



To: Interested Parties
From: Ellie Langford, Opposition Research Director
Date: September 6, 2018

Ignoring Medical Evidence, Kavanaugh Referred To Birth Control And Emergency Contraception As “Abortion-Inducing Drugs”

Kavanaugh: Birth Control And Emergency Contraception Are “Abortion Inducing Drugs.”

Responding to a question from Senator Ted Cruz about his dissent in the *Priests for Life v. HHS* case, Kavanaugh said: “That was a group that was being forced to provide a certain kind of health coverage over their religious objection to their employees, and under the Religious Freedom Restoration Act, the question was, first, was this a substantial burden on their religious exercise? And it seemed to me quite clearly that it was. It was a technical matter of filling out a form. They said that filling out the form would make them complicit in the provision of the abortion-inducing drugs that they were, as a religious matter, objected to.” In the case, anti-choice organization Priests for Life, had objected to both an Affordable Care Act provision allowing women to access contraception coverage through their employers at no cost, and the process the law established to allow religious nonprofits to apply for an exemption from directly providing contraceptive coverage. [Senate Judiciary Committee Hearing on the Nomination of Brett M. Kavanaugh, [9/6/18](#), via HuffPost; SCOTUSblog, accessed [9/6/18](#)]

REALITY: “The Weight Of The Evidence Clearly Shows That Emergency Contraceptives And IUDs Are Not Abortifacients.”

As Guttmacher Institute notes, “The campaign to conflate contraception with abortion is based on the assertion that certain methods of contraception actually end — rather than prevent — pregnancy. That assertion, however, contradicts what science says about how pregnancies are established and how contraceptives work.” According to “the most up-to-date evidence about how hormonal and copper IUDs and the emergency contraceptives Plan B and ella work ... none have been shown to disrupt an existing pregnancy — meaning that none can accurately be called an abortifacient.” [Guttmacher Institute, [12/9/14](#)]

Anti-Choice Figures Immediately Echoed Kavanaugh’s False Claim

Students for Life President Kristan Hawkins Tweeted: “Protecting the “Little Guy” like #PriestsforLife from coercive policies forcing purchase of life-ending drugs the right use of our legal system. Thanks Judge Kavanaugh!” [Twitter.com, [9/6/18](#)]



Kristan Hawkins
@KristanHawkins

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Protecting the “Little Guy” like #PriestsforLife from coercive policies forcing purchase of life-ending drugs the right use of our legal system. Thanks Judge Kavanaugh!

2:40 PM - 6 Sep 2018



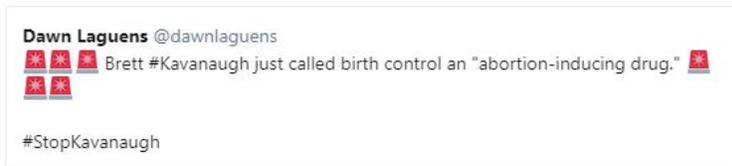
Human Coalition’s Lauren Enriquez Tweeted: “Fact: Hormonal Birth Control And Certain IUDs Are Abortion-inducing.” Human Coalition is a network of fake women’s health centers. [Twitter.com, [9/6/18](#)]



Lauren Enriquez
@LNEriquez



Fact: Hormonal birth control and certain IUDs are abortion-inducing.



3:13 PM - 6 Sep 2018

Anti-Choice Extremists Frequently Refer To Birth Control As “Abortion-Inducing” Or “Abortifacient” In Order To Undermine Access

Guttmacher: Anti-Choice Groups Have Run A “Strategic Campaign” To Label Birth Control As Abortion “As A Way To Undermine Access To Birth Control.” In a Guttmacher report entitled, “Contraception Is Not Abortion: The Strategic Campaign of Antiabortion Groups to Persuade the Public Otherwise,” Guttmacher wrote: “Yet, these same mainstream antiabortion groups have not shied away from asserting in other contexts that certain methods of contraception are actually methods of abortion. They have in effect selectively embraced the core ‘personhood’ argument—that U.S. policy should in some circumstances recognize pregnancy as beginning at fertilization—as a way to undermine access to birth control. That strategy reached a new high water mark when it featured centrally in *Burwell v. Hobby Lobby*, the high-profile 2014 U.S. Supreme Court case that granted certain for-profit employers an exemption from the Affordable Care Act’s (ACA’s) contraceptive coverage guarantee. During this debate, leading organizations dedicated to banning abortion unequivocally endorsed the view—in legal briefs, press statements and elsewhere—that emergency contraceptives and IUDs constitute abortion.” [Guttmacher, [12/9/14](#)]

Fake Women’s Health Centers Often Claim Emergency Contraception Is “Abortifacient.” Fake women’s health centers, also known as crisis pregnancy centers, are anti-choice organizations pretending to be abortion clinics in order to prevent women from access abortion care. One way they dissuade women from getting abortions is by promoting false information and junk science on their websites and materials, including the claim that emergency contraception causes abortions. For example, a magazine produced by Care Net, a major fake women’s health center network that provides materials to centers across the country, claimed: “Plan B One-Step... This ends the life and is an abortifacient effect... ELLA... It may also work by preventing an embryo from implanting in the uterus and developing further, which is a form of early abortion...DID YOU KNOW: All forms of EC have the potential to prevent a new



life from implanting in the uterus. This is not a contraceptive effect, but abortive, resulting in the embryo's death." [Before You Decide magazine, Care Net, 2017, via NARAL Research Department]

