



Written by [Michael Tennant](#) on January 23, 2025

Republicans Introduce Bills to Repeal FACE Act

Republicans in Congress have introduced legislation to repeal the Freedom of Access to Clinic Entrances (FACE) Act, under which the Biden administration [prosecuted](#) dozens of peaceful pro-life activists.

“Americans just spent the last four years being targeted by a weaponized justice system,” Representative Chip Roy (R-Texas) said in a [press release](#). “The FACE Act was one of the primary weapons of abuse — being used to politically target, arrest, and jail pro-life Americans for speaking out and standing up for life.”

Roy introduced the FACE Act Repeal Act of 2025 on Tuesday. Senator Mike Lee (R-Utah) planned to introduce companion legislation in the Senate Thursday.

Lee told the [Daily Signal](#):

[Former President] Joe Biden’s unjust weaponization of the FACE Act against pro-life activists and people of faith belongs in the dustbin of history. While President [Donald] Trump is stopping these outrageous prosecutions, we should ensure that no future administration has the ability to persecute Americans through unequal application of the law.



AP Images
Chip Roy

About FACE

Introduced in 1993 by then-Representative Chuck Schumer (D-N.Y.) and the late Senator Edward Kennedy (D-Mass.), the FACE Act sailed through the Democrat-controlled Congress and was signed by Democratic President Bill Clinton.

The act prohibits the use of “force or threat of force” or “physical obstruction” to injure, intimidate, or interfere with “any person ... obtaining or providing reproductive health services.” It also prohibits the intentional damage or destruction of facilities providing such services. In addition, it extends these same protections to houses of worship.

The law defines “reproductive health services” as

reproductive health services provided in a hospital, clinic, physician’s office, or other facility, and includes medical, surgical, counselling or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.



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That would seem to suggest that pro-life pregnancy centers, which offer counseling and other “services relating to pregnancy,” are also covered by the FACE Act.

Given the law’s pedigree, however, it should come as little surprise that it has been employed almost exclusively against pro-life activists, while its provisions protecting churches have never been enforced. Roy says the Justice Department provided him with data showing that 97 percent of FACE Act prosecutions targeted pro-lifers.

The Biden administration, headed by a professed Catholic, was undoubtedly the worst offender in that regard. According to the Daily Signal, the administration wielded the FACE Act against “at least 50 pro-life advocates ... while charging hardly any pro-abortion criminals for the hundreds of attacks on pregnancy resource centers since the May 2022 leak of the draft Supreme Court opinion indicating *Roe v. Wade* would soon be overturned.”

Repeal Appeal

Trump is expected to pardon the pro-lifers unjustly imprisoned by the Biden administration “within days,” the [Daily Wire](#) reported Thursday.

“This is a tremendous step towards righting the wrongs done under Biden, but Congress must also take the step to repeal the FACE act to ensure it can never again be weaponized by a future administration,” Roy said in a Thursday [statement](#).

According to Roy, the FACE Act Repeal Act is supported by a wide variety of pro-life organizations running the gamut from Americans United for Life to the Progressive Anti-Abortion Uprising. The Thomas More Society, which has represented many of the imprisoned pro-lifers and [petitioned](#) Trump to pardon them, also favors the bill.

“With the election of President Trump, Catholics now are better protected from unfair persecutions that they were subject to under the Biden administration,” said CatholicVote director of government affairs Tom McClusky. “Now that we have a President who will sign the bill into law it is time to pass Rep. Chip Roy’s FACE Act Repeal.”

Kristan Hawkins, president of Students for Life Action and Students for Life of America, also praised the bill:

Students for Life Action calls for the repeal of the FACE Act because it was created to be a weapon for the Department of Justice to use against those who peacefully protest against the human rights abuse of our day — abortion.... In ignoring violent pro-abortion protestors to focus on peaceful pro-life prayer warriors the hypocrisy couldn’t be clearer. The FACE Act represents viewpoint discrimination, as punishments are supersized because of the beliefs of those targeted by the government. This abuse of prosecutorial pro-abortion aggression must end.

Losing FACE

On top of all the practical reasons why the FACE Act should be repealed, there is the matter of its constitutionality. When Lee and Roy introduced a FACE Act repeal bill in 2023 — which, of course, went nowhere in a Senate run by one of the law’s original sponsors — Lee noted in a [press release](#):



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Congress originally claimed that the Commerce Clause and 14th Amendment Due Process Clause granted it the power to enact the FACE Act. The Constitution does not grant the federal government general police power. In *Dobbs*, the Supreme Court found that abortion is not a constitutional right. Pro-life “protest” and sidewalk counseling are not commercial activities.

In short, the FACE Act should be repealed because it should never have been passed in the first place since it is outside Congress’ enumerated powers — and because it has been used as a political weapon.

Said Roy:

Now that we have a Republican trifecta in the House, Senate, and White House, Congress should move quickly to repeal this law and ensure that no future president can weaponize it against pro-lifers ever again. No more excuses, let’s get it done.



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