

June 16, 2021

The Honorable Richard Blumenthal
706 Hart Senate Office Building
Washington, DC 20510

The Honorable Ted Cruz
127A Russell Senate Office Building
Washington, DC 20510

Dear Chairman Blumenthal and Ranking Member Cruz:

As an organization committed to Reproductive Justice for Black, Indigenous, Latinx, and AAPI communities; LGBTQIA+ individuals; young people; and people with low incomes, URGE: Unite for Reproductive & Gender Equity is writing to express our full support for the Women's Health Protection Act of 2021 (S.1975), federal legislation that will protect the right to access abortion care throughout the United States.

As a state-driven national organization building a young people's movement for Reproductive Justice, URGE centers the leadership of young people of color and queer, trans, and nonbinary individuals. We defend abortion, transform culture, and build power where the challenges and opportunities are greatest, particularly in the South and Midwest, where abortion care is out of reach for too many who need and deserve such important care.

URGE envisions a liberated world where we can live with justice, love freely, express our gender and sexuality, and define and create families of our choosing, on our own terms. And as long as abortion is stigmatized, restricted, criminalized, and banned—we are prevented from making that vision a reality.

That's why we strongly encourage the Senate Judiciary Committee to send the Women's Health Protection Act (WHPA) to the floor for a vote.

Equal access to abortion care is essential to social and economic equality and the right to determine our own lives. And it is critical to Reproductive Justice, which is the human right to maintain bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities. Reproductive Justice will be achieved when all people have the economic, social, and political power to make decisions about their bodies, health, sexuality, families and communities with dignity and self-determination.

For nearly 50 years, abortion has been a legal right, protected by the U.S. Constitution and recognized in international human rights law. The U.S. Supreme Court has repeatedly affirmed—most recently in 2020—that the Constitution's guarantees of personal privacy and liberty protect a person's right to end a pregnancy. And international human rights law recognizes and protects access to abortion as central to health, equality, and non-discrimination.

On May 17th, the Supreme Court announced that it will hear *Jackson Women’s Health Organization*—challenging a Mississippi ban on abortion at 15 weeks of pregnancy—that presents a direct challenge to *Roe v. Wade*. And even as *Roe* stands, abortion access is being restricted to the point of elimination in states across the United States.

Hundreds of state-level laws restricting and banning abortion have made abortion care extremely difficult to access, especially for people who already face significant barriers to accessing health care including Black, Indigenous, and People of Color (BIPOC), women, those working to make ends meet, members of the LGBTQIA+ community, immigrants, young people, those living in rural communities, and people with disabilities.

The attacks on abortion rights and access are increasing at a staggering pace. Since 2019, 13 states have passed unconstitutional bans on abortion including a total ban enacted in Alabama and six-week bans passed in five states. And 2021 is shaping up to be the most harmful year for abortion rights and access in decades, with state lawmakers enacting nearly 70 restrictions on abortion in the first five months alone.¹

Laws that block access to abortion cause significant and sometimes insurmountable life challenges for people seeking care. Denial of abortion care can have serious long-lasting consequences on a person’s health and well-being including increasing the risk of experiencing poverty, health problems, and intimate partner violence.²

Dozens of these restrictions are being challenged in court, but piecemeal litigation is not enough to ensure that all people have access to abortion care. As these cases make their way through the court system, people—disproportionately BIPOC, women, and people living on low incomes—are losing access to essential health care across the country.

In four of URGE’s states (Texas, Georgia, Alabama, and Ohio) abortion has been attacked since the beginning of the 2021 state legislative session. These restrictions cause a systemic barrier to care for communities who are already attacked on multiple fronts, including the wave of voter suppression attacks and laws targeting LGBTQ+ people. In Texas, most recently, Gov. Greg Abbott signed legislation that bans abortion at six weeks of gestation, so early in pregnancy that many people may not even know that they are pregnant.³ This grossly political move will negatively impact those seeking abortion care

¹ Guttmacher Institute, “2021 Is on Track to Become the Most Devastating Antiabortion State Legislative Session in Decades.” 18 May 2021. (retrieved from <https://www.guttmacher.org/article/2021/04/2021-track-become-most-devastating-antiabortion-state-legislative-session-decades>).

² Foster DG, Ralph LJ, Biggs MA, Gerdtts C, Roberts SCM, Glymour MA, “Socioeconomic outcomes of women who receive and women who are denied wanted abortions,” AMERICAN JOURNAL OF PUBLIC HEALTH (2018) Mar; 108(3):407-413; Advancing New Standards in Reproductive Health, “Turnaway Study: Long-term study shows that restricting abortion harms women,” BIXBY CENTER FOR GLOBAL REPRODUCTIVE HEALTH (retrieved from https://www.ansirh.org/sites/default/files/publications/files/turnaway_study_brief_web.pdf).

³ NPR, “The Governor Of Texas Has Signed A Law That Bans Abortion As Early As 6 Weeks.” 19 May 2021. (retrieved from <https://www.npr.org/2021/05/19/998237349/the-governor-of-texas-has-signed-a-law-that-bans-abortion-as-early-as-6-weeks>).

and push them to drive to other nearby states (e.g. Kansas) for access, and that's if they can afford that financial burden—and most pregnant people cannot.

Congress can and must do more to protect abortion access.

The Women's Health Protection Act is the federal bill that addresses the current attacks on abortion rights and access including bans like the one in Mississippi and other parts of the South and Midwest.

WHPA establishes a statutory right for health care providers to provide, and their patients to receive, abortion care, free from medically unnecessary restrictions, limitations, and bans that single out abortion and impede access to care.

URGE is appreciative that the Women's Health Protection Act bill-findings go further than they have before in recognizing that Reproductive Justice is a human right that requires every individual to be able to make their own decisions about having children regardless of their circumstances and without interference and discrimination.

The violent legacy of restrictions on reproductive health care perpetuates white supremacy and anti-Black racism. It impedes bodily autonomy. It compounds harm for members of communities that have historically experienced barriers to health care.

Each of us should be able to make our own decisions about whether and when to become a parent. It's time to listen to the people most affected by reproductive oppression about what we need for our communities to thrive. The Women's Health Protection Act would be an important step towards this reality.

Abortion access is a racial and economic justice issue. Congress must be in solidarity with people and communities fighting for racial, economic, and Reproductive Justice and commit to protecting the right to access abortion by supporting WHPA. This bill enshrines the right to access abortion into law and provides clear guidance to states and courts about the rights of providers and patients.

We commend the Senate Judiciary Committee's Constitution Subcommittee for holding a hearing on this important legislation—and we urge the Judiciary Committee to send WHPA to the Senate floor for a vote.

The time is now.

Sincerely,

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