

A PLANNED PARENTHOOD REPORT ON THE ADMINISTRATION AND CONGRESS

GEORGE W. BUSH'S WAR ON WOMEN: A CHRONOLOGY

Since his first day in office, George W. Bush has appeased his domestic hard-right political base by pursuing a steady campaign to eliminate reproductive freedom. He has revived retrograde anti-choice policies, installed religious political extremists in key administration posts and on the federal bench, and pushed ideology rather than scientific or medical evidence in domestic and international reproductive health policy. With all these measures, the Bush administration and its allies in Congress threaten women's rights and health, not only in the U.S., but around the world. The effects will be felt first and foremost by poor women everywhere, but will ultimately touch everyone. The following chronology outlines many of the most egregious actions taken against reproductive freedom over the past two years.

I will do everything in my power to restrict abortions.

–George W. Bush, *The Dallas Morning News*,
October 22, 1994

For today, the women of this Nation still retain the liberty to control their destinies. But the signs are evident and very ominous, and a chill wind blows.

–Justice Harry Blackmun, *New York Times*, April
7, 1994 on the *Webster v. Reproductive Health
Services* decision

CHRONOLOGY

❖ **December 22, 2000 – For attorney general, Bush gives the nod to extreme anti-choice zealot**

Prior to being sworn in as president, George W. Bush exposed his hard right leadership by indicating he would nominate John Ashcroft to be attorney general. In his roles as attorney general and governor of Missouri, Ashcroft defended anti-choice legislation all the way to the U.S. Supreme Court (*Planned Parenthood of Kansas City, Missouri v. Ashcroft*, 1983); signed a bill declaring that life begins at conception (Missouri H.B. 1596, 1986); and declared the anniversary of *Roe v. Wade* as a “day in memoriam” for aborted fetuses (Eaton, 1989). As a U.S. senator, he voted against a resolution in favor of *Roe v. Wade* (S. Amdt. 2321 to S. Amdt. 2320, 1999) and opposed contraceptive equity in insurance coverage for federal employees. Though the fight over Ashcroft's nomination was hotly contested, he was eventually confirmed on a vote of 58–42.

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❖ **December 29, 2000 — Bush selects anti-choice governor to be secretary of health and human services**

The post of secretary within the Department of Health and Human Services (HHS) is crucial to the public health policies and priorities of the nation. Among other responsibilities, the secretary oversees a number of very important health care agencies, including reproductive health care for all women and families. These include the National Institutes of Health (NIH), the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration (FDA), and the Office of Population Affairs (OPA). Bush nominated anti-choice Wisconsin Governor Tommy Thompson for this key position. As governor, Thompson signed into law numerous anti-choice bills, including mandatory waiting periods during which women receive biased counseling messages; restrictions on minors' access to abortion; so-called "partial birth" abortion ban legislation; and numerous bills declaring that life begins at conception (Braver, 2001).

❖ **January 22, 2001 — On his first day in office, the 28th anniversary of *Roe v. Wade*, Bush restores the Reagan-era global gag rule on international family planning assistance**

Bush's first act in office was to revive the global gag rule (also called the "Mexico City policy"). This rule prevents nongovernmental organizations in countries that receive U.S. international family planning assistance from using their own money — not that supplied by the U.S. — to provide abortion services, counseling, or referrals, or to lobby to change abortion laws. It effectively prevents health care providers from advising patients about abortion and from discussing laws that restrict abortion. The policy will result in sharply increased numbers of unintended pregnancies, more unsafe abortions, and the deaths of countless women around the world. Just weeks before Bush's inauguration, Steve Mosher, president of the ultraconservative Population Research Institute, called on Bush to use his executive powers to restrict reproductive rights in the U.S. and abroad (Mosher, 2000). While the decision was hailed by the National Conference of Catholic Bishops, the director of the World Life League, Mark DeYoung, went even further, saying, "... in order to restore U.S. foreign policy ... All support for contraception abroad ... must be stopped" (*Catholic World News*, 2001; DeYoung, 2001).

❖ **January 22, 2001 — Bush asks Representative Chris Smith (R-NJ), the U.S. House of Representatives' most ferocious opponent of international family planning programs, to address the annual "pro-life" march on behalf of the administration on the 28th anniversary of *Roe v. Wade***

Since 1981, Smith has led the charge on behalf of religious political extremists in the House to deny poor women around the world access to family planning and related reproductive health care. Smith is on record stating that the Pill is an "abortifacient," and that Planned Parenthood should change its name to "Child Abuse, Incorporated" (DeSarno, 2002; Smith, 2001a). Smith opposes commonly used contraceptive methods, including Norplant®, Depo-Provera®, IUDs, and multiple doses of ordinary contraceptive pills. Speaking at the rally, Smith told marchers, "Thank God President Bush is moving decisively and courageously to reinstate the Mexico City Policy. ... Now that America has two good and honorable pro-life leaders named President Bush and Vice President Cheney, pray and fast and work as never before that we can

seize this priceless opportunity the Good Lord has given us to protect children and their mothers from the violence of abortion” (Smith, 2001b).

❖ **March 29, 2001 — Bush closes the White House Office for Women’s Initiatives and Outreach**

Created by President Clinton in 1995, the office was responsible for reviewing legislation for its impact on women and maintaining a network of leaders in the women’s community (Goldstein & Allen, 2001).

