



NCBC

THE NATIONAL CATHOLIC BIOETHICS CENTER

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Bioethics Public Policy Report March 4, 2022

National

- On February 28th, US Senate [voted](#) to *not* advance the so-called Women’s Health Protection Act (WHPA), described as the most radical pro-abortion bill in our nation’s history. Among other things, the WHPA would have codified abortion in federal law, allowed for abortion up to birth, and overridden state laws that restrict abortion. The vote was almost exclusively along party lines with Democrats except for Joe Manchin (WV) voting for cloture (to proceed with the bill) while Republicans voted against it. Thirteen Democrat senators who profess to be Catholic voted in favor of the act (see the list [here](#)). The Democrat-controlled House of Representatives passed the WHPA last year and the Biden administration had repeatedly expressed support for it. For further perspective, click [here](#), [here](#), and [here](#).
- The pro-abortion Guttmacher Institute is reporting that in 2020, chemical abortion accounted for fifty-four percent of abortions in the United States. This was the first year that chemical abortion [outpaced](#) surgical abortions. Guttmacher also reported that the abortion pill will likely account for an even greater percentage of abortions moving forward, especially if the US Supreme Court overturns *Roe v. Wade*.
- Joe Biden is once again [imposing](#) gender ideology—as well as a completely anti-Catholic understanding of human sexuality—on the US through his nomination of Sam Brinton for a position at the Office of Nuclear Energy. Brinton, an MIT graduate, is under scrutiny for the content of his social media posts (warning, they are [graphic](#)) and has stated on twitter that he would be “(to my knowledge) the first gender fluid person in federal government leadership.” Brinton is an outspoken advocate for lesbian, gay, bisexual, transgender, and gender queer causes and he has been accused of using “bullying” tactics in the workplace as a means to “educate” others on his understanding of sexuality. For further information, click [here](#) and [here](#).
- US Senator Rick Scott (R-FL) has released *An 11 Point Plan to Rescue America*. An excerpt from Point #8 reads: “The nuclear family is crucial to civilization, it is God’s design for humanity, and it must be protected and celebrated. To say otherwise is to deny science.” An excerpt from Point #9 reads: “Men and women are biologically different [and] ... modern technology has confirmed that abortion takes a human life. Facts are facts, the earth is round, the sun is hot, there are two genders, and abortion stops a beating heart. To say otherwise is to deny science.” The entire report is available [here](#).

Federal Courts

- Joe Biden has nominated Ketanji Brown Jackson to replace retiring justice Steven Breyer on the US Supreme Court. Brown currently sits on the US Circuit Court of Appeals for Washington DC (nominated by Biden in 2021) and she was first nominated as a federal district judge by Barak Obama. Brown is generally regarded as a “reliable” liberal judge and pro-life supporters say that if confirmed, she will seek to uphold legalized abortion. Confirmation hearings are set to begin on March 21st. For further information, click [here](#), [here](#), [here](#), and [here](#).
- The US Supreme Court has [agreed](#) to hear the case *303 Creative v. Elenis* which centers on Lorie Smith, a website designer, who is challenging the Colorado Civil Rights Commission’s ability to compel her to create websites that violate her religious beliefs, specifically those for so-called same-sex “marriages.” The state’s Anti-Discrimination Act does not allow business to refuse customers who seek to force them to violate their religious or conscience beliefs. Smith’s case is similar to that of Jack Phillips and *Masterpiece Cakeshop*. The question the high court will rule on is whether “a law to compel an artist to speak or stay silent violates the Free Speech Clause of the First Amendment.” Two lower courts have upheld Colorado’s law. Click [here](#) for further information.

State by State

- On February 18th, [Texas](#) Attorney General Ken Paxton issued a formal attorney general opinion stating that prescribing puberty-blockers to children and performing certain “sex-change” procedures on them, constitutes “child abuse” under section 261.001 of the Texas Family Code. Specifically, Paxton’s opinion cited “puberty-suppressors and infertility-inducers” along with “castration, fabrication of a ‘penis’ using tissue from other body parts, fabrication of a ‘vagina’ involving the removal of male sex organs.” Governor Greg Abbott subsequently directed multiple state agencies to promptly investigate instances of so-called transitioning procedures being performed on children under the state’s child abuse laws and then prosecute those found to be engaged in such practices. Joe Biden immediately [criticized](#) Texas for moving to protect children from gender ideology, characterizing Abbott’s actions as “government overreach at its worst.” Biden’s Secretary of Health and Human Services Xavier Becerra added that “HHS will take immediate action [against Texas] if needed.” The full text of the Paxton opinion is available [here](#). For further information, click [here](#) and [here](#).
- [Iowa](#) Governor Kim Reynolds, who delivered the Republican response to Joe Biden’s State of the Union address, has signed bill HF 2416 which bans males from competing in women’s sports. In signing the bill, Reynolds stated: “This is a victory for girls’ sports in Iowa. No amount of talent, training or effort can make up for the natural physical advantages males have over females. It’s simply a reality of human biology. Forcing females to compete against males is the opposite of inclusivity and it’s absolutely unfair.” The text of the bill is available [here](#). Iowa is now the eleventh state to ban males from competing in women’s sports.
- The [Vermont](#) legislature has approved, and Governor Phil Scott (R) is expected to sign off on, a state constitutional amendment that guarantees the legal right to terminate the life of one’s preborn child. The so-called Reproductive Liberty Amendment enshrines the “right to personal reproductive autonomy” which is “central to the

liberty and dignity to determine one's own life course." The amendment further states that the right to "personal reproductive liberty" cannot be infringed on unless it's "justified by a compelling State interest achieved by the least restrictive means." The amendment needs to be ratified by Vermont voters.

