

# FREEDOM FROM RELIGION *foundation*

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July 25, 2022

The Honorable Joseph Biden  
The President  
White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Re: Please take more urgent action to protect abortion rights

Dear Mr. President:

We are writing on behalf of the Freedom From Religion Foundation (FFRF) to urge you to take every action in your power to ensure that all Americans have ongoing access to safe, legal abortion care. FFRF is a national nonprofit organization with more than 38,000 largely nonreligious members across the country, including members in all 50 states and in the District of Columbia. FFRF works to protect the constitutional separation between state and church and to educate about nontheism.

Thank you for taking the steps you have to date to safeguard access to reproductive rights around the country. Your July 8 Executive Order Protecting Access to Reproductive Health Care Services covered some important aspects of reproductive health care that are jeopardized by the Supreme Court's capricious reversal of *Roe v. Wade* in June. Particularly important was your order to Health and Human Services to help ensure that pregnant women and those experiencing pregnancy loss are afforded immediate and complete medical treatment in our nation's emergency rooms.

However, as you know, extremist anti-abortion activists around the country are hellbent on capitalizing on the demise of *Roe*, and are clamping down on reproductive rights in new and terrifying ways now that they know the U.S. Supreme Court will not stop them. We are already seeing a torrent of bad state legislation all over the country and expect worse by next year. Many unconscionable trigger laws banning abortion are going into effect now or momentarily. At least

eight states already ban abortion and up to half the states are expected to do so imminently.

Criminalizing abortion health care and access to abortion information and care are creating a national health emergency. The Administration should act accordingly. There are more than 58 million U.S. women (and people capable of becoming pregnant) of reproductive age (ages 15–49) — and 40 million were already living in states hostile to abortion rights prior to the *Dobbs* decision.<sup>1</sup> This figure doesn't even include children under age 15 who are capable of becoming pregnant and for whom premature pregnancies pose grave health and life risks. We know you share our outrage over the plight of the 10-year-old Ohio rape victim who had to cross the border in order to terminate a pregnancy that endangered her physical and mental health and future.

Specifically, we ask that you:

- Immediately create a health ombudsperson at the Department of Health and Human Services with clear authority;
- Clarify your protections on sensitive health and location data that could be used against women ordering pills online or crossing state borders for abortion care;
- Provide federal resources for individuals seeking abortion care in other states, which could include travel vouchers, child care services and other needed forms of support; and
- Most important, we urge you to order the use of federal property — VA hospitals and clinics — as oases of abortion care in states with bans or inadequate services. Utilizing the more than 150 VA medical centers and over 1,400 community-based outpatient clinics would ensure federal citizens and residents in all states would have access to abortion care.

These are beginning steps toward ensuring that abortion care — the right to terminate unwanted pregnancies — is a federally protected right. Americans need to know that their federal government is doing absolutely everything in its power to protect them against this coming onslaught. There must be widespread, and widely understood, strong federal protections already in place to limit the damage done by state lawmakers aiming to impose their personal religious ideologies onto the private lives of other Americans and consequences that are life-altering and

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<sup>1</sup> Guttmacher Institute (Oct. 26, 2021), [www.guttmacher.org/infographic/2021/58-us-women-reproductive-age-40-million-women-live-states-hostile-abortion-rights-0](https://www.guttmacher.org/infographic/2021/58-us-women-reproductive-age-40-million-women-live-states-hostile-abortion-rights-0).

life-threatening. With the Senate killing the Women's Health Protection Act, it is up to the executive branch to act to protect abortion rights.

We ask the Administration to provide reassurances to those who may need to seek abortion care, contraception, in vitro fertilization, or other forms of reproductive health care that the federal government will be there to protect these essential rights. Thank you so much for your recent action. We look forward to seeing continued strong action in the weeks and months to come.

Very truly,

Handwritten signatures of Annie Laurie Gaylor and Dan Barker in blue ink.

Annie Laurie Gaylor & Dan Barker

Co-presidents

ALG/DB:rdj