❖ **April 9, 2001 — Bush strips contraceptive coverage from federal employees in his first budget**

In 1998, Congress passed legislation requiring insurance companies participating in the Federal Employees Health Benefit Plan (FEHBP) to cover prescription drugs, including contraceptives, if they provide an overall drug benefit. In his first budget submitted to Congress, Bush stripped this coverage even though the Office of Personnel Management found that the coverage did not add any additional cost to the FEHBP premiums (Administration Budget Request, 2001). Despite the efforts of the Bush administration, Congress restored the benefit as part of the Treasury Postal Appropriations bill.

❖ **April 26, 2001 — House passes the so-called “Unborn Victims of Violence Act”**

The House passed the first abortion-related legislation of the 107th Congress, the so-called “Unborn Victims of Violence Act,” H.R. 503, by a vote of 252–172. On its face, this bill creates a separate additional penalty over and above harm to the woman for violation of a number of criminal statutes if, in the commission of a crime, an “unborn child” is injured or killed. The dangerous reality of the bill, however, is that it would elevate the legal status of a fetus to that of an adult human being. By redefining the legal status of the fetus, this strategy could render *Roe* moot. Though a similar bill was introduced by Senator Mike DeWine (R-OH), the Senate took no action on this legislation. Now, however, it is likely to pass both houses and be signed by the President.

❖ **May 9, 2001 — Bush nominates Texas Supreme Court Justice Priscilla Owen to the 5th Circuit Court of Appeals**

During her tenure on the Texas Supreme Court, Justice Owen wrote a number of opinions concerning the application of the Texas law mandating parental notification before a minor may obtain an abortion. The Texas law, as required by the state constitution, provides a “judicial bypass,” a proceeding that allows a mature minor, or a minor for whom parental involvement would not be in her best interests, to obtain a waiver of the parental involvement requirement (*In re Jane Doe 10*, 2002). Justice Owen’s opinions have sought to impose a standard of proof on a minor seeking a judicial bypass that, in the words of White House Counsel Alberto Gonzales (then also a justice on the Texas Supreme Court), would have “create[d] hurdles that simply are not to be found in the words of the statute” and would be “an unconscionable act of judicial activism” (*In re Jane Doe*, 2000). *The New York Times* editorialized in September 2002, Owen is “so eager to issue conservative rulings in cases before her on the Texas Supreme Court that she has ignored statutory language and substituted

her own views." Owen's nomination was defeated in the Senate Judiciary Committee on September 5, 2002, but may be resubmitted in the next Congress.

- ❖ **May 9, 2001 – Bush nominates Michael McConnell to the 10th Circuit Court of Appeals**

During his career as a law professor, McConnell has expressed his opposition to *Roe v. Wade* on numerous occasions and his belief that the U.S. Constitution does not protect a woman's right to choose. Professor McConnell has represented himself as a "pro-life leader ... and scholar" seeking "legal reform" – including a constitutional amendment that would overturn *Roe v. Wade*, which he believes is a "gross misinterpretation of the Constitution" ("The America We Seek: A Statement of Pro-Life Principle and Concern," 1996). McConnell has written that the Supreme Court's decision in *Roe* "was of questionable legitimacy and even more questionable prudence" (McConnell, 1997), as well as a "mistake" (Hatch, Hyde & Canady, 1997). On November 15, 2002, the Senate confirmed McConnell to the 10th circuit.
- ❖ **May 9, 2001 – Bush nominates District Court Judge Dennis Shedd to the 4th Circuit Court of Appeals**

The nomination of Dennis Shedd to the 4th Circuit Court of Appeals drew strong opposition from civil rights organizations who protested his pattern of ruling against minority and female plaintiffs in numerous employment discrimination cases and other civil rights cases. He also drew opposition based on insensitive comments he made when he dismissed a lawsuit aimed at removing the Confederate flag from the South Carolina State House dome. His commentary minimized the significance of the Confederate flag to the African-American community as a symbol of slavery. On reproductive rights issues, he failed to be forthcoming in his testimony before the Senate Judiciary Committee. In written questions from Senators Schumer (D-NY) and Cantwell (D-WA), Judge Shedd was asked directly about his views on privacy and reproductive rights. He refused to state that he believes that the Constitution guarantees a woman's right to choose. Rather, he merely acknowledged the Supreme Court's holdings in *Griswold v. Connecticut* (the 1965 decision that struck down state laws that had made the use of birth control by married couples illegal) and *Roe* and stated that he "understand[s] that those cases (in conjunction with their progeny) are the law of the land" (Shedd, 2002). But federal appellate courts do more than just apply existing precedent. Every day, they are asked to interpret the law and consider new precedent. Judge Shedd was given ample opportunity but refused to declare that he will protect our fundamental rights when interpreting the law. On November 19, 2002, the Senate confirmed Shedd to the 4th Circuit.
- ❖ **May 22, 2001 – Bush nominates Lavenski Smith to the 8th Circuit Court of Appeals**

From 1991 to 1993, Smith was executive director of the Rutherford Institute of Arkansas, which has consistently opposed abortion. The Rutherford Institute is a right-wing organization that regularly weighs in on legal challenges to abortion statutes and has time and again argued in favor of limitations on a woman's right to choose (The Rutherford Institute, *et al.*, 2000). Indeed, it has called upon the Supreme Court to reverse *Roe v. Wade* because it was an "error to classify a woman's decision to terminate her pregnancy as a fundamental right protected by the Fourteenth Amendment's concept of personal liberty" (The Rutherford Institute,

1989). During Smith's tenure at the Rutherford Institute, that organization signed an *amicus* brief in the case of *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992), arguing in support of a Pennsylvania law that required that before a married woman could have an abortion, she had to produce a signed statement that she had notified her spouse of the abortion. On July 16, 2002, the Senate confirmed Smith to the 8th Circuit.

