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Once Upon a Time: The History of Republican Support for International Family Planning and Contraception (Part III)

The production of an analysis of the collapse of Republican support in Congress has long been threatened inside PAI, but there was always a concern on my part that it would not be believed after the long history of bipartisan support that international family planning and reproductive health (FP/RH) programs have enjoyed. But since initially drafting this analysis prior to the Dobbs abortion decision by the Supreme Court, it has become abundantly clear over recent days and weeks that even the right of Americans to utilize contraception is under grave threat from Republican legislators and Republican-appointed judges at both the federal and state levels, as well as red state governors and attorneys general.

It used to be that advocates of the anti-abortion cause — both inside and outside Congress — assiduously avoided discussing their position on contraception and family planning (FP). Such an avoidance strategy was probably wise since [virtually all](#) American women of reproductive age have used a method of contraception at some point during their lifetime.

But House Republicans are beginning to have to reveal themselves and go on the record as the [Democratic leadership](#) has brought bills to the floor that seek to codify the rulings on privacy rights threatened with reconsideration and reversal in Justice Thomas' concurring opinion in the Dobbs case, namely those on same-sex and interracial marriage and contraception.

Yesterday, only eight House Republicans [voted](#) in favor of the Right to Contraception Act ([H.R. 8373](#)), which would: 1) codify a statutory right for individuals to obtain contraceptives and to practice contraception; 2) protect the ability of health care providers to furnish contraceptives and information on contraception; and 3) vindicate the constitutional right to use contraceptives established in the Griswold and Eisenstadt decisions. Over 92% of the Republican caucus (195 members) voted in opposition to the bill. The prospects for Senate consideration are unclear, but yesterday's House vote provides a concrete measure of the depth of the extremism to which Republicans in Congress have descended on the issue of contraception.

If Republican legislators cannot even accept the American people's right to practice contraception — much less support a governmental role in the provision of contraceptives and FP services, whether at home or abroad — there is not much prospect for finding common ground or a return to bipartisan cooperation.

The Collapse of Republican Support for International Family Planning in Congress

As asserted in the introduction of this analysis, there are currently no supportive Republicans left in the House of Representatives and only two Republican women left in the Senate to protect and advance a pro-sexual and reproductive health and rights (SRHR) legislative agenda. The most objective manner to test the assertion that Republican support in Congress for international FP/RH has drastically declined over the years is to look at floor votes and sponsorship of bills or amendments.

Floor votes

The last Senate floor votes occurred in 2009, shortly after President Obama was inaugurated, as recounted in [part II of this analysis series](#). Based on votes prior to 2009 and contemporaneous head counting since then, it is apparent that international FP/RH programs enjoyed majority support on the substance of the issue in the Senate — regardless of which party controlled the chamber — from 1984 until 2015 when Republicans regained the majority in the party breakdown. But since the victories of Democratic Senators Raphael Warnock and Jon Ossoff in the Georgia special election on that fateful day of January 6, 2021, international FP/RH supporters have regained a slim 51-49 advantage with Republican Sens. Susan Collins (ME) and Lisa Murkowski (AK) offsetting a lone Democratic defector, Joe Manchin (WV). Unfortunately, having a slim, simple majority does not matter. In the absence of an exemption from the filibuster, finding the 60 votes necessary to invoke cloture and end debate that are required to pass anything in the Senate these days is probably an insurmountable obstacle for any pro-SRHR legislative initiatives.

Since 1985, PAI has tracked 38 House floor votes on FP/RH funding and policy (not including a 2019 procedural, highly partisan vote on a “motion to recommit”). The House has not gone on record on international FP/RH policy issues like the Global Gag Rule (GGR) or restrictions on the U.S. contribution to the United Nations Population Fund (UNFPA) since 2007 but has very recently taken votes on FP/RH funding, perhaps an even better indicator of how support for a governmental role in the provision of contraceptives among House Republicans has cratered.

The highest level of Republican support on policy issues was an identical tally of 46 pro-FP/RH votes on three separate amendments that occurred in 1999 and 2000 — a Ben Gilman (R-NY)-Tom Campbell (R-CA) substitute amendment on UNFPA to the fiscal year (FY) 2000 State Department authorization and two Jim Greenwood (R-PA)-Nita Lowey (D-NY) amendments on the GGR to the FY 2000 and FY 2001 appropriations bills. Abortion-related policy votes are more challenging for members than funding votes.

