *supra* note 27, at 13.

145. This proposal was inspired by the U.S. Small Business Administration's Paycheck Protection Program (PPP), a program that was a part of the CARES Act, intended to assist Americans employed by small businesses. *See Paycheck Protection Program*, U.S. DEP'T TREASURY, https://home.treasury.gov/policy-issues/coronavirus/assistance-for-small-businesses/paycheck-protection-program (last visited July 11, 2022). A similar federal program could be implemented to prioritize the entrepreneurial endeavors of American women, especially when facing additional barriers after *Roe v. Wade* was overturned.

146. Ranvir Singh & Armaan Joshi, *What is Loan Moratorium and How Does it Impact a Borrower?*, FORBES ADVISOR (Oct. 5, 2021, 5:19 PM), https://www.forbes.com/advisor/in/loans/what-is-loan-moratorium-and-how-does-it-impact-a-borrower (describing the benefits of a loan moratorium for borrowers, particularly during a "liquidity crisis").

147. *See generally* Cheng, *supra* note 8 (outlining the reasons why women should be designated as socially disadvantaged under this program and the possible outcomes if they were).

The phenomenon of Crowdfunding has attracted meaningful policy and scholarly attention since the 2000s. There are disagreements among scholars as for the definition of crowdfunding, which this Article is not aspiring to resolve. More accepted is the typology of crowdfunding, which traditionally identifies four models of crowdfunding: donation-based, reward-based, equity-based, and lending-based. Donation and reward-based crowdfunding have been implemented with some success since the early twenty-first century[148], while the passage of the JOBS Act in 2012 allowed small business to access equity and lending-based crowdfunding by permitting non-accredited investors to invest limited amounts in startups and other businesses.[149] Thus far, however, the total amount of funding achieved through this path was relatively modest.[150]

We can think of settings in which women entrepreneurs in states that impose strict limitations on abortions (or ban them altogether), could follow the crowdfunding path while leveraging their residency by requesting funding from out-of-state investors or in-state investors who oppose the state's abortion regulations.

By doing so, the request to crowdfund will expand beyond the traditional risk-related evaluations to include an additional component—the limitations on reproductive rights imposed on those requesting to be funded in a particular state. As such, crowdfunding will achieve two goals. First, it will serve as a sign of faith in the entrepreneurial vision, thus addressing challenges both on the supply and demand side. Second, and more particularly tailored to the context of reproductive rights, it could also offer a form of backlash or civil resistance to the legal reality that stripped women of their right to an abortion. And recall, that the universe at the heart of this Article is women who own mostly small businesses and may not necessarily require heavy investments. This could allow concerned citizens to actively express their frustration from the legal reality post-Dobbs by helping women-owned small businesses in states that adopt strict limitations on reproductive care.

Indeed, not all crowdfunding models could be viable models for women entrepreneur's finance in a post-Dobbs world. Of these, donation-based and lending-based are likely the most relevant. Some have identified donation-based crowdfunding models to be driven by the funder's "intrinsic and social" motivations, as a way for funders to fund a cause they care about,[151] or an opportunity to engage with "real world problems" through their donation.[152]

148. Rafael A. Porrata-Doria, Jr., *Resolving the Crowdfunding Conundrum: The Experience of the United States and Spain*, 9 AM. U. BUS. L. REV. 219, 221–22 (2020).

149. *Id.* at 224–25; Christine Hurt, *Pricing Disintermediation: Crowdfunding and Online Auction IPOS*, 2015 ILL. L. REV. 217, 233 (2015).

150. U.S. SEC. & EXCH. COMM'N, REPORT TO THE COMMISSION, REGULATION CROWDFUNDING 4 (2019).

151. Mokter Hossain & Gospel Onyema Oparaocha, *Crowdfunding: Motives, Definitions, Typology, and Ethical Challenges*, 7 ENTREPRENEURSHIP RSCH. J. 6 (2017).

152. Ricarda B. Bouncken, Malvine Komorek & Sascha Kraus, *Crowdfunding: The Current State of Research*, 14 INT'L. BUS. & ECON. RSCH. J. 407, 409 (2015) (citing Andrea Wiggins & Kevin Crowston, *From*

Philanthropy and the basket concept of "worthy cause" were both identified as the main focus of this type of crowdfunding. Through this lens, one can envision how utilizing crowdfunding as a source of funding women-led businesses in states with strict access to reproductive care might align with funders' incentives under the donation-based model.

The lending-based model might be utilized as well in the context discussed in this Article, as social incentives were also recognized as motivating factors of funders under this model.[153] However, this model is also clearly driven by financial motives which by themselves will not limit its availability in the context of women entrepreneurs but create a different relationship between the funder and the entrepreneur, where the latter is considered more of a short-term borrower than a philanthropist. The reward-based model, also driven by several motivations, including social and intrinsic, could potentially be considered as well, but it might be less suitable in the context of small business owners who might not be in a position to offer rewards that will satisfy funders' expectations. The equity-based model seems least applicable to our context. The equity-based model is mostly driven by funders' financial incentives and seems to focus on startups. These do not necessarily represent the type of women's small businesses that are the focus of this Article.

In conclusion, one cannot fail to mention some issues related to the problems with crowdfunding. First, there are ethical concerns that vary based on the model adopted. Issues like fake campaigns, loss of privacy, abuse of funds, and breach of commitments are illustrations of some of the concerns discussed in the literature. This, in turn, can lead to regulatory concerns, as policymakers struggle to balance maintaining the ease of access to capital that makes crowdfunding an attractive and viable option in the first place, with ensuring that contributors are not being scammed, lied to, or abused.[154] These concerns are exacerbated by the lack of industry standards or other tools by which contributors can evaluate the quality and legitimacy of businesses and projects seeking funding.[155] In addition, the inherent characteristics of crowdfunding can limit its ability to substantially help entrepreneurs. Interest in participating in crowdfunding is limited, leading to a relatively small pool of capital which a large number of startups, projects, and businesses are forced to compete over.[156] This can lead to projects and businesses becoming "lost at sea" as they struggle to get noticed and supported amidst an ocean of other projects and businesses

Conservation to Crowdsourcing: A Typology of Citizen Science, *in* PROCEEDINGS OF THE 44TH HAWAI'I INTERNATIONAL CONFERENCE ON SYSTEM SCIENCE (HICSS-44) 1 (2011).

153. Hossain & Oparaocha, *supra* note 151.

154. Ying Zhao, Phil Harris & Wing Lam, *Crowdfunding Industry – History, Development, Policies, and Potential Issues*, J. PUB. AFFS., 2019, at 6; Porrata-Doria, Jr., *supra* note 148, at 233.

155. Porrata-Doria, Jr., *supra* note 148, at 233.

156. BRADLEY D. BELT, CHRIS BRUMMER & DANIEL S. GORFINE, CROWDFUNDING: MAXIMIZING THE PROMISE AND MINIMIZING THE PERIL 7 (2012), https://crowdfundingpr.wordpress.com/wp-content/uploads/2012/12/milken-institute-crowdfunding-research-study.pdf.

pursuing the same limited source of capital.[157] Add to that attracting contributor attention, which might in some cases require entrepreneurs to reveal valuable intellectual property, including novel business plans, invention blueprints, and design schematics. This often forces entrepreneurs to choose between paying the costs of acquiring intellectual property protection up front (if such protection is even available), or else either leaving their campaigns devoid of the information that is most attractive to contributors and investors, or risking the theft of their intellectual property before they have acquired the financial means to ensure its protection.[158] Furthermore, some crowdfunding platforms operate on an all-or-nothing basis, whereby if the entrepreneur doesn't reach their capital target, they get nothing; this can incentivize entrepreneurs to create lower target amounts, which can constrain the growth of their business.[159] And finally, crowdfunding often mirrors and perpetuates gender biases in traditional investing and capital acquisition practices, as contributors tend to give to entrepreneurs of their own gender.[160]

C. BUSINESS OWNERS-LED EFFORTS

The third, and probably the most challenging component of the suggested model relates to the efforts women themselves can undertake in order to minimize the negative effects of access to reproductive rights on their efforts to open and operate their businesses.

As discussed earlier, the ECOA establishes a right not to be discriminated against "with respect to any aspect of a credit transaction" by declaring that it is "unlawful for any creditor to discriminate against any applicant…on the basis of . . . gender."[161] In addition, the ECOA prohibits "the use of assumptions or aggregate statistics relating to the likelihood that any group of persons will bear or rear children or, for that reason, will receive diminished or interrupted income in the future," in evaluating the creditworthiness of applicants.[162] As such, any gender-based discrimination in access to credit can potentially give rise to a legal cause of action to remedy infringements on this right. There is no question that the application of the ECOA and the evidentiary standards used are still

157. *See* Zhao et al., supra note 154.

158. Gwilym Roberts & Mark Nowotarski, *The IP Issues of Crowdfunding*, 229 MANAGING INTELL. PROP. 36, 37–38 (2013).

159. Hadar Gafni, Dan Marom, Alicia M. Robb & Orly Sade, *Gender Composition in Crowdfunding (Kickstarter): Evidence on Entrepreneurs, Backers, Deals, and Taste-Based Discrimination*, 25 REV. FIN. 235, 240 (2021).