❖ **May 23, 2001 — Bush floats the possibility of nominating John Klink — an ardent opponent of birth control and a spokesperson for the Vatican in its opposition to condom use — to oversee the U.S. global population program**

The White House withdrew Klink's name from consideration after reproductive health and women's advocates exposed his opposition to promoting condoms to prevent the spread of HIV/AIDS and to providing reproductive health services for refugee women. Klink was the Vatican's spokesperson when it cut funding for the United Nations Children's Fund (UNICEF) in 1996, because UNICEF had cosponsored a manual that endorsed making emergency contraception available to women who have been raped during civil conflicts and refugee crises (Catholics for a Free Choice, 2002). Knowing that such a nomination would not have been approved by the Senate, Bush nevertheless included Klink on U.S. delegations to international meetings where reproductive health and rights were being discussed, including the U.N. Children's Summit, the World Summit on Sustainable Development, and a preparatory meeting for the Fifth Asia Conference on Population and Development. In each of these meetings, Klink aggressively advanced an anti-choice agenda on behalf of the administration.

❖ **May 25, 2001 — President Bush nominates Federal District Court Judge Charles Pickering to the 5th Circuit Court of Appeals**

In 1976, Pickering chaired the Human Rights and Responsibilities Subcommittee of the National Republican Party Platform Committee that approved a plank protesting the Supreme Court's decision in *Roe v. Wade* and calling for an amendment to the U.S. Constitution banning abortion (WomenseNews, 2002). That plank called *Roe* "an intrusion into the family structure" (PR Newswire, 2002). At that convention, Pickering also opposed a plank supporting the Equal Rights Amendment (WomenseNews, 2002). From 1972 to 1980, Pickering served two terms in the Mississippi State Senate, where he voted for a resolution calling for a constitutional convention to propose an amendment to ban abortion and voted against state funding for family planning programs (PR Newswire, 2002). Judge Pickering's nomination was defeated March 14, 2002, but his nomination may be resubmitted in the next Congress as a result of the 2002 elections.

❖ **June 22, 2001 — Bush nominates Judge Carolyn Kuhl, who has a long record of anti-choice advocacy, to the 9th Circuit Court of Appeals**

President Bush nominated Los Angeles County Superior Court Judge Carolyn Kuhl to serve on the 9th Circuit. During her career, Judge Kuhl has distinguished herself as a fervent opponent of women's civil rights, including reproductive freedom.

While serving in the Reagan administration as civil division deputy in the Justice Department, Judge Kuhl worked to restrict reproductive rights. In an *amicus curiae* brief for the U.S. in *Thornburgh v. American College of Obstetricians and Gynecologists*, 476 US 474 (1986) (NARAL, June 2001), the Reagan administration urged the Supreme Court not only to uphold Pennsylvania's restrictions on abortion services, but also to overturn *Roe v. Wade*. According to former Solicitor General Charles Fried, "the most aggressive memo" in support of urging a reversal of *Roe* in the *Thornburgh* brief came from Civil Division Deputy Kuhl and another Justice Department attorney (Alliance for Justice).

A "hold" has been placed on Judge Kuhl's nomination by one of her home state (CA) senators, thus a hearing in the Senate Judiciary Committee is still pending (Doyle, 2002).

- ❖ **July 31, 2001 – House passes the "Human Cloning Prohibition Act of 2001"**
H.R. 2505, the "Human Cloning Prohibition Act of 2001," passed in the House by a vote of 265–162. As a health care provider and advocate for women's reproductive health needs, PPFA has a strong interest in ensuring that decisions made in the areas of medical research and technology are based on sound science and medicine.
- ❖ **August 9, 2001 – President Bush prevents taxpayer funding for additional stem cells beyond existing stem cell lines, placing severe limits on stem cell research**
Bush's limitations on stem cell research are not only scientifically baseless but also ignore the wishes of a majority of Americans. His restrictions will most likely severely limit research, hampering gains that scientists had hoped to achieve in developing new treatments for a broad range of conditions and diseases. In bowing to the demands of a small number of anti-choice extremists, he is sacrificing the health of Americans and others in the process. Bush indicated he would handpick a council of scientists to study the issue (Bush, 2001).
- ❖ **September 10, 2001 – Bush nominates Federal District Court Judge D. Brooks Smith to the 3rd Circuit Court of Appeals**
Judge D. Brooks Smith has not demonstrated that he understands or is committed to protecting women's rights, the right to privacy, reproductive freedoms, and other basic civil rights. Smith has shown this through his judicial record, his response to questions put to him by members of the Senate Judiciary Committee, and his long-standing membership in a private club that excludes women. The Senate voted to confirm Smith on July 31, 2002 (Hudson, 2002; National Women's Law Center, 2002).
- ❖ **October 11, 2001 – Bush moves to increase "abstinence-only" education funding**
In his FY2001 budget, Bush doubled the amount of funding for "abstinence-only" education, representing an increase of \$20 million (NASTAD, 2002). In his FY2003 budget, Bush proposed an additional \$33 million increase for "abstinence-only" sex education programs. This would bring the government's annual support for these unproven and dangerous programs to \$135 million (HHS, 2002a). The "abstinence-only" education that Bush supports must teach that sex outside marriage is

dangerous and not the accepted cultural norm. “Abstinence-only” sexuality education must also withhold information about contraception, including condoms (which help prevent unintended pregnancy and the spread of sexually transmitted infections, including HIV/AIDS).

