

119TH CONGRESS
1ST SESSION

H. R. 4099

To prohibit the interference, under color of State law, with the provision
of interstate abortion services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2025

Mrs. FLETCHER (for herself, Mr. RASKIN, Ms. STRICKLAND, Mr. AMO, Ms. ANSARI, Mr. AUCHINCLOSS, Ms. BARRAGÁN, Mrs. BEATTY, Ms. BONAMICI, Ms. BROWN, Ms. BROWNLEY, Ms. BUDZINSKI, Ms. BYNUM, Mr. CARBAJAL, Mr. CARSON, Mr. CARTER of Louisiana, Mr. CASAR, Mr. CASTEN, Ms. CASTOR of Florida, Mrs. CHERFILUS-McCORMICK, Ms. CHU, Mr. CISNEROS, Ms. CLARKE of New York, Mr. COHEN, Mr. CORREA, Ms. CROCKETT, Ms. DAVIDS of Kansas, Mr. DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. DELUZIO, Mr. DESAULNIER, Ms. DEXTER, Mr. DOGGETT, Ms. ESCOBAR, Mr. ESPAILLAT, Mr. EVANS of Pennsylvania, Mr. FOSTER, Mrs. FOUSHEE, Ms. LOIS FRANKEL of Florida, Mr. FROST, Mr. GARAMENDI, Mr. GARCIA of California, Ms. GARCIA of Texas, Mr. GARCÍA of Illinois, Ms. PEREZ, Mr. GOLDEN of Maine, Mr. GOMEZ, Ms. NORTON, Mr. HORSFORD, Ms. HOULAHAN, Ms. HOYLE of Oregon, Mr. HUFFMAN, Mr. JACKSON of Illinois, Ms. JACOBS, Mr. JOHNSON of Georgia, Ms. JOHNSON of Texas, Ms. KAMLAGER-DOVE, Ms. KELLY of Illinois, Mr. KHANNA, Mr. LANDSMAN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of Pennsylvania, Ms. LEPER FERNANDEZ, Mr. LEVIN, Ms. LOFGREN, Mr. LYNCH, Ms. MATSUI, Mrs. MCBATH, Ms. MCBRIDE, Ms. MCCLELLAN, Ms. MCCOLLUM, Mr. MCGARVEY, Mr. MCGOVERN, Mrs. MCIVER, Mr. MEEKS, Mr. MENENDEZ, Ms. MENG, Mr. MIN, Mr. MORELLE, Mr. MOSKOWITZ, Mr. MOULTON, Mr. MRVAN, Mr. MULLIN, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PANETTA, Mr. PAPPAS, Mr. PETERS, Ms. PETERSEN, Mr. POCAN, Mr. QUIGLEY, Mrs. RAMIREZ, Mr. RILEY of New York, Ms. RIVAS, Ms. ROSS, Ms. SALINAS, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Ms. SCHOLTEN, Ms. SCHRIER, Mr. DAVID SCOTT of Georgia, Mr. SHERMAN, Ms. SHERRILL, Ms. SIMON, Mr. SMITH of Washington, Mr. SORENSEN, Ms. STANSBURY, Ms. STEVENS, Mr. SWALWELL, Mr. THANEDAR, Mr. THOMPSON of California, Ms. TITUS, Ms. TLAIB, Ms. TOKUDA, Mr. TONKO, Mr. TORRES of New York, Mrs. TORRES of California, Mrs. TRAHAN, Mr. TRAN, Ms. UNDERWOOD, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WHITESIDES, Ms. WILLIAMS of Georgia, Ms. CRAIG, and Ms. SEWELL)

introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the interference, under color of State law, with the provision of interstate abortion services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ensuring Women’s
5 Right to Reproductive Freedom Act”.

6 **SEC. 2. INTERFERENCE WITH INTERSTATE ABORTION**
7 **SERVICES PROHIBITED.**

8 (a) INTERFERENCE PROHIBITED.—No person acting
9 under color of State law, including any person who, by
10 operation of a provision of State law, is permitted to im-
11 plement or enforce State law, may prevent, restrict, or im-
12 pede, or retaliate against, in any manner—

13 (1) a health care provider’s ability to provide,
14 initiate, or otherwise enable an abortion service that
15 is lawful in the State in which the service is to be
16 provided to a patient who does not reside in that
17 State;

1 (2) any person or entity's ability to assist a
2 health care provider to provide, initiate, or otherwise
3 enable an abortion service that is lawful in the State
4 in which the service is to be provided to a patient
5 who does not reside in that State, if such assistance
6 does not violate the law of that State;

7 (3) any person's ability to travel across a State
8 line for the purpose of obtaining an abortion service
9 that is lawful in the State in which the service is to
10 be provided;

11 (4) any person's or entity's ability to assist an-
12 other person traveling across a State line for the
13 purpose of obtaining an abortion service that is law-
14 ful in the State in which the service is to be pro-
15 vided; or

16 (5) the movement in interstate commerce, in ac-
17 cordance with Federal law or regulation, of any drug
18 approved or licensed by the Food and Drug Admin-
19 istration for the termination of a pregnancy.

20 (b) ENFORCEMENT BY ATTORNEY GENERAL.—The
21 Attorney General may bring a civil action in the appro-
22 priate United States district court against any person who
23 violates subsection (a) for declaratory and injunctive relief.

24 (c) PRIVATE RIGHT OF ACTION.—Any person who is
25 harmed by a violation of subsection (a) may bring a civil

1 action in the appropriate United States district court
2 against the person who violated such subsection for declar-
3 atory and injunctive relief, and for such compensatory
4 damages as the court determines appropriate, including
5 for economic losses and for emotional pain and suffering.
6 The court may, in addition, award reasonable attorney's
7 fees and costs of the action to a prevailing plaintiff.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “abortion service” means—

10 (A) an abortion, including the use of any
11 drug approved or licensed by the Food and
12 Drug Administration for the termination of a
13 pregnancy; and

14 (B) any health care service related to or
15 provided in conjunction with an abortion
16 (whether or not provided at the same time or
17 on the same day as the abortion).

18 (2) The term “health care provider” means any
19 entity or individual (including any physician, cer-
20 tified nurse-midwife, nurse practitioner, physician's
21 assistant, or pharmacist) that is—

22 (A) engaged or seeks to engage in the de-
23 livery of health care services, including abortion
24 services; and

1 (B) licensed or certified to perform such
2 service under applicable State law.

3 (3) The term “drug” has the meaning given
4 such term in section 201 of the Federal Food, Drug,
5 and Cosmetic Act (21 U.S.C. 321).

6 (4) The term “State” includes the several
7 States, the District of Columbia, the Commonwealth
8 of Puerto Rico, the United States Virgin Islands,
9 American Samoa, Guam, the Northern Mariana Is-
10 lands, each Indian tribe, and each territory or pos-
11 session of the United States.

12 (e) SEVERABILITY.—If any provision of this Act, or
13 the application of such provision to any person, entity,
14 government, or circumstance, is held to be unconstitu-
15 tional, the remainder of this Act, or the application of such
16 provision to all other persons, entities, governments, or
17 circumstances, shall not be affected thereby.

18 (f) RULE OF CONSTRUCTION.—Nothing in this Act
19 shall be construed to limit the fundamental right to travel
20 within the United States, including the District of Colum-
21 bia, Tribal lands, and the territories of the United States,
22 nor to limit any existing enforcement authority of the At-
23 torney General or any existing remedies available to ad-
24 dress a violation of such right.

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