Susan B. Anthony List

Susan B. Anthony List Claimed The ACA Contraception Benefit Covered “Abortion-Inducing” And “Abortifacient Drugs.” Following the Supreme Court Decision in *Hobby Lobby*, Susan B. Anthony List Vice President for Government Affairs Marilyn Musgrave said: “The Obama Administration’s HHS Mandate is an insult to the millions of American women who oppose abortion-inducing drugs and devices and do not think in lockstep with the abortion lobby. Women have been named as plaintiffs in nearly a third of the more than 45 ‘for-profit’ cases filed against the mandate. The implication that women want free abortifacient drugs – and that they value these drugs above religious liberty – is demeaning to all women. We are grateful to the courageous Hahn and Green families, as well as to our friends at The Becket Fund for Religious Liberty and Alliance Defending Freedom.” [Susan B. Anthony List, [3/25/14](#)]

Susan B. Anthony List President Marjorie Dannenfelser Claimed Funding Family Planning Services Leads To “An Escalation” Of Abortions. “As the money (for family planning) goes up, so do the number of abortions,” Dannenfelser said. “We have not seen a reduction in abortions since the full funding of family planning. We have seen an escalation.” [NPR, [9/7/11](#), via Susan B Anthony List]

Susan B. Anthony List: “Emergency contraception: Another PP Way Of Supporting Taxpayer-Funded Abortion.” A SBA List blog stoked fears about the effects of contraception and suggested that expanding contraception access correlates to an increase in abortions. It said: “We’ve all heard about the common abortion advocate’s plea: ‘The number of abortions would decrease in the U.S. if only contraception and birth control were promoted to a higher degree... Well, this is not true...And the most dangerous ones are emergency contraception pills. These are commonly mistaken as ‘birth control,’ but their abortive consequences are well-known.” [Susan B. Anthony List, [4/8/11](#)]

SBA: Emergency Contraception Pills Are “Commonly Mistaken As ‘Birth Control,’ But Their Abortive Consequences Are Well-Known.” In SBA List’s “The Suzy B. Blog,” the group attacked emergency contraception saying, “And the most dangerous ones are emergency contraception pills. These are commonly mistaken as ‘birth control,’ but their abortive consequences are well-known. They are used to prevent ovulation from occurring, but beside the fact that breakthrough ovulations commonly occur, they have long-term health consequences for women...EC pills are just another way Planned Parenthood accounts for 1 in every 4 abortions performed in the U.S.; EC pills are also another way Planned Parenthood uses taxpayer funds for abortions...Its time to DEFUND Planned Parenthood!” [Susan B Anthony List, [4/8/11](#)]

Students For Life

Students For Life Falsely Claimed Forms Of Contraception “Have Been Proven To Cause Abortion.” On its “contraception” page of its website, “It’s not breaking news that many oral contraceptives and some invasive barrier methods (IUD) have been proven to cause abortion, including the highly controversial ella and Plan B drugs.” [Students for Life, accessed [9/6/18](#)]



Students For Life President Kristan Hawkins Said “In My Ideal World,” Birth Control Pills And IUDs Would Be Illegal. During an MSNBC appearance, Hawkins was asked if birth control pills and IUDs should be illegal. In response, Hawkins said “in my ideal world, yes.” Raw Story reported, “You think IUDs should be illegal?” Reid pressed. “I don’t think they should be legal,” Hawkins replied. “They put women at risk and they kill children.” “What about the birth control pill?” the unrelenting Reid asked. “I do not think it should be legal, I think that shouldn’t be legal,” [MSNBC, [1/28/17](#), via Raw Story]

Concerned Women For America

Concerned Women For America Claimed The ACA Contraception Benefited Covered “Abortifacients.” Describing the contraceptive mandate, Concerned Women for America claimed “the Obama Administration insisted in unnecessarily forcing Christian businesses to violate their conscience and pay for contraceptives and abortifacients, even if to do so would be against their deeply held religious beliefs.” [Concerned Women for America, [2/2/17](#)]

Concerned Women for America President Penny Nance Called The “Morning After Pill” An “Abortifacient.” Nance told OneNewsNow, “Now that we’ve made the morning after pill available for anyone at any age, we’re seeing an extreme increase in teen use... About a decade ago, it was one in twelve kids using it, and now a report has come out that about one in five teenage girls have used the morning after pill, which we know is an abortifacient.” [OneNewsNow, [9/26/15](#)]

Americans United For Life

AUL Has Tried To Equate Contraception With Abortion, Claiming IUDs And Emergency Contraception “Can End The Life Of An Unborn Child.” From AUL’s website: “Abortion industry advocates put ‘The Con in Contraceptive’ by mislabeling life-ending drugs and devices as contraception, when in fact drugs such as ella, intrauterine devices and Plan B can end the life of an unborn child. This was no accident. In fact, Planned Parenthood bragged about its role in getting Obamacare passed, and the mandates that were later issued, including the coercive “HHS Mandate,” were developed by Institute of Medicine panels were stacked with abortion advocates, including some from Guttmacher.” [Americans United for Life, accessed [6/28/18](#)]

Former AUL President Charmaine Yoest Said IUDs Have “Has Life-Ending Properties.” According to the National Catholic Register, “Americans United for Life focuses on eroding *Roe v. Wade* with smaller restrictions, which is controversial in the pro-life movement, where some believe that a more frontal assault is all that matters. ‘For us, it’s very much a military strategy,’ says Yoest. ‘We don’t make frontal attacks. Never attack where the enemy is strongest.’” The New York Times Magazine reported, “Yoest’s end goal isn’t to make abortion safer. She wants to make the procedure illegal. She leaves no room for exceptions in the case of rape or incest or to preserve the health of the mother. She believes that embryos have legal rights and opposes birth control, like the IUD, that she thinks ‘has life-ending properties.’” [National Catholic Register, [10/5/11](#); The New York Times Magazine, [11/2/12](#)]