❖ **November 30, 2001 – Bush names “abstinence-only” proponent to lead a U.S. AIDS Panel**

Bush named Patricia Funderburk Ware to head the Presidential Advisory Council on HIV/AIDS (PACHA). Ware served in the administration of George Herbert Walker Bush and was also with Americans for a Sound HIV/AIDS Policy, a group that lobbied against including HIV/AIDS in the Americans With Disabilities Act and that promotes an “abstinence-only” agenda. An ardent supporter of “abstinence-only” education, Ware said in testimony before a House committee, "Without a conscious and focused emphasis on the tenets inculcated in the abstinence education approach, sexual restraint tempered with morals and values, and a rebuilding of the two-parent family, America will lose the battle of AIDS and babies having babies" (Wetzstein, 2001).

❖ **February 5, 2002 – Department of Justice intervenes in a case involving a ban on abortion procedures – procedures that are necessary to protect the health of the woman**

During his confirmation hearings, Attorney General John Ashcroft said that *Roe* is settled law and he would uphold it. However at its first opportunity, the Bush administration intervened in an abortion-related case. The U.S. Department of Justice filed an *amicus* brief in the U.S. Court of Appeals for the 6th Circuit. The case involves an Ohio law that was declared unconstitutional because it banned so-called “partial birth” abortion without providing an adequate exception to protect a woman’s health. Such an exception is mandated by every Supreme Court case involving abortion, beginning with *Roe v. Wade* and continuing through the Court’s 2000 decision in *Stenberg v. Carhart*, all of which hold that in any abortion regulation, protecting a woman’s health must remain paramount. In urging that the Court of Appeals uphold the Ohio law, the Bush administration advocated a position that would erode that principle and build the platform to unravel *Roe*.

❖ **March 1, 2002 – Bush appoints former Representative Tom Coburn to the President’s Advisory Council on HIV/AIDS (PACHA)**

Coburn, an outspoken opponent of condom use and staunch supporter of “abstinence-only” education, was named co-chair of the council known as the President’s Advisory Council on HIV/AIDS (PACHA). As a member of Congress, Coburn pushed the CDC to label condoms ineffective against the spread of some sexually transmitted infections and has vowed to take the focus off condom use as a means to prevent the spread of HIV/AIDS (CDC, 2002a; Coburn & Weldon, 2001). Peter Brandt, director of public policy response efforts at the anti-choice organization Focus on the Family, declared that Coburn “would be an ideal choice” for co-chair of PACHA or as the new U.S. surgeon general (SIECUS, 2002).

❖ **March 1, 2002 – Bush names cofounder of anti-condom group to the President’s Advisory Council on HIV/AIDS (PACHA)**

Bush tapped Joe McIlhaney, founder of the Medical Institute (formerly the Medical Institute for Sexual Health), as a member of the advisory council (PACHA) (HHS, 2002b). McIlhaney and the institute have a long history of opposing condom use and disseminating misleading and false claims about condom efficacy. McIlhaney is also a staunch supporter of “abstinence-only” sexuality education (McIlhaney, 2002; The Medical Institute, 2002a).

❖ **March 5, 2002 – Bush administration announces new rules making fetuses but not pregnant women eligible for prenatal care in the CHIP program**

HHS Secretary Thompson proposed new regulations that would extend coverage under the Children’s Health Insurance Program (CHIP) to “unborn children.” The new regulation recognizes the fetus at any stage of development as a “person,” making it eligible for health coverage. The regulation does not provide health coverage to the woman either prenatal or postpartum, thus elevating the fetus and reducing the woman to mere “host” status. Though previously supportive of bipartisan legislation to extend health coverage to pregnant women, the administration withdrew its support after issuing the new regulations. (State Children’s Health Insurance Program; Eligibility for Prenatal Care and Other Health Services for Unborn Children, 2002).

❖ **April 17, 2002 – House passes the “Child Custody Protection Act”**

The “Child Custody Protection Act,” H.R. 476, was passed by the House. This bill would make it a federal crime to transport a minor across state lines for an abortion unless the parental involvement requirements of her home state had been met. If the bill were enacted, persons convicted would be subject to imprisonment, fines, and civil suits. The bill was considered without amendments, a chief concern for those opposing the legislation. A motion by Representative Sheila Jackson Lee (D-TX) to recommit the bill to the Judiciary Committee with exceptions for siblings, grandparents, and religious counselors was rejected, 173–246. The final vote on this legislation was 161–260.

