

Congress of the United States

Washington, DC 20515

March 10, 2025

Attorney General Pam Bondi
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Bondi:

We write to you to condemn your administration's directive to minimize enforcement of the Freedom of Access to Clinic Entrances (FACE) Act. On January 24th, 2025, your incoming Chief of Staff, Chad Mizelle, penned a memorandum indicating that "future abortion-related FACE Act prosecutions and civil actions will be permitted only in extraordinary circumstances." Moreover, the memorandum states that "until further notice, no new abortion-related FACE Act actions—criminal or civil—will be permitted without authorization from the Assistant Attorney General for the Civil Rights Division."¹ To be clear: Congress writes the law. The oath you took is to enforce the law. Our country is founded on the rule of law, and it is the Department of Justice's duty to enforce existing federal law.

Your potentially illegal directive, which neglects your duty to enforce the duly enacted FACE Act, removes a vital legal tool, emboldens protesters to commit acts of violence and intimidation, and endangers patients, their companions, and healthcare providers. Worse yet, it signals to criminals that they will not be prosecuted for violations of federal law, jeopardizing the safety of all Americans. We demand that you withdraw this memorandum that instructs prosecutors to substantially limit FACE Act violations and remind the Department of Justice (DOJ) to vigorously enforce the FACE Act and other protections for those seeking access to health care.

In 1994, Congress enacted the FACE Act with broad bipartisan support to protect the rights of patients to safely access reproductive health services.^{2 3} Failure to do so undermines the rule of law and sets a dangerous precedent. or interfere with an individual's right to seek, obtain or provide reproductive health services.⁴ The DOJ is tasked by Congress with the enforcement of federal laws. The principle of "faithful execution" of the law is embedded in the US constitution.

¹ Sganga, Nicole. "Trump Justice Dept. Limits Enforcement of Face Act, Which Protects Reproductive Health Facilities." *CBS News*, CBS Interactive, 24 Jan. 2025, www.cbsnews.com/news/trump-face-act-abortion-related-actions-justice-department/.

² United States, Congress, *Freedom of Access to Clinic Entrances Act of 1994*. 1994. <https://www.congress.gov/103/statute/STATUTE-108/STATUTE-108-Pg694.Pdf> Congress.

³ Blasdell, Jennifer, and Kate Goss. "Freedom of Access to Clinic Entrances (FACE) Act." *National Abortion Federation*, National Abortion Federation, 2006, prochoice.org/wp-content/uploads/face_act.pdf.
Information on the Effectiveness of the Freedom of Access to Clinic Entrances Act, Government Accountability Office, 1998, www.gao.gov/assets/ggd-99-2.pdf.

⁴ United States, Congress, *Freedom of Access to Clinic Entrances Act of 1994*. 1994. <https://www.congress.gov/103/statute/STATUTE-108/STATUTE-108-Pg694.Pdf> Congress.

Republican and Democratic administrations have enforced the FACE Act over the last 30 years.^{5 6} During the Clinton Administration, clinics experienced fewer violent incidents in the years following the passage of the FACE Act.⁷ The United States General Accounting Office reported at least 46 criminal and civil cases pertaining to FACE between the bill's enactment in May 1994 and September 1998.⁸ The Bush Administration continued to enforce the FACE Act.⁹ The Obama Administration also continued to protect the right of access to reproductive health under the FACE Act, filing at least eight civil FACE complaints from 2009 to September 2011.¹⁰ Notably, the first Trump administration prosecuted multiple violations under the FACE Act.¹¹ The first Trump administration's enforcement of FACE Act violations included prosecuting defendants for sending threatening emails to abortion clinics, directing threatening social media posts to Planned Parenthood, throwing a Molotov cocktail through the front door of a Planned Parenthood clinic, and more.¹² Most recently, the Biden administration forcefully defended the right to access reproductive healthcare, prosecuting at least 57 people for FACE Act violations between 2021 and 2024.¹³

Patients and providers have increasingly become the targets of violence and harassment, ranging from threats to deadly attacks. The National Abortion Federation reported a significant increase in violence and disruptions against abortion providers in 2022 compared to 2021. The findings showed a 229% increase in stalking, a 231% increase in burglary, and a 25% increase in invasions targeting abortion clinic staff, patients, and providers. In the past decade, abortion clinics experienced a 100% rise in anthrax and bioterrorism threats.¹⁴ Furthermore, the number of clinic blockades more than doubled in recent years and incidents of picketing at facilities have been growing exponentially for years.¹⁵

Limiting the Justice Department from enforcing bipartisan law will put at risk the well-being and security of patients, providers, and others at reproductive health care facilities. Individuals have the right to freedom of speech and the right to peacefully gather to protest. However, individuals do not have the right to use physical force or intimidation as these acts pose a threat to those attempting to access a range of health care services -

⁵ *Information on the Effectiveness of the Freedom of Access to Clinic Entrances Act*, Government Accountability Office, 1998, www.gao.gov/assets/ggd-99-2.pdf.

