



The Stop Comstock Act

Repealing provisions of the Comstock laws that anti-abortion extremists want to willfully misapply in order to criminalize providers and ban abortion nationwide

“Right wing strategists have been foaming at the mouth for years to abuse antiquated laws to take women back to the 1800s. And now they have a president in the White House who has never stood for women’s rights. We must act to take away their tools to bypass Congress and enact a national abortion ban.”

—Rep. Becca Balint

What is the Stop Comstock Act?

The Stop Comstock Act (SCA) is a bill led by Rep. Becca Balint (VT-AL) with Reps. Scanlon (PA-05) and Watson Coleman (NJ-12) in the House, and Sen. Tina Smith (D-Minn) in the Senate. The SCA would repeal provisions of the Comstock laws that anti-abortion extremists want to willfully misapply in order to criminalize providers and ban abortion nationwide without any congressional action.

Why do we need it?

The Comstock laws are a set of 1800s laws to ban the mailing or shipping of every obscene, lewd, lascivious, indecent, article, matter, thing or device, with the goal of restricting abortion, contraceptives, sex toys, and even love letters. Federal appellate courts have uniformly held that the law does not apply to lawful abortion care. Nonetheless, Republican strategists have been clear that they intend to misuse these antiquated and unconstitutional statutes to criminalize providers and impose a nationwide abortion ban.

A future administration hostile to sexual and reproductive health care will willfully misuse this unconstitutionally vague law to ban abortion nationwide and criminalize providers, even without any Congressional action. That’s despite the courts, Congress, and DOJ, who have all been clear that these laws do not apply to lawful abortion, including an [Office of Legal Counsel Memo](#). However, we know that weaponizing and willfully misapplying these antiquated laws could effectively implement a nationwide abortion ban.

Endorsing Organizations:

The bill is endorsed by the American Civil Liberties Union, Planned Parenthood Federation of America, National Women’s Law Center Action Fund, Reproductive Freedom for All, Indivisible, Catholics for Choice, Take Back the Court Action Fund, National Council of Jewish Women, Healthcare Across Borders and UltraViolet Action have endorsed the Stop Comstock Act.

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