❖ **May 2002 – Bush administration representatives fight sexuality education and oppose condoms for HIV/AIDS prevention at the U.N. Children’s Summit**

The U.S. delegation to the U.N. Children’s Summit tried to block consensus among 180 nations on a global plan of action to promote children’s well-being and rights by opposing sexuality education for teens. Claiming that the phrase “reproductive health services and education” implies a right to abortion and abortion counseling, the U.S. delegation fought to remove the language. In doing so, the U.S. overturned prior global agreements establishing adolescents’ right to information about sexual abuse, birth control, and condoms. The U.S. also opposed efforts to provide special rehabilitation for girls who are victims of war crimes, which usually means rape. The U.S. justified this violation of basic human rights by alleging that supporting the measure would be construed as providing information about emergency contraception or abortion to girls who have been raped. It also opposed the promotion of condoms to prevent the spread of HIV/AIDS. Led by HHS Secretary Tommy Thompson, the delegation to the summit reflected Bush’s ultra-right wing domestic constituencies, including Concerned Women for America, former Vatican

envoy John Klink, the World Congress of Families, and the Heritage Foundation (Curphey, 2002; Ireland, 2002; Linzer, 2001; Reuters, 2002; “UN Special Session on Children,” 2002). The final outcome was hailed as a “huge win” by the National Right to Life organization (Andrusko, 2002).

❖ **June 6, 2002 – Bush administration appoints Title IX commission that threatens athletic programs for girls and women**

Despite the well-documented benefits of athletic programs for girls and women, the Bush administration is ready to gut Title IX. According to Women’s Sports Foundation, the Commission on Opportunity in Athletics, appointed by the U.S. Department of Education to review the impact of Title IX on athletic programs, will likely recommend changes that will seriously weaken the law’s equality standards. “The levels they suggest would allow institutions to treat female athletes like second-class citizens, receiving from 2% to 25% fewer opportunities to participate and scholarship dollars” (Women’s Sports Foundation). The announcement of the commission’s proposals is expected in late February or early March 2003.

❖ **July 2002 – Bush appoints Louise Oliver, former president of Harvard Law School’s Society for Law, Life, and Religion, as special assistant to the U.S. State Department Bureau of Population, Refugees, and Migration**

According to the International Women’s Health Coalition, Oliver “has no professional background in international population issues. She was president of Harvard Law School’s Society for Law, Life, and Religion – a group ‘dedicated to defending religious values and the sanctity of human life from conception to natural death’ that promotes ‘pro-life and religious values in the Harvard community as well as society at large’” (Marshall, 2002).

❖ **July 22, 2002 – Bush withholds \$34 million in funding for birth control, maternal and child health care, and HIV/AIDS prevention from the United Nations Population Fund (UNFPA)**

Long a target of family planning opponents, UNFPA supports birth control and reproductive health services in more than 140 countries throughout the world. At the behest of Representative Chris Smith (R-NJ), the House of Representatives’ most ferocious opponent of international family planning programs, Bush withdrew U.S. funding based on false claims that UNFPA supports coercive abortion practices. The decision came despite prior affirmations by Secretary of State Colin Powell, who testified before a Senate committee in January 2001 that “UNFPA does invaluable work” (Powell, 2001). Bush also ignored a taxpayer-funded fact-finding mission that found no evidence that UNFPA supports coercive family planning practices in China (Brown, *et al.*, 2002).

❖ **July 24, 2002 – House passes abortion ban legislation known as the “Partial Birth Abortion Ban Act of 2002”**

H.R. 4965, the abortion ban legislation known as the "Partial Birth Abortion Ban Act of 2002," passed by a vote of 274–151 with one vote of “present.” Representative Tammy Baldwin (D-WI) offered a motion to send the bill back to committee to add a health exception to the legislation identical to the Supreme Court’s language in

Stenberg v. Carhart. This motion failed by a vote of 187–241. This legislation was previously passed in 1996 and 1997 and vetoed by President Clinton. The bill passed the House again in 2000 after the Supreme Court issued its decision in *Stenberg v. Carhart*, striking down as unconstitutional a Nebraska law virtually identical to the “Partial Birth Abortion Ban Act of 2002.”

❖ **July 25, 2002 – Bush administration announces availability of financial assistance and applications for embryo “adoption”**

Notice was made that approximately \$900,000 was available in the FY2002 Labor-HHS appropriations bill to support embryo “adoption” public awareness campaigns. Historically this has typically been referred to as embryo “donation.” The use of the word “adoption” comes from the adoption agency Nightline Christian Adoptions, an anti-choice organization that implies that an embryo is equal to a child. This is consistent with the Bush administration’s efforts to elevate the legal status of the fetus or embryo at every opportunity.

❖ **July 26, 2002 – Bush does an about-face on support of women’s rights treaty**

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), created in 1979, requires ratifying nations to remove barriers to discrimination against women in the areas of legal rights, education, employment, health care, politics, and finance. Though 170 nations have ratified it, the U.S. is the only industrialized nation that has not done so (Thrupkaew, 2002). In order for the U.S. to ratify an international treaty, two-thirds of the Senate must approve it. Despite more than two decades of pressure from women’s organizations, the U.S. has not ratified the treaty, largely due to opposition from hard-right policymakers, most notably the notoriously anti-choice Senator Jesse Helms (R-NC), now retired.

In February, the Bush administration notified the Senate Foreign Relations Committee that CEDAW was “generally desirable and should be approved” (Thomas, 2002). Though the move was out of character, it was a positive signal from the Bush administration and helped generate momentum in the Senate to ratify the treaty. However, under pressure from the far right, the Bush administration did an about-face, informing the Senate Foreign Relations Committee that a new “careful review [by the U.S. Department of Justice] is appropriate and necessary.” The notification was sent by the U.S. Department of Justice, which is headed by CEDAW opponent John Ashcroft (Thrupkaew, 2002).

