

AAUW supports choice in determining one's reproductive life and increased access to health care and family planning services.

AAUW trusts that everyone can make their own informed choices about their reproductive lives within the dictates of their own moral and religious beliefs. Further, we believe that these deeply personal decisions should be made without government interference. Family planning fosters self-sufficiency, promotes preventive health care, and teaches people how to prevent the spread of sexually transmitted infections (STIs).

The U.S. Supreme Court's 1973 ruling in *Roe v. Wade* legalized abortion for all people who can become pregnant and found abortion to be a Constitutionally protected, fundamental right. Unfortunately, lawmakers have limited people's fundamental power to control their own reproductive lives. The lack of comprehensive protections and support for reproductive health has resulted in dire outcomes. With many schools exclusively providing abstinence-only sex education and contraceptive care historically expensive to access, Americans' reproductive health has suffered. For instance, half of all pregnancies in the United States are unintended,¹ and the U.S. continues to have one of the highest rates of sexually transmitted infections (STIs) in the industrialized world.²

AAUW in Action

All of our public policy actions take direction from the AAUW's official Public Policy Priorities,³ which are voted on by members every two years. AAUW is a nonpartisan organization—but nonpartisan does not mean “non-political.” Since its first meeting in 1881, AAUW has been a catalyst for change. Together, through our coordinated and strategic advocacy, we've enacted invaluable legislation at the federal, state and local levels. AAUW members have made the protection of reproductive rights an unwavering policy principle since 1977, including in the 2021-2023 Public Policy Priorities.

The public policy team engages in many efforts on this key issue, including but not limited to:

- Working in coalition with other gender equity and reproductive rights organizations, including the Act for Abortion Access Campaign.⁴
- Mobilizing AAUW advocates and members through targeted calls to action on important legislation, like the Women's Health Protection Act.⁵
- Engaging directly with elected leaders and the public through calls, letters to political offices, comments and testimony in hearings, and statements on unfolding events.⁶
- Providing voter education resources on key equity issues to consider during elections and offering information on how elected officials have voted in the past (more about this and Get Out the Vote guides at the AAUW Action Fund⁷).

Attacks on Reproductive Rights

Reproductive rights have been under attack for decades—even before *Roe v. Wade*—and advocates are facing grave challenges at the federal and state levels.

- **Enacting abortion bans.** Bills to ban abortion after 6 or 20 weeks are a part of a dangerous and coordinated effort to chip away at abortion access. Not only are they unconstitutional and contrary to medical recommendations, these bills diminish the important role that doctors play in helping pregnant people make decisions about their reproductive health.
- **Imposing burdensome and unnecessary regulations on abortion access.** Many harmful bills inflict medically unnecessary regulations on abortion access—including medically inaccurate patient counseling, mandated waiting periods before procedures, and requiring parental consent or notification for minors—that place undue burden on those seeking those services.

- **Cutting access to reproductive health care centers.** For years, many state legislatures have tried to shut down and prevent access to health care centers that provide abortion, and those efforts continue today. Those most impacted by such closures—Black, Indigenous and People of Color (BIPOC), transgender and non-binary people, people working to make ends meet, members of the LGBTQIA+ community, people with disabilities, immigrants, people who are incarcerated, and young people—are also those who most often encounter additional barriers to obtaining health services.
- **Limiting abortion coverage.** Efforts to permanently restrict federal funds for abortion care and create burdensome regulations for medical insurers to cover abortion services will ultimately mean people who can get pregnant lose access to the care they need.

The wave of anti-abortion legislation continues in state legislatures. More abortion restrictions have been enacted in 2021 than any other year since *Roe v. Wade*. Surpassing the 89 restrictions enacted a decade earlier in 2011, this legislation is part of an ongoing campaign to weaken abortion rights at the state and ultimately federal level. Abortion rights are protected under only nine states' constitutions, while legislatures in Tennessee, Alabama, West Virginia and Louisiana have passed explicitly anti-abortion amendments⁸ to their own. Currently, more than half of U.S. women of reproductive age live in states that are hostile or extremely hostile to abortion rights.

The Supreme Court is chipping away at the Constitutional right to abortion. In 1973, the U.S. Supreme Court decision in *Roe v. Wade* affirmed the Constitutional right to an abortion. Since then, the Court has weighed in numerous times to uphold that ruling, including in *Casey v. Planned Parenthood* in 1992 and *Whole Women's Health v. Hellerstedt* in 2016.

Unfortunately, in the past 10 years, the Supreme Court also created roadblocks to contraception access, allowing certain corporations to deny birth control coverage on the grounds of religious freedom (*Burwell v. Hobby Lobby*⁹) and creating ambiguity over contraceptive coverage in religious nonprofit organizations (*Zubik v. Burwell*¹⁰). Most recently, the Supreme Court refused to block a Texas law that banned abortions as early as six weeks into pregnancy. Now the Court is preparing to hear a case, *Dobbs v. Jackson Women's Health Organization*,¹¹ that directly challenges people's Constitutional right to decide whether to continue a pre-viability pregnancy. With an anti-abortion majority of justices now on the bench, AAUW supports efforts asking Congress to enact broader protections for pregnant people through legislation.

Federal law continues to restrict funding for reproductive health care—in the United States and abroad. The 1976 Hyde Amendment is a legislative provision barring the use of federal funds to pay for abortion (except in cases of rape, incest or as a lifesaving measure). The 1973 Helms Amendment applies to foreign aid, barring federal funds from being distributed to organizations that provide abortion care. In addition, the Global Gag Rule—an executive order that changes with each administration (also known as the Mexico City Policy)—has limited access to abortion care globally. This executive action prohibits organizations using international family planning funds from providing abortion-related services, even with their private money. AAUW supports removing all barriers to abortion access.

