

**Statement of Representatives Judy Chu, Lois Frankel, and Marcia Fudge
Submitted to the Committee on Energy and Commerce Subcommittee on Health
United States House of Representatives**

Hearing on “Protecting Women’s Access to Reproductive Health Care”

February 12, 2020

Chairwoman Eshoo, Ranking Member Burgess, and members of the Committee, thank you for holding this historic hearing. We are grateful for the opportunity to provide written testimony about the hardship faced by women who cannot access their full range of reproductive health options due to burdensome state laws, and our proposed solution H.R. 2975, 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 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 450 of these restrictive state laws. This is a coordinated, nationwide strategy to eliminate abortion access and provide an opportunity to overturn *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 a woman’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.

In 2016, the Supreme Court ruled in *Whole Woman’s Health v. Hellerstadt* that a Texas law that imposed unnecessary admitting privileges for abortion providers was unconstitutional. The court found that such a law placed an “undue burden” on women seeking abortion, and overturned Texas’s law. A nearly identical case, *June Medical Services LLC v. Gee*, is set to be heard in front of the Supreme Court on March 4th, 2020. The only measurable change in the five years between the cases is the makeup of the Supreme Court. 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.

H.R. 2975 currently has 215 cosponsors and is the most-cosponsored proactive pro-choice bill in Congress. We thank you for your consideration of this important legislation, and urge the Committee to move forward with consideration of legislation like the Women's Health Protection Act, which will ensure that woman can make decisions about their lives and bodies in consultation with their families and their physicians, not politicians.