160. *Id.* at 243. Although it is worth noting that a higher proportion of crowdfunding contributors are women than are venture-capitalists or angel investors. *Id.* at 241–42, 265–66. Also, in the "serial backers" group, "women became agnostic to gender." *Id.* at 238.

161. *See supra*, note 11 and accompanying text.

162. Marcia K. Baer, *The Equal Credit Opportunity Act and the "Effects Test"*, 95 BANKING L.J. 241, 244 (1978) (citing 12 C.F.R. § 202.6(b)(3)).

contested.[163] This is not surprising given the relatively little interpretive guidance offered by the Supreme Court on ECOA provisions thus far.[164]

However, scholarship has advanced conversations about extending private rights of action to victims of gender-based discrimination despite business law's limitations in recognizing such discrimination under current legal frameworks.[165] In fact, so it has been argued, although litigation has its disadvantages, choosing this path could encourage a change in cultural norms,[166] which seems to be a driving mechanism in credit and gender related decisions. Indeed, in the context of gender-based discrimination claims, questions related to burden of proof and causation stand in plaintiffs' way to substantiate their rights.[167] The findings of this Article, however, provide empirical anchoring to arguments about the causal relationships between access to credit and restrictions on reproductive rights. As such, business owners could potentially utilize these findings to support claims against creditors in states that limit access to reproductive care.

The findings can at least support adopting a causation burden of proof that is closer to a Title VII of the Civil Rights Act of 1965 model, in which "there is something of a sliding scale of causation regimes."[168] Under this model, the "plaintiff must first establish that the protected characteristic was a motivating factor"[169] in the decision. If the plaintiff succeeds in establishing, in our case, that the gender of the business owner indeed motivated the decision, the employer in the Title VII context—and the creditor in ours—"may try to establish that the action would have been taken regardless."[170] Indeed, research has noted that Senate and House Committee reports accompanying the passage of the ECOA evinced congressional intent that the ECOA's prohibition against discrimination in the issuance of credit be analogous to Title VII's bar against employment discrimination.[171] As such, this Article's findings might offer some

163. Particularly the question whether "disparate impact" or "disparate treatment" (that distinguishes between intentional and unintentional discrimination) should be the standard used to prove claims under the ECOA; *see* Taylor, *supra* note 13, at 577–78.

164. *Id.* at 596–97.

165. Ann M. Lipton, Capital Discrimination, 59 HOUS. L. REV. 843, 846–47, 868–82 (2022) (exploring the possibility of permitting private rights of action in gender-based discrimination cases in the context of business disputes). While Lipton's Article focuses on within-firm discrimination, she explores questions related to discrimination "at the point of entry" as well, including "refusing to provide capital to female founders," *Id.* at 907, which ECOA seems to address as well. It should be noted that Lipton's suggestion contextualizes such discrimination as a breach of duty to investors. This Article suggests that similar framework is also viable in the context of the women business owners themselves).

166. *Id.* at 913–14.

167. *Id.* at 911–12.

168. *Id.* at 911.

169. *Id.*

170. *Id.*

171. Francesca Lina Procaccini, *Stemming the Rising Risk of Credit Inequality: The Fair and Faithful Interpretation of the Equal Credit Opportunity Act's Disparate Impact Prohibition*, 9 HARV. L. & POL'Y REV. 43, S54 (2015).

support to satisfy the plaintiff's initial burden, particularly in states that restrict abortions.

In addition, this Article's findings could be used to support the plaintiff's burden of proof in establishing discriminatory impact or effect, even when such discrimination is unintentional, under the "disparate impact" or "effects" test. Under the "effects" test, the plaintiff must establish that a business practice has a "disproportionately negative impact on a protected class."[172] If this is shown, the burden then shifts to the defendant to show that there is (1) "a legitimate business necessity for the practice," and (2) there are no alternative practices available that would "achieve the legitimate business purpose" with less disparate impact on the protected class.[173] First established by the U.S. Supreme Court in *Griggs v. Duke Power Co.*[174] and *Albemarle Paper Co. v. Moody*,[175] the "effects" test has since been explicitly applied to discrimination cases under the ECOA by the Federal Reserve Board,[176] and has been generally adopted in that capacity by federal courts.[177] However, an additional question that should be raised in this context is whether the findings of this Article also establish legal claims against the states themselves.

In sum, the patterns identified through the empirical strategy expose the limitations of the ECOA and additional legislation in tackling gender-based disparities in access to credit for business owners of child-bearing age in states restricting abortions. We offered a three-layered model that involves a host of responses that can potentially tackle these entrenched disparities more holistically, while recognizing the new explanation for the gender credit gap offered in this Article: access to reproductive care inhibits women business owners' access to credit. In the context of this Article, we tailored the application of the model to the question of access to credit in states with restrictive abortion regimes. We believe, however, that the approach advanced here can be applied more broadly in other scenarios where limitations on reproductive rights affect gender disparities and limit women's ability to participate in the labor market.

To be clear, these prescriptive solutions are not conclusive. They suggest a number of potential steps and strategies that can be taken to offset the concerns stemming from the findings, showing how women business owners are affected

172. 1 DEBTOR-CREDITOR LAW § 5.03 (2024); Baer, *supra* note 162, at 244.

173. Baer, *supra* note 162, at 244.

174. 401 U.S. 424 (1971).

175. 422 U.S. 405 (1975).

176. Reg. B, 12 C.F.R. § 1002.6(a) n.2.

177. *See, e.g.*, Mercado-Garcia v. Ponce Fed. Bank, 979 F.2d 890 (1st Cir. 1992); Bhandari v. First Nat'l Bank of Commerce, 808 F.2d 1082 (5th Cir. 1987), *rev'd in part on other grounds*, 829 F.2d 1343 (5th Cir. 1987) (en banc); Buycks-Roberson v. Citibank Fed. Sav. Bank, 162 F.R.D. 322 (N.D. Ill. 1995); Moore v. United States Dep't of Agric., 857 F. Supp. 507 (W.D. La. 1994); Gross v. United States Small Bus. Admin., 669 F. Supp. 50 (N.D.N.Y. 1987), *aff'd per curiam*, 867 F.2d 1423 (2d Cir. 1988); Williams v. First Fed. Sav. & Loan Ass'n, 554 F. Supp. 447 (N.D.N.Y. 1981), *aff'd per curiam*, 697 F.2d 302 (2d Cir. 1982); Cherry v. Amoco Oil Co., 490 F. Supp. 1026 (N.D. Ga. 1980).

financially in regimes with restrictive access to reproductive care. As in many other issues related to the effects of *Dobbs*, this is likely only the beginning.

CONCLUSION

Despite the importance of women entrepreneurship to American economic growth, studies consistently show that the gender gap in entrepreneurship remains a key concern for women who wish to open and run their own businesses. Gender disparities in access to credit—the ability to obtain financial support that could help jump-start businesses—were identified as a pivotal reason for this gap. This Article diverts from traditional narratives with regard to the reasons explaining the disparities in access to credit and is the first to empirically link access to reproductive care with women's limited access to credit. It finds that limitation on access to reproductive care, mainly abortion, reduces women's ability to raise capital and leverage their business endeavors.

As such, this Article expands the discourse regarding the effects of limitation on abortion beyond traditional health and constitutional law conversations, by showing that limitations on access to reproductive care can in fact inhibit American financial growth. Such an impact is a first-order consideration for legal scholars and policymakers seeking to narrow the gender gap, promote gender equality, and generate economic growth. Leveraging the economic effects of restrictions on access to reproductive care allowed offering a three-layered model that involves government-led, civil society-led, and business owners-led initiatives. Not only does this model tackle the particular issues of access to credit, but it also serves as a model that can be implemented in additional contexts. As such, this Article advances conversations about another post-*Dobbs* battleground: economic gender gaps. Yet another struggle for women's equality in modern day America.

