

119TH CONGRESS  
1ST SESSION

# H. RES. 65

Reaffirming the freedom to decide and expressing continued support for  
medication abortion access.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2025

Mr. GOTTHEIMER submitted the following resolution; 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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## RESOLUTION

Reaffirming the freedom to decide and expressing continued  
support for medication abortion access.

Whereas antiabortion extremists are desperate to ban abortion nationwide and are trying to misuse a centuries-old zombie law to achieve their goals;

Whereas there is a settled understanding of the Comstock Act for nearly a century, and the Department of Justice, the courts, and Congress have made clear that the Comstock laws do not apply to lawful abortions;

Whereas the majority of the public supports abortion access, and an overwhelming majority of Americans (80 percent) oppose a Federal law banning abortion nationwide;

Whereas antiabortion extremists are waging a war on reproductive rights, including the ability to make personal, private health care decisions;

Whereas misusing, misapplying, and misinterpreting the Comstock Act would be yet another attempt to attack access to medication abortion, a safe and effective health care option;

Whereas misusing, misapplying, and misinterpreting the Comstock Act could threaten certain shipping and transportation of basic medical materials; and

Whereas misusing, misapplying, and misinterpreting the Comstock Act could further threaten and endanger sexual and reproductive health: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) affirms the existing authority to distribute  
 3       medication abortion under Federal law, as confirmed  
 4       by the December 23, 2022, Department of Justice’s  
 5       Office of Legal Counsel Memorandum Opinion for  
 6       the General Counsel of the United States Postal  
 7       Service which states in part that “Section 1461 of  
 8       title 18 of the U.S. Code does not prohibit the mail-  
 9       ing of certain drugs that can be used to perform  
 10      abortions where the sender lacks the intent that the  
 11      recipient of the drugs will use them unlawfully.”;  
 12      and

- 1           (2) condemns restrictions on access to and cov-
- 2           erage of reproductive health care, including medica-
- 3           tion abortion like mifepristone.

