

April 28, 2022

The Honorable Kevin McCarthy
Republican Leader
2468 Rayburn House Office Building
Washington, DC 20515

The Honorable Steve Scalise
Republican Whip
2049 Rayburn House Office Building
Washington, DC 20515

The Honorable Elise Stefanik
Republican Conference Chair
2211 Rayburn House Office Building
Washington, DC 20515

Re: Any Commitment to America Must Include a Bold Strategy to Protect Unborn Life

Dear Leaders:

We, the undersigned, represent hundreds of thousands of Americans across the states who care deeply about the issues of life, family, and religious freedom. Although each of these issues is vitally important, the prospect of seeing *Roe v. Wade* undermined or overturned and the momentum currently behind the pro-life movement is unlike any we have seen before. Therefore, as Republican leadership readies its conservative agenda for the next year, we urge you to ensure that any commitment to America includes a bold, clear, and articulate plan to protect the most vulnerable among us, the unborn.

Ever since 1973, when the U.S. Supreme Court handed down its misguided *Roe v. Wade* decision and limited the ability of Congress and state legislatures to enact meaningful laws protecting unborn life, organizations like ours have been diligently working to enact pro-life state legislation that challenges the abortion precedent in *Roe*, protects the humanity and dignity of the unborn, and fosters a culture that cares for unborn children and mothers targeted by the abortion industry.

There has never been a better time to protect life. Americans support the pro-life policies we have worked to enact in the states by large margins. A majority of Americans support prohibiting taxpayer funding for abortion,¹ requiring clear health and safety standards for chemical abortion,²

¹ Knights of Columbus, “A Majority of Americans Support Legal Limits on Abortion, and Oppose Taxpayer Funding,” press release, January 20, 2022, <https://www.kofc.org/en/news-room/polls/americans-support-legal-limits-on-abortion.html>.

² Valerie Richardson, “Most pro-choice adults oppose late-term abortion, denying newborns care: Poll,” *The Washington Times*, February 12, 2019, <https://www.washingtontimes.com/news/2019/feb/12/most-pro-choice-adults-oppose-late-term-abortion-d/>.

providing immediate medical care for infants who survive abortion,³ and protecting unborn children from the horrors of abortion as early as the first trimester.⁴

There have been major pro-life victories in recent years. Almost 600 pro-life laws have been enacted in the states since Republicans took office in a majority of state capitols in January 2011, making the past decade the most pro-life in history.⁵ A Mississippi law protecting unborn life at 15 weeks gestation has been brought before the U.S. Supreme Court in *Dobbs v. Jackson Women's Health Organization*, presenting a clear opportunity for the court to overturn *Roe*. In September 2021, Texas became the first state to successfully enforce a law to protect unborn children when a heartbeat can be detected (generally around five to six weeks gestation); this law has reduced abortions in the state and received support from 55 percent of Texans, with even broader support specifically among Latinos.⁶ Three states—Alabama, Arkansas, and Oklahoma—have successfully passed legislation prohibiting most abortions.⁷ Strong pro-life laws have also received bipartisan support, with Louisiana Gov. John Bel Edwards (D) working with lawmakers from both parties in his state to sign a heartbeat protection act into law in 2019.⁸

However, the pro-abortion lobby has responded to these great pro-life successes by doubling down on its promotion of abortion in contested and Left-leaning states. For example, California and Maryland are considering laws to enshrine a right to abortion (the language of these bills may even allow the killing of an infant after birth).⁹ Hawaii, Maryland, and Washington have loosened restrictions on who can perform abortions, allowing medical practitioners to perform dangerous abortion procedures with less training. And New Mexico has repealed all of its restrictions on abortion, leaving unborn children completely defenseless against this barbaric practice.

For its part, the Biden administration has taken clear actions to promote abortion and undermine pro-life successes in the states. It has gone after unrelated federal funding streams in pro-life states and allowed chemical abortion pills to be shipped through the mail without any health and safety protocols. Such extremist behavior from pro-abortion politicians will only increase as the pro-life movement continues to gain momentum.

³ Susan B. Anthony List, "Poll: 77 Percent of Voters Want Congress to Protect Babies Born-Alive," press release, February 13, 2019, <https://www.sba-list.org/newsroom/press-releases/poll-77-percent-voters-want-congress-protect-babies-born-alive>.

⁴ David Crary and Hannah Fingerhut, "AP-NORC poll: Most say restrict abortion after 1st trimester," *Associated Press*, June 25, 2021, <https://apnews.com/article/only-on-ap-us-supreme-court-abortion-religion-health-2c569aa7934233af8e00bef4520a8fa8>.

⁵ Elizabeth Nash, "State Policy Trends 2021: The Worst Year for Abortion Rights in Almost Half a Century," Guttmacher Institute, December 2021, <https://www.guttmacher.org/article/2021/12/state-policy-trends-2021-worst-year-abortion-rights-almost-half-century>.

⁶ Michael J. New, "Poll Shows Strong Support among Texans for the Heartbeat Bill," *National Review*, November 4, 2021, <https://www.nationalreview.com/corner/poll-shows-strong-support-among-texans-for-the-heartbeat-bill/>.

⁷ Family Research Council, "State Policy Brief: Total Abortion Bans," July 2021, <https://www.frc.org/statepolicybrief/total-abortion-ban>.

⁸ Melinda Deslatte, "Louisiana's Democratic governor signs abortion ban into law," *Associated Press*, May 30, 2019, <https://apnews.com/article/laws-health-us-news-ap-top-news-bills-37bc68bd214c436fae19a64d4d1af470>.

⁹ Greg Burt, "Assembly Judiciary Committee Approves Infanticide Bill, But the Fight Is Just Beginning," California Family Council, April 8, 2022, <https://www.californiafamily.org/2022/04/assembly-judiciary-committee-approves-infanticide-bill-but-the-fight-is-just-beginning/>.

Even if the Supreme Court overturns *Roe* this year, a strong congressional plan to protect unborn life will be needed. Current public polling trends and the recent state-level legislative successes indicate that congressional leaders would be wise to lean into the pro-life issue, not shy away from it. Our states need members of Congress who will speak on behalf of the unborn, hold votes on strong pro-life legislation, and push back against the Biden administration's extreme pro-abortion policies. We stand ready to support you in these efforts.

Life is winning in America. The pro-abortion lobby knows this, which is why they have been so hard at work. Our pro-life leaders on Capitol Hill, who are the voice for millions of unborn children in America, need to work equally as hard. Once again, we urge you to ensure that any commitment to America includes a bold, clear, and articulate plan to protect unborn lives.

Sincerely,

Tony Perkins
President
Family Research Council

Jonathan Keller
President and CEO
California Family Council

Gene Mills
President
Louisiana Family Forum

Jason McGuire
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New Yorkers for Constitutional
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