

118TH CONGRESS
2D SESSION

H. CON. RES. 130

Commending State and local governments for championing reproductive rights
as human rights.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2024

Ms. WILLIAMS of Georgia (for herself, Ms. ADAMS, Mr. CARTER of Louisiana, Mr. CASAR, Ms. MCCLELLAN, Mr. RASKIN, Mr. DOGGETT, Ms. ESCOBAR, Ms. KAMLAGER-DOVE, Ms. NORTON, Ms. VELÁZQUEZ, Mr. NICKEL, Mr. MCGOVERN, Mr. MAGAZINER, Ms. MCCOLLUM, Ms. SEWELL, Mrs. RAMIREZ, Ms. WILD, Mr. TRONE, Mr. CLEAVER, Ms. TLAIB, Mrs. BEATTY, Ms. SCHAKOWSKY, Ms. LEE of California, Ms. BROWNLEY, Ms. CLARKE of New York, Mr. KRISHNAMOORTHY, Mrs. FLETCHER, Mrs. WATSON COLEMAN, Mr. SWALWELL, Mr. JOHNSON of Georgia, Ms. GARCIA of Texas, Ms. PETERSEN, Mr. ESPAILLAT, Mr. EVANS, Mrs. CHERFILUS-MCCORMICK, Mr. POCAN, Ms. OMAR, Ms. STRICKLAND, Mr. ROBERT GARCIA of California, Mr. VEASEY, Ms. OCASIO-CORTEZ, Mr. VARGAS, Ms. TOKUDA, Ms. BALINT, Mr. DESAULNIER, Mr. GRIJALVA, Mr. HUFFMAN, Mr. TONKO, Ms. SALINAS, Mrs. HAYES, Mr. GOTTHEIMER, Mrs. TORRES of California, Mr. DELUZIO, Mr. SOTO, Ms. TITUS, Mr. COHEN, Mr. LIEU, Ms. CRAIG, Mr. THOMPSON of Mississippi, Mr. GARCÍA of Illinois, Ms. DELAURO, Ms. ROSS, Mrs. PELTOLA, Mr. HIMES, Mr. KENNEDY, Mrs. TRAHAN, Mr. CARSON, Ms. CROCKETT, Ms. STEVENS, Mr. GOLDMAN of New York, Ms. KELLY of Illinois, Ms. PORTER, Ms. BROWN, Ms. JACOBS, Ms. BONAMICI, Mr. ALLRED, Ms. CASTOR of Florida, Ms. DEAN of Pennsylvania, Mr. CONNOLLY, Mr. CASTEN, Ms. CHU, Ms. BUSH, Ms. WILSON of Florida, Ms. DELBENE, Ms. BARRAGÁN, Ms. LEGER FERNANDEZ, Mr. BOWMAN, Mr. SORENSEN, Mr. CÁRDENAS, Ms. BUDZINSKI, Ms. SCANLON, Mr. CARBAJAL, Mrs. FOUSHEE, Mr. PETERS, Ms. LEE of Pennsylvania, and Ms. DEGETTE) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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

CONCURRENT RESOLUTION

Commending State and local governments for championing reproductive rights as human rights.

Whereas, on June 24, 2022, the United States Supreme Court in *Dobbs v. Jackson Women’s Health Organization*, 597 U.S. 215 (2022) overturned *Roe v. Wade*, 410 U.S. 113 (1973) and *Planned Parenthood v. Casey*, 505 U.S. 833 (1992) and eliminated the Federal constitutional right to abortion in the United States;

Whereas, subsequently, more than a dozen States have passed legal barriers that fully ban abortion, and many others have passed legal barriers that severely restrict abortion;

Whereas the retrogression on abortion rights in the United States is inconsistent with United States obligations under international human rights law;

Whereas treaties ratified by the United States should be upheld at the Federal, State, and local level as they are considered the “supreme Law of the Land” under clause 2 of Article VI of the United States Constitution;

