

118TH CONGRESS
1ST SESSION

S. 16

To prohibit the award of Federal funds to an institution of higher education that hosts or is affiliated with a student-based service site that provides abortion drugs or abortions to students of the institution or to employees of the institution or site, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23 (legislative day, JANUARY 3), 2023

Mr. DAINES (for himself, Mrs. HYDE-SMITH, Mr. CRAPO, Mr. CRAMER, Mr. RUBIO, Mr. HOEVEN, Mr. WICKER, Mr. SCOTT of Florida, Mr. RISCH, Mr. BRAUN, Mr. HAGERTY, Mrs. FISCHER, Mr. CRUZ, Mr. MULLIN, Mr. MARSHALL, Mr. COTTON, Mrs. BLACKBURN, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To prohibit the award of Federal funds to an institution of higher education that hosts or is affiliated with a student-based service site that provides abortion drugs or abortions to students of the institution or to employees of the institution or site, 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 “Protecting Life on Col-
5 lege Campus Act of 2023”.

1 **SEC. 2. PROHIBITION ON AWARD OF FUNDS TO CERTAIN**
2 **INSTITUTIONS OF HIGHER EDUCATION.**

3 (a) PROHIBITION.—No Federal funds may be award-
4 ed (directly or indirectly, including through a contract or
5 subcontract) to any institution of higher education that
6 hosts or is affiliated with any school-based service site that
7 provides abortion drugs or abortions to students of such
8 institution or to employees of such institution or site.

9 (b) ANNUAL REPORTING.—To remain eligible for
10 awards of Federal funds, an institution of higher edu-
11 cation that hosts or is affiliated with one or more school-
12 based service sites shall submit an annual report to the
13 Secretary of Education and the Secretary of Health and
14 Human Services certifying that no such site provides abor-
15 tion drugs or abortions to students of the institution or
16 to employees of such institution or site.

17 (c) PREEMPTION.—An institution of higher education
18 that receives Federal funds may not be subject to any pen-
19 alty under State law solely by reason of compliance with
20 this section.

21 (d) DEFINITIONS.—In this section:

22 (1) ABORTION DRUG.—The term “abortion
23 drug” means any drug, substance, or combination of
24 drugs or substances that is intended for use or that
25 is in fact used (irrespective of how the product is la-
26 beled)—

1 (A) to intentionally kill the unborn child of
2 a woman known to be pregnant; or

3 (B) to intentionally terminate the preg-
4 nancy of a woman known to be pregnant, with
5 an intention other than—

6 (i) to produce a live birth;

7 (ii) to remove a dead unborn child; or

8 (iii) to treat an ectopic pregnancy.

9 (2) INSTITUTION OF HIGHER EDUCATION.—The
10 term “institution of higher education” has the
11 meaning given such term in section 102 of the High-
12 er Education Act of 1965 (20 U.S.C. 1002).

13 (3) SCHOOL-BASED SERVICE SITE.—The term
14 “school-based service site”—

15 (A) means a clinic providing health care
16 services (including primary health services, fam-
17 ily planning services, telehealth services, and
18 pharmaceutical services, without regard to
19 whether the services are provided by employees
20 of the clinic or contracted providers) to stu-
21 dents that is located on the campus of an insti-
22 tution of higher education that accepts Federal
23 funding; and

1 (B) does not include a hospital (as defined
2 in section 1861(e) of the Social Security Act
3 (42 U.S.C. 1395x(e))).

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