



DISTRICT OF COLUMBIA
109 Second Street NE
Washington, DC 20002
Tel 202-289-1776
Fax 407-875-0770
www.LCAction.org

FLORIDA
PO Box 540629
Orlando, FL 32854
Tel 407-875-1789
Fax 407-875-0770

VIRGINIA
Post Office Box 190
Forest, VA 24551
Tel 407-875-1789
Fax 407-875-0770
liberty@LCAction.org

February 27, 2025

President Donald J. Trump and Vice President JD Vance
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President and Mr. Vice President,

First and foremost, we wish to express our utmost gratitude for the unprecedented speed with which you have reversed the damaging policies of the Biden administration and advanced your America First Agenda, fulfilling numerous campaign promises.

Regarding your recent executive order on in vitro fertilization (IVF), we echo your administration's recognition of the importance of family formation and share your compassion for couples struggling to conceive. We likewise celebrate the incalculable worth of every child born as a result of IVF and other assisted reproductive technologies (ARTs), which have helped thousands of hopeful couples. At the same time, IVF and ARTs present an unavoidable ethical dilemma: Estimates suggest only 3-7% of all embryos created result in a live birth;¹ the rest, 93-97%, are either frozen, destroyed, discarded, fail to implant, or are lost at various stages of pregnancy.²

Regarding embryo freezing, in one case, a couple chose to adopt embryos that had been conceived in 1992 and kept frozen in liquid nitrogen at close to 200 degrees below zero.³ The process resulted in twins being born thirty years later in 2022 to parents who had been conceived themselves just four and five years before the twins in the 1980s.⁴ While most stored embryos are not so fortunate, this situation illustrates a truth highlighted by the American College of Pediatricians: the difference between an adult human and a fertilized human embryo is simply "one of form, not nature."⁵

Furthermore, the majority of women often undergo intense, painful treatments for months or years, only suffer the devastation of (at least one, if not numerous) failures to implant, miscarriages, still-births, or deaths of children post-birth.⁶ Indeed, while live birth rates vary,⁷ one study found only 33% of women experienced a live birth following their first IVF cycle.⁸ For those children that survive, they face a higher risk of fetal anomalies, including heart defects, among others.⁹ Similarly, one study found that children conceived from ART face a higher risk of "any type of childhood cancer," particularly leukemia.¹⁰

Exacerbating this emotionally taxing process, parents also regularly experience pain and devastation caused by "major, avoidable mistakes" or "never events."¹¹ While closely regulated in every other field of medicine, the fertility industry remains exempt from mandatory reporting of never events.¹² This lack of oversight undoubtedly contributes to the gross negligence shown by the industry, ranging from freezer failures¹³ to "putting the wrong egg with the wrong sperm."¹⁴ In one of the most egregious examples, just this month Krystena Murray of Savannah, Georgia gave birth to a child she "immediately" knew was not her own: Murray and her sperm donor are both white; the baby was black. Though she resolved to raise the child, the biological parents discovered the issue and demanded custody. Tragically, the situation has left Murray "emotionally and physically broken."¹⁵

The lack of proper oversight has likewise led to the commodification of children via genetic testing, exploitation of women via surrogacy, and abuse of birthright citizenship. While your recent executive order ending this oft-misunderstood practice is a step in the right direction, we are concerned it will stay tied up in litigation and Chinese nationals will continue birthing children in the U.S., often hiring surrogates to do so. All the while, "we have no idea who these children or their parents are."¹⁶

In short, it is unlikely that regulations are responsible for the high cost of IVF, which currently funds a for-profit industry valued at over \$40 billion worldwide.¹⁷ Indeed, "apart from unenforceable recommendations by professional societies," the fertility industry remains largely unregulated.¹⁸

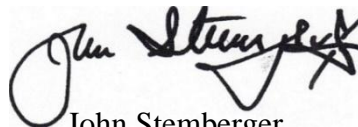
Finally, in contrast to the issues surrounding IVF, restorative reproductive medicine has proven hugely successful: root cause treatments have improved chances for fertility by up to 70% in two years.¹⁹ Moreover, "such methods may also increase a couple's success rates if they decide to still use IVF."²⁰ We humbly propose any policy related to IVF and ARTs recognize and promote these methods, as outlined in the RESTORE Act introduced in the 118th Congress.²¹ We further propose reliable access to IVF and life-affirming regulations need not be mutually exclusive. To that end, we have attached further analysis and policy recommendations seeking to honor the spirit of your campaign promise while preventing many of the detrimental impacts associated with expanding IVF coverage in the context of an unregulated fertility industry.

Thank you again for serving our nation, fulfilling your promises, and Making America Great Again. Generations to come will be blessed by your presidencies.

Respectfully,



Mathew D. Staver, Esq.
Chairman, Liberty Counsel Action



John Stemberger
President, Liberty Counsel Action



Jonathan Alexandre
Vice President of Governmental Affairs and Senior Counsel, Liberty Counsel Action

Endnotes

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- ¹⁷ “Fertility Services Market Report by Cause of Infertility (Male Infertility, Female Infertility), Procedure (In Vitro Fertilization with Intracytoplasmic Sperm Injection (IVF with ICSI), Surrogacy, In Vitro Fertilization Without Intracytoplasmic Sperm Injection (IVF without ICSI), Intrauterine Insemination (IUI), and Others), Service (Fresh Non-Donor, Frozen Non-Donor, Egg and Embryo Banking, Fresh Donor, Frozen Donor), End-User (Fertility Clinics, Hospitals, Surgical Centres, Clinical Research, Institutes, Cryobanks), and Region 2025-2033,” *Imarc*, accessed February 25, 2025, 2024, <https://www.imarcgroup.com/fertility-services-market>.
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