

Steve Marshall  
Alabama Attorney General



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For **press** inquiries only, contact:

Amanda Priest (334) 322-5694

Cameron Mixon (334) 242-7491

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## **Attorney General Marshall Urges United States Supreme Court to Leave in Place Court Order Blocking Biden's Mail-Order Abortion Regime**

(Montgomery) Alabama Attorney General Steve Marshall filed a 21 state amicus brief urging the Supreme Court of the United States to reject the FDA's attempt to push a national mail-order abortion regime that violates federal law and undermines the enforcement of state laws protecting women and children.

"The Dobbs decision, which overturned the flawed Roe v. Wade decision, rightfully gave authority back to states to protect the life of the unborn," said Attorney General Marshall. "The Biden Administration's FDA responded with a politically-driven decision to cast aside longstanding restrictions on chemical abortions. This attempt to create a mail-order abortion regime endangers women, violates federal law, and undermines states' authority to protect their citizens. Federal courts were right to put a hold on the FDA's actions, and this brief urges the Supreme Court to let the lower court order stand."

In the brief, the coalition write, "The day Dobbs was decided, President Biden directed his Administration to ensure that abortion drugs are 'as widely accessible as possible,' including 'through telehealth and sent by mail.'"

The attorneys general argue that FDA's efforts to impose a mail-order elective-abortion regime disregards federal law and undermines the protections for life, health, and safety adopted by numerous States.

The brief continues, "The Administration claims that it has the power to make abortion drugs broadly accessible despite contrary determinations by States and despite laws that States have enacted to protect life, health, and safety in the use of those drugs...That claim is wrong."

The attorney generals conclude, "Given the absence of authority for the FDA to establish a mail-order abortion regime – and States' retained authority to act, the public interest strongly weighs against the FDA's effort to override duly enacted state laws. This too supports denying emergency relief."

Attorneys General from Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, Ohio, Oklahoma, South Carolina, South



Dakota, Texas, Tennessee, Utah, West Virginia, and Wyoming. joined Attorney General Marshall on this brief. [Read the brief here.](#)