But even on what should be politically easier votes on funding, Republican legislators are voting in opposition to FP/RH programs. In 2019, Representative Debbie Lesko (R-AZ) offered a very illuminating amendment that would have struck the proviso in the FY 2020 appropriations bill that earmarked that not less than \$750 million be provided to bilateral FP/RH programs. As drafted, the Lesko amendment would not have technically resulted in a reduction in the amount of funding available for FP/RH funding, but passage would have left the allocation of global health funds among various health sectors totally at the discretion and mercy of a hostile Trump administration that had requested only \$259 million for FP/RH programs in its FY 2020 budget proposal.

The Lesko amendment was defeated on a largely straight party-line vote of 188 to 225, with all Democrats present voting against, except for two, and all 186 Republicans present voting in support of eliminating the earmarking of funds. For historical perspective, in August 1999, more than a third of House Republicans at the time (79) voted with pro-FP/RH Democrats and opposed a much harsher version of a funding amendment offered by Rep. Ron Paul (R-TX), which would have zeroed out all funding for international FP/RH programs. No House Republican would be likely to cast that vote today.

The roll call result confirms that the abandonment of support for U.S. government involvement in the provision of contraceptive services overseas by House Republicans is now complete. Over these last two decades, the Republican party has totally shifted on the issue of contraceptive access.

Sponsorship of amendments and bills

On offering pro-SRHR amendments to foreign aid authorization and appropriations bills on the floor, a number of Republicans have joined with Democrats in proposing bipartisan amendments, but only as recently as 2007 in the Senate, when Sen. Olympia Snowe (R-ME) joined Sen. Barbara Boxer (D-CA) on a successful GGR repeal amendment, and 2000 in the House, when Rep. Jim Greenwood partnered with Rep. Nita Lowey in a losing effort to eliminate GGR restrictions from the FY 2001 appropriations bill noted just above. Another supportive House Republican amendment sponsor not previously named was Rep. Jan Meyers (R-KS), who was active in the mid-1990s. On the Senate side, fellow Kansas Republican Sen. Nancy Kassebaum was a key, behind-the-scenes player on GGR repeal efforts in the appropriations process pairing with senior Democratic appropriator Patrick Leahy (D-VT) in the 1990s and early 2000s.

Conversely, all of the major [boilerplate restrictions](#) on bilateral and multilateral FP/RH programs are named for their Republican authors, except one: the 1981 Biden amendment prohibiting use of foreign aid funds for biomedical research on abortion or involuntary sterilization. Eponymous Republican amendments enacted from the early 1970s through the late 1990s include the:

- Helms (R-NC) amendment restricting use of foreign aid funds to promote or provide abortion (1973);
- Siljander (R-MI) amendment prohibiting use of foreign aid to lobby for or against abortion (1981);
- Kemp (R-NY)–Kasten (R-WI) amendment prohibiting U.S. foreign aid to any organization or program that “supports or participates in the management of program of coercive abortion or involuntary sterilization,” disingenuously interpreted by Republican presidents since Reagan to cut off the U.S. contribution of UNFPA (1985);
- Livingston (R-LA) amendment promoting the right of natural FP grantees not to counsel or refer clients to sources of modern contraceptive methods (1986); and
- Tiahrt (R-KS) amendment codifying and expanding on long-standing U.S. Agency for International Development guidance on voluntarism and informed consent (1998).

On sponsorship of free-standing bills, the last and most noteworthy example of a sweeping bipartisan, bicameral vision on these issues was a comprehensive population and FP funding and policy bill authored by Sens. Tim Wirth (D-CO) and Alan Simpson (R-WY) and Reps. Tony Beilenson (D-CA) and Connie Morella (R-MD) in the early 1990s that did not move through committee to the floor of either chamber. In the current 117th Congress, no House Republicans are cosponsors of the Global Health, Empowerment and Rights (Global HER) Act ([H.R. 556](#)), an authorization bill to amend the Foreign Assistance Act of 1961 to prevent a future president, hostile to SRHR, from unilaterally reinstating the GGR through executive action. In the Senate, only the aforementioned Sens. Collins and Murkowski are sponsors of the Senate counterpart bill ([S. 142](#)).

