

US Justice Dept taking abortion pill fight to Supreme Court

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The US Justice Department said Thursday that it will go to the Supreme Court to appeal restrictions imposed on a widely used abortion pill in the latest round of a fierce battle over reproductive rights.

The decision by President Joe Biden's administration came hours after an appeals court rejected moves to ban mifepristone outright, but imposed a series of measures restricting access to the pill.

As the Justice Department prepared an emergency filing with the nation's highest court, Florida Governor Ron DeSantis signed into law a bill banning most abortions in the state after six weeks, before many women even know they are pregnant.

White House Press Secretary Karine Jean-Pierre said the bill passed on Thursday by the southern state's Republican-controlled legislature was "extreme and dangerous" and "flies in the face of fundamental freedoms."

More than a dozen US states have passed laws severely restricting abortion since the conservative-dominated Supreme Court last year overturned the landmark Roe v. Wade ruling that had enshrined the constitutional right to abortion for half a century.

Mifepristone, which was approved by the Food and Drug Administration (FDA) in 2000 and accounts for more than half the abortions in the United States, has become the centerpiece of the country's latest clash

over women's reproductive freedom.

Attorney General Merrick Garland said the Justice Department will seek "emergency relief from the Supreme Court to defend the FDA's scientific judgment and protect Americans' access to safe and effective reproductive care."

Speaking to reporters during Biden's visit to Ireland, Jean-Pierre said "we believe that the law is on our side, and we will prevail."

Late Wednesday, the US Fifth Circuit Court of Appeals said mifepristone, also known as RU 486, should remain available pending a full hearing of the case, but limited access to the first seven weeks of pregnancy, down from 10.

The appeals court also said in-person visits would be necessary to obtain the pill—a requirement lifted in recent years—and blocked the medication from being sent by mail.

The 2-1 ruling by the conservative-majority appeals court in New Orleans, Louisiana came after a US District Court judge in Texas overturned the FDA's two-decade-old approval of the drug last Friday.

'Furious'

The appeals court said anti-abortion proponents had waited too long to challenge the drug's approval by the FDA but gave them a victory of sorts by imposing restrictions on its use, a move denounced by groups seeking to maintain access to abortion.

"We are furious that yet another court would choose to jeopardize the health and futures of the millions of people who rely on mifepristone for abortion care," said Planned Parenthood president Alexis McGill

Johnson.

Jennifer Dalven, director of the ACLU Reproductive Freedom Project, said that "unless the Supreme Court steps in, this decision will prevent many people from getting abortion care and force them to remain pregnant against their will."

The anti-abortion group Susan B. Anthony described the appeals court ruling by two judges appointed by former Republican president Donald Trump as a "win."

"The court recognized that the abortion pill is dangerous and rolled back Biden's reckless mail-order abortion scheme," said Susan B. Anthony state policy director Katie Daniel.

Mifepristone is one component of a two-drug regimen that can be used in the United States through the first 10 weeks of pregnancy.

It has a long safety record, and the FDA estimates 5.6 million Americans have used it to terminate pregnancies since it was approved.

'Unborn human'

Last week's ruling by Judge Matthew Kacsmaryk, also a Trump appointee, seeking to impose a nationwide ban on mifepristone came in response to a suit by a coalition of anti-abortion groups.

The judge, in his decision, adopted language used by abortion opponents, saying the drug was used to "kill the unborn human."

Kacsmaryk said the two-drug regimen that includes mifepristone had resulted in "thousands of adverse events suffered by women and girls," including intense bleeding and psychological trauma.

But the FDA, researchers, and the drugmaker say decades of experience have proven the medication to be safe and effective when used as indicated.

The Biden administration and leading pharmaceutical and biotech companies argued that Kacsmark's ruling risked undermining the entire drug approval authority of the FDA.

"If this decision stands, no medication—from chemotherapy drugs, to asthma medicine, to blood pressure pills, to insulin—would be safe from attacks," said Vice President Kamala Harris.

Polls repeatedly show a clear majority of Americans support continued access to safe abortion, even as conservative groups push to limit access to the procedure—or ban it outright.

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