

# 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."<sup>1</sup> 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.<sup>2 3</sup> 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.<sup>4</sup> 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.

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<sup>1</sup> 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/](https://www.cbsnews.com/news/trump-face-act-abortion-related-actions-justice-department/).

<sup>2</sup> 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.

<sup>3</sup> 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](https://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](https://www.gao.gov/assets/ggd-99-2.pdf).

<sup>4</sup> 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.<sup>5 6</sup> During the Clinton Administration, clinics experienced fewer violent incidents in the years following the passage of the FACE Act.<sup>7</sup> 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.<sup>8</sup> The Bush Administration continued to enforce the FACE Act.<sup>9</sup> 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.<sup>10</sup> Notably, the first Trump administration prosecuted multiple violations under the FACE Act.<sup>11</sup> 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.<sup>12</sup> 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.<sup>13</sup>

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.<sup>14</sup> Furthermore, the number of clinic blockades more than doubled in recent years and incidents of picketing at facilities have been growing exponentially for years.<sup>15</sup>

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 -

<sup>5</sup> *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](http://www.gao.gov/assets/ggd-99-2.pdf).

<sup>6</sup> "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/](http://reproductiverights.org/about-face-using-legal-tools-to-protect-abortion-providers-clinics-and-their-patients/).

<sup>7</sup> *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](http://www.gao.gov/assets/ggd-99-2.pdf).

<sup>8</sup> Ibid.

<sup>9</sup> "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/](http://reproductiverights.org/about-face-using-legal-tools-to-protect-abortion-providers-clinics-and-their-patients/).

<sup>10</sup> 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.](http://obamawhitehouse.archives.gov/blog/2011/09/02/protecting-rights-women-and-girls#:~:text=We%20have%20stepped,civil%20FACE%20cases.)

<sup>11</sup> "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](http://www.justice.gov/crt/recent-cases-violence-against-reproductive-health-care-providers).

<sup>12</sup> Ibid.

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

<sup>14</sup> *2022 Violence & Disruption Statistics*, National Abortion Federation, 11 May 2023, [prochoice.org/wp-content/uploads/2022-VD-Report-FINAL.pdf](http://prochoice.org/wp-content/uploads/2022-VD-Report-FINAL.pdf).

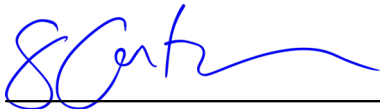
<sup>15</sup> "2021 Violence & Disruption Reports." *National Abortion Federation*, National Abortion Federation, 24 June 2022, [prochoice.org/wp-content/uploads/2021\\_NAF\\_VD\\_Stats\\_Final.pdf](http://prochoice.org/wp-content/uploads/2021_NAF_VD_Stats_Final.pdf).

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

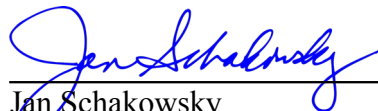
1. Do you commit to rescinding the January 24<sup>th</sup> memorandum that severely curtails enforcement of the FACE Act? If so, what is your timeline for doing so?
2. Under what authority do you assert the right to issue a memorandum to categorically direct prosecutors not to enforce the FACE Act?
3. 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.

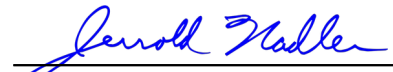
Sincerely,



Sean Casten  
Member of Congress



Jan Schakowsky  
Member of Congress



Terrold Nadler  
Member of Congress



Bonnie Watson Coleman  
Member of Congress



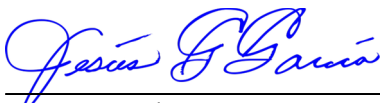
Delia C. Ramirez  
Member of Congress



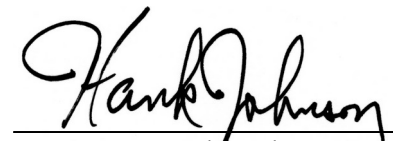
Eleanor Holmes Norton  
Member of Congress



Jennifer L. McClellan  
Member of Congress



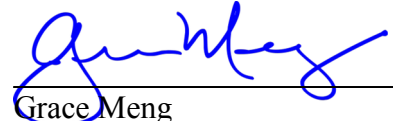
Jesús G. "Chuy" García  
Member of Congress



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



Gerald E. Connolly  
Member of Congress



Grace Meng  
Member of Congress



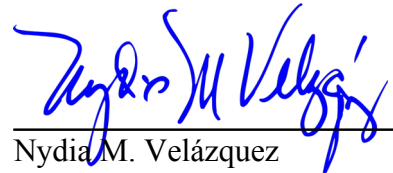
Haley M. Stevens  
Member of Congress



Seth Moulton  
Member of Congress



Mikie Sherrill  
Member of Congress



Nydia M. Velázquez  
Member of Congress



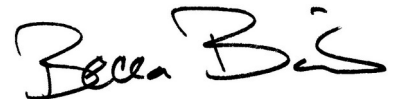
Rashida Tlaib  
Member of Congress



Julia Brownley  
Member of Congress



Scott H. Peters  
Member of Congress



Becca Balint  
Member of Congress



Paul D. Tonko  
Member of Congress



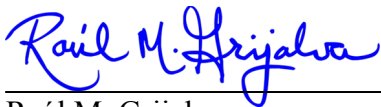
Ritchie Torres  
Member of Congress



Dan Goldman  
Member of Congress



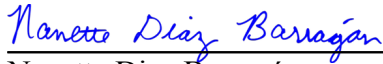
Alexandria Ocasio-Cortez  
Member of Congress