Recent years have witnessed the unprecedented introduction of multiple Republican-led anti-SRHR bills: the Protecting Life in Foreign Assistance Act ([S. 137](#), [H.R. 534](#)), whose name and text are inspired by the dramatically expanded iteration of the GGR imposed during the Trump administration, and No Taxpayer Funding for the U.N. Population Fund ([H.R. 2488](#)), a one-sentence bill which aims to do exactly what its title says. The lead sponsors of the pro-GGR bills are Sen. Mike Lee (R-UT) and Rep. Virginia Foxx (R-NC), joined by 25 and 50 cosponsors, respectively — all Republicans. In the case of the Lee-led GGR bill, those 25 GOP cosponsors represent exactly half of the Republican caucus in the Senate. Rep. Chip Roy (R-TX) is joined by 51 cosponsors of the anti-UNFPA bill, again all Republicans. Although a detailed comparison has not been performed, one can confidently surmise that there is considerable overlap between those five dozen House Republicans, and many have signed on to both the pro-GGR and anti-UNFPA bills.

Coalition-building efforts

A Congressional Coalition on Population and Development, a bipartisan group of House members that developed legislative strategy on key FP initiatives, also once existed during a time in the 1980s and 1990s — seemingly long since passed — when FP advocates could still count on the votes of several dozen Republicans on pro-FP amendments. The chairmanship of the coalition alternated between the two parties. Among the Republicans who served as chair was John Porter (R-IL), an influential member of the Appropriations Committee who had fought to end the Title X domestic gag rule during President George H.W. Bush’s term in office. Such a bipartisan, pro-SRHR affinity group has never formed in the Senate.

The Last Bastion of Bipartisan Cooperation?

There is an old joke that there are three parties in Congress — Republicans, Democrats and appropriators. Historically, the work of the Appropriations Committees has been bipartisan, politically pragmatic and focused on getting the job done. And Congress really has only one job that it must do every year: appropriate money to fund the operation of the federal government.

There was a time when Republican appropriators were among some of the international FP/RH program’s biggest champions. The most prominent that comes to mind is Sen. Mark Hatfield (R-OR), who chaired the Appropriations Committee from 1981 to 1987 and again from 1995 to 1997. He kept his own counsel on a range of issues, including FP, and frequently put conscience above party loyalty. During his 30 years in the

Senate, Sen. Hatfield consistently voted to ban or restrict abortion while at the same time being an ardent proponent of FP as a means to prevent unintended pregnancy in order to reduce the number of abortions. During his second stint as chair, Sen. Hatfield fought valiantly against the efforts of the newly installed House Republican majority led by Speaker Newt Gingrich (R-GA) to enact the GGR. When they failed to convince the Republican Senate to go along, he fought against the House Republican leadership's next endeavor to mandate a punitive 35% cut to bilateral FP/RH funding, delayed release and "metering" out of funds in the initial FY 1995 continuing resolution (CR).

Disturbed by the unfair treatment of FP/RH programs, which he calculated was an 85% effective cut in funding because of all the conditions put in place, Sen. Hatfield attempted to remove the funding restrictions in the final CR adopted in April 1996. While successfully beating back a motion to strike his amendment on the Senate floor, Hatfield relented in the face of the intransigence of the House Republican leadership and the threat of a third government shutdown that year. Hatfield said this during one of the numerous debates on three Senate amendments that were offered to try to break the stalemate:

"For those of us who take a pro-life position, this is the most effective way to reiterate our profound opposition to the practice of abortion. All the anti-abortion speech this chamber can tolerate will not reduce the number of unintended pregnancies as swiftly or as surely as our support for voluntary family planning."

Republicans winning the majority in the House for the first time in 40 years after the 1994 congressional election, two years into President Clinton's first term, was the watershed event after which Republican support in Congress started to wane, as illustrated by the fight around the FY 1996 CR and began a long and precipitous decline after the inauguration of George W. Bush in 2001.

After moderate GOP incumbents — who would today be branded as "RINOs" (Republicans in name only) — began to be defeated by pro-choice Democratic challengers or chose to retire in increasing numbers, the center of political gravity began to shift rightward in the House Republican caucus in the first decade of the new century. As a result, Republican members aspiring to chair committees or rise within the leadership ranks were forced to toe the party line. On the Appropriations Committee, this party loyalty test caused the last two Republicans to chair the committee — Reps. Rodney Frelinghuysen (R-NJ) and Kay Granger (R-TX) — to abandon their prior records of support, to varying degrees, for international FP/RH programs.