APPENDIX

Table A.1: Entrepreneurs' Characteristics

	Women			Men
Complete Sample	All	Abortion=0	Abortion≥1	All
How respondent acquired business?				
Established the business alone or with partners	76.7%	77.6%	74.2%	81.5%
Purchased ownership	14.1%	11.9%	20.0%	10.8%
Received ownership through marriage	3.3%	3.9%	1.7%	0.3%
Received ownership as a gift	1.3%	1.5%	0.8%	1.6%
Inherited ownership	1.1%	1.5%	-	2.4%
Other	3.5%	3.6%	3.3%	3.5%
What is the legal form of this business?				
Sole proprietorship	60.5%	58.7%	65.5%	54.8%
Partnership or limited liability partnership (LLP)	13.0%	13.8%	10.9%	14.0%
Limited liability corporation (LLC)	9.0%	9.2%	8.4%	11.6%
Sub-chapter S corporation	5.8%	7.3%	2.4%	7.9%
General corporation	3.1%	3.7%	1.7%	7.5%
Nonprofit organization	0.9%	0.6%	1.7%	-
Other	7.6%	6.7%	10.1%	4.1%
Representative Sample				
How respondent acquired business?				
Established the business alone or with partners	75.0%	76.4%	73.3%	81.2%
Purchased ownership	16.1%	13.2%	22.1%	11.4%
Received ownership through marriage	3.0%	3.6%	1.2%	0.4%
Received ownership as a gift	1.2%	1.6%	-	1.6%
Inherited ownership	1.2%	1.6%	-	2.9%
Other	3.6%	3.6%	3.5%	2.5%
What is the legal form of this business?				
Sole proprietorship	60.6%	58.4%	67.1%	55.6%
Partnership or limited liability partnership (LLP)	12.7%	13.5%	10.6%	13.6%
Limited liability corporation (LLC)	9.1%	9.4%	8.2%	11.3%
Sub-chapter S corporation	6.7%	8.2%	2.4%	8.2%
General corporation	3.6%	4.9%	1.2%	7.0%
Nonprofit organization	0.3%	-	-	-
Other	7.0%	5.7%	10.6%	4.3%
Continuous Sample	All	Abortion=0	Abortion≥1	All
How respondent acquired business?				
Established the business alone or with partners	77.5%	78.0%	76.3%	80.2%
Purchased ownership	13.6%	11.9%	18.8%	12.5%

Received ownership through marriage	2.2%	2.5%	1.3%	-
Received ownership as a gift	1.6%	1.7%	1.3%	2.3%
Inherited ownership	1.6%	2.1%	-	2.3%
Other	3.5%	3.8%	2.5%	2.6%
What is the legal form of this business?				
Sole proprietorship	61.1%	57.1%	72.5%	56.2%
Partnership or limited liability partnership (LLP)	12.2%	13.4%	8.8%	14.4%
Limited liability corporation (LLC)	8.0%	9.1%	5.0%	11.5%
Sub-chapter S corporation	6.4%	8.2%	1.3%	6.5%
General corporation	3.5%	4.3%	1.3%	6.5%
Nonprofit organization	0.3%	0.4%	-	-
Other	8.4%	7.4%	11.3%	5.0%

Table A.2: Conservatism and Abortions, Number of Children, and Entrepreneurship[178]

VARIABLES	Baseline Regression			Control for Current Wealth			Control for Initial Wealth		
	Abortions (1)	Children (2)	Businesses (3)	Abortions (4)	Children (5)	Businesses (6)	Abortions (7)	Children (8)	Businesses (9)
Conservatism	-0.0143***	0.0465***	0.000240	-0.0153***	0.0391***	-0.000203	-0.0155***	0.0384***	0.000307
	(0.00284)	(0.00539)	(0.00136)	(0.00304)	(0.00570)	(0.00150)	(0.00333)	(0.00611)	(0.00156)
Num of Bio Child.	0.0265***		0.00588*	0.0253***		0.00340	0.0254***		0.00134
	(0.00678)		(0.00324)	(0.00722)		(0.00355)	(0.00787)		(0.00369)
Education	0.0000689	-0.0898***	0.0104***	-0.000258	-0.104***	0.00894***	-0.000855	-0.104***	0.00779***
	(0.00366)	(0.00688)	(0.00175)	(0.00388)	(0.00716)	(0.00191)	(0.00420)	(0.00758)	(0.00197)
Ever Married	-0.0318	1.059***	0.0402***	-0.0472*	0.987***	0.0401***	-0.0396	0.994***	0.0454***
	(0.0244)	(0.0446)	(0.0117)	(0.0270)	(0.0490)	(0.0133)	(0.0289)	(0.0513)	(0.0136)
Minorities	0.0496***	0.542***	-0.0157*	0.0458**	0.510***	-0.0171*	0.0513**	0.508***	-0.0247**
	(0.0186)	(0.0348)	(0.00889)	(0.0200)	(0.0370)	(0.00982)	(0.0218)	(0.0396)	(0.0102)
Age	0.0110***	-0.00781	-0.00367**	0.0121***	0.0192**	-0.00173	0.0132***	0.0182**	-0.00445**
Current HH Wealth				-0.00684	-0.0140	0.00553*			
				(0.00615)	(0.0116)	(0.00302)			
Initial HH Wealth							-0.0379	-0.0928	0.0305**
							(0.0308)	(0.0568)	(0.0144)
Observations	5,981	5,981	5,981	5,422	5,422	5,422	4,754	4,754	4,754
R-squared	0.010	0.152	0.011	0.011	0.143	0.010	0.011	0.143	0.011

178. Standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Note: Level of conservatism in 1979 regressed against the total number of abortions, total number of biological children, and the total number of businesses ever opened as recorded in the last survey year of every woman in the sample. Columns (1)–(3) include years of education, marital status, ethnicity, and age as controls. Columns (4)–(6) also control for current wealth and Columns (7)–(9) control for initial wealth.

Table A.3: TRAP Physical Plant/Personnel Requirements by Year Enacted[179]

State	Year Enacted
Alabama	2002
Arizona	1999
Arkansas	1999
Florida	1999
Illinois	1985
Indiana	2005
Kentucky	1998
Louisiana	2003
Michigan	1978
Mississippi	1991
Missouri	1987
North Carolina	1998
Oklahoma	1998
Pennsylvania	1999
South Carolina	1996
Tennessee	1989
Texas	1997
Utah	1981

179. The year each state enacted a TRAP physical plant/personnel requirements as reported in Medoff, *supra* note 111.

Table A.4: Amount Raised and Abortions Among Female Entrepreneurs in Matched Regressions

PANEL A.4A — SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - ALL FEMALE ENTREPRENEUR

	Raw			Logit PSM			Mahalanobis MDM		
	Treated (1)	Untreated (2)	StdDif (Ratio) (3)	Treated (4)	Untreated (5)	StdDif (Ratio) (6)	Treated (7)	Untreated (8)	StdDif (Ratio) (9)
Num. of Child.	1.833	2.574	-0.657	2.239	2.317	-0.070	1.960	2.421	-0.410
	(1.145)	(1.109)	(1.032)	(1.164)	(1.084)	(1.074)	(1.068)	(1.031)	(1.035)
Married	0.470	0.519	-0.097	0.528	0.549	-0.043	0.471	0.516	-0.090
	(0.503)	(0.504)	(0.997)	(0.503)	(0.503)	(1.001)	(0.503)	(0.504)	(0.997)
Minorities	0.424	0.463	-0.077	0.501	0.530	-0.058	0.415	0.464	-0.099
	(0.498)	(0.503)	(0.989)	(0.504)	(0.504)	(0.999)	(0.497)	(0.503)	(0.986)
Years of	13.712	13.944	-0.090	13.762	13.216	0.212	13.624	13.824	-0.078
Education	(2.577)	(2.573)	(1.001)	(2.641)	(2.149)	(1.229)	(2.398)	(2.383)	(1.006)
HH Wealth	11.779	12.111	-0.180	12.055	11.887	0.091	12.208	12.127	0.044
	(2.375)	(1.089)	(2.180)	(2.201)	(1.300)	(1.693)	(1.124)	(1.094)	(1.027)
Conservatism	3.167	5.333	-0.674	4.243	4.262	-0.006	3.381	4.967	-0.494
	(3.071)	(3.348)	(0.917)	(3.182)	(3.331)	(0.955)	(2.985)	(3.002)	(0.994)
Age	54.727	54.389	0.146	54.706	54.602	0.045	54.778	54.361	0.180
	(2.159)	(2.460)	(0.878)	(2.210)	(2.410)	(0.917)	(2.148)	(2.381)	(0.902)

PANEL A.4B— SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - FEMALE ENTREPRENEURS WITH UNINTENDED PREGNANCIES

Num. of Child.	1.966	1.978	-0.010	2.049	2.009	0.033	1.960	2.421	-0.410
	(1.176)	(1.300)	(0.904)	(1.190)	(1.223)	(0.973)	(1.068)	(1.031)	(1.035)
Married	0.517	0.610	-0.188	0.615	0.562	0.107	0.471	0.516	-0.090
	(0.503)	(0.489)	(1.029)	(0.490)	(0.497)	(0.984)	(0.503)	(0.504)	(0.997)
Minorities	0.414	0.326	0.182	0.373	0.322	0.106	0.415	0.464	-0.099
	(0.495)	(0.470)	(1.055)	(0.487)	(0.468)	(1.039)	(0.497)	(0.503)	(0.986)
Years of	14.092	14.135	-0.016	13.938	14.086	-0.057	13.624	13.824	-0.078
Education	(2.714)	(2.497)	(1.087)	(2.562)	(2.379)	(1.077)	(2.398)	(2.383)	(1.006)
HH Wealth	11.752	12.204	-0.204	12.199	12.258	-0.026	12.208	12.127	0.044
	(2.504)	(1.887)	(1.327)	(1.699)	(1.479)	(1.149)	(1.124)	(1.094)	(1.027)
Conservatism	3.494	4.524	-0.318	4.334	4.163	0.053	3.381	4.967	-0.494
	(2.945)	(3.500)	(0.841)	(3.004)	(2.950)	(1.018)	(2.985)	(3.002)	(0.994)
Age	54.563	54.644	-0.037	54.682	54.658	0.011	54.778	54.361	0.180
	(2.117)	(2.307)	(0.918)	(2.147)	(2.313)	(0.928)	(2.148)	(2.381)	(0.902)