- The state attorneys general of California, Florida, Kentucky, Massachusetts, Nebraska, New Jersey, Tennessee and Vermont are [investigating](#) TikTok for its possible harmful mental health effects on children. Critics argue that the platform uses computer algorithms to push video content can promote eating disorders, self-harm and even suicide. California Attorney General Rob Bonta stated, "Our children are growing up in the age of social media—and many feel like they need to measure up to the filtered versions of reality that they see on their screens. We know this takes a devastating toll on children's mental health and well-being." TikTok is owned by the Chinese company ByteDance.

Conscience/Religious Liberty

- Winnebago County, Illinois has been [ordered](#) to pay \$374,000 in attorney's fees to Sandra Rojas, a pediatric nurse who refused to refer women for abortion and abortion-inducing drugs. Rojas had sued the county claiming that its order to provide abortion "services" violated her religious liberty and conscience rights. Judge Eugene Doherty stated in her ruling: "The Health Department improperly discriminated against (Rojas) by refusing to accommodate her objections of conscience in her existing job at the clinic. The Court has concluded that the Health Department could have reasonably accommodated (Rojas') objections without removing her from her job." Noel Sterett, who represented the plaintiff, maintained, "Nurse Rojas's case set significant precedent and now stands as a seminal case under the Illinois Health Care Right of Conscience Act. The Court's fee award will hopefully encourage other public and private health care employers to respect their employees' rights of conscience."

International

- The National Assembly of [France](#) has voted to expand abortion. By a vote of 135–47 (with nine abstentions), the governing body extended the gestational limit for abortion from twelve to fourteen weeks. The bill also allows midwives to practice surgical abortions.
- In a 5–4 decision, the Constitutional Court of [Columbia](#) voted to decriminalize abortion up to twenty-four weeks gestation. In addition, the court asked the government to enact policies that remove "any obstacle to the exercise of sexual and reproductive rights that are recognized in this ruling." For more information, including abortion supporters "celebrating" the decision, click [here](#).
- The World Health Organization (WHO) is apparently looking into [establishing](#) uniform vaccine passports. The organization "will convene member states and leaders of COVID-19 immunization credential technology groups to recognize different vaccine certificates across nations and regions." The WHO wants these groups "to develop a 'trust framework' that would allow countries to verify whether vaccine credentials are legitimate." The rationale for the effort is to simply international travel by making proof that one took a COVID vaccine "more easily shared and verified."

Catholic Resources


- Pope Francis' [prayer intention](#) for March 2022 focuses on A Christian Response to Bioethical Challenges: "We pray for Christians facing new bioethical challenges; may they continue to defend the dignity of all human life with prayer and action."

Latest "Bioethics on Air" Podcasts

- Episode 86: [Forming Conscience on COVID-19 Vaccines – An Update](#). Dr. John Di Camillo discusses his presentation on COVID-19 vaccines and mandates from the 2022 NCBC Bishops Workshop. In part one of this interview, John focuses on the latest available information concerning COVID vaccines and how this information should inform judgments of conscience.
- Episode 87: [The Common Good and COVID-19 Vaccines](#). In part two of his interview, Dr. John Di Camillo addresses how the Catholic understanding of the common good can help inform responses to ongoing ethical concerns regarding COVID-19 vaccines and boosters, as well as mandates.

Of Note

- "We [are] basically just exposing what the law is ... And it's pretty clear in our laws at least that if you sterilize a child—whether it's through physical means or whether it's through some type of chemical means—that's child abuse in Texas. And it's wrong."—[Ken Paxton](#) on Texas' declaration that so-called gender transitioning for child constitutes child abuse.
- "I don't want to get in a debate with you on theology. I'm not going to make a judgment for other people."—[Joe Biden](#) when asked by an EWTN reporter, "As a Catholic, why do you support abortion?"
- "[O]nly a primitive tube of cardiac cells that emit electric pulses and pump blood."—The definition of a preborn born child's heartbeat according to [The New York Times](#) in an article titled "Abortion Opponents Hear a 'Heartbeat,' Most Experts Hear Something Else."
- "[W]e demonstrate that vaccinated people have high antipathy towards the unvaccinated ... This antipathy reflects, in part, stereotypic inferences that unvaccinated individuals are untrustworthy and unintelligent, making the antipathy resemble prejudice towards other deviant groups ... In contrast, we find no evidence that unvaccinated respondents display antipathy towards vaccinated people ... While previous research recommends framing vaccination as a moral obligation in order to increase uptake, our research documents the costs of this strategy. Whether understandable or not, the antipathy faced by the unvaccinated may exacerbate marginalization and mistrust, which are core causes of their initial vaccine hesitancy, and further entrench the conflict. The novel socio-political cleavage we document may thus be an indication that societies worldwide will leave the pandemic more divided than they entered it."—Excerpt from the [abstract](#) to the study "Prejudice Against the Vaccinated and Unvaccinated During the COVID-19 Pandemic: A Global Conjoint Experiment" from Aarhus University, Denmark.

Pray for the people of Ukraine 

Sharing the News: If you have public policy news that you would like to share with the NCBC, or if you have colleagues who would like to receive the Bioethics Public Policy Report, please contact Joe Zalot at 215-871-2014 or jzalot@ncbcenter.org. Previous editions of this report are available through the [Public Policy](#) page of the NCBC website.

Sharing the Resources: If you enjoy receiving the Bioethics Public Policy Report and would like to support its continued publication, please consider making a [donation](#) to the NCBC.

The National Catholic Bioethics Center webpage, available at <http://www.ncbcenter.org/>, is a significant resource for bioethics information. NCBC bioethicists are also on-call for consultation twenty-four hours a day, seven days per week, at 215-877-2660.