December 8, 2020

The Honorable Joe Biden President-elect of the United States [Transition Office]

Dear Mr. President-elect:

As organizations committed to ensuring all people can access reproductive health care, including abortion, no matter how much money they make, where they are born, or their race or gender, we believe that each of us should be able to make decisions about pregnancy and parenting that are best for our families without political interference. However, policymakers have enacted bans on insurance coverage of abortion that push this decision out of reach for many, particularly those struggling to make ends meet. We appreciate your past statements in support of ending the Hyde Amendment, and are ready to work with your new Administration towards making this shared goal a reality.

This is a crucial moment for Black and Brown communities, women, LGBTQ folks, immigrants, and young people. Our communities are still trying to survive a pandemic. In October, the Senate took swift action to ram through an anti-abortion Supreme Court nominee despite continued inaction on pandemic relief, as people marched around the country. We are fighting for a future in which we can control our own bodies and safely care for our families. We are reimagining a world in which each of us makes a living wage and everyone has access to the full-spectrum of reproductive health care, including abortion.

During your campaign you <u>committed</u> to repeal the Hyde amendment and affirmed that access to abortion care is not dependent on someone's income or zip code. We are asking you to show bold leadership and take a critical first step toward realizing this vision by eliminating the Hyde Amendment and related abortion coverage restrictions from your Fiscal Year 2022 budget. Such restrictions on coverage have a far-reaching impact on people enrolled in Medicaid and Medicare; federal employees and their dependents; Peace Corps Volunteers; Native Americans; women in federal prisons and immigration detention centers; and residents of the District of Columbia. This includes the Weldon Amendment, which has been attached to Hyde and used to threaten states that seek to ensure abortion coverage.

Access to reproductive health care services, including abortion, is crucial for justice and economic security and should not be contingent on a person's income, insurance coverage, immigration status, or where they live. Withholding coverage for abortion care creates profound hardships for people across the country, particularly for those who already face significant barriers to receiving high-quality health care, such as low-income people, immigrants, young people, women of color, and transgender and gender nonconforming people.

For many, insurance coverage for abortion care means the difference between getting the

health care they need and being denied that care. Approximately one in four Medicaid-eligible women who would have had an abortion if funds were available must carry the pregnancy to term because they are unable to afford the cost of that care.<sup>1</sup> A counselor at a health center recounted, "There are certainly women who have an unwanted pregnancy, and wish to terminate, and don't have the funds to. They may, out of necessity, continue the pregnancy because they don't even have \$340 dollars to do the termination.<sup>2</sup>" A recent study found out of pocket costs for second trimester abortion would be catastrophic for households earning state's median monthly income in all 50 states and D.C.<sup>3</sup> The impact of abortion coverage bans can have long-term effects on a family's economic future.

Reproductive health care– including abortion – has never been more seriously under attack. In 2019 alone, 12 states enacted 25 abortion bans, many of which would ban abortion before a person may know they are pregnant.<sup>4</sup> Multiple states exploited the coronavirus pandemic to try to ban abortion and cut patients off from care. The pandemic exposed the long-standing structural racism and inequities in our healthcare system, with communities of color, particularly those in the Black, Latinx, and Pacific Islander communities, and Indigenous people facing disproportionately high rates of infection and death from COVID-19. We know that same systemic racism is at the core of abortion coverage bans like the Hyde amendment and disproportionately impacts the same communities as the pandemic.

Over the past 10 years, a movement led by Millennials, communities of color, and reproductive and economic justice advocates, rose up calling for the end of these obstacles to abortion care. In 2015, members of the House of Representatives, led by Congresswoman Barbara Lee (D-CA13), joined this movement and took a significant step forward by introducing the Equal Access to Abortion Coverage in Health Insurance (EACH Woman) Act (H.R. 1692) – bold legislation to end the Hyde Amendment and related abortion coverage restrictions. Senators Duckworth, Hirono, Harris, and Murray made history in 2019 when they introduced the EACH Woman Act in the Senate (S. 758). With the EACH Woman Act, politicians will no longer be able to deny a woman abortion coverage based on her income, type of insurance, or zip code.

Not only does this legislation have a historical level of support, but it also has the support of the American people. Battleground polling released in September 2019 shows that 69% of voters agree that someone enrolled in Medicaid should have all of their pregnancy-related health care covered by their insurance, including abortion services. It also shows that the proportion of voters who strongly favor Medicaid coverage of abortion services has increased 7 points since 2017, from 31% to 38% nationally.<sup>5</sup>

```
https://www.guttmacher.org/article/2019/12/state-policy-trends-2019-wave-abortion-bans-some-states-are-fighting-back
```

https://allaboveall.org/press/national-poll-shows-tide-is-turning-on-43-years-of-restricting-abortion-coverage/

<sup>&</sup>lt;sup>1</sup> Henshaw, S.K., Joyce T., Dennis, A., Finer, L.B., and Blanchard, K. "Restrictions on Medicaid Funding for Abortions: A Literature Review." Guttmacher Institute. Jul 2009. Available at <u>http://bit.ly/2dh6DIY</u>

<sup>&</sup>lt;sup>2</sup> "Research Brief: The Impact Of Medicaid Coverage Restrictions on Abortion". Ibis Reproductive Health and All\* Above All. August 2014. Available at <u>http://bit.ly/2eesf9H</u>

 <sup>&</sup>lt;sup>3</sup> Zuniga, C., Thompson, T., Blanchard, K. (2020) Abortion as a Catastrophic Health Expenditure in the United States. Women's Health Issues. Retrieved from: <u>https://www.whijournal.com/article/S1049-3867(20)30066-9/fulltext</u>
<sup>4</sup>Nash,E., Mohammed, L., Cappello, E., Naide, O. (2019). State Policy Trends 2019: A Wave of Abortion Bans, But Some States Are Fighting

<sup>&</sup>quot;Nash,E., Mohammed, L., Cappello, E., Naide, O. (2019). State Policy Trends 2019: A Wave of Abortion Bans, But Some States Are Fighting Back. Guttmacher Institute. Retrieved from:

<sup>&</sup>lt;sup>5</sup> New polling shows that a significant majority of the American electorate supports Medicaid coverage of abortion services; support in battleground congressional districts is even stronger.