Table A.5: Bankruptcies and Abortions Among Female Entrepreneurs in Matched Regressions

PANEL A.5A — SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - ALL FEMALE ENTREPRENEUR

	Raw			Logit PSM			Mahalanobis MDM		
	Treated (1)	Untreated (2)	StdDif (Ratio) (3)	Treated (4)	Untreated (5)	StdDif (Ratio) (6)	Treated (7)	Untreated (8)	StdDif (Ratio) (9)
Num. of Child.	1.966	1.978	-0.010	2.047	1.930	0.094	1.949	1.957	-0.007
	(1.176)	(1.300)	(0.904)	(1.277)	(1.334)	(0.957)	(1.043)	(1.242)	(0.840)
Married	0.517	0.610	-0.188	0.639	0.542	0.196	0.566	0.605	-0.078
	(0.503)	(0.489)	(1.029)	(0.483)	(0.499)	(0.967)	(0.498)	(0.490)	(1.018)
Minorities	0.414	0.326	0.182	0.373	0.345	0.057	0.353	0.329	0.049
	(0.495)	(0.470)	(1.055)	(0.486)	(0.477)	(1.020)	(0.481)	(0.471)	(1.021)
Years of	14.092	14.135	-0.016	13.807	14.178	-0.142	14.107	14.131	-0.009
Education	(2.714)	(2.497)	(1.087)	(2.685)	(2.422)	(1.109)	(2.479)	(2.406)	(1.030)
HH Wealth	11.752	12.204	-0.204	12.207	12.027	0.081	12.108	12.207	-0.045
	(2.504)	(1.887)	(1.327)	(1.867)	(2.321)	(0.804)	(1.985)	(1.853)	(1.071)
Conservatism	3.494	4.524	-0.318	4.141	4.215	-0.023	3.652	4.385	-0.227
	(2.945)	(3.500)	(0.841)	(3.040)	(3.261)	(0.932)	(2.811)	(3.321)	(0.846)
Age	54.563	54.644	-0.037	54.552	54.625	-0.033	54.655	54.602	0.024
	(2.117)	(2.307)	(0.918)	(2.113)	(2.275)	(0.929)	(2.059)	(2.249)	(0.916)
Other	0.471	0.303	0.348	0.311	0.336	-0.052	0.392	0.315	0.160
Bankruptcies	(0.502)	(0.461)	(1.090)	(0.465)	(0.473)	(0.983)	(0.491)	(0.465)	(1.055)
Total Amount	7.576	6.536	0.285	6.857	7.207	-0.096	7.522	6.721	0.220
Raised	(3.407)	(3.873)	(0.880)	(3.895)	(3.680)	(1.058)	(3.184)	(3.762)	(0.847)

PANEL A.5B— SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - FEMALE ENTREPRENEURS WITH UNINTENDED PREGNANCIES

Num. of Child.	1.833	2.574	-0.657	2.177	2.234	-0.051	1.945	2.440	-0.439
	(1.145)	(1.109)	(1.032)	(1.314)	(1.085)	(1.211)	(1.062)	(1.044)	(1.017)
Married	0.470	0.519	-0.097	0.577	0.598	-0.043	0.466	0.524	-0.115
	(0.503)	(0.504)	(0.997)	(0.498)	(0.495)	(1.006)	(0.503)	(0.504)	(0.997)
Minorities	0.424	0.463	-0.077	0.484	0.500	-0.031	0.417	0.462	-0.090
	(0.498)	(0.503)	(0.989)	(0.504)	(0.505)	(0.998)	(0.497)	(0.503)	(0.988)
Years of	13.712	13.944	-0.090	13.682	13.690	-0.003	13.663	13.832	-0.065
Education	(2.577)	(2.573)	(1.001)	(2.594)	(2.282)	(1.137)	(2.398)	(2.455)	(0.977)
HH Wealth	11.779	12.111	-0.180	12.087	12.139	-0.028	12.211	12.121	0.049
	(2.375)	(1.089)	(2.180)	(2.173)	(1.355)	(1.603)	(1.129)	(1.081)	(1.045)
Conservatism	3.167	5.333	-0.674	4.356	4.248	0.034	3.281	5.069	-0.557
	(3.071)	(3.348)	(0.917)	(3.338)	(3.011)	(1.109)	(3.002)	(3.063)	(0.980)
Age	54.727	54.389	0.146	54.438	54.749	-0.134	54.805	54.276	0.228
	(2.159)	(2.460)	(0.878)	(2.154)	(2.358)	(0.914)	(2.153)	(2.401)	(0.897)
Other	0.455	0.333	0.248	0.415	0.459	-0.089	0.420	0.323	0.198
Bankruptcies	(0.502)	(0.476)	(1.054)	(0.497)	(0.503)	(0.987)	(0.497)	(0.472)	(1.054)
Total Amount	7.499	6.205	0.367	7.430	7.275	0.044	7.608	6.545	0.302
Raised	(3.276)	(3.758)	(0.872)	(3.564)	(3.511)	(1.015)	(3.042)	(3.526)	(0.863)

Table A.6: Entrepreneurship and Abortions Among Women in Matched Regressions

PANEL A.6A — SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - ALL FEMALE ENTREPRENEUR

	Raw			Logit PSM			Mahalanobis MDM		
	Treated (1)	Untreated (2)	StdDif (Ratio) (3)	Treated (4)	Untreated (5)	StdDif (Ratio) (6)	Treated (7)	Untreated (8)	StdDif (Ratio) (9)
Num. of Child.	1.774	2.781	-0.731	2.274	2.319	-0.033	2.068	2.445	-0.273
	(1.278)	(1.472)	(0.868)	(1.296)	(1.193)	(1.086)	(1.265)	(1.191)	(1.062)
Married	0.482	0.510	-0.056	0.489	0.501	-0.024	0.500	0.500	-0.001
	(0.500)	(0.500)	(1.000)	(0.500)	(0.500)	(1.000)	(0.500)	(0.500)	(1.000)
Minorities	0.393	0.571	-0.363	0.513	0.501	0.026	0.487	0.488	-0.002
	(0.489)	(0.495)	(0.987)	(0.500)	(0.500)	(1.000)	(0.500)	(0.500)	(1.000)
Years of Education	13.486	13.373	0.043	13.444	13.384	0.023	13.359	13.404	-0.017
	(2.648)	(2.661)	(0.995)	(2.696)	(2.551)	(1.057)	(2.499)	(2.330)	(1.073)
HH Wealth	11.846	11.857	-0.008	11.862	11.893	-0.020	11.936	11.938	-0.001
	(1.634)	(1.385)	(1.180)	(1.602)	(1.379)	(1.162)	(1.121)	(1.044)	(1.074)
Conservatism	3.778	4.710	-0.286	4.191	4.236	-0.014	4.062	4.377	-0.097
	(3.223)	(3.287)	(0.981)	(3.274)	(3.265)	(1.003)	(3.080)	(3.052)	(1.009)
Age	55.051	54.043	0.458	54.462	54.562	-0.046	54.750	54.333	0.189
	(2.216)	(2.193)	(1.011)	(2.220)	(2.286)	(0.971)	(2.157)	(2.171)	(0.994)

PANEL A.6B— SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - FEMALE ENTREPRENEURS WITH UNINTENDED PREGNANCIES

Num. of Child.	2.068	1.903	0.115	1.937	1.886	0.036	2.068	2.445	-0.273
	(1.432)	(1.411)	(1.015)	(1.349)	(1.342)	(1.005)	(1.265)	(1.191)	(1.062)
Married	0.462	0.553	-0.183	0.545	0.532	0.026	0.500	0.500	-0.001
	(0.499)	(0.497)	(1.003)	(0.498)	(0.499)	(0.998)	(0.500)	(0.500)	(1.000)
Minorities	0.446	0.417	0.057	0.405	0.424	-0.038	0.487	0.488	-0.002
	(0.497)	(0.493)	(1.008)	(0.491)	(0.494)	(0.994)	(0.500)	(0.500)	(1.000)
Years of Education	13.429	13.384	0.018	13.404	13.358	0.018	13.359	13.404	-0.017
	(2.634)	(2.612)	(1.008)	(2.659)	(2.591)	(1.026)	(2.499)	(2.330)	(1.073)
HH Wealth	11.787	11.835	-0.030	11.830	11.822	0.005	11.936	11.938	-0.001
	(1.709)	(1.555)	(1.099)	(1.740)	(1.471)	(1.183)	(1.121)	(1.044)	(1.074)
Conservatism	3.926	4.484	-0.172	4.302	4.260	0.013	4.062	4.377	-0.097
	(3.211)	(3.263)	(0.984)	(3.080)	(2.983)	(1.032)	(3.080)	(3.052)	(1.009)
Age	54.836	54.692	0.064	54.773	54.709	0.028	54.750	54.333	0.189
	(2.257)	(2.266)	(0.996)	(2.256)	(2.252)	(1.002)	(2.157)	(2.171)	(0.994)