Ever since Republicans retook the majority in the House after the 2010 midterm congressional election, intense battles over bilateral FP/RH funding, GGR and UNFPA have been waged in the Appropriations Committees during markups and negotiations on the annual spending bills for the last 12 fiscal years. Each year for the [prior 19 fiscal years](#), up until FY 2020, the Senate committee-approved bill had included a legislative repeal of the GGR, increased funding and a UNFPA contribution either inserted in the base bill or successfully offered in full committee markup initially by the late Sen. Frank Lautenberg (D-NJ) and in recent years by Sen. Jeanne Shaheen (D-NH). Both have prevailed with bipartisan support from Sens. Collins and Murkowski and earlier Sen. Mark Kirk (R-IL) and with the able backing of Sen. Leahy, the senior Democrat on the committee as either chair or ranking member.

But three years ago, when Republicans were in the majority, Chairman Richard Shelby (R-AL) initially [refused](#) to mark up the FY 2020 State Department-foreign operations bill knowing the Shaheen amendment would prevail if it was able to be offered in full committee. (The FY 2020 bill was eventually marked up and approved in committee after Sen. Shaheen relented on the GGR repeal language and accepted two unrelated, pro-SRHR provisions in the base bill in exchange.) On the other side of Capitol Hill, the House committee-approved bill contained a legislative reinstatement of the GGR, severe funding cuts and prohibition on a UNFPA contribution each year, until Democrats regained the majority after the FY 2018 midterm election and turned the tables on their Republican counterparts for the last three appropriations cycles.

With a Democratic majority back in charge of the committee in 2021, there were high expectations that the Senate committee could return to "regular order" and mark up and approve a version of the bill that would include a permanent GGR repeal. With the House-passed bill containing the GGR repeal, the political stars seemed to be aligning for it to emerge from the House-Senate conference negotiation on the final bill and

land on President Biden's desk for him to finally sign the repeal into law. Unfortunately, the GGR repeal again fell victim to Republican obstructionists, who blocked committee consideration and approval of a State-foreign operations bill, forcing Democrats to issue a "chairman's mark" reflecting only Democratic foreign aid and diplomatic aims.

During the bicameral negotiations over the FY 2022 omnibus spending package, the GGR repeal language was quietly dropped along with other policy "riders" at the insistence of Senate Republican leaders and with the acquiescence of Democratic negotiators, who reluctantly agreed in exchange for inclusion of other higher priority Democratic policy objectives in the final deal.

Most infuriating to Democratic appropriators during the latest round of negotiations was a new Republican assertion that they considered any FP/RH funding increase a "poison pill," a term up until then exclusively reserved for unacceptable policy provisions that should in the mind of the opponent be off the table for discussion. Negotiating funding levels is the sole jurisdiction of appropriators with setting policy the domain of the authorizing committees, in theory if not practice. What is the job of appropriators if not but being the decision-makers on funding?

As a result of this breakdown in comity among appropriators and in adherence to the committee's traditional norms and practices, in the negotiation over the final spending bill for the last dozen fiscal years, House and Senate negotiators have been unable to find a bipartisan compromise and settled largely at the status quo on the constellation of FP/RH issues to be resolved. This includes level bilateral funding, a U.S. contribution to UNFPA with restrictions and no repeal, reinstatement or revision of the GGR or other new policy "riders," either positive or negative. The prospects for the committee returning to the customary way of operating as in the past and achieving a different outcome during FY 2023 appropriations cycle appear remote.

Conclusion

The commonsensical, conscientious argument of the late Senator Hatfield on why Republicans who are truly and honestly motivated by a desire to reduce the number of abortions should support expanded access to contraception is as unassailable today as it was more than 25 years ago. But let's not kid ourselves, the rising opposition in the Republican party to contraception is about forced birth and sex for procreation, not pleasure.

At this point, when longtime advocates contemplate the collapse of Republican support for U.S. government investments in providing contraceptive services to people at home and abroad — and the possibility of ever rebuilding the bipartisan consensus around contraception in Washington — they might knowingly reflect on the opening lines of Shakespeare's Sonnet 30 and lament:

When to sessions of sweet silent thought
I summon up remembrance of things past,
I sigh the lack of many a thing I sought,
And with old woes new wail my dear time's waste

Not a hopeful way to end this look back, but this fairy tale does not appear to have a happy ending within sight.