

119TH CONGRESS  
1ST SESSION

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To prohibit disinformation in the advertising of abortion services, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. WARREN (for herself, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Mr. WELCH, Mr. WYDEN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BOOKER, Mr. MARKEY, Ms. CORTEZ MASTO, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

To prohibit disinformation in the advertising of 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 “Stop Antiabortion  
5 Disinformation Act” or the “SAD Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Abortion services are an essential compo-  
9 nent of reproductive health care.

1           (2) After decades of escalating attacks on abor-  
2           tion rights, on June 24, 2022, in *Dobbs v. Jackson*  
3           *Women’s Health Organization*, the Supreme Court  
4           overruled *Roe v. Wade*, reversing decades of prece-  
5           dent recognizing a constitutional right to abortion  
6           and permitting decimation of an already precarious  
7           landscape of access to abortion.

8           (3) The effects were immediate and disastrous.  
9           As of January 2025, abortion is unavailable in 14  
10          States, leaving 17.9 million women, as well as  
11          transgender and gender nonconforming individuals,  
12          of reproductive age (ages 15 to 49), without access  
13          to abortion in the home State of such individuals.

14          (4) Travel time to an abortion clinic, already  
15          burdensome under *Roe*, has quadrupled since *Dobbs*,  
16          as scores of clinics in already underserved areas  
17          have been forced to close and more patients have  
18          been forced to travel to other States (with over  
19          170,000 people traveling out of State for care in  
20          2023 alone). As distance to an abortion facility in-  
21          creases, so do the accompanying burdens of time off  
22          from work or school, lost wages, transportation  
23          costs, lodging, child care costs, and other ancillary  
24          costs.

1           (5) These burdens do not fall equally. Since  
2           *Dobbs* and additional State bans and restrictions on  
3           abortion care have taken effect, data shows that  
4           women with low incomes and women of color have  
5           experienced the largest increase in travel times to  
6           abortion clinics. This is particularly burdensome for  
7           women and pregnant people of color in the South,  
8           the area of the country that has seen the highest in-  
9           creases in travel time.

10           (6) The freedom to decide whether and when to  
11           have a child is key to the ability of an individual to  
12           participate fully in our democracy.

13           (7) Unfortunately, rampant misinformation and  
14           disinformation have affected the ability of people to  
15           access needed abortion care. Crisis pregnancy cen-  
16           ters (CPCs) often disseminate and promote inac-  
17           curate information about abortion and contracep-  
18           tion.

19           (8) CPCs are antiabortion organizations that  
20           present themselves as comprehensive reproductive  
21           health care providers with the intent of shaming, de-  
22           ceiving, or discouraging pregnant people from having  
23           abortions.

24           (9) According to the *Journal of Medical Inter-*  
25           *net Research (JMIR) Public Health and Surveil-*

1 lance, there are more than 2,500 CPCs in the  
2 United States, though some antiabortion groups  
3 claim that the number is closer to 4,000.

4 (10) According to 2020 data from JMIR Public  
5 Health and Surveillance, CPCs outnumber abortion  
6 clinics nationwide by an average of 3 to 1. In some  
7 States, this statistic is higher. For example, The Al-  
8 liance: State Advocates for Women’s Rights & Gen-  
9 der Equality (The Alliance) found that in Pennsyl-  
10 vania, CPCs outnumber abortion clinics by 9 to 1.  
11 The Alliance also found that in Minnesota, CPCs  
12 outnumber abortion clinics by 11 to 1.

13 (11) CPCs routinely engage in a variety of de-  
14 ceptive tactics, including—

15 (A) making false claims about reproductive  
16 health care and providers;

17 (B) disseminating inaccurate, misleading,  
18 and stigmatizing information about the risks of  
19 abortion and contraception; and

20 (C) using illegitimate or false citations to  
21 imply that deceptive claims are supported by le-  
22 gitimate medical sources.

23 (12) CPCs typically advertise themselves as  
24 providers of comprehensive health care. However,  
25 most CPCs in the United States do not employ li-

1 censed medical personnel or provide referrals for  
2 birth control or abortion care.

3 (13) Most CPCs are not Health Insurance  
4 Portability and Accountability Act (HIPAA)-covered  
5 entities, but many deceptively claim to be compliant  
6 with HIPAA in order to collect sensitive information  
7 and mislead pregnant people about the privacy prac-  
8 tices and obligations of CPCs. CPCs have been  
9 found to disclose the health data of pregnant people,  
10 including to law enforcement.

11 (14) By using these deceptive tactics, CPCs  
12 prevent people from accessing reproductive health  
13 care, intentionally delay access to time-sensitive  
14 abortion services, and can subject people to harmful  
15 interactions with law enforcement. The consequences  
16 of these tactics and delays are far greater in the  
17 wake of *Dobbs*.

18 (15) CPCs target under-resourced neighbor-  
19 hoods and communities of color, including Black,  
20 Latino, Indigenous, Asian-American, Pacific Is-  
21 lander, and immigrant communities, by locating  
22 CPCs near social services centers and comprehensive  
23 reproductive health care providers. CPCs place ad-  
24 vertisements in these neighborhoods that mislead  
25 and draw people away from nearby providers that

1 offer evidence-based sexual and reproductive health  
2 care, including abortion care. This exacerbates exist-  
3 ing health barriers and delays access to time-sen-  
4 sitive care.

5 (16) People are entitled to honest, accurate,  
6 and timely information when seeking reproductive  
7 health care.

