July 12, 2022

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Honorable Xavier Becerra
Secretary, Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

Dear President Biden and Secretary Becerra,

We write you to respectfully urge to issue a national emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, known as the “Stafford Act,” and a Public Health Emergency declaration on abortion access pursuant to your authority under section 319 of the Public Health Service Act and the Public Readiness and Emergency Preparedness Act (PREP Act). We further call on you to use your authorities under the PREP Act to help ensure continued access to medication abortion across the country.

The Supreme Court’s radical and dangerous decision in Dobbs v. Jackson Women’s Health Organization has precipitated a full-scale reproductive health crisis across our nation. It has also plunged our health system into a state of uncertainty and upheaval that threatens patients’ lives. Abortion bans can unnecessarily impede lifesaving medical procedures in the event of pregnancy complications or loss. Health experts warn that in the aftermath of this disastrous ruling, the U.S. maternal mortality rate — which is already the highest in the developed world — is certain to rise, with disproportionate impacts on communities of color.

The impacts of this ruling are not limited to health systems in states where abortion is now illegal. In making your determination about issuing a Public Health Emergency declaration, we urge you to also consider the spillover effects of state laws banning abortion on the health systems in neighboring states that protect the legal right to abortion. Abortion providers have reported that patients in need of abortion are seeking care in other states, causing unprecedented strain on limited resources and delaying care for residents.

As we have experienced during the COVID-19 pandemic, a public health emergency declaration can provide significant new authority and flexibility for a federal emergency response. Relevant activities may include but are not limited to Public Health Services Corps team deployments,
Medicaid State Plan Amendment flexibilities to support safe-haven states, and the ability to accelerate access to new medications authorized for abortion.

We respectfully urge you to quickly issue a National Emergency and Public Health Emergency declaration and use your authority under the PREP Act to protect abortion access.

Thank you for your attention to this issue.

Sincerely,

Lloyd Doggett
Member of Congress

Lizzie Fletcher
Member of Congress

Judy Chu
Member of Congress

Barbara Lee
Member of Congress

Sara Jacobs
Member of Congress

Veronica Escobar
Member of Congress

Sylvia R. Garcia
Member of Congress

Jackie Speier
Member of Congress
Ted Lieu
Member of Congress

Juan Vargas
Member of Congress

Yvette D. Clarke
Member of Congress

Anthony G. Brown
Member of Congress

John Yarmuth
Member of Congress

Jake Auchincloss
Member of Congress

Jason Crow
Member of Congress

Marc A. Veasey
Member of Congress

Marie Newman
Member of Congress

Tony Cárdenes
Member of Congress

Dina Titus
Member of Congress

Earl Blumenauer
Member of Congress
Salud Carbajal
Member of Congress

Al Green
Member of Congress

Mark DeSaulnier
Member of Congress

Jan Schakowsky
Member of Congress

Cori Bush
Member of Congress

Jesús G. "Chuy" García
Member of Congress

Terri A. Sewell
Member of Congress

Danny K. Davis
Member of Congress

Alma S. Adams, Ph.D.
Member of Congress

Jamaal Bowman
Member of Congress

Jerry McNerney
Member of Congress

Peter A. DeFazio
Member of Congress
Steve Cohen  
Member of Congress

Lisa Blunt Rochester  
Member of Congress

Colin Z. Allred  
Member of Congress

Julia Brownley  
Member of Congress

Lori Trahan  
Member of Congress

Alan S. Lowenthal  
Member of Congress

Mary Gay Scanlon  
Member of Congress

Rashida Tlaib  
Member of Congress

Chellie Pingree  
Member of Congress

Frederica S. Wilson  
Member of Congress

Mike Thompson  
Member of Congress

Grace F. Napolitano  
Member of Congress