

## The Federal Abortion Ban: What You Need to Know

- \* The Federal Abortion Ban restricts a procedure, not a timeframe. This means that women as early as three months pregnant can be prevented from obtaining an abortion.
- \* By restricting a procedure that can be used as early as 12 weeks, lawmakers have blurred the line between pre- and post- viability of the fetus. A crucial component of *Roe v. Wade* was the distinction between when the fetus could survive outside of the mother and when it could not, yet this new law prevents abortions even when the fetus cannot survive outside the uterus.
- \* Another crucial component of *Roe v. Wade* was that the woman's health was to be protected above all else, and that an abortion would always be granted to protect the mother's health. *This ban offers no health exception for women.* Only if the woman's life is undeniably in danger will an abortion be allowed.
- \* Doctors acting in the best interest of their patient can face up to two years in prison for violating the ban.
- \* This decision opens the door for anti-choice politicians in the states and in Congress to further interfere in our personal, private medical decisions.



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## The Federal Abortion Ban: A Brief History

### Timeline:

**1995** - Senator Charles T. Canady invented the term “partial-birth abortion”, a term not used in the medical community, with no one accepted legal definition.

**1995** - Congress passes the first nationwide ban on abortion since *Roe v. Wade*.

**1996** – President Clinton vetoes the bill.

**1997** – Congress passes the same ban, slightly amended, and President Clinton vetoes it again.

**1999** – The Senate and the House passed the 1997 ban, but the congressional session ended and the bill died.

**2002** – A new Federal Abortion Ban is passed in the House

**November 5, 2003** – Bush signs the Federal Abortion Ban bill, making it public law (See Picture).

**2004** – Planned Parenthood, the National Abortion Federation, and the Center for Reproductive Rights each sued the government on the basis that the law made no allowances for the woman’s health. The ban was declared unconstitutional, and the case was heard by the Supreme Court.

**April 18, 2007** – The Supreme Court upholds the Federal Abortion Ban.



### Quotes:

The American College of Obstetricians and Gynecologists, which represents 90 percent of all board certified ob-gyns, opposes the federal abortion ban as "inappropriate, ill advised and dangerous."

The American Medical Women's Association (AMWA) opposes the ban, saying it "is gravely concerned with governmental attempts to legislate medical decision-making through measures that do not protect a woman's physical and mental health, including future fertility, or fail to consider other pertinent issues, such as fetal abnormalities."

In Justice Ruth Ginsberg’s dissenting opinion she wrote, “Today's decision is alarming.... It tolerates, indeed applauds, federal intervention to ban nationwide a procedure found necessary and proper in certain cases by the American College of Obstetricians and Gynecologists (ACOG). It blurs the line, firmly drawn in *Casey*, between pre-viability and post-viability abortions. And, for the first time since *Roe*, the Court blesses a prohibition with no exception safeguarding a woman's health.”

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