



**NARAL**  
Pro-Choice America

### **Sen. Barack Obama (D-IL)**

Sen. Barack Obama has served in the U.S. Senate since 2005. During that time, he has cast 13 votes on abortion and other reproductive-rights issues. All 13 of those votes were pro-choice.<sup>1</sup>

In addition to his pro-choice record, Sen. Obama has cosponsored legislation that would prevent unintended pregnancy and reduce the need for abortion.<sup>2</sup>

A description of Sen. Obama's key votes, a selection of pro-choice bills he has authored and cosponsored, and a selection of his public statements on reproductive-health issues follow.

#### **Preserving *Roe v. Wade* and a Woman's Right to Choose**



Voted against a measure to codify a controversial regulation that allows states to make an embryo or fetus – but not a pregnant woman – eligible for health-care coverage.<sup>3</sup>

Voted against two anti-choice U.S. Supreme Court nominees:



Samuel Alito, nominated to be associate justice.<sup>4</sup> After joining the Court, Justice Alito cast the deciding vote upholding the Federal Abortion Ban, a ban that criminalizes some abortion services, with no exception to protect a woman's health, and carries up to a two-year prison sentence for doctors.<sup>5</sup>



John Roberts, nominated to be chief justice.<sup>6</sup> After joining the Court, Chief Justice Roberts voted to uphold the Federal Abortion Ban, a ban that criminalizes some abortion services, with no exception to protect a woman's health, and carries up to a two-year prison sentence for doctors.<sup>7</sup>

Voted against three anti-choice lower federal court judicial nominees:



William Pryor, nominated to the U.S. Court of Appeals for the Eleventh Circuit,<sup>8</sup> called *Roe v. Wade* "the worst abomination of constitutional law in our history."<sup>9</sup>



Janice Rogers Brown, nominated to the U.S. Court of Appeals for the D.C. Circuit,<sup>10</sup> dissented from a ruling that upheld a law requiring insurance plans that cover prescription drugs to also cover birth control, suggesting that a corporation's female employees were free to find "more congenial employment"<sup>11</sup> if they did not like being discriminated against.



Priscilla Owen, nominated to the U.S. Court of Appeals for the Fifth Circuit,<sup>12</sup> issued a dissent in a parental notification case that her then-colleague on the Texas Supreme Court, Attorney General Alberto Gonzales, characterized as "an unconscionable act of judicial activism."<sup>13</sup>

### **Ensuring Access to Abortion Services**



Voted against a law that would have jeopardized young women's health and safety by making it a federal crime for anyone other than a parent – including a grandparent, adult sibling, or religious counselor – to accompany a young woman across state lines for abortion care if the home state parental-involvement mandate has not been met.<sup>14</sup>



Voted against a proposal that would have endangered young women's health and safety by imposing a new, impossibly complex national patchwork of parental-notification mandates on doctors and young women.<sup>15</sup>

### **Protecting Women and Their Doctors**



Voted to amend bankruptcy laws so that perpetrators of violence or harassment at reproductive-health clinics cannot evade financial responsibility for their illegal activities.<sup>16</sup>

### **Preventing Unintended Pregnancy**



Voted in favor of funding teen-pregnancy-prevention programs and ensuring that "abstinence-only" programs are medically accurate.<sup>17</sup>



Voted to repeal the global gag rule, a policy that bans overseas health clinics from receiving U.S. family-planning aid if they use *their own funds* to provide legal abortion services, give referrals, or even take a public pro-choice position.<sup>18</sup>



Voted for legislation that would have prevented unintended pregnancy by investing in insurance coverage of prescription birth control, promoting family-

planning services, implementing teen-pregnancy-prevention programs, and developing programs to increase awareness about emergency contraception.<sup>19</sup>

### **Sponsorship of Selected Pieces of Pro-Choice Legislation**



Authored legislation to fix the birth-control pricing crisis facing millions of low-income women across the country today.<sup>20</sup>



Original cosponsor of the Prevention First Act, a package of proposals that increases funds for family-planning services, assures contraceptive equity in health-insurance plans, ensures young people receive honest, accurate sex education, and improves women's access to emergency contraception, among other provisions.<sup>21</sup>