Table A.7: Business-Related Debt and TRAP Laws Among Female Entrepreneurs Controlling for Current Wealth – 1985-2008[180]

	Baseline Regression			While Businesses Operate			Industry Fixed Effects		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)	Received Loan (7)	Loan Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.0416**	-0.454***	-0.0162***	-0.0592	-0.727**	-0.0266**	-0.0551**	-0.617***	-0.0177**
	(0.0143)	(0.132)	(0.00517)	(0.0355)	(0.260)	(0.0113)	(0.0205)	(0.173)	(0.00667)
Num. of Children	-0.00773*	-0.0792*	-0.00195	-0.0167*	-0.162*	-0.00361	-0.00703	-0.0820	-0.00145
	(0.00384)	(0.0410)	(0.00120)	(0.00908)	(0.0828)	(0.00223)	(0.00589)	(0.0644)	(0.00198)
Years of Education	0.00406	0.0483	0.00136*	0.00408	0.0455	0.00206	0.00792**	0.0880**	0.00175
	(0.00269)	(0.0281)	(0.000778)	(0.00586)	(0.0630)	(0.00168)	(0.00348)	(0.0377)	(0.00110)
Married	0.0372***	0.416***	0.0119***	0.0392*	0.491**	0.0144**	0.0347***	0.400***	0.0126***
	(0.00752)	(0.0786)	(0.00250)	(0.0213)	(0.229)	(0.00580)	(0.00742)	(0.0782)	(0.00285)
Minorities	-0.0278**	-0.266**	-0.00635**	-0.0288	-0.291	-0.00562	-0.0200*	-0.194*	-0.00565
	(0.0104)	(0.101)	(0.00293)	(0.0280)	(0.243)	(0.00597)	(0.0111)	(0.104)	(0.00382)
Conservatism	-0.0000437	0.00273	0.000444	-0.00253	-0.0192	0.000378	-0.0000284	0.00427	0.000427
	(0.00150)	(0.0157)	(0.000556)	(0.00458)	(0.0492)	(0.00129)	(0.00197)	(0.0246)	(0.000736)
Age	0.00503*	0.0452*	0.00110	0.00893	0.0857*	0.00123	0.00598	0.0531	0.00154
	(0.00246)	(0.0257)	(0.000794)	(0.00529)	(0.0467)	(0.00150)	(0.00343)	(0.0354)	(0.000945)
Fraction Rep.	-0.00184	0.0224	0.00384**	-0.000106	-0.00777	0.00397	-0.0241	-0.190	-0.000881
	(0.00872)	(0.0855)	(0.00173)	(0.0204)	(0.215)	(0.00971)	(0.0192)	(0.195)	(0.00298)
GDP Growth	0.151	1.448	0.0297	-0.501**	-4.085	-0.0291	0.130	1.176	0.0918
	(0.286)	(3.171)	(0.106)	(0.202)	(4.367)	(0.222)	(0.353)	(3.718)	(0.158)
Current HH Wealth	0.0232***	0.252**	0.00133	0.0373***	0.431***	0.00303	0.0328***	0.349***	0.00159
	(0.00739)	(0.0869)	(0.00197)	(0.0117)	(0.118)	(0.00282)	(0.00645)	(0.0694)	(0.00273)
Observations	5,807	5,807	5,619	1,875	1,875	1,832	3,906	3,906	3,794
R-squared	0.087	0.090	0.060	0.161	0.164	0.129	0.164	0.176	0.145

180. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Note: Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. *TRAP Laws* one whenever the first set of TRAP laws passed in that state. The dependent variable is either a dummy variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. All regressions control for the individuals' current wealth. Columns (1)–(3) include all female entrepreneurs, year, and state fixed effects; Columns (4)–(6) include only female entrepreneurs in years at which their businesses operate; and Columns (7)–(9) include all female entrepreneurs and industry fixed effects.

Table A.8: Business-Related Debt and TRAP Laws Among Female Entrepreneurs Controlling for Initial Wealth – 1985-2008[181]

	Baseline Regression			While Businesses Operate			Industry Fixed Effects		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)	Received Loan (7)	Loan Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.0432**	-0.479***	-0.0176***	-0.0446	-0.584	-0.0273*	-0.0478*	-0.573***	-0.0186**
	(0.0153)	(0.144)	(0.00558)	(0.0389)	(0.335)	(0.0145)	(0.0224)	(0.186)	(0.00703)
Num. of Children	-0.00803*	-0.0817*	-0.00230	-0.0110	-0.0936	-0.00293	-0.00839	-0.0955	-0.00205
	(0.00442)	(0.0465)	(0.00138)	(0.0108)	(0.110)	(0.00251)	(0.00698)	(0.0732)	(0.00210)
Years of Education	0.00430*	0.0516*	0.00135	0.00504	0.0611	0.00203	0.00877**	0.0981**	0.00208
	(0.00246)	(0.0253)	(0.000788)	(0.00556)	(0.0598)	(0.00172)	(0.00336)	(0.0361)	(0.00124)
Married	0.0497***	0.548***	0.0138***	0.0547**	0.672**	0.0163**	0.0518***	0.578***	0.0155***
	(0.0111)	(0.117)	(0.00333)	(0.0235)	(0.257)	(0.00691)	(0.0116)	(0.126)	(0.00382)
Minorities	-0.0289**	-0.264**	-0.00421	-0.0425	-0.420	-0.00490	-0.0234*	-0.205	-0.00344
	(0.0121)	(0.119)	(0.00359)	(0.0298)	(0.279)	(0.00757)	(0.0125)	(0.123)	(0.00440)
Conservatism	-0.000425	-0.00340	0.000294	-0.00332	-0.0314	0.0000296	-0.000400	-0.00202	0.000192
	(0.00147)	(0.0153)	(0.000692)	(0.00420)	(0.0459)	(0.00137)	(0.00194)	(0.0278)	(0.000688)
Age	0.00389	0.0340	0.000787	0.00752	0.0748*	0.00136	0.00437	0.0379	0.00119
	(0.00237)	(0.0240)	(0.000868)	(0.00442)	(0.0389)	(0.00167)	(0.00298)	(0.0299)	(0.000940)
Fraction Rep.	-0.00239	0.0223	0.00424**	0.0164	0.160	0.00946	-0.0325*	-0.267	-0.000651
	(0.00760)	(0.0724)	(0.00170)	(0.0191)	(0.186)	(0.00980)	(0.0161)	(0.171)	(0.00424)
GDP Growth	0.315	3.382	0.0755	-0.521	-3.131	0.0515	0.403	3.760	0.120
	(0.315)	(3.516)	(0.122)	(0.301)	(4.985)	(0.288)	(0.401)	(4.315)	(0.170)
Initial HH Wealth	0.0852**	0.868**	0.0154*	0.110**	1.098**	0.0161	0.104**	1.023**	0.0169
	(0.0310)	(0.325)	(0.00842)	(0.0479)	(0.462)	(0.0114)	(0.0413)	(0.428)	(0.0104)
Observations	5,207	5,207	5,042	1,641	1,641	1,611	3,520	3,520	3,419
R-squared	0.089	0.091	0.066	0.160	0.158	0.135	0.175	0.183	0.156

181. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws one whenever the first set of TRAP Laws passed in that state. The dependent variable is either a dummy variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. All regressions control for the individuals' wealth in 1985. Columns (1)–(3) include all female entrepreneurs, year, and state fixed effects; Columns (4)–(6) include only female entrepreneurs in years at which their businesses operate; and Columns (7)–(9) include all female entrepreneurs and industry fixed effects.

