

**Statement of Representatives Judy Chu, Lois Frankel, Ayanna Pressley,
and Veronica Escobar
Submitted to the Committee on Energy and Commerce
United States House of Representatives
July 13,2021**

Chair Pallone, Ranking Member McMorris Rodgers, and members of the Committee, we are grateful for the opportunity to provide written testimony about the hardship faced by individuals who cannot access their full range of reproductive health options due to burdensome state laws, and our proposed legislation, H.R. 3755, the Women’s Health Protection Act (WHPA).

Everyone deserves equal access to comprehensive and safe reproductive healthcare, no matter where they live, free from political interference. The Supreme Court established the constitutional right to access abortion in 1973 in the landmark case *Roe v. Wade*. However, for many people in the United States, abortion care has become nearly inaccessible due to onerous and unnecessary state laws and restrictions. These laws impose waiting periods, medically unnecessary ultrasounds, requirements that clinics be located no more than a certain number of miles away from a hospital, invasive reporting requirements, and admitting privileges for abortion providers. None of these restrictions make abortion care safer, and instead impose an undue hardship on those seeking an abortion.

Since 2011, anti-abortion extremists have passed nearly 500 of these restrictive state laws. This is a coordinated, nationwide strategy to eliminate abortion access and provide an opportunity to overturn or undermine *Roe*. In 2019 alone, eighteen states passed 46 laws restricting or banning abortion, including Georgia, Kentucky, Mississippi, Louisiana, Ohio, and Alabama. These laws are often so restrictive that they effectively ban abortion before most women know that they are pregnant. The result is that abortion access is often determined by an individual’s zip code. Nearly 90 percent of American counties are without a single abortion provider, and six states are down to their last abortion clinic. No constitutional right should be contingent on where you live.

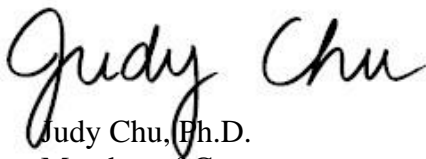
The Supreme Court has announced its intention to take up *Jackson Women’s Health Organization v. Dobbs*, a case directly challenges *Roe v. Wade*. The ban threatens abortion providers with severe penalties for providing abortion after 15 weeks of pregnancy. It defies nearly 50 years of Supreme Court precedent, going back to *Roe*, that recognizes that the Constitution guarantees each person the right to decide whether to continue a pregnancy. There is no path for the Supreme Court to uphold Mississippi’s ban without overturning *Roe*’s core holding—that every pregnant person has the right to decide whether continue their pregnancy prior to viability. Abortion restrictions are part of the intertwined systems of oppression that deny Black, Indigenous, and People of Color (BIPOC) their constitutional rights. The people hurt most by abortion restrictions are those who already face barriers to accessing health care—including BIPOC, those working to make ends meet, members of the LGBTQI+ community,

immigrants, young people, those living in rural communities, and people with disabilities. It is clear that the goal of these state laws is to set up the overturn of *Roe*.

Our bill, the Women's Health Protection Act, would put a stop to these state-based attacks and enshrine the protections of *Roe* into law by ensuring that providers have the right to provide, and patients have the right to receive abortion care free of medically unnecessary restrictions. The Women's Health Protection Act will ensure that no matter where someone lives, no matter their zip code, abortion access is a right for all. Weakening or overturning *Roe* poses a threat to our fundamental rights to make personal decisions beyond abortion, including who to have intimate relationships with, who to marry, and to use contraception.

H.R. 3755 currently has 185 cosponsors, and in the 116th Congress was the most-cosponsored proactive pro-choice bill in Congress. We thank you for your consideration of this important legislation, we urge you to bring up the Women's Health Protection Act to be marked up and advance it to the House floor for a vote. Our bill will ensure that, regardless of what happens at the Supreme Court, women can make decisions about their lives and bodies in consultation with their families and their physicians, not politicians.

Sincerely,



Judy Chu, Ph.D.
Member of Congress



Lois Frankel
Member of Congress



Ayanna Pressley
Member of Congress



Veronica Escobar
Member of Congress