

Equal Access to Abortion, Everywhere.

The Women's Health Protection Act

Messaging, 117th Congress

When passed, WHPA will protect the right to access abortion throughout the United States.

The **Women's Health Protection Act (WHPA)** works toward a future where all of us are free to make the personal decisions that shape **our lives, our futures, and our families**, without political interference.

WH · PA

noun: federal legislation creating a statutory right for health care providers to provide abortion care, and a corresponding right for their patients to receive that care, free from medically unnecessary restrictions that single out abortion and impede access.

Topline Messages

- Equal access to abortion care—everywhere—is essential to social and economic participation, reproductive autonomy, and the right to determine our own lives.
- In an equitable and just society, all health care, including abortion, is accessible for everyone. When abortion care is accessible, individuals, families, and communities thrive.
- Reproductive Justice is the human right to maintain bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities. Abortion access is a critical part of maintaining Reproductive Justice for Black, Indigenous, and People of Color (BIPOC) and must be centered as we work toward a future where every person can make their own decisions with dignity and self-determination.
- But hundreds of state-level laws restricting and banning abortion have made abortion care extremely difficult to access for many people, despite constitutional protections. The right to abortion is not real if only some people can access it.
- The people hurt most by abortion restrictions are those who already face barriers to accessing health care—including women, Black, Indigenous and People of Color (BIPOC), those working to make ends meet, members of the LGBTQI+ community, immigrants, young people, those living in rural communities, and people with disabilities.
- Abortion restrictions are part of the intertwined systems of oppression that deny Black, Indigenous, and People of Color (BIPOC) access to constitutional rights. The elimination of abortion restrictions is essential to the pursuit of reproductive, economic, and racial justice because those restrictions are rooted in anti-Black racism, white supremacy, and other forms of discrimination.
- The 117th Congress must stand with people and communities fighting for racial, economic, and reproductive justice and commit to protecting the right of every person to make their own decisions about their bodies, free from discrimination and political interference.

- It's time for Congress to protect abortion rights and access with WHPA. Passing WHPA is a critical step toward creating a world where every person—whoever they are or wherever they're from—is free to make the best health care decisions for themselves, their families, and their lives.

Why WHPA & why now

- The Biden-Harris administration has affirmed its commitment to abortion rights and access, and WHPA is the bill that enshrines those rights into law. WHPA provides clear guidance to states and courts about the rights of providers and patients.
- WHPA is the federal bill that addresses the attacks on abortion rights happening across our country.
 - A relentless effort by anti-abortion lawmakers and groups to eliminate abortion state-by-state and law-by-law is preventing women and others who need abortion care from accessing essential health care, which is a human right.
 - These laws make it harder or impossible for people to access abortion, force providers to give medically inaccurate or misleading information to their patients, and require patients to undergo medically unnecessary and sometimes invasive procedures.
 - Since 2011, anti-abortion lawmakers have pushed nearly 500 restrictive laws through state legislatures that make abortion difficult and, sometimes, impossible to access.
 - These abortion restrictions and bans are becoming more extreme. In the first five months of 2021, state lawmakers in four states have passed bans on abortion at 6 weeks of pregnancy, before many people even know they're pregnant—and, in Arkansas and Oklahoma, lawmakers tried to ban abortion completely.
 - The impact is devastating. Today, nearly 90 percent of American counties are without a single abortion provider, and 27 cities have become "abortion deserts" because people who live there must travel 100 miles or more to reach a provider.
- Equitable access to health care and reproductive rights is essential for racial justice.
 - Our elected representatives must act to reverse policies that result in different outcomes for people according to race.
 - Congress has a responsibility to pass legislation that works to undo the harmful legacy of racist policies and practices as our country faces the intersecting impacts of the COVID-19 pandemic, the economic crisis, and the systemic racism behind attacks on our democracy.
 - Black, Indigenous, and People of Color have long been denied control over their own lives and bodies by policies that place equal housing, education, economic opportunities, and health care, including abortion, out of reach.
 - Many members of Congress have spoken in support of people rising for racial justice in the United States. But it's not enough. They must act to advance racial justice.
 - It's time for Congress to enact policies, like WHPA, that promote racial and social justice for everyone.