Table A.9: Business-Related Debt and TRAP Laws' Enactment Among Women at Childbearing Age, Above Childbearing Age, and Male Entrepreneurs Controlling for Current Wealth – 1985-2008[182]

	Treated Group			Placebo Group					
	Women Age ≤ 35			Women Age >35			Male Entrepreneurs		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)	Received Loan (7)	Loan Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.0771**	-0.854***	-0.0306**	0.0209	0.154	0.000129	-0.00515	-0.0971	-0.00163
	(0.0258)	(0.251)	(0.0108)	(0.0251)	(0.256)	(0.00590)	(0.0133)	(0.147)	(0.00494)
Num. of Children	-0.00596	-0.0591	-0.00220	-0.0107	-0.105	-0.00166	0.00124	0.0152	0.000795
	(0.00516)	(0.0524)	(0.00199)	(0.00641)	(0.0666)	(0.00122)	(0.00487)	(0.0522)	(0.00159)
Years of Education	0.00691*	0.0813**	0.00207	-0.000662	-0.00482	0.000240	0.00349*	0.0415*	0.00109
	(0.00376)	(0.0357)	(0.00118)	(0.00280)	(0.0322)	(0.000726)	(0.00191)	(0.0200)	(0.000641)
Married	0.0384***	0.408***	0.0126***	0.0306**	0.382**	0.00973**	0.00612	0.0723	-0.000720
	(0.00874)	(0.0883)	(0.00301)	(0.0129)	(0.150)	(0.00375)	(0.0107)	(0.115)	(0.00368)
Minorities	-0.0399**	-0.376**	-0.00890*	-0.0143	-0.143	-0.00320	-0.0309**	-0.333**	-0.00789*
	(0.0160)	(0.153)	(0.00418)	(0.0104)	(0.111)	(0.00272)	(0.0145)	(0.150)	(0.00452)
Conservatism	0.0000983	-0.000191	0.00617	0.000600	-0.00297	0.000235	-0.00157	-0.0147	-0.000441
	(0.00225)	(0.0241)	(0.000832)	(0.00178)	(0.0185)	(0.000574)	(0.00167)	(0.0177)	(0.000518)
Age	0.00943***	0.0886**	0.00224*	-0.000265	-0.00599	0.000340	0.00515*	0.0590*	0.00152*
	(0.00299)	(0.0332)	(0.00114)	(0.00186)	(0.0246)	(0.000811)	(0.00272)	(0.0287)	(0.000835)
Fraction Rep.	0.0134	0.163	0.00623	0.0371	0.377	0.0103	-0.00483	-0.0705	-0.000831
	(0.0190)	(0.209)	(0.00454)	(0.0279)	(0.289)	(0.00916)	(0.0186)	(0.193)	(0.00523)
GDP Growth	0.310	1.630	0.0146	0.479	7.847	0.223*	0.113	0.760	0.0184
	(0.405)	(4.535)	(0.156)	(0.735)	(7.386)	(0.109)	(0.348)	(3.663)	(0.113)
Current HH Wealth	0.0414***	0.452***	0.00500*	0.00997	0.104	-0.00152	0.0256**	0.271**	0.00201
	(0.00792)	(0.0887)	(0.00232)	(0.00795)	(0.102)	(0.00339)	(0.0107)	(0.120)	(0.00224)
Observations	3,751	3,751	3,617	2,055	2,055	2,001	7,375	7,375	7,069
R-squared	0.105	0.113	0.073	0.098	0.093	0.068	0.082	0.082	0.050

182. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. *TRAP Laws* one whenever the first set of TRAP Laws passed in that state. The dependent variable is either a dummy variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. All regressions control for the individuals' current wealth. Columns (1)–(3) include only women at childbearing age (years 1985-2000); Columns (4)–(6) include only women above childbearing age (years 1993-2008); and Columns (7)–(9) include only male entrepreneurs.

Table A.10: Business-Related Debt and TRAP Laws' Enactment Among Women at Childbearing Age, Above Childbearing Age, and Male Entrepreneurs Controlling for Initial Wealth – 1985-2008[183]

	Treated Group			Placebo Group					
	Women Age ≤ 35			Women Age >35			Male Entrepreneurs		
VARIABLES	Received Loan (1)	Loan Amount (2)	Leverage Ratio (3)	Received Loan (4)	Loan Amount (5)	Leverage Ratio (6)	Received Loan (7)	Loan Amount (8)	Leverage Ratio (9)
TRAP Laws	-0.0774**	-0.882**	-0.0328**	0.00921	0.0342	-0.00671	-0.00449	-0.0842	-0.00156
	(0.0317)	(0.318)	(0.0132)	(0.0306)	(0.307)	(0.00669)	(0.0124)	(0.135)	(0.00469)
Num. of Children	-0.00587	-0.0589	-0.00247	-0.0139	-0.139	-0.00261	-0.0000529	-0.000873	-0.000336
	(0.00622)	(0.0631)	(0.00207)	(0.00772)	(0.0774)	(0.00165)	(0.00454)	(0.0475)	(0.00126)
Years of Education	0.00623*	0.0749**	0.00186	0.000753	0.0104	0.000501	0.00285	0.0320	0.000584
	(0.00347)	(0.0336)	(0.00119)	(0.00251)	(0.0270)	(0.000574)	(0.00224)	(0.0236)	(0.000669)
Married	0.0515***	0.549***	0.0152***	0.0414**	0.493**	0.0100**	0.00961	0.110	0.00136
	(0.0135)	(0.140)	(0.00422)	(0.0169)	(0.187)	(0.00382)	(0.0108)	(0.117)	(0.00350)
Minorities	-0.0437**	-0.393**	-0.00779	-0.0115	-0.114	0.000280	-0.0224*	-0.231*	-0.00472
	(0.0170)	(0.164)	(0.00508)	(0.0112)	(0.123)	(0.00221)	(0.0127)	(0.127)	(0.00432)
Conservatism	-0.00118	-0.00731	0.000307	0.000572	0.00153	0.000283	-0.00113	-0.00943	-0.000331
	(0.00209)	(0.0216)	(0.000886)	(0.00214)	(0.0232)	(0.000640)	(0.00159)	(0.0168)	(0.000520)
Age	0.00869**	0.0819**	0.00214	-0.00190	-0.0229	-0.000298	0.000785	0.00944	0.000587
	(0.00330)	(0.0314)	(0.00124)	(0.00255)	(0.0300)	(0.000692)	(0.00210)	(0.0215)	(0.000654)
Fraction Rep.	0.00777	0.121	0.00507	0.0373	0.379	0.00687	-0.0123	-0.144	-0.00274
	(0.0167)	(0.192)	(0.00380)	(0.0256)	(0.273)	(0.00707)	(0.0194)	(0.198)	(0.00530)
GDP Growth	0.456	2.903	0.0300	0.749	11.46	0.365**	0.0230	-0.369	-0.0202
	(0.408)	(4.539)	(0.172)	(0.834)	(8.424)	(0.142)	(0.316)	(3.236)	(0.100)
Current HH Wealth	0.120**	1.237**	0.0221*	0.0302**	0.294*	0.00500	0.122***	1.383***	0.0217***
	(0.0417)	(0.437)	(0.0118)	(0.0128)	(0.144)	(0.00373)	(0.0282)	(0.309)	(0.00586)
Observations	3,396	3,396	3,277	1,809	1,809	1,763	6,948	6,948	6,668
R-squared	0.106	0.111	0.078	0.097	0.093	0.071	0.093	0.097	0.058

183. Robust standard errors in parentheses. *** denotes p<0.01; ** denotes p<0.05; and * denotes p<0.1. Dynamic difference-in-differences analyses on business loans and restrictions to reproductive care. TRAP Laws equals one whenever the first set of TRAP Laws passed in that state. The dependent variable is either a dummy variable turning one whenever the individual reports an outstanding business debt, the natural logarithm of the individual's total outstanding business debt plus one, or the individual's leverage ratio calculated as the ratio between the current outstanding business debt divided by the individual's total wealth plus total outstanding business debt, equivalent to a firm's debt to enterprise value. All regressions control for the individuals' wealth in 1985. Columns (1)–(3) include only women at childbearing age (years 1985-2000); Columns (4)–(6) include only women above childbearing age (years 1993-2008); and Columns (7)–(9) include only male entrepreneurs.

Table A.11: Top 20 Industries by Operating Years[184]

CPSIND80 Code	Industry Description	TRAP state	Not-TRAP state	Total
641	Eating and drinking places	143	157	300
831	Hospitals	148	61	209
842	Elementary and secondary schools	60	81	141
700	Banking	57	55	112
761	Private households (Personal Services)	47	64	111
742	Business services	42	59	101
850	Colleges and universities	42	56	98
060	Construction	49	41	90
772	Beauty shops	29	58	87
840	Health services	40	45	85
770	Lodging places, except hotels and motels	19	61	80
172	Printing, publishing, and allied industries, except newspapers	18	58	76
711	Insurance	23	50	73
910	Justice, public order, and safety	16	55	71
862	Child day care services	16	50	66
731	Personnel supply services	22	42	64
712	Real estate, including real estate-insurance-law offices	35	25	60
820	Offices of dentists	29	29	58
832	Nursing and personal care facilities	19	39	58
740	Computer and data processing services	14	42	56

184. Note: Top 20 industries by total years of operations. TRAP states are states that enacted a TRAP Law during the years of the survey, and not-TRAP states are states that did not enact.

