



May 10, 2022

Dear Senator,

On behalf of the National Urban League, an organization with a 112-year history of advocating for policies that promote civil rights and economic empowerment for African Americans and other historically underserved communities, and the undersigned Urban League affiliate leaders, we write to urge you to protect women's health and personal freedoms by passing the *Women's Health Protection Act*, which codifies the right to an abortion into law.

In the draft *Dobbs v. Jackson Women's Health Organization* opinion, Justice Alito cites *Brown v. Board of Education*, which overturned *Plessy v. Ferguson*, as a key example of overturning precedent, stating that "the Court repudiated the "separate but equal" doctrine, which had allowed States to maintain racially segregated schools and other facilities."¹ However, he fails to highlight that by making this ruling, the Court overturned the states' ability to infringe on the fundamental right to equal protection under the law, including the equal access to quality education for Black children, under the 14th Amendment.

Specifically, the 14th Amendment states that "[n]o State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."² Overturning *Roe v. Wade* would do quite the opposite. It would allow states to infringe on the personal health decisions of all women in this country and their liberty to decide what happens to their bodies. In addition, the draft *Dobbs v. Jackson Women's Health Organization* decision puts Black women in particular danger.

Black women are 2.5 times more likely to die as a result of childbirth than White women.³ Meanwhile, due to racialized income and wealth disparities, inequitable access to medical care, and the other insidious ways structural racism manifests, people of color are more likely to require abortion care *and* are less likely to be able to afford out-of-state travel to obtain care if it is made illegal in their state. Therefore, it is not only a gender justice issue but a racial justice issue to codify the right to an abortion into federal law and ensure all pregnant persons have the ability to make personal health decisions.

Furthermore, should the Court's draft decision in *Dobbs v. Jackson Women's Health Organization* become final, it may cause a "domino effect" that threatens other judicial decisions targeted by an extreme conservative wing of this nation – decisions that protect individual freedom and civil rights under the 14th amendment. This decision undoubtedly is part of a larger anti-civil rights and anti-

¹ Pg. 36, available at <https://s3.documentcloud.org/documents/21835435/scotus-initial-draft.pdf>.

² U.S. Const. amend. XIV, § 1.

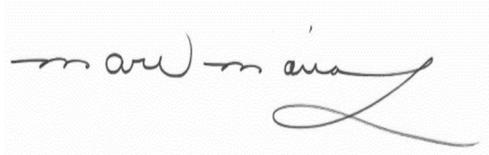
³ Hoyert, Donna. 2021. "Maternal Mortality Rates in the United States, 2019."

<https://www.cdc.gov/nchs/data/hestat/maternal-mortality-2021/maternal-mortality-2021.htm> (May 3, 2022).

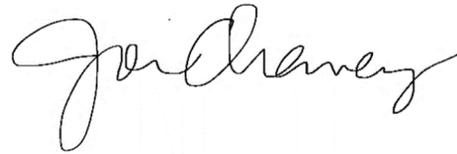
women's rights movements that is poised to harm our democracy as a whole, and it must be answered by swift Congressional action.

We urge you to take up and pass the *Women's Health Protection Act* as a vital step toward protecting and respecting this nation's women and reasserting the commitment to equal protection under the law for all. Should you have any questions, please follow up with Yvette Badu-Nimako, Vice President of Policy and Legislative Affairs at ybadu@nul.org.

Sincerely,



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