❖ **August 2, 2002 – Bush withholds more than \$200 million in funding for programs to support women and address HIV/AIDS in Afghanistan**

Bush signed legislation approved by Congress that included \$2.5 million in emergency funding for programs to support women in Afghanistan, only to determine later that the programs did not merit emergency funding. This determination was made despite the fact that surveys conducted by UNICEF and the CDC have found that Afghan women suffer from one of the highest levels of maternal mortality in the world (UNICEF, 2002). Not only were the funds for women’s programs withheld but also \$200 million to address HIV/AIDS in Afghanistan (Marshall, 2002).

- ❖ **September 6, 2002 – Bush names anti-condom, “abstinence-only” proponent to the CDC Advisory Committee on HIV and STD Prevention**
 Bush named Dr. Freda McKissic Bush to the CDC Advisory Committee on HIV and STD Prevention. Dr. Bush is a member of the advisory council of the Medical Institute – an anti-condom “research” group – and the director of Virginity Rules, an “abstinence-only” program (CDC, 2002b; The Medical Institute, 2002b).

- ❖ **September 25, 2002 – House passes the so-called “Abortion Non-Discrimination Act” (ANDA), a sweeping refusal clause that in truth allows any health care entity to discriminate against any provider who provides or even gives information about abortion**
 The House passed H.R. 4691, the so-called "Abortion Non-Discrimination Act," by a vote of 229–189 with two members voting “present.” H.R. 4691 was supported by the U.S. Conference of Catholic Bishops and introduced by anti-choice Representative Michael Bilirakis (R-FL) (USCCB, 2002). The legislation allows a broad range of health care entities to refuse to comply with existing federal, state, and local laws and regulations pertaining to abortion services. Proponents misleadingly characterize the language as a “clarification” of existing law (Armey, 2002). This is not the case. It is a sweeping new exemption from current laws and regulations pertaining to abortion services. Far from constituting a simple refusal clause, as sponsors claim, the legislation amounts to a broad noncompliance permit for entities that refuse to abide by the same laws that govern other health care providers. If passed, ANDA could deny low-income women lifesaving medical information about, and referrals to, abortion services, undermine states’ ability to enforce their own constitutional protections, block state attempts to improve women’s access to full reproductive health services, and undermine states’ ability to set their own licensing and certification standards for health care facilities. The entities can flout the law by claiming discrimination. They need not have religious or moral grounds for doing so even though that is what the proponents of the bill claim.

- ❖ **October 2002 – Bush freezes \$3 million in funding to the World Health Organization (WHO) in response to anti-choice objections to the WHO’s Human Reproduction Program**
 The U.S. State Department froze a portion (about \$3 million) of the U.S. contribution to the World Health Organization (WHO) because of anti-choice activists’ objections to the WHO’s research program, known as the Human Reproduction Program. The action was taken following anti-choice complaints that the WHO conducts research on mifepristone – the early medical abortion option – with other funding sources (Maloney, *et al.*, 2002). Despite the fact that no U.S. monies are spent on mifepristone research, the Bush Administration is using its contributions to the WHO as a coercive tool in support of an anti-choice agenda.

- ❖ **October 2002 – Bush administration Web sites remove medically accurate information**
 Representative Henry Waxman (D-CA) sent a letter dated October 21, 2002, to HHS Secretary Thompson seeking clarification of the removal of information from HHS Web sites. The NIH removed scientific findings of the National Cancer Institute that, contrary to anti-choice propaganda, abortions do not increase the risk of breast cancer. A bipartisan group of House members had sought to have the information restored in a letter dated July 9, 2002 – HHS never responded. In addition, the NIH

and CDC have removed fact sheets on condom effectiveness as well as a sexuality education curriculum called “Programs that Work” (Waxman, 2002).

❖ **October 2002 – Bush administration gives embryos new status in the HHS Secretary’s Advisory Committee on Human Research Protection Charter**

The Bush administration modified the charter of the federal advisory committee that addresses the safety of research volunteers, declaring that embryos in experiments are to be considered “human subjects.” In keeping with the theme of the Bush administration anti-abortion policies, this change represents another action aimed at elevating the legal status of the fetus to that of a person (Weiss, 2002).

❖ **October 7, 2002 – HHS announces “abstinence-only” advocate to oversee nation’s family planning program**

HHS Secretary Tommy Thompson named Dr. Alma Golden, a Texas-based pediatrician and longtime “abstinence-only” proponent, to the position of deputy assistant secretary of population affairs. This position oversees the implementation of Title X, the nation’s family planning health service program. At a meeting of Title X delegates, Golden called for more emphasis on “abstinence-only” education within the family planning program (HHS, 2002d).

❖ **October 24, 2002 – Family planning foe Representative Chris Smith calls on USAID to exclude reproductive health organizations in developing countries from receiving HIV/AIDS funding – extending the global gag rule**

Representative Chris Smith (R-NJ) and nine other members of the House sent a letter to Andrew Natsios, administrator of the U.S. Agency for International Development (USAID), objecting to a recent \$65 million grant to the Population Council because of its work on mifepristone – the early medical abortion option. Smith also objected to the Population Council’s integrated strategy promoting condom use and abstinence to reduce HIV infection among youth (versus “abstinence only”). The letter further proposed that the global gag rule be expanded to cover HIV/AIDS funding (currently, it only applies to population funding). This would mean that many reproductive health care providers who are the most extensive and trusted service network on the frontlines of fighting the HIV/AIDS epidemic in developing countries would be prohibited from receiving U.S. funding (Smith, 2002).

