

## **Potential Federal Administration Policies Regarding Reproductive Rights**

### **1. Overturning or Gutting *Roe v. Wade***

A second Trump administration could continue its efforts to reverse the landmark *Roe v. Wade* decision through judicial appointments and support for state-level efforts to restrict abortion. This may involve further pressure on the Supreme Court to overturn the ruling or significantly narrow its scope. An overturn of *Roe v. Wade* would return the legality of abortion to the states, leading to a patchwork of laws where abortion access would likely be severely restricted or outright banned in many states, especially in conservative regions. The State of California would most likely not restrict or ban abortion access.

Trump could also seek to use the Comstock Act, a 150-year-old law, to ban abortion in every state, with no exceptions, without any involvement from Congress. Trump would likely face third-party legal challenges if this were to happen.

Trump could also require the federal government to investigate or prosecute abortion providers or women who have had abortions. In 2016, Trump said in an interview that “there has to be some form of punishment” for women who obtain abortions if they are illegal.

### **2. Further Restrictions on Medication Abortion**

Building on its first-term approach to medication abortion, a second-term Trump administration might implement stricter regulations on or ban drugs like mifepristone, making it harder or impossible to access or obtain through telemedicine or mail-order services. Increased restrictions on medication abortion, which is responsible for nearly two thirds of abortions nationwide, could reduce access to safe, early-stage abortions, particularly in states where clinics are scarce, forcing individuals to travel greater distances or seek less safe alternatives. Trump would likely face third-party legal challenges to further restrictions on medication abortion.

### **3. Attacks on Family Planning and Birth Control**

The Trump administration could implement further changes to Title X, the federal family planning program, which could include restrictions on providing abortion referrals or require that family planning services be separated from abortion providers. These changes could reduce the ability of low-income individuals to receive comprehensive family planning services, including counseling about abortion options, leading to fewer resources for those seeking abortion care. Trump may also seek to restrict access to birth control, or eliminate the Affordable Care Act’s requirement for health insurance to cover contraception.

### **4. Revocation of Federal Funding for Abortion Education**

The Trump administration may move to revoke federal funding for programs that educate the public about abortion services, including efforts to provide accurate

information regarding safe abortion procedures and rights. A lack of comprehensive education could foster misinformation about abortion and reproductive rights, leading to confusion or hesitation among individuals seeking services and further eroding access to care

#### 5. Defunding Planned Parenthood and Other Abortion Providers

A second Trump term could bring renewed efforts to defund Planned Parenthood and other organizations providing abortion services, including the implementation of stricter rules regarding federal funding for healthcare providers. Cutting funding to Planned Parenthood and similar providers would disproportionately affect low-income women who rely on public funding for reproductive health services, leading to fewer options for affordable abortion care.

#### 6. Expansion of the "Conscience Clause"

The Trump administration could further expand the "conscience clause" protections for healthcare providers who refuse to perform abortions on moral or religious grounds. This might also extend to pharmacies and insurance providers. A broader application of these exemptions could limit access to abortion services by allowing more medical professionals and institutions to opt out of providing abortions, creating significant access barriers, particularly in rural and underserved areas.

#### 7. Expansion of the "Global Gag Rule"

The Trump administration could expand the "Global Gag Rule," which prohibits foreign organizations receiving U.S. aid from providing or even counseling on abortion services. This could also be extended to prevent U.S. foreign aid for maternal health programs in countries with more liberal abortion laws. The expanded Global Gag Rule would not only restrict abortion access abroad but could also hinder international efforts to address maternal health and reproductive rights globally, positioning the U.S. as less supportive of reproductive health worldwide.

#### 8. Restricting Access to Abortion Services through Telemedicine

A second Trump administration could push for federal or state regulations that limit or ban telemedicine for abortion services. This could include restrictions on the distribution of abortion medication via telehealth consultations. Limiting access to telemedicine would disproportionately impact rural and isolated populations, where in-person abortion care is often inaccessible. Restricting telemedicine could force individuals to travel long distances to receive care or abandon their ability to access abortion services altogether.

#### 9. Support for State-Level Abortion Bans

A second Trump administration would likely continue to support and endorse state-level abortion bans and restrictions, such as "heartbeat bills" (which ban abortion after a fetal heartbeat is detected) and laws requiring mandatory waiting periods or parental consent. These state-level restrictions could lead to the closure of abortion clinics,

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Attachment 1

particularly in states with conservative legislatures. Many women, especially low-income and marginalized individuals, could face logistical and financial barriers to accessing services, effectively reducing national access to abortion.