8 **SEC. 3. PROHIBITION ON DISINFORMATION RELATING TO**  
9 **ABORTION SERVICES.**

10 (a) PROHIBITION.—It shall be unlawful for any per-  
11 son to engage in deceptive advertising about the reproduc-  
12 tive health services offered by the person, including adver-  
13 tising that misrepresents that the person—

14 (1) offers or provides contraception or abortion  
15 services (or referrals for such contraception or abor-  
16 tion services); or

17 (2) employs or offers access to licensed medical  
18 personnel.

19 (b) RULEMAKING.—The Commission may promul-  
20 gate, under section 553 of title 5, United States Code,  
21 any regulations the Commission determines necessary to  
22 carry out this section.

23 (c) ENFORCEMENT BY COMMISSION.—

24 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
25 TICES.—A violation of this section or a regulation

1 promulgated pursuant to this section shall be treated  
2 as a violation of a regulation under section  
3 18(a)(1)(B) of the Federal Trade Commission Act  
4 (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-  
5 tive acts or practices.

6 (2) POWERS OF COMMISSION.—Except as other-  
7 wise provided in paragraph (3), the Commission  
8 shall enforce this section and any regulation promul-  
9 gated pursuant to this section in the same manner,  
10 by the same means, and with the same jurisdiction,  
11 powers, and duties as though all applicable terms  
12 and provisions of the Federal Trade Commission Act  
13 were incorporated into and made a part of this sec-  
14 tion, and any person who violates this section or a  
15 regulation promulgated pursuant to this section shall  
16 be subject to the penalties and entitled to the privi-  
17 leges and immunities provided in the Federal Trade  
18 Commission Act.

19 (3) NONPROFIT ORGANIZATIONS.—Notwith-  
20 standing section 4, 5(a)(2), or 6 of the Federal  
21 Trade Commission Act (15 U.S.C. 44; 45(a)(2); 46)  
22 or any jurisdictional limitation of the Commission,  
23 the Commission shall also enforce this section and  
24 any regulation promulgated pursuant to this section  
25 in the same manner provided in paragraphs (1) and

1 (2) with respect to organizations not organized to  
2 carry on business for their own profit or that of  
3 their members.

4 (4) INDEPENDENT LITIGATION AUTHORITY.—

5 (A) CIVIL ACTION BY COMMISSION.—If the  
6 Commission has reason to believe that a person  
7 has violated this section or a regulation promul-  
8 gated pursuant to this section, the Commission  
9 may bring a civil action in any appropriate  
10 United States district court for any of the fol-  
11 lowing remedies:

12 (i) To enjoin any further such viola-  
13 tion by such person.

14 (ii) To enforce compliance with this  
15 section or a regulation promulgated pursu-  
16 ant to this section.

17 (iii) To obtain a permanent, tem-  
18 porary, or preliminary injunction.

19 (iv) To obtain civil penalties.

20 (v) To obtain damages, restitution, or  
21 other compensation on behalf of aggrieved  
22 consumers.

23 (vi) To obtain any other appropriate  
24 equitable relief.



1 (B) EXCLUSIVE AUTHORITY OF COMMIS-  
2 SION.—

3 (i) EXCLUSIVE AUTHORITY.—Except  
4 as otherwise provided in section 16(a)(3)  
5 of the Federal Trade Commission Act (15  
6 U.S.C. 56(a)(3)), the Commission shall  
7 have exclusive authority to commence or  
8 defend, and supervise the litigation of, any  
9 civil action under this section and any ap-  
10 peal of such action, in its own name by  
11 any of its attorneys, designated by it for  
12 such purpose, unless the Commission au-  
13 thORIZES the Attorney General to do so.

14 (ii) RELATION TO ATTORNEY GEN-  
15 ERAL.—The Commission shall inform the  
16 Attorney General of the exercise of such  
17 authority, and such exercise shall not pre-  
18 clude the Attorney General from inter-  
19 vening on behalf of the United States in  
20 such action and any appeal of such action  
21 as may be otherwise provided by law.

22 (d) CIVIL PENALTY.—In addition to any other pen-  
23 alty as may be prescribed by law, any person who violates  
24 this section or a regulation promulgated pursuant this sec-

1 tion shall be punishable by a civil penalty for each such  
2 violation that shall not exceed the greater of—

3 (1) \$100,000 (to be adjusted annually for infla-  
4 tion based on the change in the Consumer Price  
5 Index); or

6 (2) 50 percent of the revenue earned by the ul-  
7 timate parent entity of a person during the pre-  
8 ceding 12-month period.

9 (e) REPORTS.—Beginning 1 year after the date of the  
10 enactment of this Act, and every 2 years thereafter, the  
11 Commission shall submit to Congress a report that in-  
12 cludes (with respect to the previous year) a description  
13 of—

14 (1) any enforcement action by the Commission  
15 under this Act;

16 (2) the outcome of any such action; and

17 (3) any regulation promulgated pursuant to this  
18 Act.

19 (f) SAVINGS CLAUSE.—Nothing in this Act may be  
20 construed to limit the authority of the Commission under  
21 any other provision of law.

22 (g) DEFINITIONS.—In this Act:

23 (1) ABORTION SERVICES.—The term “abortion  
24 services” means an abortion or any medical or non-  
25 medical service related to or provided in conjunction

1 with an abortion, whether or not provided at the  
2 same time or on the same day as the abortion.

3 (2) COMMISSION.—The term “Commission”  
4 means the Federal Trade Commission.

5 (3) PERSON.—The term “person” has the  
6 meaning given that term in section 551(2) of title 5,  
7 United States Code.