- WHPA is designed to work hand-in-hand with the Equal Access to Abortion Coverage in Health Insurance (EACH) Act of 2021. EACH is a federal bill that eliminates federal coverage restrictions on abortion care, including the Hyde Amendment's ban on coverage for Medicaid enrollees.
 - WHPA protects the right to access abortion care and EACH ensures care is affordable.
 - Together, these bills can transform abortion access across the country—bringing us closer to a world where all people can access and afford abortion care.
- We cannot rely solely on the courts to defend abortion rights and access from constant attacks.
 - On May 17th, the Supreme Court announced that it will take up a case that presents a direct challenge to *Roe v. Wade*. The case about a 15-week ban on abortion in Mississippi is the first pre-viability abortion ban the Court will rule on since *Roe*.
 - Even as *Roe* stands, the evisceration of abortion access is well underway. *Roe* isn't and has never been enough. We need a legislative solution.
 - Were the Supreme Court to overturn *Roe v. Wade*, 24 states could immediately prohibit abortion entirely, according to a state-by-state analysis, *What If Roe Fell*.
 - Dozens of cases challenging anti-abortion laws are currently making their way through courts. But the court system takes time and, in the meantime, people are losing access to the essential health care they need across the country.
 - After vowing to nominate federal judges opposed to abortion rights, the Trump administration succeeded in getting more than 220 federal judges confirmed--including three Supreme Court Justices--to lifetime appointments. These judges will be hearing cases for decades to come.
 - We now have a Supreme Court where six of the nine justices have ruled against abortion rights.
 - With federal courts becoming more hostile to reproductive rights and access, it's time for Congress to act.
- Every day without congressional action means that more and more people are being denied their constitutional right to abortion—and we know that this disproportionately affects women, Black, Indigenous, and People of Color, members of the LGBTQI+ community, and those with lower incomes.
- Congress can and must protect equal access to abortion care by passing WHPA.

Abortion is essential health care, and a constitutional and human right.

- Major medical associations, including the American College of Obstetricians and Gynecologists (ACOG) and the American Medical Association (AMA), affirm that abortion is essential health care that should not be burdened by medically unnecessary restrictions that harm patients.
- Abortion is a right protected by the U.S. Constitution. Yet, the hundreds of abortion restrictions make it difficult and sometimes impossible for people to access that right. The right to abortion is not real if only some people can access it.

- International human rights law recognizes and protects access to abortion as central to health, equality, and non-discrimination. United Nations human rights bodies have condemned medically unnecessary barriers to abortion, including mandatory waiting periods and biased counseling requirements.

Access to abortion is necessary for social and economic equality and well-being.

- One in four women will have an abortion in her lifetime. When someone has made the decision to have an abortion, they should be able to access the care they need free from burdens, barriers, and stigma.
 - But the current web of restrictions causes significant and sometimes insurmountable life challenges for people seeking care.
 - People seeking care must often travel long distances, take unpaid time off from work, and find and pay for child-care due to state-mandated waiting periods, unnecessary repeat visits where doctors must give patients false information, and a lack of providers due to clinics being forced to close.
 - Research shows that being denied an abortion has serious consequences for a woman's health, well-being, and financial security.
 - Women denied abortion care are at increased risk of experiencing intimate partner violence, health problems, poverty, and ongoing financial distress, including rising debt and eviction proceedings.
 - States with the most restrictive abortion laws tend to have some of the highest infant mortality rates in the country.
- When people can make decisions about whether and when to become a parent, they are more likely to attain their educational goals, have job mobility, and achieve economic security.

WHPA brings us closer to a world where all people can make important decisions about their health, their lives, their families, and their futures. That's when we can all thrive and build communities where each of us can participate equally, and with dignity.

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