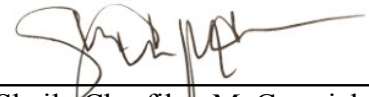
Raúl M. Grijalva  
Member of Congress



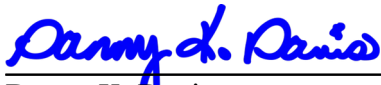
Doris Matsui  
Member of Congress



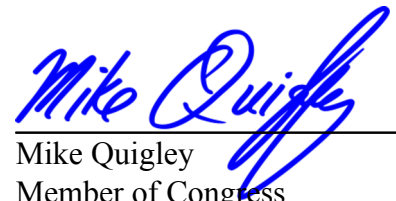
Nanette Diaz Barragán  
Member of Congress



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



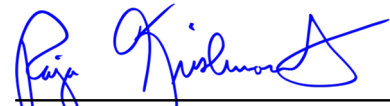
Jim Tokuda  
Member of Congress



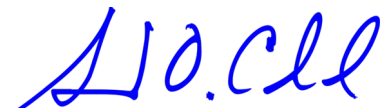
Maxine Dexter  
Member of Congress



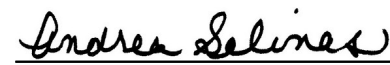
Jimmy Panetta  
Member of Congress



Raja Krishnamoorthi  
Member of Congress



Salud Carbajal  
Member of Congress



Andrea Salinas  
Member of Congress

*Kathy Castor*

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Kathy Castor  
Member of Congress

*Mark Pocan*

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Mark Pocan  
Member of Congress

*Jimmy Gomez*

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Jimmy Gomez  
Member of Congress

*Judy Chu*

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Judy Chu  
Member of Congress

*Hillary J. Scholten*

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Hillary J. Scholten  
Member of Congress

*Morgan McGarvey*

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Morgan McGarvey  
Member of Congress

*George Latimer*

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George Latimer  
Member of Congress

*Seth Magaziner*

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Seth Magaziner  
Member of Congress

*Frederica S. Wilson*

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Frederica S. Wilson  
Member of Congress

*Jake Auchincloss*

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Jake Auchincloss  
Member of Congress

*Greg Casar*

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Greg Casar  
Member of Congress

*Dina Titus*

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Dina Titus  
Member of Congress

*Nikki Budzinski*

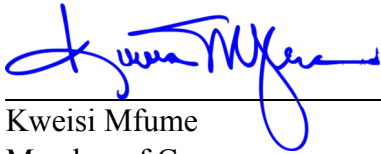
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Nikki Budzinski  
Member of Congress

*Eric Swalwell*

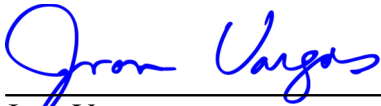
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Eric Swalwell  
Member of Congress



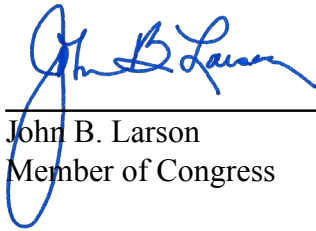
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Kweisi Mfume  
Member of Congress



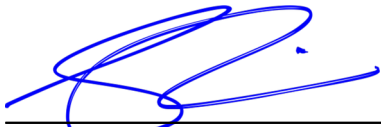
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Juan Vargas  
Member of Congress



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John B. Larson  
Member of Congress



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Sharice L. Davids  
Member of Congress



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Mark DeSaulnier  
Member of Congress



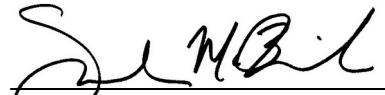
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Emanuel Cleaver, II  
Member of Congress



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Brittany Pettersen  
Member of Congress



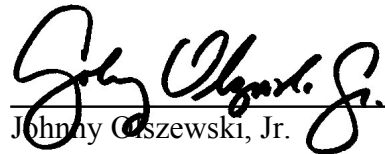
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Sarah McBride  
Member of Congress



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Bill Foster  
Member of Congress



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Johnny Ciszewski, Jr.  
Member of Congress



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Robin L. Kelly  
Member of Congress



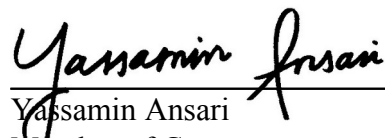
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Lizzie Fletcher  
Member of Congress



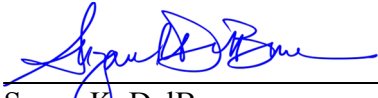
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Julie Johnson  
Member of Congress



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Yassamin Ansari  
Member of Congress



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Suzan K. DelBene  
Member of Congress



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Emilia Strong Sykes  
Member of Congress



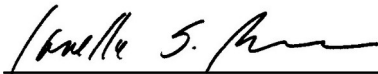
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Angie Craig  
Member of Congress



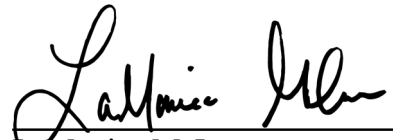
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Steve Cohen  
Member of Congress



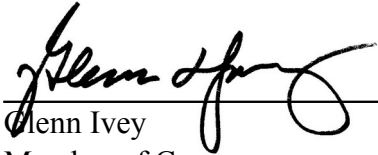
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Janelle S. Bynum  
Member of Congress



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LaMonica McIver  
Member of Congress



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Glenn Ivey  
Member of Congress