Cosponsor of the Freedom of Choice Act, which would codify the tenets of *Roe v. Wade* in federal law and protect the right to choose for future generations.<sup>22</sup>

### **In His Own Words**

- Sen. Obama's presidential campaign website states his position on choice this way: "Barack Obama understands that abortion is a divisive issue, and respects those who disagree with him. However, he has been a consistent champion of reproductive choice and will make preserving women's rights under *Roe v. Wade* a priority as President.... Barack Obama is an original co-sponsor of legislation to expand access to contraception, health information and preventive services to help reduce unintended pregnancies. Introduced in January 2007, the Prevention First Act will increase funding for family planning and comprehensive sex education that teaches both abstinence and safe sex methods. The Act will also end insurance discrimination against contraception, improve awareness about emergency contraception, and provide compassionate assistance to rape victims."<sup>23</sup>
- "I told him I understood his position but had to disagree with it. I explained my belief that few women made the decision to terminate a pregnancy casually; that any pregnant woman felt the full force of the moral issues involved and wrestled with her conscience when making that heart-wrenching decision; that I feared a ban on abortion would force women to seek unsafe abortions, as they had once done in this country. I suggested that perhaps we could agree on ways to reduce the number of women who felt the need to have abortions in the first place."<sup>24</sup>
- "Now, the ability for a woman to make decisions about how many children to have and when – without interference from the government – is one of the most fundamental freedoms we have. We all know, becoming a parent is one of the most

– if not the most – important jobs there is. No one should make that decision for a woman and her family but them. And we must keep defending their right to choose in the years to come. But even as we defend this right, it’s important for us to acknowledge the moral dimension to the choice that’s made.”<sup>25</sup>

- “Obama will oppose arbitrary and harmful restrictions to abortion, advocate for measures requiring health insurance providers to cover contraceptives, and fight to preserve access to RU-486. Obama will seek to reverse the Global Gag Rule and to increase funding for women’s health programs, both here and abroad.”<sup>26</sup>

### *Notes:*

#### <sup>1</sup> Pro-choice U.S. Senate votes:

- Schumer amendment to Bankruptcy Reform Act, S.256, 3/8/05.
- Clinton/Reid amendment to FY’06 Budget Resolution, S.Con.Res.18, 3/17/05.
- Boxer amendment to FY’06-07 Foreign Relations authorization bill, S.600, 4/5/05.
- Vote to confirm nomination of Priscilla Owen to U.S. Court of Appeals for Fifth Circuit, 5/25/05.
- Vote to confirm nomination of Janice Rogers Brown to U.S. Court of Appeals for D.C. Circuit, 6/8/05.
- Vote to confirm nomination of William Pryor to U.S. Court of Appeals for Eleventh Circuit, 6/9/05.
- Vote to confirm nomination of John Roberts to U.S. Supreme Court, 9/29/05.
- Motion to invoke cloture on nomination of Samuel Alito to U.S. Supreme Court, 1/30/06.
- Vote to confirm nomination of Samuel Alito to U.S. Supreme Court, 1/31/06.
- Lautenberg/Menendez amendment to Child Custody Protection Act, S.403, 7/25/06.
- Child Custody Protection Act, S.403, 7/25/06.
- Motion to invoke cloture on House-passed version of Child Interstate Abortion Notification Act, S.403, 9/29/06.
- Allard amendment to Children’s Health Insurance Program reauthorization, H.R.976, 8/2/07.

#### <sup>2</sup> Selection of prevention bills cosponsored:

- Sexual Assault Survivors Emergency Treatment Act, H.B.320, introduced on 1/13/99 (Illinois State Senate).
- Prevention First Act, S.20, introduced on 1/24/05 (U.S. Senate).
- Unintended Pregnancy Reduction Act, S.2916, introduced on 5/19/06 (U.S. Senate).