In your words, "If I believe health care is a right, as I do, I can no longer support an amendment that makes that right dependent on someone's ZIP code".<sup>6</sup> We urge you to begin your presidency with a clear statement that discriminatory abortion coverage bans have no place in our public policy by eliminating all such restrictions from your FY 2022 budget. This will send a strong message of leadership to Congress and the country that everyone should be able to decide when and how to start a family— however much money they make, the type of insurance they have, or where they live.

Sincerely,

**#VOTEPROCHOICE** 9to5 Abortion Care Network Abortion Clinics Online Access Reproductive Care (ARC)-Southeast **ACCESS Women's Health Justice** Advocates for Youth African American Ministers In Action AIDS Alliance for Women, Infants, Children, Youth & Families AIDS Foundation Chicago AIDS United Alexa's Birth Services All\* Above All All-Options Allentown Women's Center American Atheists American Civil Liberties Union American Family Voices American Humanist Association APLA Health Asian Pacific American Labor Alliance, AFL-CIO Avodah Bend the Arc: Jewish Action Black Women's Health Imperative Bold Futures NM California Nurse-Midwives Association Camelback Family Planning Carolina Jews for Justice Cascade AIDS Project Catholics for Choice Cedar River Clinics Center for American Progress Center for Gender & Refugee Studies

<sup>&</sup>lt;sup>6</sup> Joe Biden Denounces Hyde Amendment, Reversing His Position. <u>https://www.nytimes.com/2019/06/06/us/politics/joe-biden-hyde-amendment.html</u>

Center for Reproductive Rights CHANGE (Center for Health and Gender Equity) Chicago Abortion Fund CHOICES. Memphis Center for Reproductive Health **Civil Liberties and Public Policy** Cobalt Advocates Colorado Organization for Latina Opportunity & Reproductive Rights (COLOR) Commission on the Public's Health System Eastern Massachusetts Abortion Fund EMAA Proiect Equality California Equality North Carolina Feminist Humanist Alliance Feminist Women's Health Center Florida Health Justice Project Forward Together Action Freedom From Religion Foundation Gender Justice Global Justice Center Guttmacher Institute Habonim Dror North America Hadassah, The Women's Zionist Organization of America, Inc. HANA Center Health Law Advocates, Inc. Holler Health Justice Hope Clinic for Women Ibis Reproductive Health If/When/How: Lawyering for Reproductive Justice In Our Own Voice: National Black Women's Reproductive Justice Agenda Indivisible Interfaith Voices for Reproductive Justice (IVRJ) lpas Jacobs Institute of Women's Health Jane's Due Process Jewish Alliance for Law and Social Action Jewish Women International Jobs With Justice Just The Pill Kentucky Health Justice Network Keshet Lanai Community Health Center Lawyering Project Lilith Fund LOOM Mabel Wadsworth Center Medical Students for Choice

Mississippi Center for Justice MomsRising NAKASEC Virginia NARAL Pro-Choice America NARAL Pro-Choice North Carolina NARAL Pro-Choice Oregon National Abortion Federation National Asian Pacific American Women's Forum (NAPAWF) National Black Women's HIV/AIDS Network National Center for Lesbian Rights National Council of Jewish Women National Council of Jewish Women Los Angeles National Family Planning & Reproductive Health Association National Health Law Program National Immigration Law Center National Institute for Reproductive Health National Latina Institute for Reproductive Justice National Network of Abortion Funds National Organization for Women National Organization of Nurse Practitioners in Women's Health (NPWH) National Partnership for Women & Families National Women's Health Network National Women's Law Center National Working Positive Coalition New Orleans Abortion Fund New Voices for Reproductive Justice New York Abortion Access Fund New York Legal Assistance Group NM Religious Coalition for Reproductive Choice Northwest Abortion Access Fund Northwest Health Law Advocates Nurses for Sexual and Reproductive Health One Fair Wage **Options Fund** PAL People For the American Way Physicians for Reproductive Health Planned Parenthood Affiliates of California Planned Parenthood Federation of America Population Institute Positive Women's Network-USA Power to Decide **Progress Florida** Public Justice Center **Religious Coalition for Reproductive Choice** Reproductive Health Access Project

Silver State Equality-Nevada SisterReach SisterSong: Women of Color Reproductive Justice Collective Society for Humanistic Judaism Southwest Women's Law Center SPARK Reproductive Justice NOW!, inc. T'ruah Texas Equal Access Fund The Greenlining Institute The Praxis Project The Women's Center The Womxn Project Treatment Action Group Unitarian Universalist Congregation of York Unitarian Universalist Women's Federation United We Dream Universal Health Care Action Network (UHCAN) University of Louisville Medical Students For Choice URGE: Unite for Reproductive & Gender Equity We Testify Western States Center Women of Reform Judaism Women With A Vision, Inc. Women's Health Center of West Virginia Women's Health Specialists Women's Law Project Women's Medical Fund, Inc. (WI) Women's Rights and Empowerment Network Women's Health Services WV FREE Yellowhammer Fund Young Invincibles