

117TH CONGRESS  
1ST SESSION

# H. R. 5542

To direct the Secretary of Health and Human Services to establish a grant program to facilitate the distribution of funding for travel related expenses paid by individuals impacted by restrictions to the provision of abortion services, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2021

Mr. SHERMAN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of Health and Human Services to establish a grant program to facilitate the distribution of funding for travel related expenses paid by individuals impacted by restrictions to the provision of 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 “Medical Travel Assist-  
5 ance to Protect Women’s Right to Choose Act of 2021”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that the Attorney General  
3 shall undertake all necessary actions to prevent a State  
4 from frustrating the protections outlined in *Roe v. Wade*  
5 (410 U.S. 113 (1973)).

6 **SEC. 3. GRANTS TO INDIVIDUALS IMPACTED BY RESTRICT-**  
7 **TIONS TO PROVISION OF ABORTION SERV-**  
8 **ICES.**

9 (a) **ESTABLISHMENT.**—Not later than 30 days after  
10 the date of the enactment of this Act, the Secretary of  
11 Health and Human Services shall establish a program (in  
12 this Act referred to as the “Program”) to facilitate the  
13 distribution of funding for travel related expenses paid  
14 with respect to accessing an abortion service by an indi-  
15 vidual residing in a State that does not have a State law  
16 protecting the right to abortion services before the fetus  
17 is viable.

18 (b) **GRANT AUTHORITY.**—In carrying out the Pro-  
19 gram, the Secretary may award a grant to each individual  
20 in accordance with this section.

21 (c) **ELIGIBLE RECIPIENTS.**—The Secretary may  
22 award a grant under the Program to any individual deter-  
23 mined by the Secretary to—

24 (1) be a resident of a State that does not have  
25 a State law protecting the right to abortion services  
26 before the fetus is viable; and

1           (2) have traveled to a State other than the  
2           State of such individual’s residence to be provided  
3           abortion services.

4           (d) APPLICATIONS.—To be eligible for a grant under  
5           the Program, the individual shall submit to the Secretary  
6           an application in such form, at such time, and containing  
7           such information as the Secretary determines appropriate.

8           (e) GRANT AMOUNT.—

9           (1) IN GENERAL.—The amount of the grant  
10          awarded under the Program shall be up to \$1,000  
11          and based on the travel related expenses paid by an  
12          eligible recipient.

13          (2) ADDITIONAL AMOUNT.—In extraordinary  
14          circumstances, as determined by the Secretary, the  
15          amount of the grant awarded under the Program  
16          may exceed \$1,000.

17          (f) TRAVEL RELATED EXPENSES DEFINED.—In this  
18          section, the term “travel related expenses”—

19               (1) includes—

20                       (A) the expense of round trip travel to the  
21                       location where the abortion service is provided;  
22                       and

23                       (B) lodging and meals; and

24               (2) does not include—

1 (A) costs with respect to the provision of  
2 the abortion service; or

3 (B) wages lost as a result of travel under-  
4 taken to receive such service.

5 (g) FETUS IS VIABLE DEFINED.—The term “fetus  
6 is viable” means the time at which there is established  
7 medical consensus that the fetus has the potential to sur-  
8 vive outside the uterus after birth, natural or induced.

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