#### <sup>3</sup> Allard amendment to Children’s Health Insurance Program reauthorization, H.R.976, 8/2/07.

<sup>4</sup> Motion to invoke cloture on nomination of Samuel Alito to U.S. Supreme Court, 1/30/06; vote to confirm nomination of Samuel Alito to U.S. Supreme Court, 1/31/06. For more information on Justice Alito, see NARAL Pro-Choice America, *Liberty at Risk: the Vulnerability of Reproductive Rights under Alito*, Dec. 14, 2005, at <http://www.prochoiceamerica.org/assets/files/Courts-SCOTUS-Liberty-at-Risk-Report.pdf> (last visited May 17, 2007).

**Notes, cont'd:**

- <sup>5</sup> *Gonzales v. Carhart*, 127 S.Ct. 1610 (2007).
- <sup>6</sup> Vote to confirm nomination of John Roberts to U.S. Supreme Court, 9/29/05. For more information on Chief Justice Roberts, see NARAL Pro-Choice America, *Choose Justice: Protect Our Rights; Oppose John Roberts' Nomination*, Sept. 1, 2005, at <http://www.prochoiceamerica.org/assets/files/Courts-SCOTUS-Roberts-Report.pdf> (last visited May 17, 2007).
- <sup>7</sup> *Gonzales v. Carhart*, 127 S.Ct. 1610 (2007).
- <sup>8</sup> Vote to confirm nomination of William Pryor to U.S. Court of Appeals for Eleventh Circuit, 6/9/05.
- <sup>9</sup> Symposium, *The Federalist Society: Federalism and the Separation of Powers*, Oct. 17, 1997 (comments by William Pryor).
- <sup>10</sup> Vote to confirm nomination of Janice Rogers Brown to U.S. Court of Appeals for D.C. Circuit, 6/8/05.
- <sup>11</sup> *Catholic Charities of Sacramento, Inc. v. Superior Court*, 85 P.3d 67, 105 (Cal. 2004) (Brown, J., dissenting).
- <sup>12</sup> Vote to confirm nomination of Priscilla Owen to U.S. Court of Appeals for Fifth Circuit, 5/25/05.
- <sup>13</sup> *In re Doe 1(II)*, 19 S.W. 3d 346, 366 (Tex. 2000) (Gonzales, J. concurring).
- <sup>14</sup> Child Custody Protection Act, S.403, 7/25/06.
- <sup>15</sup> Motion to invoke cloture on House-passed version of Child Interstate Abortion Notification Act, S.403, 9/29/06.
- <sup>16</sup> Schumer amendment to Bankruptcy Reform Act, S.256, 3/8/05.
- <sup>17</sup> Lautenberg/Menendez amendment to Child Custody Protection Act, S.403, 7/25/06.
- <sup>18</sup> Boxer amendment to FY'06-07 Foreign Relations authorization bill, S.600, 4/5/05.
- <sup>19</sup> Clinton/Reid amendment to FY'06 Budget Resolution, S.Con.Res.18, 3/17/05.
- <sup>20</sup> Prevention Through Affordable Access Act, S.2347, introduced on 11/13/07 (U.S. Senate).
- <sup>21</sup> Prevention First Act, S.21, introduced on 1/4/07 (U.S. Senate).
- <sup>22</sup> Freedom of Choice Act, S.1173, introduced on 4/19/07 (U.S. Senate).
- <sup>23</sup> Obama '08, *Women for Obama: Where Barack Stands*, at <http://women.barackobama.com/page/content/wfoissues> (last visited May 14, 2007).
- <sup>24</sup> Barack Obama, *The Audacity of Hope: Thoughts on Reclaiming the American Dream* 197-98 (2006).
- <sup>25</sup> Barack Obama, Statement to the National Women's Law Center, Nov. 10, 2005, at [http://obama.senate.gov/speech/051110-remarks\\_of\\_senator\\_barack\\_obama\\_at\\_the\\_national\\_womens\\_law\\_center/index.html](http://obama.senate.gov/speech/051110-remarks_of_senator_barack_obama_at_the_national_womens_law_center/index.html) (last visited May 3, 2007).

*Notes, cont'd:*

<sup>26</sup> Obama for Illinois '04, *Protecting Choice and Achieving Gender Equity: The Road Ahead*, available on request.