

I testified before Congress on the FACE Act — and became a target

 ms.now/opinion/face-act-testimony-congress-harassment

Jessica Waters

May 8, 2026

I testified before Congress on April 28 about safety. And then I became the target of extremist hatred.

I addressed a House Judiciary subcommittee for two hours about the Freedom of Access to Clinic Entrances Act, a federal law — that Republicans want to repeal — that prohibits violence and harassment against reproductive healthcare providers or patients seeking that care.

In less than 24 hours, I saw from the alerts and my inbox tally that I had received or been mentioned in hundreds of thousands of ugly, abusive comments.

Less than an hour from when I walked out of Congress, my phone began lighting up with emails and social media alerts (and urgent messages from security teams tracking them). Scores of the messages and posts said: You are a bitch. A whore. Slurs that can't be published. Some questioned whether I can still be "aborted" and then answered, "I think she can." They said things like, "this is why firing squads are back." They asked one another where I work. They hypothesized that I am infertile and that I hate children. They said they should "exact vengeance," that I will burn in hell, that I am Satan, that I am evil.

In less than 24 hours, I saw from the alerts and my inbox tally that I had received or been mentioned in hundreds of thousands of ugly, abusive comments.



I quickly learned that a member of the subcommittee that held the hearing had posted a clip from the hearing on social media. Rep. Brandon Gill, R-Texas, didn't attend most of the hearing but spent the few minutes he was there engaging in a designed-for-clickbait monologue about my "favorite" abortion methods (even though the point of the hearing was violence against abortion providers). Within minutes, dozens of conservative outlets and influencers began reposting and sharing the clip — and the storm of hate was unleashed. And Gill reposted and thus amplified the hate.

I want to be clear: I said at the beginning of my testimony that I welcomed a bipartisan dialogue about the FACE Act. I have 25 years of legal work on access to reproductive healthcare, including abortion, that I stand by. By testifying at the hearing, I voluntarily put myself in the public eye. I knew I was walking into a Republican-controlled committee hearing, that I would be the sole minority voice and that I could be challenged. It was not my first rodeo, as they say.

| This was right out of the extremist playbook.

But Gill didn't want a dialogue about the topic of the hearing; indeed, he never mentioned FACE. He wanted a viral moment. Gill arrived after my prepared testimony. I think it's important to recount all that I covered: My testimony focused on the unanimous federal case law based in the Commerce Clause, the First Amendment and the Tenth Amendment holding that the FACE Act is constitutional.

I detailed the legislative history behind FACE and the need for the federal law: the nationwide campaign of violence against reproductive healthcare providers — murders, attempted murders, bombings, assaults, stalking, death threats and blockades — that necessitated its passage with bipartisan support more than 30 years ago.

I testified about my unequivocal belief that if FACE is violated at a clinic that opposes abortion, perpetrators should be held accountable under the law. I spoke at length about how peaceful, anti-abortion protest and picketing falls outside of FACE's purview and deserves the strongest of First Amendment protections.

I testified that after the Supreme Court's 2022 *Dobbs v. Jackson* decision overturning *Roe v. Wade*, there was an almost immediate spike in major incidents targeting providers of reproductive healthcare. In 2023 and 2024, the National Abortion Federation documented three arsons, 13 invasions, 169 incidents of vandalism, 621 incidents of trespass, 296 death threats, 38 assaults and battery, 777 counts of obstruction and 12 bomb threats.

Gill and the others who are fiercely committed to politicizing and restricting this critical form of healthcare didn't want to hear any of that. Instead, they used a hearing about safety to sound a dog whistle to the far right to unleash their misogyny, vitriol and hatred.

Gill and the others who are fiercely committed to politicizing and restricting this critical form of healthcare didn't want to hear any of that. Instead, they used a hearing about safety to sound a dog whistle to the far right to unleash their misogyny, vitriol and hatred. Which they did.

I also want to be clear that this is right out of the extremist playbook. My colleague Cynthia Miller-Idriss has documented how gendered hate speech and slurs are misogynistic tactics of containment designed to induce fear and shrink women — and that such speech can escalate to physical violence.

The Trump administration, too, knows the signals its actions send and what amounts to calls to action. President Donald Trump's pardon of 23 FACE violators (who had been convicted by juries), his administration's order to the Department of Justice to stop prosecuting FACE cases and the firing of Justice Department lawyers who prosecuted FACE cases sent signals to abortion providers that they are not safe, signaled to patients that they will not be protected and signaled to extremist groups that they can act without consequence. So too does the Republican effort to repeal FACE.

I hope the sad irony of all this is not lost: I went to Congress to testify, as a legal expert, about a federal law aimed at preventing this very type of harassment, threats and violence against healthcare providers and patients with which I soon found myself inundated. The storm against

me will blow over: The peril that doctors and patients must contend with daily will not if the FACE Act is repealed.

Jessica Waters is a senior scholar in residence at American University's School of Public Affairs.