

119TH CONGRESS  
1ST SESSION

# H. R. 1639

To prohibit abortions in the admiralty and maritime jurisdiction of the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2025

Mr. WEBER of Texas introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To prohibit abortions in the admiralty and maritime jurisdiction of the United States, 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 “Ban Offshore Abortion  
5 Tourism Act” or the “BOAT Act”.

6 **SEC. 2. PROHIBITING ABORTION IN THE CERTAIN JURIS-**  
7 **DICTIONS.**

8 (a) IN GENERAL.—Chapter 74 of title 18, United  
9 States Code, is amended by inserting after section 1531  
10 the following:

1 **“§ 1532. Abortions in the admiralty and maritime ju-**  
2 **risdiction of the United States**

3 “(a) OFFENSE.—Subject to subsection (b), any per-  
4 son who, in the admiralty and maritime jurisdiction of the  
5 United States, knowingly performs an abortion and there-  
6 by kills a human fetus shall be fined under this title, im-  
7 prisoned not more than 5 years, or both.

8 “(b) EXCEPTION.—Subsection (a) does not apply if—

9 “(1) in reasonable medical judgment, the abor-  
10 tion is necessary to save the life of a pregnant  
11 woman whose life is endangered by a physical dis-  
12 order, physical illness, or physical injury, including  
13 a life-endangering physical condition caused by or  
14 arising from the pregnancy itself, but not including  
15 psychological or emotional conditions;

16 “(2) the pregnancy is the result of rape against  
17 an adult woman, and at least 48 hours prior to the  
18 abortion—

19 “(A) she has obtained counseling for the  
20 rape; or

21 “(B) she has obtained medical treatment  
22 for the rape or an injury related to the rape; or

23 “(3) the pregnancy is a result of rape against  
24 a minor or incest against a minor, and the rape or  
25 incest has been reported at any time prior to the  
26 abortion to either—

1           “(A) a government agency legally author-  
2           ized to act on reports of child abuse; or

3           “(B) a law enforcement agency.

4           “(c) BAR TO PROSECUTION.—A woman upon whom  
5 an abortion in violation of subsection (a) is performed or  
6 attempted may not be prosecuted under, or for a con-  
7 spiracy to violate, subsection (a), or for an offense under  
8 section 2, 3, or 4 of this title based on such a violation.

9           “(d) CIVIL REMEDIES.—

10           “(1) CIVIL ACTION BY A WOMAN ON WHOM AN  
11 ABORTION IS PERFORMED.—A woman upon whom  
12 an abortion has been performed or attempted in vio-  
13 lation of any provision of this section may, in a civil  
14 action before the appropriate district court of the  
15 United States against any person who committed the  
16 violation, obtain appropriate relief.

17           “(2) CIVIL ACTION BY A PARENT OF A MINOR  
18 ON WHOM ABORTION IS PERFORMED.—A parent of  
19 a minor upon whom an abortion has been performed  
20 or attempted under an exception provided for in sub-  
21 section (b)(2)(B), and that was performed in viola-  
22 tion of any provision of this section may, in a civil  
23 action before the appropriate district court of the  
24 United States against any person who committed the

1 violation obtain appropriate relief, unless the preg-  
2 nancy resulted from the plaintiff's criminal conduct.

3 “(3) APPROPRIATE RELIEF.—Appropriate relief  
4 in a civil action under this subsection includes—

5 “(A) objectively verifiable money damages  
6 for all injuries, psychological and physical, occa-  
7 sioned by the violation;

8 “(B) statutory damages equal to three  
9 times the cost of the abortion; and

10 “(C) punitive damages.

11 “(4) ATTORNEYS’ FEES FOR PLAINTIFF.—If a  
12 plaintiff in a civil action under this subsection pre-  
13 vails, the court shall award a reasonable attorney’s  
14 fee in favor of the plaintiff against the defendant.

15 “(5) ATTORNEYS’ FEES FOR DEFENDANT.—If a  
16 defendant in a civil action under this subsection pre-  
17 vails and the court finds that the plaintiff’s suit was  
18 frivolous, the court shall award a reasonable attor-  
19 ney’s fee in favor of the defendant against the plain-  
20 tiff.

21 “(6) AWARD AGAINST WOMAN UPON WHOM  
22 ABORTION IS PERFORMED.—Except under para-  
23 graph (5), in a civil action under this subsection, no  
24 damages, attorneys’ fees, or other monetary relief

1        may be assessed against the woman upon whom the  
2        abortion was performed or attempted.”.

3        (b) TABLE OF SECTIONS.—The table of sections for  
4        chapter 74 of title 18, United States Code, is amended  
5        by inserting after section 1531 the following:

“1532. Abortions in the admiralty and maritime jurisdiction of the United  
      States”.

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