Table A.12: Amount Raised and Predicted Abortions Among Male Entrepreneurs in Matched Regressions

PANEL A.12A — SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - ALL MALE ENTREPRENEUR

	Raw			Logit PSM			Mahalanobis MDM		
	Treated (1)	Untreated (2)	StdDif (Ratio) (3)	Treated (4)	Untreated (5)	StdDif (Ratio) (6)	Treated (7)	Untreated (8)	StdDif (Ratio) (9)
Num. of Child.	2.375	2.189	0.113	2.237	2.230	0.004	2.296	2.195	0.062
	(1.667)	(1.638)	(1.018)	(1.572)	(1.637)	(0.960)	(1.501)	(1.608)	(0.933)
Married	0.567	0.637	-0.142	0.625	0.595	0.059	0.591	0.626	-0.072
	(0.498)	(0.482)	(1.034)	(0.487)	(0.492)	(0.990)	(0.494)	(0.485)	(1.020)
Minorities	0.471	0.375	0.195	0.428	0.408	0.039	0.404	0.397	0.014
	(0.502)	(0.485)	(1.035)	(0.497)	(0.492)	(1.010)	(0.493)	(0.490)	(1.007)
Years of	13.385	13.861	-0.177	13.668	13.582	0.032	13.535	13.771	-0.088
Education	(2.819)	(2.547)	(1.107)	(2.733)	(2.486)	(1.099)	(2.501)	(2.479)	(1.009)
HH Wealth	12.015	12.429	-0.213	12.528	12.307	0.114	12.418	12.423	-0.003
	(2.406)	(1.323)	(1.819)	(1.440)	(1.063)	(1.355)	(1.166)	(1.120)	(1.041)
Conservatism	5.654	5.985	-0.107	5.950	5.921	0.010	5.862	5.971	-0.035
	(3.249)	(2.912)	(1.116)	(3.202)	(2.842)	(1.127)	(2.888)	(2.815)	(1.026)
Age	54.462	54.442	0.009	54.436	54.491	0.024	54.410	54.415	-0.003
	(2.319)	(2.267)	(1.023)	(2.248)	(2.299)	(0.978)	(2.218)	(2.217)	(1.001)

PANEL A.12B— SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - MALE ENTREPRENEURS WITH UNINTENDED PREGNANCIES

Num. of Child.	2.947	3.101	-0.095	2.974	2.912	0.038	2.970	3.005	-0.022
	(1.535)	(1.693)	(0.907)	(1.532)	(1.633)	(0.938)	(1.491)	(1.501)	(0.993)
Married	0.598	0.640	-0.086	0.610	0.624	-0.029	0.608	0.634	-0.054
	(0.492)	(0.483)	(1.020)	(0.490)	(0.487)	(1.005)	(0.490)	(0.484)	(1.012)
Minorities	0.447	0.438	0.018	0.421	0.480	-0.118	0.444	0.435	0.018
	(0.499)	(0.499)	(1.000)	(0.496)	(0.503)	(0.986)	(0.499)	(0.499)	(1.000)
Years of	13.136	13.832	-0.265	13.339	13.393	-0.020	13.193	13.594	-0.153
Education	(2.579)	(2.660)	(0.970)	(2.647)	(2.366)	(1.119)	(2.435)	(2.369)	(1.028)
HH Wealth	12.137	12.300	-0.090	12.100	12.231	-0.071	12.307	12.389	-0.045
	(1.928)	(1.714)	(1.125)	(2.128)	(1.656)	(1.285)	(1.170)	(1.051)	(1.114)
Conservatism	6.523	5.494	0.351	5.831	5.943	-0.038	6.305	5.816	0.167
	(3.178)	(2.651)	(1.199)	(2.641)	(2.659)	(0.994)	(2.865)	(2.607)	(1.099)
Age	54.235	54.708	-0.214	54.423	54.481	-0.026	54.235	54.527	-0.132
	(2.154)	(2.257)	(0.954)	(2.197)	(2.156)	(1.019)	(2.050)	(2.142)	(0.957)

Table A.13: Bankruptcies and Predicted Abortions Among Male Entrepreneurs in a Matched Sample

PANEL A.13A — SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - ALL MALE ENTREPRENEUR

	Raw			Logit PSM			Mahalanobis MDM		
	Treated (1)	Untreated (2)	StdDif (Ratio) (3)	Treated (4)	Untreated (5)	StdDif (Ratio) (6)	Treated (7)	Untreated (8)	StdDif (Ratio) (9)
Num. of Child.	2.375	2.189	0.113	2.298	2.075	0.135	2.307	2.194	0.068
	(1.667)	(1.638)	(1.018)	(1.609)	(1.521)	(1.058)	(1.516)	(1.621)	(0.936)
Married	0.567	0.637	-0.142	0.617	0.590	0.056	0.569	0.632	-0.129
	(0.498)	(0.482)	(1.034)	(0.489)	(0.493)	(0.991)	(0.498)	(0.483)	(1.031)
Minorities	0.471	0.375	0.195	0.407	0.381	0.052	0.426	0.387	0.078
	(0.502)	(0.485)	(1.035)	(0.494)	(0.487)	(1.014)	(0.497)	(0.488)	(1.019)
Years of Education	13.385	13.861	-0.177	13.509	13.603	-0.035	13.515	13.781	-0.099
	(2.819)	(2.547)	(1.107)	(2.589)	(2.306)	(1.123)	(2.507)	(2.467)	(1.016)
HH Wealth	12.015	12.429	-0.213	12.580	12.313	0.138	12.383	12.442	-0.030
	(2.406)	(1.323)	(1.819)	(1.209)	(1.110)	(1.089)	(1.323)	(1.123)	(1.178)
Conservatism	5.654	5.985	-0.107	6.026	5.896	0.042	5.777	5.966	-0.061
	(3.249)	(2.912)	(1.116)	(3.233)	(2.999)	(1.078)	(2.912)	(2.828)	(1.030)
Age	54.462	54.442	0.009	54.349	54.442	-0.041	54.473	54.438	0.015
	(2.319)	(2.267)	(1.023)	(2.299)	(2.328)	(0.988)	(2.258)	(2.217)	(1.018)
Other Bankruptcies	0.288	0.262	0.060	0.257	0.293	-0.079	0.255	0.261	-0.012
	(0.455)	(0.440)	(1.034)	(0.439)	(0.456)	(0.964)	(0.438)	(0.440)	(0.997)
Total Amount Raised	7.759	7.813	-0.014	7.737	7.988	-0.067	8.014	7.848	0.044
	(3.766)	(3.741)	(1.007)	(4.001)	(3.625)	(1.104)	(3.580)	(3.651)	(0.981)

PANEL A.13B— SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - MALE ENTREPRENEURS WITH UNINTENDED PREGNANCIES

Num. of Child.	2.947	3.101	-0.095	2.981	2.968	0.008	2.934	2.967	-0.020
	(1.535)	(1.693)	(0.907)	(1.509)	(1.579)	(0.956)	(1.471)	(1.482)	(0.992)
Married	0.598	0.640	-0.086	0.641	0.609	0.067	0.604	0.646	-0.087
	(0.492)	(0.483)	(1.020)	(0.482)	(0.491)	(0.981)	(0.491)	(0.481)	(1.021)
Minorities	0.447	0.438	0.018	0.433	0.463	-0.060	0.444	0.423	0.042
	(0.499)	(0.499)	(1.000)	(0.497)	(0.502)	(0.991)	(0.499)	(0.497)	(1.004)
Years of Education	13.136	13.831	-0.265	13.354	13.390	-0.014	13.182	13.713	-0.203
	(2.579)	(2.660)	(0.970)	(2.660)	(2.413)	(1.102)	(2.438)	(2.402)	(1.015)
HH Wealth	12.137	12.300	-0.090	12.158	12.172	-0.007	12.329	12.304	0.013
	(1.928)	(1.714)	(1.125)	(2.069)	(1.725)	(1.199)	(1.192)	(1.603)	(0.744)
Conservatism	6.523	5.494	0.351	6.092	6.073	0.006	6.317	5.781	0.183
	(3.178)	(2.651)	(1.199)	(2.661)	(2.526)	(1.053)	(2.875)	(2.581)	(1.114)
Age	54.235	54.708	-0.214	54.418	54.198	0.100	54.224	54.617	-0.179
	(2.154)	(2.257)	(0.954)	(2.194)	(2.092)	(1.049)	(2.081)	(2.139)	(0.973)
Other Bankruptcies	0.348	0.236	0.248	0.301	0.293	0.018	0.311	0.240	0.158
	(0.478)	(0.427)	(1.120)	(0.460)	(0.458)	(1.006)	(0.465)	(0.429)	(1.083)
Total Amount Raised	8.220	7.862	0.102	8.058	7.934	0.035	8.194	8.134	0.017
	(3.175)	(3.814)	(0.833)	(3.207)	(3.774)	(0.850)	(3.148)	(3.434)	(0.917)

Table A.14: Entrepreneurship and Predicted Abortions Among Men in Matched Regressions

