



## BUREAU OF WOMEN'S AFFAIRS

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### **Reproductive Freedom Alliance (RFA) Urges SCOTUS to Respect FDA Authority & Access to Safe Abortion Medication**

(Hagåtña, Guam) The Leon Guerrero-Tenorio Administration continues to advocate for reproductive freedom for the people in Guam. As a member of the Reproductive Freedom Alliance (RFA), Guam joined 21 other Governors from across the nation to file an amicus curiae brief on January 30, 2024, with the U.S. Supreme Court in the case of *Food and Drug Administration, et al., v. Alliance for Hippocratic Medicine, et al.*

Last August, the Fifth Circuit Court of Appeals issued a decision restricting the abortion drug mifepristone, which the Food and Drug Administration (FDA) approved more than 20 years ago following a determination that the drug was safe and effective. More recently, the U.S. Supreme Court in December granted the U.S. Department of Justice's request to review the case since overruling the long-standing Constitutional right to an abortion with *Dobbs v. Jackson Women's Health Organization*. Pending the U.S. Supreme Court's decision, mifepristone is still available in those states where medication abortion is legal.

Guam, as part of the RFA, argues in its brief filed with the U.S. Supreme Court that if the Court allows the Fifth Circuit's decision to stand, it could undermine Governors' ability to provide adequate healthcare services to the people in their jurisdictions and have far-reaching implications beyond reproductive healthcare. With such an unprecedented decision invalidating the FDA's approval of a drug, the RFA argues that the Fifth Circuit's decision impacts Governors' reliance on safety and efficacy decisions by the FDA.

"Our administration has consistently maintained the stance that the choice to end a pregnancy is a private healthcare matter exclusively between a woman, her physician, and anyone else she wishes to include in the decision. Neither the government nor any other entity should dictate such a personal decision for an individual," said Governor Lou Leon Guerrero. "Access to reproductive choice is part of the full range of reproductive health care that should be available to all of our people, including access to birth control, access to prenatal care, to mammograms and pap smears, and yes—access to abortion. Abortion is part of reproductive health care."

"Currently, as Guam has no abortion provider on the island, medication abortion via telemedicine is the only option for women needing to terminate a pregnancy here," said Bureau of Women's Affairs Director Jayne Flores. "While we are working to expand access to birth control and prenatal care, severely limiting or banning the option of medication abortion altogether could put our women, girls, and persons with a uterus on Guam in danger if they no longer have that option."

To view the full amicus brief, visit [supremecourt.gov](https://supremecourt.gov).

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The Reproductive Freedom Alliance is a non-partisan coalition of 22 Governors committed to protecting and expanding reproductive freedom in our states. Members include: Arizona Governor Katie Hobbs, California Governor Gavin Newsom, Colorado Governor Jared Polis, Connecticut Governor Ned Lamont, Delaware Governor John Carney, Guam Governor Lourdes Leon Guerrero, Hawai'i Governor Josh Green, Illinois Governor JB Pritzker, Maine Governor Janet Mills, Maryland Governor Wes Moore, Massachusetts Governor Maura Healey, Michigan Governor Gretchen Whitmer, Minnesota Governor Tim Walz, New Jersey Governor Phil Murphy, New Mexico Governor Michelle Lujan Grisham, New York Governor Kathy Hochul, North Carolina Governor Roy Cooper, Oregon Governor Tina Kotek, Pennsylvania Governor Josh Shapiro, Rhode Island Governor Daniel McKee, Washington Governor Jay Inslee, and Wisconsin Governor Tony Evers.

*\*Brand name for the generic drug mifepristone.*

*Full link to RFA Amicus brief: [https://www.supremecourt.gov/DocketPDF/23/23-235/299138/20240130100221018\\_Reproductive%20Freedom%20Alliance%20Amicus%20Brief.pdf](https://www.supremecourt.gov/DocketPDF/23/23-235/299138/20240130100221018_Reproductive%20Freedom%20Alliance%20Amicus%20Brief.pdf)*