



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

July 7, 2022

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3801 Nebraska Ave, NW
Washington, DC 20016

Dear Secretary Becerra and Secretary Mayorkas:

I write today to ensure that Michiganders continue to have access to necessary reproductive healthcare following the Supreme Court's ruling in *Dobbs v Jackson*, which overturned *Roe v Wade*. As you may know, Michigan has an antiquated and dangerous 1931 law, banning abortion without exceptions for rape or incest. If that law takes effect, it will strip away the rights of more than 2.2 million women to make decisions about their own bodies and criminalize our healthcare providers who offer abortions. I have asked the Michigan Supreme Court to recognize a constitutional right to abortion under the Michigan Constitution, but if that effort fails, many Michiganders will have no choice but to seek abortion elsewhere including in neighboring Canada.

Among the 13 states that share a border with Canada, Michigan has the largest metropolitan population in close proximity to the country. Almost 4.4 million Michiganders live within the Metro Detroit area alone—right across the river from Windsor. In fact, the Ambassador Bridge is the busiest border crossing between the two countries, with more than 10,000 commercial vehicles on a typical weekday.

The federal government can and should do more to protect Michiganders' right to seek reproductive health care in our neighboring country. Current rules on importing drugs, including those that may be used for medication abortion, are complex and not well-understood by the public. The U.S. Food and Drug Administration (FDA), for example, is responsible for pharmaceutical admissibility determinations, but its website bluntly states that "[i]n most circumstances, it is illegal for individuals to import drugs into the United States for personal use."¹ In contrast, U.S. Customs and Border Protection (CBP) reports that travelers can bring prescription medication across the border with a doctor's prescription.²

I am calling on CBP and FDA to issue guidance that no legal obstacle prevents Michiganders from seeking reproductive health care in Canada or from bringing medications prescribed by a Canadian healthcare professional back into the country. More generally, I encourage the federal government to pull out all the stops to ensure that Michiganders can access reproductive care in Canada if they choose to do so.

¹ Food and Drug Administration, Is it legal for me to personally import drugs? <https://www.fda.gov/about-fda/fda-basics/it-legal-me-personally-import-drugs>

² Customs and Border Patrol, Traveling with Medication, https://help.cbp.gov/s/article/Article-1160?language=en_US

I appreciate the support from the Administration and look forward to our continued partnership.

Sincerely,

A handwritten signature in blue ink that reads "Gretchen Whitmer". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

Gretchen E. Whitmer
Governor of Michigan

cc: The Honorable Robert M. Califf, MD, Commissioner, U.S. Food and Drug Administration
The Honorable Chris Magnus, Commissioner, U.S. Customs and Border Protection