Elections Affect Legislation

For a bill to be signed into federal law, it has to pass in both chambers of Congress (the US House and the US Senate) and then be signed by the President.

On so many policies, including those related to abortion, the Republican and Democrat parties are at opposite ends of the spectrum.

Therefore, to get any laws enacted in either direction regarding abortion, the same party needs to control the House, the Senate and the White House at the same time. And that doesn’t happen very often, as the list below shows.

(Moreover, when we say “control,” that often means that in the Senate, there needs to be not only a majority, but 60 votes. Otherwise a bill cannot get past the objections of the minority party.)

The list below shows not only when the same party controlled the Congress and the White House, but what pro-life and pro-abortion bills became federal law as a result.

One of the key reasons that progress is slow is divided government. Elections can change that.

PARTY CONTROL OF THE EXECUTIVE AND LEGISLATIVE BRANCHES SINCE ROE v. WADE (1973)

Sources:
  U.S. Senate - https://www.senate.gov/history/partydiv.htm

* Caucused with Republicans
# Caucused with Democrats

NOTES:

The numbers listed below reflect the partisan divide in the Senate and House at the beginning of each session of Congress. Congressional sessions start on January 3rd of odd-numbered years and run until January 2nd two years later.

<table>
<thead>
<tr>
<th>Years</th>
<th>President</th>
<th>U.S. Senate</th>
<th>U.S. House</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973-1975</td>
<td>Republican</td>
<td>56 Democrats</td>
<td>243 Democrats</td>
</tr>
<tr>
<td></td>
<td></td>
<td>42 Republicans</td>
<td>192 Republicans</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Conservative *</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Independent #</td>
<td></td>
</tr>
<tr>
<td>1975-1977</td>
<td>Republican</td>
<td>60 Democrats</td>
<td>291 Democrats</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37 Republicans</td>
<td>144 Republicans</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Conservative *</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>1 Independent #</td>
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<tr>
<td></td>
<td></td>
<td>1 Vacancy due to contested election results</td>
<td></td>
</tr>
<tr>
<td>1977-1979</td>
<td>Democrat</td>
<td>61 Democrats</td>
<td>292 Democrats</td>
</tr>
<tr>
<td></td>
<td></td>
<td>38 Republicans</td>
<td>143 Republicans</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Independent #</td>
<td></td>
</tr>
</tbody>
</table>
1979-1981 Democrat 58 Democrats
41 Republicans
1 Independent #
278 Democrats
157 Republicans

1981-1983 Republican 53 Republicans
46 Democrats
1 Independent #
243 Democrats
192 Republicans

1983-1985 Republican 55 Republicans
45 Democrats
269 Democrats
166 Republicans

1985-1987 Republican 53 Republicans
47 Democrats
254 Democrats
181 Republicans

1987-1989 Republican 55 Democrats
45 Republicans
258 Democrats
177 Republicans

1989-1991 Republican 55 Democrats
45 Republicans
260 Democrats
175 Republicans

1991-1993 Republican 56 Democrats
44 Republicans
267 Democrats
167 Republicans
1 Independent #

1993-1995 Democrat 57 Democrats
43 Republicans
258 Democrats
176 Republicans
1 Independent #

1994 Freedom of Access to Clinic Entrances Law passed by Democrat Congress and signed by Democrat President Bill Clinton, making it a federal crime to peacefully blockade an abortion facility or to intimidate someone from entering.

1995-1997 Democrat 52 Republicans
48 Democrats
230 Republicans
204 Democrats
1 Independent #

1997-1999 Democrat 55 Republicans
45 Democrats
227 Republicans
207 Democrats
1 Independent #

1999-2001 Democrat 55 Republicans
45 Democrats
223 Republicans
211 Democrats
1 Independent #
2001-2003 Republican 50 Democrats 220 Republicans
49 Republicans 213 Democrats
1 Independent # 2 Independents #

2003-2005 Republican 51 Republicans 229 Republicans
48 Democrats 205 Democrats
1 Independent # 1 Independent #

2003 – Partial-Birth Abortion Ban Act
(Republican House; Republican Senate; twice vetoed by Democratic President, but signed into law by Republican President) – Congress first passed this bill in 1995 and then in 1997 and it was vetoed both times by Democrat President Bill Clinton. Congress passed it again in 2003 and Republican President George W. Bush signed the measure into law.

2004 – Unborn Victims of Violence Act
Passed by Congress in 2004 and signed into law by President George W. Bush, the Unborn Victims of Violence Act amended the federal criminal code to include an unborn child at any stage of development as a separate victim when injured or killed as the consequence of an attack on his or her mother.

2005-2007 Republican 55 Republicans 233 Republicans
44 Democrats 201 Democrats
1 Independent # 1 Independent #

2007-2009 Republican 49 Democrats 233 Democrats
49 Republicans 202 Republicans
2 Independents #

2009-2011 Democrat 57 Democrats 257 Democrats
41 Republicans 178 Republicans
2 Independents #

2011-2013 Democrat 51 Democrats 242 Republicans
47 Republicans 193 Democrats
2 Independents #

2013-2015 Democrat 53 Democrats 234 Republicans
45 Republicans 201 Democrats
2 Independents #

2015-2017 Democrat 54 Republicans 247 Republicans
44 Democrats 188 Democrats
2 Independents #

2017-2019 Republican 52 Republicans 241 Republicans
46 Democrats 194 Democrats
2 Independents #