⁶ "About Face: Using Legal Tools to Protect Abortion Providers, Clinics and Their Patients." *Abortion - United States*, Center for Reproductive Rights, 7 July 2009, reproductiverights.org/about-face-using-legal-tools-to-protect-abortion-providers-clinics-and-their-patients/.

⁷ *Information on the Effectiveness of the Freedom of Access to Clinic Entrances Act*, Government Accountability Office, 1998, www.gao.gov/assets/ggd-99-2.pdf.

⁸ Ibid.

⁹ "About Face: Using Legal Tools to Protect Abortion Providers, Clinics and Their Patients." *Abortion - United States*, Center for Reproductive Rights, 7 July 2009, reproductiverights.org/about-face-using-legal-tools-to-protect-abortion-providers-clinics-and-their-patients/.

¹⁰ Perez, Tom. "Protecting the Rights of Women and Girls." *National Archives and Records Administration*, National Archives and Records Administration, 2 Sept. 2011, obamawhitehouse.archives.gov/blog/2011/09/02/protecting-rights-women-and-girls#:~:text=We%20have%20stepped,civil%20FACE%20cases.

¹¹ "Recent Cases on Violence against Reproductive Health Care Providers." *Violence Against Healthcare Providers*, Civil Rights Division of the Department of Justice, 30 May 2023, www.justice.gov/crt/recent-cases-violence-against-reproductive-health-care-providers.

¹² Ibid.

¹³ United States, Congress, Civil Rights Division. *2021-2024 Civil Rights Division Highlights*, Department of Justice. <https://www.justice.gov/crt/media/1384666/dl?inline>.

¹⁴ *2022 Violence & Disruption Statistics*, National Abortion Federation, 11 May 2023, prochoice.org/wp-content/uploads/2022-VD-Report-FINAL.pdf.

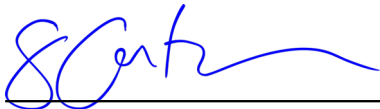
¹⁵ "2021 Violence & Disruption Reports." *National Abortion Federation*, National Abortion Federation, 24 June 2022, prochoice.org/wp-content/uploads/2021_NAF_VD_Stats_Final.pdf.

from abortion care to breast cancer screenings, prenatal care, reproductive counseling, and in vitro fertilization (IVF). Therefore, we request answers to the following questions:

1. Do you commit to rescinding the January 24th memorandum that severely curtails enforcement of the FACE Act? If so, what is your timeline for doing so?
2. Under what authority do you assert the right to issue a memorandum to categorically direct prosecutors not to enforce the FACE Act?
3. The recent memorandum instructs DOJ prosecutors to only enforce the FACE Act in “extraordinary circumstances.” Please clarify precisely what qualifications meet the bar of an “extraordinary circumstance.”

Thank you for your attention to this important matter. We look forward to your written response to our questions, by March 31, 2025.

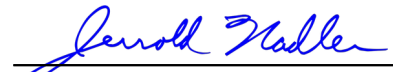
Sincerely,



Sean Casten
Member of Congress



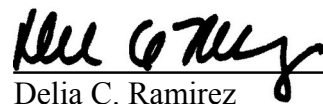
Jan Schakowsky
Member of Congress



Terrold Nadler
Member of Congress




Bonnie Watson Coleman
Member of Congress




Delia C. Ramirez
Member of Congress



Eleanor Holmes Norton
Member of Congress



Jennifer L. McClellan
Member of Congress



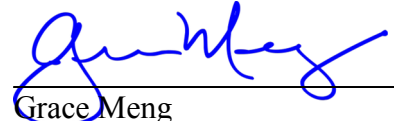
Jesús G. "Chuy" García
Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Gerald E. Connolly
Member of Congress



Grace Meng
Member of Congress



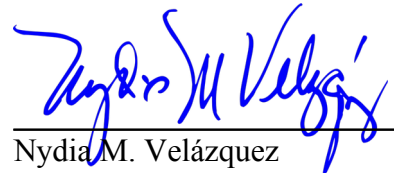
Haley M. Stevens
Member of Congress



Seth Moulton
Member of Congress



Mikie Sherrill
Member of Congress



Nydia M. Velázquez
Member of Congress



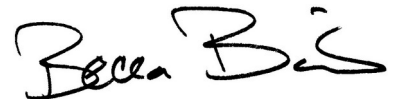
Rashida Tlaib
Member of Congress



Julia Brownley
Member of Congress



Scott H. Peters
Member of Congress



Becca Balint
Member of Congress



Paul D. Tonko
Member of Congress



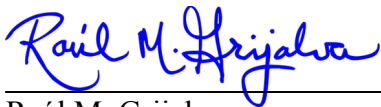
Ritchie Torres
Member of Congress



Dan Goldman
Member of Congress



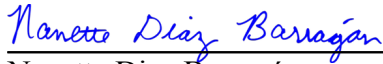
Alexandria Ocasio-Cortez
Member of Congress



