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February 22, 2021

(202) 626-8820

**RE: In Opposition to the Nomination of Xavier  
Becerra as Secretary of HHS**

Dear Senator,

On behalf of the National Right to Life Committee (NRLC), the federation of right-to-life organizations in all 50 states, we write to urge opposition to President Biden's nomination of Xavier Becerra as Secretary of the Department of Health and Human Services (HHS).

Not only does Mr. Becerra lack meaningful healthcare experience, but he would also use this office to impose his ideology on matters related to abortion and other right to life concerns, among others. **NRLC urges you to vote against advancing or approving the nomination of Xavier Becerra as Secretary of HHS and reserves the right to include any appropriate roll call(s) on the nomination in our scorecard of key right-to-life roll calls of the 117th Congress.**

Faced with an ongoing pandemic and looming public health challenges, Mr. Becerra would bring no public health experience. Prior to becoming California's attorney general in 2017, he served 12 terms in the House of Representatives.

The two most immediate prior heads of HHS, Alex Azar and Dr. Tom Price each brought a depth of healthcare experience. Mr. Azar had previously been appointed to HHS and had years of experience working with the pharmaceutical industry. We have millions of doses of COVID-19 vaccines because the government and healthcare industry came together.

Vaccines save lives and National Right to Life is committed to protecting the lives of the vulnerable and those with underlying medical conditions. The nation needs a nominee with the necessary public health experience to shepherd an end to the death and disruption of the COVID-19 pandemic. Mr. Becerra simply does not have that experience.

Given HHS's critical role in ongoing vaccine production and distribution, along with the regulatory power the agency has in implementing recovery legislation, it is alarming that a nominee with no health experience has been put forth.

While Mr. Becerra lacks public-health experience, he does have a proven track record of being hostile on pro-life issues. As California's attorney general, Mr.

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Becerra repeatedly and aggressively attacked protective pro-life laws and organizations with rancor. While a congressman, he had a 100% pro-abortion voting record.

Mr. Becerra's support of abortion on demand for any reason and at any time, and his campaign against pregnancy help centers, is extensive and well documented. His actions on behalf of a multi-million-dollar industry while attorney general include:

- Zealously defending a California law (the "Reproductive FACT Act") that targeted pregnancy resource centers and forced them to advertise for abortion. The U.S. Supreme Court struck California's "Reproductive FACT Act."
- Leading numerous efforts on behalf of attorneys general filing amicus briefs opposing other state's pro-life laws.
- Joining a pro-abortion coalition of attorneys general in filing an amicus brief in *June Medical Services v. Russo* that required abortionists to have the same hospital admitting privileges as other surgeons in the state.
- Leading an attack against the Center for Medical Progress (CMP) and its founder David Daleiden, who was responsible for the undercover video series exposing top Planned Parenthood leadership negotiating the harvesting and sale of aborted fetal body parts. CMP brought a lawsuit against California Attorney General Becerra, Planned Parenthood, and then-Senator Kamala Harris "for conspiracy to violate First and Fourteenth Amendment civil rights." This lawsuit followed a hostile campaign by Mr. Becerra's Office that sought punitive action against those who exposed Planned Parenthood's alleged involvement in the sale of fetal body parts harvested from abortions.
- Joining a pro-abortion coalition of attorneys general from several states in sending a letter to the Food and Drug Administration (FDA) requesting that the restrictions on mifepristone abortions be lifted and joining the same coalition of attorneys general in filing an amicus brief in support of a court challenge.

As a member of the U.S. House of Representatives representing California's 34th Congressional District, Mr. Becerra:

- Voted against the Pain-Capable Unborn Child Protection Act. This legislation would prevent abortions after 20 weeks of pregnancy when extensive evidence shows an unborn child is capable of feeling great pain.
- Voted against a law that would prevent the interstate transport of minors for the express purpose of obtaining an abortion without the parents' knowledge or permission. The law would have prevented a statutory rapist from taking his victim across state lines to bypass parental involvement laws.
- Voted against the Born-Alive Abortion Survivors Protection Act which would require that a baby born alive during an abortion be afforded the same degree of care that would apply to any other child delivered at the

- same gestational age.
- Voted against the Unborn Victims of Violence Act that made it a crime to harm an unborn child when a perpetrator was committing another crime.
  - Voted against the Partial-Birth Abortion Ban Act which outlawed an abortion procedure where a child is delivered until all but the head is exposed. Then the child is stabbed in the back of the neck with scissors or other sharp instrument, a suction device is inserted, the baby's brains are suctioned out, and the baby's skull collapses. This allows for a completed delivery of the now-dead baby. This law was upheld by the Supreme Court.

Mr. Becerra's primary qualification seems to be that he is an abortion activist. Placing someone, at this time, as head of the Department of *Health* and Human Services who has no healthcare experience is a reckless and dangerous recipe for disaster.

**For these reasons, NRLC urges you to vote against advancing or approving the nomination of Xavier Becerra as Secretary of HHS and reserves the right to include any appropriate roll call(s) on the nomination in our scorecard of key right-to-life roll calls of the 117th Congress.**

Should you have any questions, please contact us via e-mail at [jpopik@nrlc.org](mailto:jpopik@nrlc.org). Thank you for your consideration of NRLC's position on this important matter.

Respectfully submitted,



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President



David N. O'Steen, Ph.D.  
Executive Director



Jennifer Popik, J.D.  
Legislative Director