❖ **November 2, 2002 – Bush administration reverses U.S. position in support of 1994 global agreement that affirms the right of all couples and individuals to determine freely and responsibly the number and spacing of their children and to have the information and means to do so (United Nations, 1994)**

A U.N. regional meeting was held to review progress made in implementing the goals agreed to in the International Conference of Population and Development Programme of Action (commonly referred to as the Cairo Programme of Action). Representatives of the Bush administration took a nonnegotiable position that language affirming the right to reproductive and sexual health be deleted from the conference document because it implies a right to abortion. The delegation insisted on “abstinence-only” sexuality education for teens; inserted governmental support of faith-based organizations; argued against the need for contraceptive security, which

aims to prevent shortages of contraceptive supplies; and rejected the validity of proven peer education in favor of “family” education. The U.S. delegation reflected the administration’s key priorities and constituencies. It consisted of Pedro Moreno, HHS Secretary Tommy Thompson’s “abstinence-only” point person; Louise Oliver, a junior State Department appointee who once headed Harvard’s Students for Life; and John Klink, former advisor to the Vatican’s U.N. mission and a leading opponent of family planning services (Enda, 2002).

- ❖ **November 14, 2002 – House passes Bankruptcy Bill HR 333, without FACE provisions**

The House refused to include in the Bankruptcy Bill HR 333 a provision to prevent violent protestors who criminally violate the Freedom of Access to Clinic Entrances Act (FACE) from discharging their debts through bankruptcy proceedings. The bill then passed in the House minus the FACE provision. The Senate adjourned without taking up the bill, leaving it to the 108th Congress to decide.
- ❖ **November 25, 2002 – The National Cancer Institute (NCI) Web site posts a “revised” fact sheet that suggests an unproven link between abortion and breast cancer**

In the revisions of the National Cancer Institute fact sheet on abortion and breast cancer, the government suggests a scientifically baseless connection between the two. This bogus link preys on millions of women’s legitimate concerns about breast cancer risks. The best available evidence – from large population-based cohort studies – shows no net effect that induced abortion places women at increased risk for developing breast cancer (Bartholomew & Grimes, 1998).
- ❖ **December 2, 2002 – The Centers for Disease Control and Prevention (CDC) Web site posted “revised” fact sheet downplaying condom effectiveness**

The changes to the CDC fact sheet on condoms cast doubt on condom effectiveness, when in fact the effectiveness of condoms against unintended pregnancy and sexually transmitted infection has long been established (PPFA, 2000).
- ❖ **December 11-17, 2002 – Bush Administration Advances position that life begins at conception at regional population conference in Asia**

Breaking basic rules of conduct and diplomacy in order to advance their domestic political agenda on the international scene, the Bush Administration attempted to derail a population conference for the Asia and Pacific region. The purpose of the conference was for Asian and Pacific nations to discuss the health and well being of their citizens and countries, and to affirm their commitment to the Programme of Action of the 1994 International Conference on Population and Development. The Bush administration attempted to strong-arm Asian nations into watering down the global consensus on reproductive health and rights. The administration claimed the agreement “promoted abortion and underage sex,” (Dao, 2002) and tried to substitute language that would dismantle sex education, undermine condom use in HIV/AIDS prevention, and water down policies intended to prevent and treat unsafe abortion. Asian and Pacific nations maintained a united front, challenging the administration’s anti-family planning, anti-health proposals. In the end, the U.S. delegation stood isolated, and the Asian and Pacific nations voted 30-1 on a progressive plan of action that affirms and strengthens previous agreements to

ensure that all couples and individuals have the right to determine freely and responsibly the number and spacing of their children.

❖ **December 23, 2002 – Bush administration supports anti-choice Sen. Bill Frist to take the helm of the U.S. Senate**

Sen. Trent Lott (R-MS) stepped down as Senate majority leader in response to the public outrage over his endorsement of segregation during his homage to Sen. Strom Thurmond (R-SC) at the elder senator's December 5 birthday party. Lott was replaced by Sen. Bill Frist (R-TN), whose voting record on women's fundamental civil rights is every bit as bad as Lott's. Sen. Frist gets a failing grade on every reproductive rights vote. (Sen. Frist's close relationship with the Bush administration is well known and it was widely reported that the administration advocated Frist's candidacy for the key leadership position.

❖ **December 24, 2002 – Bush administration appoints religious extremists to important FDA reproductive health committee**

The Bush administration gave religious extremists a Christmas gift on December 24 by appointing David Hager, M.D., and at least two other anti-choice doctors to the Reproductive Health Drugs Advisory Committee of the Food and Drug Administration (FDA). Hager is a spokesperson for the Christian Medical Association and member of the Physicians Resource Council of Focus on the Family. Hager is noted for prescribing biblical scriptures to cure PMS and for his opposition to prescribing contraceptives to unmarried women. An outspoken opponent of mifepristone – the early medical abortion option, he spearheaded the citizens' petition to the FDA filed by the Christian Medical Association that attempted to revoke the FDA's approval of mifepristone (Tumulty, 2002).

Another new appointee, Joseph B. Stanford, M.D., is so extreme in his views that he refuses to prescribe "contraceptives of any sort." He also erroneously classifies some forms of the birth control pill as potential abortifacients. (Stanford, 1999.)

