

Congress of the United States
Washington, DC 20515

April 16, 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Dear Speaker Johnson:

We urge you to protect the right to in vitro fertilization (IVF) and bring meaningful legislation to ensure access to assisted reproductive technologies to the House floor at the earliest opportunity.

On February 16th, the Alabama Supreme Court issued a ruling declaring that frozen embryos are people. This extreme decision has endangered a woman's right to start and grow a family through IVF, which typically involves the creation of numerous frozen embryos that are examined for viability. Following the Alabama ruling, three major IVF providers in the state paused their services, leaving families hoping to conceive through IVF without treatment.

While Alabama legislators recently passed a bill to provide some protection from legal liability to IVF providers in the wake of the court's ruling, we have not seen the last impacts of this decision. The concept that an embryo could have legal rights threatens scientific advancements and women's health across the nation, and the Alabama's Supreme Court's ruling could encourage judges and legislators in other states—including in our home state of North Carolina—to enact similar rulings or legislation.

More than eight million babies have been born in the United States through IVF. This procedure is often a last resort for the millions of women and families who struggle with infertility across the country. Approximately one out of every six women has trouble getting pregnant, and thankfully we have the medical technology to help many of them to conceive. Congress must act to enshrine into law legal protections for women and families who rely on assisted reproductive technologies.

The American people overwhelmingly believe IVF should be legal, and both Democrats and Republicans alike have expressed their support for this technology. Yet, 127 House Republicans have cosponsored a bill that would classify embryos as children under federal law, and the House GOP Study Committee recently released a budget endorsing this legislation. This bill would have devastating consequences for IVF treatment in America.

While you have publicly expressed support for IVF, you dismissed the need for legislation to protect access to the procedure. At the same time, Senate Republicans blocked passage of the *Access to Family Building Act*. And recently, a group of four House Republicans sent a letter to the Biden administration claiming that "IVF is morally dubious and should not be subsidized by the American taxpayer." It is clear that a gap has emerged between what the

Republican leadership and some Republican Members are saying about IVF and what you and your Members are willing to do to protect access to this critical technology.

We cannot accept this latest attempt to control women, their bodies, and their ability to have a family. When Congress reconvenes in May, we strongly urge you to put meaningful legislation to protect access to IVF and other assisted reproductive technologies on the House floor. We must act quickly to protect the rights of the millions of Americans who use IVF to grow their families.

Very truly yours,



Deborah K. Ross
Member of Congress



Jeff Jackson
Member of Congress



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



Valerie P. Foushee
Member of Congress



Wiley Nickel
Member of Congress



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