



Written by [David Kelly](#) on July 17, 2022

House Passes Protection, Interstate Travel for Abortion

The House passed the Ensuring Access to Abortion Act and the Women's Health Protection Act on Friday to protect out-of-state travel for and the federal right to an abortion. These bills were a Democratic congressional response to the Supreme Court overturning *Roe v. Wade*, though, and are not likely to become law. (Read more on [Post-Roe America](#).)

The [Ensuring Access to Abortion Act](#) (223-205 vote) was introduced by Rep. Lizzie Fletcher (D-Texas). This legislation bars states from prohibiting people from getting or aiding an out-of-state abortion, assuming abortion is legal in the state they're traveling to. It has explicit protections for medication abortions, saying states can't prohibit interstate commerce of drugs that have been approved by the Food and Drug Administration (FDA), such as abortion pills.



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The act also allows people who are punished for out-of-state abortions to bring civil lawsuits. They can seek damages from states that enforce punishments for these protected out-of-state abortions.

The [Women's Health Protection Act](#) (219-210 vote) was introduced by Rep. Judy Chu (D-Calif.), and is an updated version of an already approved [house bill](#) from September 2021. It is designed to codify and broadly protect the federal right to an abortion, and blocks many restrictions that states have imposed on the procedure.

On Thursday, Senate Republicans stonewalled Senate Democrats' attempt to pass via unanimous consent the similar [Freedom to Travel for Health Care Act](#). This Senate bill would have prohibited states and officials from barring anyone from traveling to another state to receive "reproductive healthcare," or punishing anyone who helps them or performs the abortion.

The two abortion bills that passed Friday are not likely to gain traction in the Senate, given they would need 60 votes to pass. Senators Joe Manchin (D-W.V.) and Kyrsten Sinema (D-Ariz.) have stated [recently](#) they will not vote to abolish the legislative filibuster, which will doom these abortion bills.

In addition to Republicans blocking the Freedom to Travel for Health Care Act on Thursday, the Senate had already struck down the Women's Health Protection Act [twice](#) before this year, and it isn't likely this version of the bill will face better odds of passing.

House and Senate Republicans blocked the travel-based abortion bills due to their opposition to abortion and believing the bills' protections for crossing state lines is unnecessary. "How are you going to keep somebody from traveling?" Sen. Bill Cassidy (R-La.) told [Politico](#), calling the Senate bill "absurd." "That's silly. And they know it's silly, but they're just trying to fool the American people into



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thinking they're doing something significant."

It is not yet known whether states will try to restrict crossing state lines for an abortion. However, a [Missouri](#) lawmaker has introduced legislation to do just that, and anti-abortion advocates have started pushing to include out-of-state prohibitions in future anti-abortion bills. [The Washington Post](#) reported there are bills under consideration that could be modeled after Texas' Senate Bill 8, which banned abortion by letting any private citizen bring civil lawsuits against those who aided or abetted an abortion. Some blue states have [passed laws](#) or imposed [executive orders](#) with protections for women who travel to their states for abortion care or those who help them. The conflict between these opposing sets of state policies will likely end up in court.

Even with the predicted failure of these two abortion bills, Democrats are hopeful to keep this type of legislation in the news to encourage an anticipated influx of first-time young voters and counter a "[red wave](#)" of Republican wins in November. Sixty-nine percent of young people [disapprove](#) of the Supreme Court's ruling overturning *Roe v. Wade*, compared with sixty percent of adults ages 30 to 49 and half of Americans older than 49.



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