Appointee Susan A. Crockett, M.D., is an at-large board member of the American Association of Pro-Life Obstetricians and Gynecologists. (AAPLOG) A fourth appointee, Vivian Lewis, M.D., has called for more stringent controls on mifepristone, "one of the most tested and safest drugs available to women." (U.S. Newswire)

❖ **January 2003 – Bush Administration's Web Censors Go Global**

Like NIH and the CDC (see October 2002 entry in *A Planned Parenthood Report, George W. Bush's War On Women: A Chronology*), USAID has joined the efforts to censor government and government-funded Web sites. A cable sent to missions around the world directs USAID-funded programs and publications to reflect the policies of the Bush administration. (U.S. State Department, 2002)

The impact of the censors can be seen on USAID's own Population & Reproductive Health resources Web pages. According to an anonymous source, links to resource organizations, including International Planned Parenthood Federation, were deleted in January 2003 because some of the organizations support legal abortion.

❖ **January 7, 2003 – Bush renominates Federal District Court Judge Charles Pickering, Texas Supreme Court Justice Priscilla Owen and Los Angeles Superior Court Judge Carolyn Kuhl to Circuit Courts of Appeals**

President Bush brazenly resurrected the judicial nominations to the Fifth Circuit Court of Appeals of Judges Pickering and Owen, who had been rejected by the Senate because of their abysmal records on a host of issues, including trying to roll back women's fundamental civil and human rights. Likewise, the president re-nominated Judge Kuhl to the 9th Circuit Court of Appeals even though one of her home state (CA) senators placed a "hold" on her first nomination. (For details on their records, please see May 9 and 25 and June 22, 2001, entries in *A Planned Parenthood Report, George W. Bush's War On Women: A Chronology.*) (Savage, 2003)

❖ **February 3, 2003 – Bush's FY 2004 Budget Fails Family Planning Programs and Denies Women Access to Abortion Services**

Despite increasing demand for family planning services as more and more U.S. families are squeezed by the struggling economy, President Bush's proposed budget for fiscal year 2004 provides no increase for the Title X family planning program. Yet, the president's budget continues to waste money on unproven abstinence-only sex education programs with his proposed 83% increase over 2002 levels for abstinence-only education grants.

The president also used the budget to deny women access to abortion services. The proposed budget prohibits federal funds to provide abortions for women in prison (except in cases of rape and when the woman's life is endangered) and for women who depend on the federal government for their health care benefits, including poor women and federal employees.

The proposed budget also would hurt women around the world. The president included his global gag rule, prohibiting the provision of abortion services or counseling and lobbying for abortion rights by agencies that accept U.S. foreign aid. (Alan Guttmacher Institute, 2003.)

❖ **February 27, 2003 – House of Representatives Passes Ban on Therapeutic Cloning**

On February 28, 2003, the House approved H.R. 534. The measure would ban all cloning, including therapeutic cloning, and would shut down lifesaving medical research to cure Alzheimer's, diabetes, Parkinson's and other devastating diseases. (Porio, 2003)

❖ **March 13, 2003 – Politics Trumps Women's Health, Senate Passes Abortion Ban**

The U.S. Senate passed an abortion ban with no exception for women's health. Despite affirming its support for *Roe v. Wade*, the Senate's ban is in direct conflict with *Roe* and with *Stenberg v. Carhart*, a case in which the U.S. Supreme Court ruled a nearly identical ban unconstitutional. (Dewar, 2003)

Senators rejected a prevention package, sponsored by Patty Murray (D-WA) and Harry Reid (D-NV), which would have supported family planning initiatives to reduce

unintended pregnancy and to improve access to prenatal and postpartum care for women. By defeating this measure, which would have reduced the need for abortion, anti-choice senators proved yet again that their real agenda is to dismantle women's reproductive rights. (Holland, 2003)

Anti-choice leaders in the House promise the legislation will move quickly. And the president has promised to sign the ban into law.

❖ **May 22, 2003 – Senate and House Defeat Department of Defense (DOD) Amendments on Access to Abortion for Women in the Military**

Under current law, the more than 100,000 women serving in the military and living on American military bases overseas are prohibited from obtaining abortion services in overseas military hospitals, even with their own money. (Harman, 2002). These women must either search for abortion services elsewhere in the country in which they are currently serving or ask their supervisors for permission and time to travel to another country where abortion is legal. This ban unnecessarily puts the lives of women in the military at risk by forcing them to obtain illegal or inadequate services or delay having an abortion, regardless of possible threats to their health.

Each year Senators Patty Murray (D-WA) and Olympia Snowe (R-ME) and Representative Loretta Sanchez (D-CA) offer an amendment in the Senate and House to allow military women stationed overseas to obtain an abortion at military facilities if they pay for it with their own funds. The Senate defeated the Murray-Snowe amendment to the DOD authorization bill by a vote of 51–48 (S. Amdt. 691 to S. 1050). Following the Senate's vote, the House defeated, 227–201, Rep. Sanchez's amendment to the DOD authorization bill (H.R. 2062).

❖ **June 4, 2003 – So-Called "Partial-Birth Abortion Ban," H.R. 760, Passes House**

U.S. House of Representatives passes legislation that could put doctors in jail for providing the best and safest health care to women. This dangerous ban prevents women, in consultation with their families and doctors, from making decisions about their own health.

Anti-choice members of Congress insist on advancing this legislation to influence election politics and press forward their long-term goal of overturning *Roe v. Wade*. This legislation lacks an important exception to protect women's health, which the Supreme Court unequivocally has said is a fatal flaw in any restriction on abortion. The so-called "partial-birth abortion" ban would outlaw safe, pre-viability abortions in violation of a woman's right to choose.

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