



For immediate release:

Thursday, October 8, 2009

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NRLC: White House Press Secretary's Remarks Show White House Still Engaged in Smuggling Operation for Government Funding of Abortion

WASHINGTON (October 8, 2009) -- A spokesman for the nation's major pro-life organization said that remarks by the White House press secretary on October 7, "once again demonstrated that the White House is a partner in an ongoing smuggling operation, which if successful will result in funding of abortion on demand by the federal government."

The following exchange occurred during the October 7, 2009, daily press briefing by White House Press Secretary Robert Gibbs:

QUESTION [by CNS News reporter Fred Lucas]: It's a question on health care, actually; two questions. First, in a letter to senators last week, the U.S. Conference of Catholic Bishops said that, quoting, "So far the health reform bills considered in the committee, including the new Senate Finance Committee bill, have not met the President's challenge of barring the use of federal dollars for abortion." Is that statement wrong?

MR. GIBBS: Well, I don't want to get me in trouble at church, but I would mention there's a law that precludes the use of federal funds for abortion that isn't going to be changed in these health care bills.

Q: There have been, though, several amendments that would explicitly bar abortions, that would therefore reject it, some of those amendments by Democrats --

MR. GIBBS: Again, there's a fairly well documented federal law that prevents it.

In his answers, Gibbs in essence repeated a discredited claim made by President Obama himself on August 20, [when the President said](#): "There are no plans under health reform to revoke the existing prohibition on using federal taxpayer dollars for abortions. Nobody is talking about changing that existing provision, the Hyde Amendment. Let's be clear about that. It's just not true."

More recently, Obama said in a September 9 speech to both houses of Congress that "under our plan, no federal dollars will be used to fund abortions." On September 13, George Stephanopoulos of ABC News asked Secretary of Health and Human Services

Kathleen Sebelius, "So you're saying it will go beyond what we have seen so far in the House and explicitly rule out any public funding for abortion?," and received from Sebelius [this answer](#): "Well that's exactly what the President said and I think that's what he intends that the bill he signs will do."

Douglas Johnson, legislative director for the National Right to Life Committee (NRLC), the national federation of right-to-life affiliates, said: **"Gibbs' statement is one more proof, if any more were needed, that the White House is actively engaged in a political smuggling operation -- an attempt to achieve funding of elective abortion by the federal government, cloaked in smokescreens of contrived language and outright deception. There is no current federal law that would prevent the new programs created by the pending health care bills from paying for abortion on demand -- and the White House knows this full well. Only language written directly into the bills would prevent government funding of abortions -- but such language has been blocked by the Democratic chairmen of five congressional committees, with White House cooperation, and House Speaker Nancy Pelosi is refusing to allow the House to even vote on adding a true Hyde Amendment to the health care bill."**

"The motivation for the ongoing White House deception is found in [three recent national polls](#) that show strong public opposition to government-funded abortion," Johnson added.

The October 7 reporter's question, and the quoted statement from the U.S. Conference of Catholic Bishops, clearly pertained to the health care bills currently under consideration in Congress. The pending bills each contain one or both of the following components: (1) a nationwide government-run insurance program, "the public plan," and (2) programs that would subsidize health insurance for tens of millions of Americans.

None of the funds that would be spent by the public plan, and none of the funds that would be spent by the premium subsidy programs, would be appropriated through the annual appropriations bills. This has been confirmed in memoranda issued by the nonpartisan Congressional Research Service. This means that none of these funds will be covered by the Hyde Amendment, because the Hyde Amendment applies only to funds appropriated through the annual Health and Human Services appropriations bill.

Under the House bill (H.R. 3200), as amended by the Capps-Waxman Amendment, the public plan would be explicitly authorized to cover elective abortions. The public plan would be a program within the Department of Health and Human Services. As a federal agency, the public plan could not possibly pay for abortions with anything other than federal funds, as documented in [this memorandum](#).

In 2007, Barack Obama stood on stage alongside the president of the nation's largest abortion provider, the Planned Parenthood Federation of America (PPFA), and promised that his health reform legislation and his public plan would cover abortion.

(This assertion was recently reviewed by PolitiFact.com and rated "true," [here](#). You can watch a short video clip of Obama making the promises [here](#).)

"When senior congressional Democrats suggest that the public plan would pay for abortions with 'private funds,' they are engaged in a deception, a political hoax," Johnson said. "The public plan would be a program operated by a federal agency, which by law can spend only federal funds. The public plan would be engaged in direct funding of elective abortion. The Hyde Amendment would not apply to this program, and the Capps Amendment explicitly authorizes the federal agency to pay for the elective abortions, using funds drawn on a U.S. Treasury account."

Aside from the public plan, under which the government would directly fund elective abortion, both the House bill (H.R. 3200) and the two Senate bills (S. 1679 and the Senate Finance Committee bill crafted by Senator Max Baucus) would use federal funds to pay part of the cost of the premiums of private health plans that cover elective abortions. This would be a sharp departure from current federal policy. Current federal laws prevent both direct funding of abortion, and subsidies for health plans that cover abortions (except to save the life of the mother, or in cases of rape or incest). The Hyde Amendment, for example, prohibits the use of state Medicaid matching funds for elective abortion (even in states that choose to set up their own separate abortion-funding programs). But the Hyde Amendment and other current laws would not apply to the new premium subsidy programs, because they would not be funded through the appropriations bills to which the current restrictions are attached.

NRLC has issued [a detailed memorandum](#) that explains how the proposed public plan and the proposed premium subsidy programs would be funded, and why the Hyde Amendment would not apply to the proposed new programs. [Another NRLC memorandum](#) explains why all of the funds that would be spent by the public plan, and all of the funds that would be used to subsidize health plans under the premium subsidy programs, are in reality and in law "federal funds." To document key points, both memoranda link to documents issued by the Congressional Research Service, the Congressional Budget Office, and the Government Accountability Office.

The National Right to Life Committee, the nation's largest pro-life group is a federation of affiliates in all 50 states and over 3,000 local chapters nationwide

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