Whereas the United States has ratified, and is bound by, the International Covenant on Civil and Political Rights, done on June 1, 1992, the International Convention on the Elimination of All Forms of Racial Discrimination, done on September 29, 1994, and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, done on September 19, 1994;

Whereas the United States has previously joined the international community in identifying reproductive rights as

human rights, including during the 1995 Beijing World Conference on Women;

Whereas escalating restrictions on abortion access in the United States conflict with public health guidance;

Whereas the abortion care guideline, published by the World Health Organization in 2022, recommends the full decriminalization of abortion, the removal of grounds-based restrictions on abortion, and the removal of gestational age-limits on the provision of abortion care;

Whereas access to the full range of sexual and reproductive health care, including abortion, is essential to the health and well-being of all people;

Whereas no one should be criminalized for any pregnancy outcome;

Whereas punishing people for their pregnancy outcomes and the circumstances of their pregnancies or for providing essential reproductive and sexual health care violates their human rights;

Whereas the threat of criminalization or prosecution can intimidate people from seeking or providing care;

Whereas reproductive and sexual health care providers administer high-quality, essential health care, and play a critical role in ensuring people are able to make decisions about their bodies and lives with dignity;

Whereas no one should be criminalized for providing essential health care;

Whereas pregnant people who have been denied abortion care suffer many adverse consequences, including putting their health, fertility, and lives at risk, being forced to carry nonviable pregnancies to term, and being criminalized for

miscarriage, the circumstances of their pregnancies, abortions, and other pregnancy outcomes;

Whereas pregnant people in Texas, and other Southern States, have been forced to undergo invasive and dangerous surgeries, such as cesarean sections, instead of receiving routine abortion care when faced with obstetric emergencies, putting their health and lives at risk;

Whereas this obstetric violence has long been true for communities of color and especially Black communities, as early American gynecology treated Black women as expendable clinical material for its institutional needs, and this medical violence was animated by biological racism and the legal and economic exigencies of the antebellum era;

Whereas Indigenous people, Black people, people of color, people with low incomes, people living in rural areas, people with disabilities, immigrants, LGBTQ+ individuals, and other marginalized individuals are disproportionately likely to be surveilled, arrested, charged, prosecuted, convicted, and heavily punished within the United States criminal justice system and, due to systemic discrimination, to experience additional scrutiny from the United States legal system;

Whereas, from 2006 to 2022, almost 1,400 people were arrested in the United States in relation to the circumstances or outcomes of their pregnancy, including pregnancy loss, and prosecutions overwhelmingly targeted people with low incomes, and this trend has only increased since the *Dobbs v. Jackson Women's Health Organization* decision;

Whereas the *Dobbs v. Jackson Women’s Health Organization* decision has further decimated abortion access in the United States;

Whereas the United States has been reviewed by two United Nations treaty- monitoring bodies since the *Dobbs v. Jackson Women’s Health Organization* decision—the Committee on the Elimination of Racial Discrimination and the Human Rights Committee;

Whereas, on August 11 and 12, 2022, the United Nations Committee on the Elimination of Racial Discrimination reviewed the United States implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and on August 30, 2022, issued recommendations to the United States Government to address the profound disparate impact of the Supreme Court’s ruling in *Dobbs v. Jackson Women’s Health Organization* on women of racial and ethnic minorities, Indigenous women and those with low incomes;

Whereas the United Nations Human Rights Committee reviewed the United States’ implementation of the International Covenant on Civil and Political Rights on October 17 and 18, 2023, and issued concluding observations and recommendations to the United States Government on November 3, 2023;

Whereas the United Nations Human Rights Committee’s concluding observations express deep concern over the criminalization of abortion seekers, those who help them and abortion providers; restrictions on interstate travel that inhibits access to care; bans on medication abortion; and the use of digital data surrounding abortion for prosecution purposes;

Whereas State and local governments play an important role in ensuring that the United States complies with its treaty obligations;

