

February 7, 2024

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Jim Jordan
Chairman
House Judiciary Committee
Washington, DC 20515

Speaker Johnson and Chairman Jordan:

In the aftermath of additional pro-life activists being convicted by the Biden Administration under the FACE Act for peacefully protesting outside an abortion business, we respectfully urge you to take immediate legislative action to protect peaceful pro-life activists from the Biden Administration's weaponized Department of Justice and an unconstitutional law.

From 1994 when it became law through 2022, the FACE Act was never used by the federal government to protect a pro-life pregnancy center or a church. In fact, it wasn't until Republicans took back the House and promised to end President Biden's reign of woke and weaponized government that the Department of Justice even charged a pro-abortion activist with violating the FACE Act. This is despite hundreds of pro-life pregnancy centers and churches being attacked since the Dobbs decision was leaked in May of 2022. To date, the federal government has never used the FACE Act to protect a church.

There is no question as to whether the FACE Act is being disproportionately applied to pro-lifers. Despite official requests from members of Congress, sparse data is available regarding FACE Act prosecutions. However, our best estimates indicate that the FACE Act has been used ~130 times with just 5 FACE Act charges being leveled against pro-abortion activists.

We believe that the FACE Act is unconstitutional. It wrongly usurps police powers reserved to the states by the Constitution and allows the Department of Justice to swoop in to punish its political enemies rather than equally applying the law. Additionally, the FACE Act protects abortion, when taking the life of the unborn is no longer and never rightly was a constitutional right.

Chairman Jordan, the House Judiciary Committee must mark-up and pass Rep. Chip Roy's H.R. 5577, the FACE Act Repeal Act of 2023, as soon as possible.

Speaker Johnson, we urge you to bring this legislation to the floor as soon as the calendar allows.

Respectfully,

Paul Teller
Executive Director
Advancing American Freedom

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