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A Primer on the Standing with Moms Act

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The full text of this publication can be found at: <https://lozierinstitute.org/a-primer-on-the-standing-with-moms-act/>

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With the recent Supreme Court ruling in *Dobbs v. Jackson Women's Health Organization* and states across the country enacting strong laws to protect life, it is now more important than ever for the federal government to come alongside the states and strengthen federal pro-life safety nets. On July 14, 2022, U.S. Senator Marco Rubio (R-FL) introduced S.4541, the "Standing with Moms Act,"¹ instructing the federal government, specifically the Secretary of Health and Human Services (HHS), to do just that. This bill was referred to the Senate Committee on Health, Education, Labor and Pensions (HELP) and is one of 10 key legislative components of Sen. Rubio's pro-life, pro-family framework titled "Providing for Life Act" that he rolled out immediately following the Supreme Court's *Dobbs* decision.²

Providing for Life Act – A pro-family plan for a post-*Dobbs* America

Sen. Rubio's "Providing for Life Act" is a combination of new and existing pro-life and pro-family proposals that Rubio has introduced in Congress that provide comprehensive support and services across a spectrum of needs for pregnant women, new moms, and their young children. In response to the rollout of this pro-life safety net, Rubio said, "We need to adopt pro-life policies that support families, rather than destroy them. This comprehensive legislation would make a real difference to American parents and children in need."³

The "Standing with Moms Act" is one of the three existing bills within Rubio's framework that have been introduced in Congress, as discussed below.

Standing with Moms Act

The "Standing with Moms Act" was introduced by Senator Rubio on July 14, 2022. It takes two main courses of action. The legislation directs the Secretary of HHS to establish a federal clearinghouse in the form of a website titled Life.gov, and secondly directs the Secretary to develop plans for follow-up and outreach to provide additional resources for users of the portal. First, the website would provide pregnant and parenting mothers a comprehensive assortment of federal, state, local, and private resources, and information on the risks of abortion (complications and failures), alternatives to abortion, and information on fetal development from the moment of conception.

¹ Available at <https://www.congress.gov/117/bills/s4541/BILLS-117s4541is.pdf>

² Despite the title, this framework is not legislation in and of itself. Rather it is a blueprint of Sen. Rubio's plan to protect life and families in a post-*Dobbs* world through a series of legislation that he has already introduced in addition to legislation he plans to introduce. The framework is available at <https://www.rubio.senate.gov/public/index.cfm/2022/6/rubio-releases-pro-family-framework-following-dobbs-decision>

³ Ibid.

The resources to be included on the Life.gov website include:⁴

- Mentorship
 - o Pregnancy help and case management services
- Health and well-being services
 - o Obstetrical and gynecological care, abortion pill reversal, breastfeeding services, primary and dental care
- Financial assistance, work, and education
 - o Nutrition assistance, childcare, and education opportunities
- Material or legal support
 - o Transportation, food, clothing, household goods, baby supplies, housing, shelters, maternity homes, tax preparation, legal support for child support, family leave, breastfeeding protections, and custody issues
- Recovery and mental health services
 - o Services regarding addiction and suicide intervention, intimate partner violence, sexual assault, rape, sex trafficking, and counseling for the unexpected loss of a child
- Prenatal diagnosis services
 - o Disability support organizations, medical interventions for a baby with a fetal anomaly, perinatal hospice programs, pregnancy and infant loss support, and information on pregnancy wellness
- Care for children
 - o Family planning education, adoption, and foster care services
- Healing and support services for abortion survivors and their families

Along with the website, the Secretary of HHS is directed to establish a complementary online portal that is available in many different languages. This portal would provide pregnant and parenting women with specific and personal pregnancy-related information based on a series of questions that users would answer when they first visit the portal website. The portal would also be required to have a feedback section where women can report how user-friendly the website is and how helpful the tailored information was in meeting their specific pregnancy needs and questions.

