



Bush's War on the Right to Choose and the Right to Privacy: *By the Numbers*

After taking office in January 2001, George W. Bush led a steady and unrelenting attack on freedom of choice and the right to privacy, using all the powers of his presidency. Through legislation, executive actions, and appointments, Bush left no stone unturned in his war on freedom of choice. The consequences for privacy rights – including even access to contraception – will be felt for generations to come. Here's a look at Bush's record, by the numbers.

Signing Legislation

- 👉 In 2003, President Bush became the **FIRST** and only president to sign legislation outlawing an abortion procedure, and the **FIRST** in the nation's history to criminalize a medical procedure. **SIX** federal courts ruled that the new law, the Federal Abortion Ban, was unconstitutional. But in 2007 the Supreme Court – with the addition of **TWO** new Bush appointees – ruled that the ban should be allowed to go into force.
- 👉 President Bush signed the **FIRST** federal law granting separate legal status to an embryo or fetus, a blatant attempt to undermine the basic tenets of *Roe v. Wade*.
- 👉 President Bush signed **ONE** massive new anti-choice refusal provision into law, known as the Federal Refusal Clause. It gives any health-care corporation permission to ignore any pro-choice law that ensures women have access to abortion services—or even referrals.

Lobbying Congress to Limit Freedom of Choice

- 👉 President Bush issued at least **40** "Statements of Administration Policy" urging Congress to insert government into private medical decisions and undermine family-planning services.
- 👉 Congress voted **64** times on choice-related issues during the Bush administration. Pro-choice Americans lost all but **18** of those votes.
- 👉 When pro-choice leaders regained control of Congress, President Bush issued **ONE** veto threat against any legislation that lifts restrictions on abortion care or family-planning services.

Executive Actions to Limit Freedom of Choice

👉 President Bush has taken no fewer than **16** official executive actions to undermine reproductive rights, including re-imposing the global gag rule on his first working day in office and cutting off funds for almost all stem-cell research.

Anti-Choice Judicial Nominations

👉 President Bush nominated John Roberts, who has a documented anti-choice record, to serve as Chief Justice of the United States. During his nomination hearings, Roberts refused to answer more than **100** questions, many of which concerned privacy and a woman's right to choose.

👉 President Bush nominated anti-choice jurist Samuel Alito to replace retiring Associate Justice Sandra Day O'Connor after **ONE** nominee, Harriet Miers, was forced to withdraw after the right wing attacked her as insufficiently ideologically conservative.

👉 During his presidency, President Bush made 78 nominations to the federal appeals courts. **NONE** of his nominees has endorsed the legal foundation of *Roe v. Wade*. Moreover, **19** had clear anti-choice records at the time of their nomination.

👉 Unsatisfied with a confirmation rate of more than 95 percent for his judges, President Bush **TWICE** used recess appointments to place staunchly anti-choice judicial nominees on the federal appellate bench, sidestepping the Senate's constitutional role in the nominations process.

Anti-Choice Executive Branch Nominations

👉 **THREE** times, President Bush nominated anti-choice individuals to head the cabinet agencies with the greatest influence over freedom of choice: John Ashcroft as U.S. Attorney General and Tommy Thompson and Michael Leavitt as Secretary of Health and Human Services. President Bush also appointed Alberto Gonzales to head the Department of Justice after Ashcroft, continuing his troubling pattern of promoting people with no proven commitment to reproductive freedom to key cabinet posts.

👉 President Bush named no fewer than **16** anti-choice activists to serve in prominent administration posts that oversee reproductive health, including people like now-Sen. Tom Coburn, W. David Hager, and Eric Keroack.

Going the Extra Mile

- 👉 American women had to wait more than **THREE** years for President Bush's FDA to approve emergency contraception for over-the-counter sales. The agency's own expert advisory panels voted **23-4** to recommend the move.
- 👉 On at least **THREE** separate occasions, the Bush administration censored or changed accurate medical information on government websites at the behest of anti-choice activists.
- 👉 Under President Bush, the Solicitor General's office filed **ONE** brief in the Supreme Court case *Ayotte v. Planned Parenthood of Northern New England* in which it argued that the Court should: (1) abandon its longstanding requirement that women's health must always be protected when the state regulates abortion; and (2) establish a much tougher standard of review for most laws restricting abortion, making it nearly impossible for these laws to be struck down.
- 👉 Each of President Bush's **EIGHT** annual budgets was anti-choice, cutting funds for family-planning programs both at home and abroad, promoting unproven "abstinence-only" curricula, and extending discriminatory abortion restrictions.
- 👉 The Bush administration threatened to cut funding for the Food and Drug Administration's Office of Women's Health (OWH) by more than **25** percent. Some observers saw the cut as political retaliation against the OWH for its support of progressive women's health policies – such as over-the-counter sales of emergency contraception.
- 👉 President Bush **EIGHT** times delivered a speech of support to the annual "March for Life," and issued **SEVEN** annual proclamations designating the Sunday closest to January 22 (the *Roe* anniversary) as "National Sanctity of Life Day."
- 👉 Vice President Cheney **ONCE** spoke at an annual fundraising dinner for the National Right to Life Committee's leadership and declared that "America still has some distance to travel" to achieve the administration's goal of rolling back a woman's right to choose.
- 👉 The Bush administration abruptly ended a **30**-year tradition of federal funding for a prominent public-health conference hosted by the nonpartisan Global Health Council. Federal support was rescinded because organizations with pro-choice positions were among the conference's diverse participants.
- 👉 On at least **FOUR** occasions, President Bush's delegations to United Nations conferences sought radical anti-choice changes to international agreements that would, if adopted,

promote censorship and medical misinformation, and endanger the public health. Among the policies advocated, in the name of the American people, is the proposal that "life begins at conception."

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