

# United States Senate

June 29, 2022

The Honorable Marty Walsh  
Secretary  
United States Department of Labor  
200 Constitution Avenue NW  
Washington, D.C. 20210

Dear Secretary Walsh,

I write to share my concern and to inquire as to your intentions articulated in your June 24, 2022, statement regarding the U.S. Supreme Court decision in the case of *Dobbs v. Jackson Women's Health Organization* (19-1392). This landmark case acknowledges that the Constitution does not and has never conferred a right to abortion and restores to the people the authority to enact policy to protect life at all stages. Your role as the Secretary of Labor does not empower you nor the Administration to usurp state authority in your divisive promotion of the destruction of human life.

Your statement shares, "Access to abortion and all other personal reproductive choices is not only an issue of health and personal liberty, but also squarely an economic issue that determines the welfare of working women and their families. The Department of Labor will work to advance our mission by empowering women using every tool we have."<sup>1</sup> It is concerning that you appear to be threatening to intervene into the many states of the Republic that have established strong laws to protect life. It is doubly disappointing that you appear to be attempting to intimidate mothers in difficult positions with false ultimatums of poverty or saving the life of a child.

Statements such as yours degrade our institutions of government by undermining the authority of the U.S. Supreme Court to restore Constitutional order, as your derisive comment devalues the lived experience of countless mothers who chose life while also pursuing education, participating in the labor force, and increasing their earning potential.

As an urgent matter of the separation of powers, respect of the U.S. Supreme Court, and state authority, I urge you to respond to the following questions no later than July 11, 2022:

- 1) Please provide all documents and communications concerning:
  - a. The Department of Labor's preparation for a ruling in *Dobbs v. Jackson Women's Health Organization*, including those documents and communications related to the premature leak of a decision in *Dobbs v. Jackson Women's Health Organization*;

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<sup>1</sup> Office of the Secretary, Department of Labor, *Statement by Secretary Walsh on US Supreme Court Decision to Overturn Roe v. Wade*, Release Number 22-1353-NAT, June 24, 2022, [Statement by Secretary Walsh on US Supreme Court decision to overturn Roe v. Wade | U.S. Department of Labor \(dol.gov\)](#), Accessed June 25, 2022

- b. The Department of Labor, and its sub-components, and its intention to engage in rulemaking, guidance, or memorandums with the goal of increasing access to abortion.
- 2) A description of the legal authority the Department of Labor believes it has to promote abortion.
- 3) A description, including a timeline, of how the Department of Labor intends to promote access to abortion and reproductive choice in different states with different regulatory regimes.

The Constitution is clear as to which governing bodies wield certain authorities and the U.S. Supreme Court affirmed that position once again through the restoration of legislative authority on the issue of the protection of life. I appreciate your prompt attention to my request for clarification on your statement.

Sincerely,



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Mike Braun  
United States Senator