The other course of action that this bill directs the Secretary of HHS to undertake is the creation of administrative follow-up procedures following the creation and implementation of the Life.gov website and portal. The bill stipulates that the Secretary must follow up with users of the portal via phone or email and provide women with the specific information they request. Furthermore, the Secretary must develop criteria to provide to the states so that the states can determine whether to recommend a resource for

⁴https://www.rubio.senate.gov/public/_cache/files/ba28bc48-07fe-4d05-b1a8-e320f6584f74/D2AE3AF5A007FF03577183D78E0D1D5B.standing-with-moms-act.pdf, pg. 3-4

inclusion on the Life.gov website. The Secretary and operators of HRSA’s Maternal Mental Health Hotline must disseminate information about the Life.gov website and portal when women are seeking information about pregnancy and parenting services. Finally, in an attempt to establish transparency with this new initiative, the bill mandates that the Secretary of HHS must report to Congress no later than 180 days after the creation of the Life.gov website and portal regarding the websites’ user traffic, user suggestions and feedback, and the gaps in resources available to pregnant and parenting mothers.

Speaking about his sponsored legislation, Senator Rubio said, “Pregnant and newly parenting mothers should not be left in the dark, nor should they be pushed toward abortion. Instead, they should have easy access to the resources they need to look after their babies. This bill would help make that a reality.”⁵ Cosponsor, Senator Wicker (R-MS), noted, “It should be easy for mothers to access the many resources that are available to support them and their children. Creating a new national clearinghouse for information that can lend parents a helping hand is a straightforward way to advance the cause of life.”⁶

The other two bills that have been introduced as part of Rubio’s framework are titled the “New Parents Act” (S. 2764) which Rubio introduced in September of 2021 and the “Pregnant Students’ Rights Act” (S. 4277) which he introduced in May of 2022. The “New Parents Act” would allow new and newly adoptive parents to use a portion of up to three months of their Social Security benefits in advance to pay for parental leave.⁷ This benefit would also be available for stay-at-home parents meeting certain requirements of earnings history. This bill would allow maximum flexibility for parents to choose what parental leave arrangement works best for their family in that it allows parents to combine their leaves or transfers them to one parent. Lastly, this bill would especially help low-income families because of its stipulation that low-income families can finance a parental leave period longer than three months. The “Pregnant Students’ Rights Act” requires higher education institutions that participate in federal aid programs to strengthen existing requirements regarding the public disclosure of resources and rights available for pregnant and parenting students on their respective campuses.⁸ This requirement includes disclosure of information about the process of filing a Title IX complaint with the United States Department of Education if the institution of higher education doesn’t disclose information on available resources.

Conclusion

The “Standing with Moms Act” is a concrete model of federal legislation supporting pregnant women and their families at a time when abortion regulation has been “returned

⁵ <https://www.rubio.senate.gov/public/index.cfm/2022/7/rubio-mace-introduce-standing-with-moms-act>

⁶ [Ibid.](#)

⁷ <https://www.congress.gov/117/bills/s2764/BILLS-117s2764is.pdf>

⁸ <https://www.congress.gov/117/bills/s4277/BILLS-117s4277is.pdf>

to the people and their elected representatives” by the Supreme Court in the *Dobbs* decision.⁹ The federal government has a role in protecting the unborn from the horrors of abortion and it also has an interest in providing support to pregnant and newly parenting mothers as they try and navigate bringing a new life into the world and caring for them to the best of their ability. By establishing Life.gov, a federal database and clearinghouse of resources, the federal government would be harnessing the existing resources made available by federal, state, and local assistance programs and potentially the over 2,700 pregnancy help centers that currently exist across America.¹⁰ The federal government’s role in defending life takes on many different variations. The establishment of Life.gov and its complementary portal is just one of the ways that the federal government can defend life. Lastly, by mandating that information on the dangers of abortion, alternatives to abortion, and fetal development from the moment of conception be included on the Life.gov website, this legislation could save children’s lives by presenting countless mothers with the truth about the dangers of abortion and the humanity of the unborn child in their wombs.

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⁹ https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf, pg. 1, 69

¹⁰ <https://lozierinstitute.org/lives-saved-impact-at-us-pregnancy-help-centers/>