

117TH CONGRESS
2D SESSION

S. 5227

To authorize grants to eligible entities to pay for travel-related expenses and logistical support for individuals with respect to accessing abortion services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 8, 2022

Ms. BALDWIN (for herself, Mrs. MURRAY, Mr. MERKLEY, Ms. DUCKWORTH, Mr. SANDERS, Mr. WHITEHOUSE, Ms. SMITH, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BROWN, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To authorize grants to eligible entities to pay for travel-related expenses and logistical support for individuals with respect to accessing abortion services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reproductive Health
5 Travel Fund Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) On June 24, 2022, in its decision in *Dobbs*
2 *v. Jackson Women’s Health Organization*, the Su-
3 preme Court overruled *Roe v. Wade*, reversing dec-
4 ades of precedent recognizing the constitutional
5 right to terminate a pregnancy.

6 (2) The abortion access landscape was already
7 strained. This decision has decimated access for mil-
8 lions of people in the United States. More than half
9 of States are predicted to ban or severely restrict
10 abortion in the months and years following the deci-
11 sion.

12 (3) The implications of this decision will fall
13 hardest on people who already face barriers to
14 health care access, particularly Black people, Indige-
15 nous people, and other people of color, people with
16 disabilities, people in rural areas, young people, peo-
17 ple with documentation barriers, and those having
18 difficulty making ends meet.

19 (4) People have always had abortions and al-
20 ways will, even in the face of legal, financial, and
21 logistical barriers, or criminalization. While some
22 will self-manage their abortions, and have the option
23 of using pills that are medically safe and effective,
24 many others are traveling hundreds of miles out of
25 State, or forced to carry pregnancies to term.

1 (5) Abortion funds and practical support funds
2 (referred to in this section as “funds”) are commu-
3 nity-based organizations that support people in over-
4 coming financial and logistical barriers to abortion
5 care.

6 (6) Funds work together to remove financial
7 and logistical barriers to abortion access and have
8 been doing this work for decades. Some of these bar-
9 riers are transportation, food, lodging, childcare,
10 translation, doula services, among other barriers.

11 (7) Many funds are led by people who have had
12 abortions themselves, including a growing base of
13 Black and Brown leaders who have themselves faced
14 abortion obstacles and understand the complex cir-
15 cumstances individuals may face.

16 (8) Abortion funds have a history of being
17 underresourced and rely mostly on volunteer time
18 and energy to support communities.

19 (9) Abortion and practical support funds hold
20 some of the closest ties to people who are having
21 abortions and have the first-hand experience, up-to-
22 date and on-the-ground knowledge, and the regional
23 and national connections needed to support abortion
24 seekers financially, emotionally, or logistically.

1 (10) Clinics in States where abortion is legal
2 and more accessible are receiving an influx of people
3 seeking abortions. Provider shortages plus this rapid
4 increase in patients will cause longer waits for ap-
5 pointments.

6 (11) When people are not able to access an
7 abortion when they need it, they are often pushed
8 much further into pregnancy. This increases costs
9 exponentially. For many, the increased financial bur-
10 den will push abortion care completely out of reach.

11 (12) A rapidly changing access landscape, as
12 bans are implemented and challenged, means that
13 the window to access care in certain States may be
14 limited. People who are put in a position where they
15 must postpone their care due to financial or other
16 constraints may face appointment cancellations due
17 to overnight changes in legality.

18 (13) Funds often work with each other if they
19 cannot fully assist a caller, or if a caller is traveling
20 across regions. A national network of almost 100
21 abortion and practical support funds has dem-
22 onstrated these funds are uniquely positioned to lead
23 in this moment and need support.

1 **SEC. 3. GRANTS TO PAY FOR TRAVEL EXPENSES AND**
2 **LOGISTICAL SUPPORT FOR INDIVIDUALS AC-**
3 **CESSING ABORTION SERVICES.**

4 (a) **IN GENERAL.**—The Secretary of the Treasury
5 (referred to in this section as the “Secretary”) may award
6 grants to eligible entities to pay for travel-related expenses
7 and logistical support for individuals with respect to ac-
8 cessing abortion services.

9 (b) **TIMING.**—Beginning not later than 30 days after
10 the date of enactment of this Act, the Secretary shall so-
11 licit applications for grants under this section.

12 (c) **USE OF FUNDS.**—

13 (1) **PERMISSIBLE USES.**—An eligible entity re-
14 ceiving a grant under this section shall use the grant
15 for travel-related expenses and logistical support for
16 individuals with respect to accessing abortion serv-
17 ices, which may include any of the following ex-
18 penses and support:

19 (A) Round trip travel to the location where
20 the abortion services are provided.

21 (B) Lodging.

22 (C) Meals.

23 (D) Childcare.

24 (E) Translation services.

25 (F) Doula care.

1 (G) Patient education and information
2 services.

3 (2) ORGANIZATIONAL COSTS.—An eligible enti-
4 ty receiving a grant under this section may use up
5 to, but not more than, 15 percent of the grant funds
6 to cover organizational costs such as—

7 (A) community outreach efforts;

8 (B) physical infrastructure construction
9 and maintenance;

10 (C) website development and maintenance;

11 and

12 (D) increasing staff capacity and training.

13 (3) IMPERMISSIBLE USES.—An eligible entity
14 receiving a grant under this section shall not use the
15 grant for costs of an abortion procedure.

16 (d) APPLICATIONS.—To seek a grant under this sec-
17 tion, an eligible entity shall submit to the Secretary an
18 application at such time, in such manner, and containing
19 such information as the Secretary determines appropriate.

20 (e) PRIORITY.—In selecting the recipients of grants
21 under this section, the Secretary shall give priority to eligi-
22 ble entities that—

23 (1) serve individuals who live in a jurisdiction
24 that has banned or severely restricted access to
25 abortion;

1 (2) serve individuals who travel to a jurisdiction
2 other than the one where they live to be provided
3 abortion services; or

4 (3) have a program in operation, or submit as
5 part of the application required under subsection (d)
6 a plan to establish and operate a program, to help
7 individuals access abortion services.

8 (f) ANNUAL REPORTS TO CONGRESS.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of enactment of this Act, and annually
11 thereafter, the Secretary shall submit to Congress a
12 report on the program under this section.

13 (2) CONFIDENTIALITY.—The reports under
14 paragraph (1) shall not include any individually
15 identifiable information.

16 (g) PREEMPTION.—The provisions of this section
17 shall supercede any provision of State, Tribal, territorial,
18 or local law that would have the effect of prohibiting any
19 use of funds provided for under this section.

20 (h) DEFINITIONS.—In this section:

21 (1) The term “eligible entity”—

22 (A) means a nonprofit organization, or a
23 community-based organization, that assists in-
24 dividuals seeking an abortion through pro-

1 grams, services, or activities that are unbiased
2 and medically and factually accurate; and

3 (B) excludes any entity that discourages
4 individuals from seeking an abortion.

5 (2) The term “nonprofit organization” means
6 an organization that—

7 (A) is described in subsection (c)(3) of sec-
8 tion 501 of the Internal Revenue Code of 1986;
9 and

10 (B) is, under subsection (a) of such sec-
11 tion, exempt from taxation.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—To carry
13 out this section, there is authorized to be appropriated
14 \$350,000,000 for each of fiscal years 2023 through 2027.

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