



COMSTOCK ACT

What is it?

- The Comstock Act refers to a series of broadly written 1873 “anti-obscenity” laws that, in their current form, make it illegal to use the United States Postal Service (USPS) (or nationwide carriers such as UPS and FedEx) to transport or deliver any “article or thing designed, adapted, or intended for producing abortion, or for any indecent or immoral use.”
- In its original form, Comstock also prohibited shipping and delivery of contraception. In 1971, Congress repealed the provision applying to birth control leaving the rest intact.
- Although Comstock has not been used to limit abortion for decades, and the Biden Administration clarified that it only applies to unlawful abortions, an anti-abortion administration could seek to strictly enforce it, functionally banning abortion nationwide.

What is at stake?

Using Comstock to ban abortion threatens civil rights and public health, but this isn't the limit. History suggests that despite precedent, evidence, or public health costs, a right-wing administration could expand this to censoring various health interventions labeled as "indecent" or "immoral," targeted by extremists. With ideological attacks on the rise, this also poses a threat to other marginalized groups, like the LGBTQ+ community

What needs to happen to the act?

The main action is to repeal Comstock - it is an archaic act that has no business influencing access in 2024.

What can you do?

- Educate others about the potential impact
- Talk about Comstock as a direct threat to health care
- Encourage your lawmakers to support repeal efforts