

U.S. Sen. Baldwin: Backs legislation to protect Americans' right to contraception, safeguard 60 years of settled precedent

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WASHINGTON, D.C. – U.S. Senator Tammy Baldwin (D-WI), member of the Senate Health, Education, Labor and Pensions Committee, joined members of the U.S. House and Senate in reintroducing the *Right to Contraception Act*, legislation that would put into law Americans' right to contraception, which the Supreme Court first recognized more than half a century ago in its *Griswold v. Connecticut* decision. Enshrining the right to contraception into federal law would reverse steps already taken by Republicans in states across the country to restrict access to contraceptives and ensure that any future attempt by the far-right majority on the Supreme Court to overturn *Griswold* would not endanger access to this essential health care.

The legislation comes after Justice Clarence Thomas authored a concurring opinion in *Dobbs v. Jackson Women's Health Organization* — which overturned *Roe v. Wade* and overturned the constitutional right to an abortion that urged the Court to "reconsider" its substantive due process precedents, including *Griswold*.

"Wisconsinites want the right and freedom to control their own reproductive health care, without interference from judges or politicians. In Wisconsin, where women are already living under an 1849 criminal abortion ban, access to contraception is absolutely essential," **said Senator Baldwin.** "I am proud to support the Right to Contraception Act because every person should have the right to control their own bodies, families, and futures, no matter where they live."

Although [nine out of 10](#) American adults support access to all forms of birth control, several states [restrict access](#) to contraceptives by eliminating public funding for it, defining abortion broadly enough to include contraception, and allowing health care providers to deny service related to contraception on the basis of their own beliefs. Attacks on health care, especially reproductive health care, fall hardest on Black, Brown, Indigenous and immigrant communities, as well as LGBTQ+ people, people with disabilities, low-income people, and those living in rural and underserved areas.

Specifically, the *Right to Contraception Act* would uphold access to contraception by:

- Guaranteeing the legal right for individuals to get and use contraception and for health care providers to provide contraceptives, contraception, and information, referrals, and services related to contraception;
- Prohibiting the federal government or any state from administering, implementing, or enforcing any law, rule, regulation, standard or other provision that would prohibit or restrict the sale, provision, or use of contraception; and,
- Allowing the Department of Justice (DOJ), providers, and individuals harmed by restrictions on contraception access made unlawful under the legislation, to go to court to enforce these rights.

Joining Senator Baldwin in backing the *Right to Contraception Act* was more than half of the Senate Democratic caucus, including Senators Edward J. Markey (D-MA), Mazie Hirono (D-HI), Tammy Duckworth (D-IL), Michael Bennet (D-CO), Richard Blumenthal (D-CT), Cory Booker (D-NJ), Sherrod Brown (D-OH), Maria Cantwell (D-WA), Ben Cardin (D-MD), Tom Carper (D-DE), Catherine Cortez Masto (D-NV), Tammy Duckworth (D-IL), Dianne Feinstein (D-CA), John Fetterman (D-PA), Kristen Gillibrand (D-NY), Martin Heinrich (D-NM), John Hickenlooper (D-CO), Mazie Hirono (D-HI), Tim Kaine (D-VA), Bob Menendez (D-NJ), Jeff Merkley (D-OR), Patty Murray (D-WA), Alex Padilla (D-CA), Jack Reed (D-RI), Bernie Sanders (I-VT), Brian Schatz (D-HI), Jeanne Shaheen (D-NH), Tina Smith (D-MN), Debbie Stabenow (D-MI), Chris Van Hollen (D-MD), Raphael Warnock (D-GA), Elizabeth Warren (D-MA), Peter Welch (D-VT), Sheldon Whitehouse (D-RI), and Ron Wyden (D-OR).

In the House, the bill is supported by 127 members.

The Right to Contraception Act is endorsed by Advocates for Youth, AIDS United, American Atheists, American College of Nurse-Midwives, American College of Obstetricians and Gynecologists, Americans for Contraception, Association of Maternal & Child Health Programs, Catholics for Choice, Center for American Progress, Center for Biological Diversity, CenterLink: The Community of LGBTQ Centers, Coalition to Expand Contraceptive Access, Contraceptive Access Initiative, Equality California, Girls Inc., Hadassah, House Pro-Choice Caucus, Ibis Reproductive Health, Interfaith Alliance, Jacobs Institute of Women's Health, Minority Veterans of America, NARAL Pro-Choice America, National Association of Nurse Practitioners in Women's Health, National Center for Lesbian Rights, National Coalition of STD Directors, National Council of Jewish Women , National Family Planning & Reproductive Health Association, National Health Law Program, National Latina Institute for Reproductive Justice, National Partnership for Women & Families, National Women's Law Center, People For the American Way, Physicians for Reproductive Health, Planned Parenthood Federation of America, Population Connection Action Fund, Power to Decide, Religious Coalition for Reproductive Choice, Reproductive Health Access Project, Society for Maternal-Fetal Medicine, The Collaborative, and Upstream USA.

Full text of this legislation can be found [here](#).