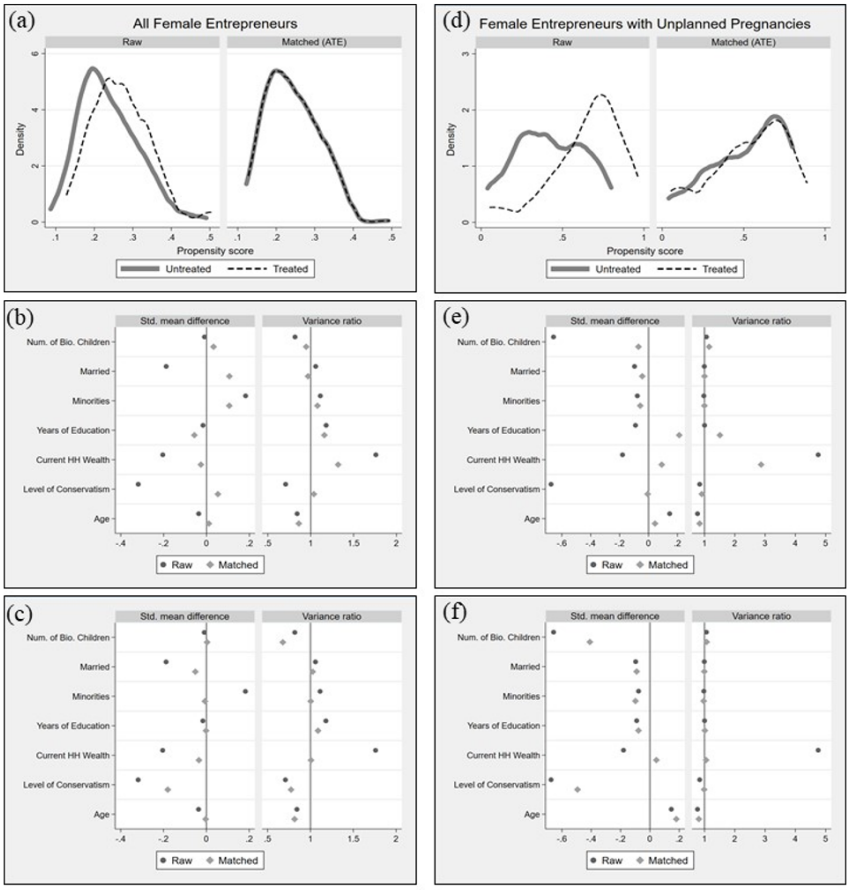
PANEL A.14A — SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - ALL MALE ENTREPRENEUR

	Raw			Logit PSM			Mahalanobis MDM		
	Treated (1)	Untreated (2)	StdDif (Ratio) (3)	Treated (4)	Untreated (5)	StdDif (Ratio) (6)	Treated (7)	Untreated (8)	StdDif (Ratio) (9)
Num. of Child.	1.857	1.709	0.093	1.678	1.650	0.018	1.703	1.708	-0.003
	(1.704)	(1.442)	(1.181)	(1.503)	(1.387)	(1.083)	(1.415)	(1.444)	(0.980)
Married	0.485	0.549	-0.128	0.515	0.534	-0.037	0.534	0.534	0.000
	(0.500)	(0.498)	(1.005)	(0.500)	(0.499)	(1.002)	(0.499)	(0.499)	(1.000)
Minorities	0.481	0.425	0.111	0.458	0.425	0.066	0.436	0.437	-0.002
	(0.500)	(0.494)	(1.011)	(0.498)	(0.494)	(1.008)	(0.496)	(0.496)	(1.000)
Years of Education	12.857	13.095	-0.087	12.922	13.023	-0.036	12.994	13.049	-0.020
	(2.976)	(2.518)	(1.182)	(2.970)	(2.483)	(1.196)	(2.514)	(2.506)	(1.003)
HH Wealth	11.635	11.941	-0.173	12.007	11.913	0.053	11.920	11.904	0.009
	(2.187)	(1.193)	(1.833)	(1.073)	(0.979)	(1.096)	(1.183)	(1.245)	(0.950)
Conservatism	6.437	6.060	0.117	6.166	6.149	0.005	6.156	6.121	0.011
	(3.405)	(3.021)	(1.127)	(3.288)	(2.924)	(1.125)	(2.939)	(2.964)	(0.992)
Age	54.608	54.569	0.017	54.606	54.571	0.015	54.578	54.568	0.004
	(2.316)	(2.262)	(1.024)	(2.332)	(2.271)	(1.027)	(2.191)	(2.232)	(0.982)

PANEL A.14B— SAMPLE MEANS AND STANDARD ERRORS OF COVARIATES - MALE ENTREPRENEURS WITH UNINTENDED PREGNANCIES

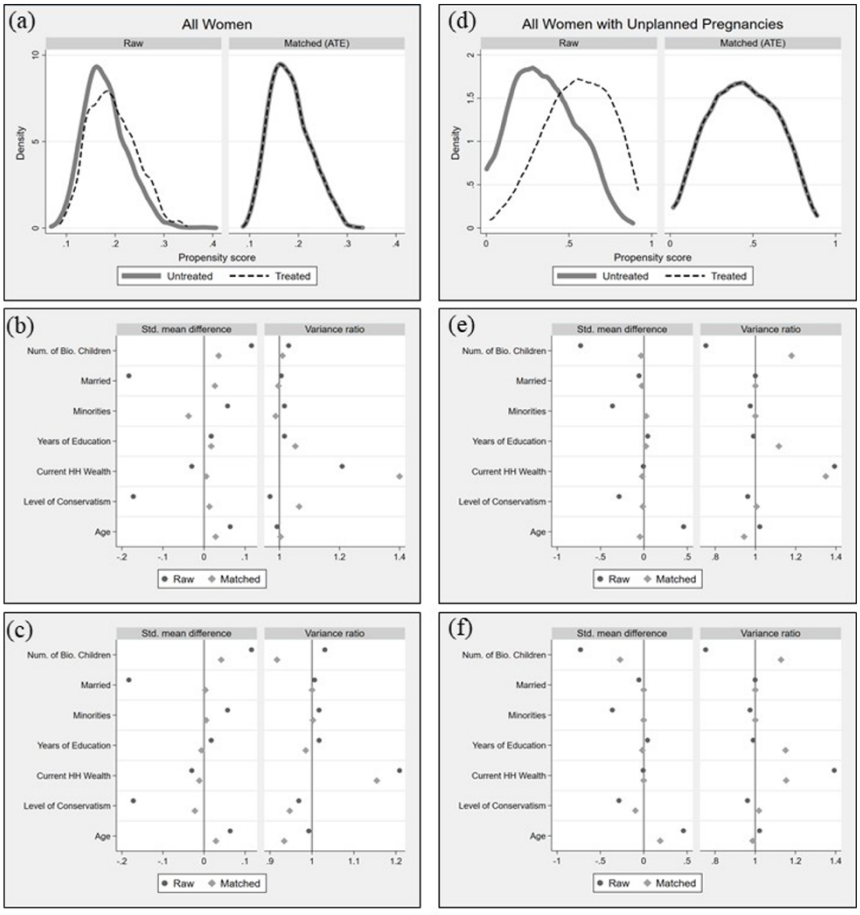
Num. of Child.	2.666	2.619	0.033	2.656	2.651	0.004	2.602	2.601	0.001
	(1.506)	(1.371)	(1.098)	(1.475)	(1.376)	(1.072)	(1.347)	(1.281)	(1.052)
Married	0.598	0.524	0.149	0.568	0.569	-0.001	0.571	0.568	0.005
	(0.490)	(0.500)	(0.982)	(0.496)	(0.495)	(1.000)	(0.495)	(0.496)	(0.999)
Minorities	0.483	0.574	-0.183	0.531	0.511	0.042	0.519	0.519	0.000
	(0.500)	(0.495)	(1.010)	(0.499)	(0.500)	(0.998)	(0.500)	(0.500)	(1.000)
Years of Education	12.607	13.012	-0.165	12.787	12.785	0.001	12.674	12.828	-0.063
	(2.459)	(2.451)	(1.003)	(2.374)	(2.277)	(1.043)	(2.261)	(2.179)	(1.038)
HH Wealth	11.726	11.920	-0.127	11.895	11.909	-0.009	11.903	11.902	0.001
	(1.789)	(1.215)	(1.472)	(1.285)	(1.139)	(1.129)	(1.015)	(1.097)	(0.926)
Conservatism	6.617	5.813	0.262	6.293	6.333	-0.013	6.350	6.081	0.088
	(3.131)	(3.011)	(1.040)	(2.916)	(2.918)	(0.999)	(2.854)	(2.793)	(1.022)
Age	54.487	54.271	0.095	54.378	54.392	-0.006	54.391	54.324	0.030
	(2.308)	(2.223)	(1.038)	(2.308)	(2.217)	(1.041)	(2.232)	(2.147)	(1.039)

Figure A.1: Balancing Analysis – Female Entrepreneurs[185]



185. Note: (a) Kernel density balancing plot of all female entrepreneurs (b) Covariates balancing stats, all female entrepreneurs, propensity score matching (c) Covariates balancing stats, all female entrepreneurs, Mahalnobis distance matching (d) Kernel density balancing plot of all female entrepreneurs with unintended pregnancies (e) Covariates balancing stats, all female entrepreneurs with unintended pregnancies, propensity score matching (f) Covariates balancing stats, all female entrepreneurs with unintended pregnancies, Mahalnobis distance matching.

Figure A.2: Balancing Analysis – All Women[186]



186. Note: (a) Kernel density balancing plot of all women (b) Covariates balancing stats, all women, propensity score matching (c) Covariates balancing stats, all women, Mahalnobis distance matching (d) Kernel density balancing plot of all women with unintended pregnancies (e) Covariates balancing stats, all women with unintended pregnancies, propensity score matching (f) Covariates balancing stats, all women with unintended pregnancies, Mahalnobis distance matching.

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