Opportunities to Improve Reproductive Health

Though we face many potential threats to reproductive rights, AAUW will keep fighting to improve access to care by working with Congress and federal agencies to take the following actions.

Pass the Women's Health Protection Act (H.R. 3755/S. 1975). This bill will address the ceaseless attacks on reproductive rights by finally codifying the rights of pregnant people to access, and health care professionals to provide, abortion care. Read more about this legislation and tell your members of Congress to support here.¹²

Improve public funding for reproductive health. Congress must support legislation that expands funding for reproductive services for low-income individuals. The Hyde and Helms Amendments continue to block federal funding from family planning services in domestic and international realms, limiting peoples' fundamental power to control their own reproductive lives. AAUW opposes any attempt to limit access to Title X programs and supports increased public funding.

Put prevention first. The Affordable Care Act (ACA), which has made a positive impact on reproductive health, is currently the law of the land. When unintended pregnancies dropped for the first time in decades in 2011, that reduction was due in part to improved contraceptive coverage under the ACA. We must uphold effective health care laws that empower individuals to make their own positive health care decisions. In addition, AAUW supports a comprehensive legislative package of preventive health and education measures designed to help reduce unintended pregnancy and to support reproductive health. These proposals would ensure that all people have access to comprehensive family planning and reproductive health services.

Ensure access to legally prescribed or available contraception. Currently, six states permit pharmacists to refuse to fill prescriptions for emergency contraception and all forms of birth control without giving critical protections for patients, such as requiring pharmacies to transfer prescriptions or provide referrals.¹³ AAUW believes pharmacies should be required to fill all prescriptions for contraception and sell legal emergency contraception.

AAUW believes that access to a full range of reproductive health services enhances an individual's reproductive choices—which leads to improvements in women's health care and economic security in the United States and

around the world. Extremists who oppose contraception and choice continue to erode access to reproductive health services. We must ensure that government policies reflect and address the needs and priorities of a diverse range of individuals, families and communities, especially those who face barriers to access. We will also work to ensure that appointees, nominees and elected officials uphold our nation's laws, affirm protections for individuals, and work to improve overall health and well-being in the United States and around the world. AAUW's advocacy for the right to safe, accessible and comprehensive reproductive health care is critical to achieving equity and justice for all.

Additional Resources

Take Action: Support the Women's Health Protection Act

American Association of University Women (AAUW)

<https://www.aauw.org/act/two-minute-activist/womens-health-protection-act>

Letter to House of Representatives in Support of the Women's Health Protection Act

The Leadership Conference on Civil and Human Rights

<https://civilrights.org/resource/support-the-womens-health-protection-act-of-2021-2/>

State Policy Trends at Midyear 2021

The Guttmacher Institute

<https://www.guttmacher.org/article/2021/07/state-policy-trends-midyear-2021-already-worst-legislative-year-ever-us-abortion>

Abortion is at the Supreme Court Again. It's Different This Time.

The Guttmacher Institute

<https://www.guttmacher.org/article/2021/06/abortion-supreme-court-again-its-different-time>

"What If Roe Fell?" U.S. Abortion Laws Map

Center for Reproductive Rights

<https://maps.reproductiverights.org/what-if-roe-fell>

Endnotes

¹ Guttmacher Institute. "Unintended Pregnancy in the United States." January 2019. <https://www.guttmacher.org/fact-sheet/unintended-pregnancy-united-states>

² Centers for Disease Control and Prevention. "Reported STDs in the United States, 2019." 2019. <https://www.cdc.gov/nchhstp/newsroom/docs/factsheets/std-trends-508.pdf>

³ American Association of University Women. "AAUW Public Policy Priorities." May 2021. <https://www.aauw.org/resources/policy/aauw-public-policy-priorities/>

⁴ Act for Women and Girls. "The Campaign." 2021. <https://actforwomen.org/about-the-campaign/>

⁵ American Association of University Women. "Fight the Attacks on Reproductive Rights." September 2021. <https://www.aauw.org/act/two-minute-activist/reproductive-rights/>

⁶ American Association of University Women. "Statement on Supreme Court Ruling on Texas Law Restricting Reproductive Rights." September 2, 2021. <https://www.aauw.org/resources/news/statement-on-supreme-court-ruling-on-texas-law-restricting-reproductive-rights/>

⁷ American Association of University Women Action Fund. "AAUW Action

Fund." 2021. <https://www.aauwaction.org/>

⁸ Guttmacher Institute. "Mere Months After Supreme Court Ruling, Louisiana Antiabortion Politicians Are at It Again." November 5, 2020. <https://www.guttmacher.org/article/2020/10/mere-months-after-supreme-court-ruling-louisiana-antiabortion-politicians-are-it>

⁹ SCOTUSblog. "Burwell v. Hobby Lobby Stores, Inc." June 30, 2014. <https://www.scotusblog.com/case-files/cases/sebelius-v-hobby-lobby-stores-inc/>

¹⁰ SCOTUSblog. "Zubik v. Burwell." May 16, 2016. <https://www.scotusblog.com/case-files/cases/zubik-v-burwell/>

¹¹ SCOTUSblog. "Dobbs v. Jackson Women's Health Organization." 2021. <https://www.scotusblog.com/case-files/cases/dobbs-v-jackson-womens-health-organization/>

¹² American Association of University Women. "Fight the Attacks on Reproductive Rights." September 2021. <https://www.aauw.org/act/two-minute-activist/reproductive-rights/>

¹³ Guttmacher Institute. "Refusing to Provide Health Services." September 1, 2020. <https://www.guttmacher.org/state-policy/explore/refusing-provide-health-services>