

118TH CONGRESS
1ST SESSION

S. 2089

To amend title 40, United States Code, to prohibit the Administrator of General Services from constructing or acquiring public buildings or entering into leases based on the legality or availability of abortion, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2023

Mr. MARSHALL (for himself, Mr. TUBERVILLE, Mr. SCOTT of Florida, Mrs. HYDE-SMITH, Mr. CRUZ, Mrs. BLACKBURN, Mr. HAWLEY, and Mrs. BRITT) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 40, United States Code, to prohibit the Administrator of General Services from constructing or acquiring public buildings or entering into leases based on the legality or availability of abortion, 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. PUBLIC BUILDING PROHIBITIONS BASED ON**
4 **LEGALITY OR AVAILABILITY OF ABORTION.**

5 (a) ACQUISITION OF BUILDINGS AND SITES.—Sec-
6 tion 3304 of title 40, United States Code, is amended—

1 (1) in subsection (a), by inserting “(referred to
 2 in this section as the ‘Administrator’)” after “Ad-
 3 ministrator of General Services”; and

4 (2) by adding at the end the following:

5 “(e) NO CONSIDERATION OF LEGALITY OR AVAIL-
 6 ABILITY OF ABORTION.—In acquiring a building or site
 7 under this section, the Administrator shall not consider
 8 the legality or availability of abortion.”.

9 (b) CONSTRUCTION AND ALTERATION OF BUILD-
 10 INGS.—Section 3305 of title 40, United States Code, is
 11 amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1), in the first sentence,
 14 by inserting “(referred to in this section as the
 15 ‘Administrator’)” after “Administrator of Gen-
 16 eral Services”; and

17 (B) by adding at the end the following:

18 “(4) NO CONSIDERATION OF LEGALITY OR
 19 AVAILABILITY OF ABORTION.—In acquiring a site to
 20 construct a public building under paragraph (1), in-
 21 cluding through exchange, the Administrator shall
 22 not consider the legality or availability of abortion.”;
 23 and

1 (2) in subsection (b)(1)(B), by striking “section
2 3304(b)–(d) of this title” and inserting “subsections
3 (b) through (e) of section 3304”.

4 (c) LEASE OF BUILDINGS.—Section 1302 of title 40,
5 United States Code, is amended by adding at the end the
6 following: “The leasing of buildings and property of the
7 Federal Government shall not be based on the consider-
8 ation of the legality or availability of abortion.”.

9 (d) LEASE AGREEMENTS.—Section 585 of title 40,
10 United States Code, is amended—

11 (1) in subsection (a)(1), in the first sentence,
12 by inserting “(referred to in this section as the ‘Ad-
13 ministrator’)” after “Administrator of General Serv-
14 ices”; and

15 (2) by adding at the end the following:

16 “(e) NO CONSIDERATION OF LEGALITY OR AVAIL-
17 ABILITY OF ABORTION.—In entering into a lease agree-
18 ment under this section, the Administrator shall not con-
19 sider the legality or availability of abortion.”.

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