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August 28, 2026

The Honorable Andy Ogles
United States House of Representatives
Washington, DC 20515

Dear Representative Ogles,

On behalf of the American Center for Law and Justice (ACLJ) and the hundreds of thousands of Americans who support our work defending life, liberty, and constitutional principles, we write to express our strong support for the policies contained in H.R. 9868, the Preventing Forced Abortions Act of 2026.

No woman should ever be forced to end the life of an unborn child she is carrying or face financial punishment for refusing to do so. H.R. 9868 addresses this serious concern by prohibiting federal courts from enforcing provisions in surrogacy contracts that require a surrogate mother to obtain an abortion at the request of an intended parent, another party to the contract, or an agent of a party.

The legislation recognizes the interstate nature of modern surrogacy arrangements by providing federal district courts with jurisdiction over civil actions involving surrogacy contracts affecting interstate or foreign commerce. Surrogacy agreements frequently involve parties, medical providers, agencies, and legal counsel located in different states, creating the potential for inconsistent legal outcomes across jurisdictions. By establishing a federal forum and a uniform federal rule that abortion-coercion provisions are unenforceable, the legislation would help ensure that fundamental protections for surrogate mothers do not depend upon the state in which a dispute happens to arise.

The legislation also appropriately protects a surrogate mother from financial coercion. If she refuses a contractual demand to obtain an abortion, a federal court could not use that refusal to deny her the compensation promised under the surrogacy agreement or enforce financial penalties

against her for choosing to protect the life of her unborn child. A right to refuse an abortion would offer little protection if intended parents could simply accomplish the same objective using financial pressure. Therefore, a surrogate mother should not face liquidated damages, reduced compensation, or the loss of promised payment because she refuses to obtain an abortion.

These protections are important because the agreement to carry a child as a surrogate should not reasonably be interpreted as consent to abort that child. A contract simply should never become an instrument for compelling a woman to undergo an abortion or for imposing financial punishment when she refuses.

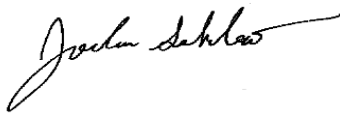
The ACLJ has long advocated for policies that protect the sanctity of human life. We affirm that life begins at conception and that every unborn child deserves protection. H.R. 9868 advances that principle while protecting women from coercive contractual demands that seek to place another party's wishes ahead of the life of an unborn child and the conscience of the woman carrying that child.

Protecting women from coerced abortion should transcend political divisions. Whatever disagreements exist over abortion policy, no woman should face a court order or financial penalty designed to pressure her into an abortion she does not want.

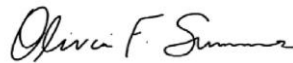
We commend your leadership in introducing the Preventing Forced Abortions Act of 2026. The ACLJ strongly supports the protections in H.R. 9868 for surrogate mothers and unborn children, and we hope Congress will advance this legislation.

Thank you for your continued commitment to defending life and protecting women from coercion.

Sincerely,



Jordan Sekulow
Executive Director
American Center for Law and Justice



Olivia Summers
Senior Litigation Counsel
American Center for Law and Justice



Mark Kelly
Director of Government Affairs
American Center for Law and Justice