Whereas the United Nations Human Rights Committee called on and encouraged State and local lawmakers to uphold human rights in their law making and to take specific action to ensure that no one is criminalized for a pregnancy outcome, nor anyone who provides abortion care or helps someone obtain an abortion and that all people can access abortion care when they need it;

Whereas the City of Alexandria, Virginia, enacted a resolution to expand access to abortion on June 28, 2022, in the wake of the Dobbs decision, and the city council held a status update meeting to address areas for improvement on June 25, 2024, just after the two-year anniversary of Dobbs, and will seek to proactively address unmet needs in the upcoming City budget;

Whereas Louisiana House Bills 56, 63, 164, and 293 were introduced in February 2024, and sought to increase access to reproductive health care and committee testimony regarding the bills illustrate the human rights concerns and obligations that necessitated the passage of these bills;

Whereas Mount Rainier, Maryland, issued a Mayoral Proclamation declaring June 24, 2024, as “Reproductive Rights are Human Rights Day”, a first of its kind effort on a local level to protect reproductive freedom as a human right;

Whereas Montgomery County, Maryland, passed a resolution to address the Dobbs decision in 2022 and unanimously passed a resolution with unanimous support on Sep-

tember 10, 2024, to increase access to abortion in the county and to explicitly condemn the criminalization of anyone for a pregnancy outcome or the criminalization of anyone for a circumstance surrounding their pregnancy;

Whereas the City Council of Austin, Texas, has invested over \$400,000 in support for abortion access to help low-income people overcome the myriad barriers they face seeking abortion care, and passed a resolution on August 29, 2024, declaring abortion as a human right, acknowledging the duties of the Texas government at the local and State levels to uphold its human rights obligations under the International Covenant on Civil and Political Rights, and explicitly condemning the criminalization of anyone for a pregnancy outcome or the criminalization of anyone for a circumstance surrounding their pregnancy;

Whereas the City Councils of Chapel Hill and Carrboro, North Carolina, introduced and passed resolutions on September 11 and 12, 2024, declaring reproductive rights and abortion as human rights, and explicitly condemning the chill felt in North Carolina from neighboring States that ban abortion and the criminalization of anyone for a pregnancy outcome or for any circumstance surrounding their pregnancy;

Whereas Louisiana House Bills 56, 63, 164, and 293, the City of Mount Rainier Proclamation making June 24, 2024, Reproductive Rights are Human Rights Day, and resolutions for Austin, Texas, Montgomery County, Maryland, Alexandria, Virginia, and Chapel Hill and Carrboro, North Carolina, reflect State and local efforts, to address recommendations made by the United Nations Human Rights Committee on maternal mortality, voluntary termination of pregnancy, and sexual and repro-

ductive rights and to promote and protect human rights;
and

Whereas Louisiana House Bills 56, 63, 164, and 293, the City of Mount Rainier Proclamation making June 24th Reproductive Rights are Human Rights Day, and the resolutions for Austin, Texas, Alexandria, Virginia, Montgomery County, Maryland, and Chapel Hill and Carrboro, North Carolina, further efforts to promote compliance with the United States' human rights obligations under the International Covenant on Civil and Political Rights, in accordance with Article VI, clause 2 of the United States Constitution: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) recognizes the important role that State and
4 local governments should play to ensure that the
5 United States complies with its treaty obligations;

6 (2) condemns the criminalization of abortion
7 and the criminalization of any circumstances or out-
8 comes of a person's pregnancy in the United States;

9 (3) affirms that all people deserve access to
10 high-quality health care without fear of punishment;

11 (4) affirms that reproductive rights are human
12 rights;

13 (5) urges the governments of States that im-
14 pose restrictions harmful to pregnant people to re-
15 peal those restrictions; and

16 (6) urges the government of States—

1 (A) to repeal State laws that criminalize
2 abortion;

3 (B) to prohibit the prosecution of people
4 for having abortions or for any other cir-
5 cumstances or outcomes of their pregnancies;
6 and

7 (C) to protect and guarantee human
8 rights.

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