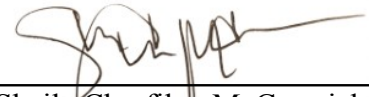
Raúl M. Grijalva
Member of Congress



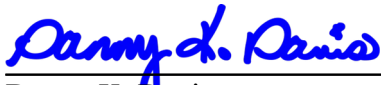
Doris Matsui
Member of Congress



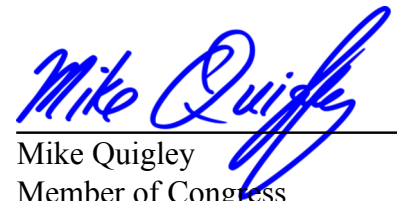
Nanette Diaz Barragán
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



Danny K. Davis
Member of Congress



Mike Quigley
Member of Congress



Mary Gay Scanlon
Member of Congress



Stephen F. Lynch
Member of Congress



Jim Tokuda
Member of Congress



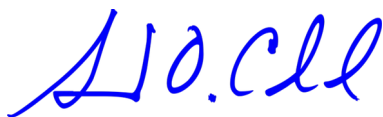
Maxine Dexter
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Jimmy Panetta
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Raja Krishnamoorthi
Member of Congress



Salud Carbajal
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Andrea Salinas
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Kathy Castor

Kathy Castor
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Judy Chu
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Morgan McGarvey
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Seth Magaziner
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Frederica S. Wilson

Frederica S. Wilson
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Jake Auchincloss

Jake Auchincloss
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Greg Casar

Greg Casar
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Dina Titus

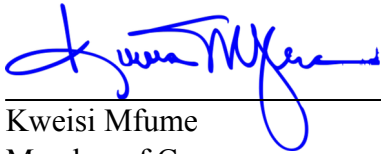
Dina Titus
Member of Congress

Nikki Budzinski

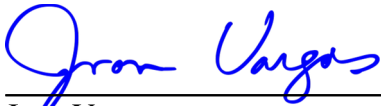
Nikki Budzinski
Member of Congress

Eric Swalwell

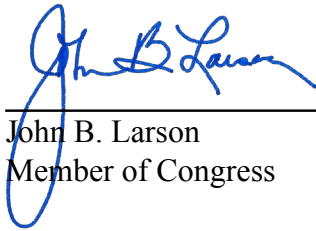
Eric Swalwell
Member of Congress



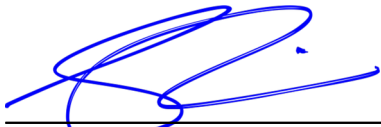
Kweisi Mfume
Member of Congress



Juan Vargas
Member of Congress



John B. Larson
Member of Congress



Sharice L. Davids
Member of Congress



Mark DeSaulnier
Member of Congress



Emanuel Cleaver, II
Member of Congress



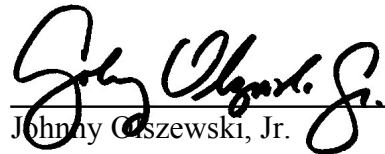
Brittany Pettersen
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Sarah McBride
Member of Congress



Bill Foster
Member of Congress



Johnny Ciszewski, Jr.
Member of Congress



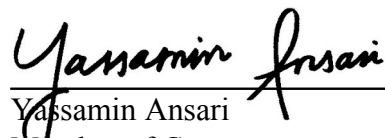
Robin L. Kelly
Member of Congress



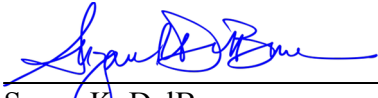
Lizzie Fletcher
Member of Congress



Julie Johnson
Member of Congress



Yassamin Ansari
Member of Congress



Suzan K. DelBene
Member of Congress



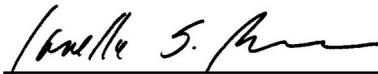
Emilia Strong Sykes
Member of Congress



Angie Craig
Member of Congress



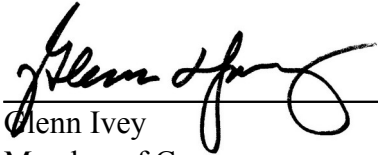
Steve Cohen
Member of Congress



Janelle S. Bynum
Member of Congress



LaMonica McIver
Member of Congress



Glenn Ivey
Member of Congress