



national RIGHT TO LIFE NEWS

President Obama vows veto

Pro-life forces score major win in U.S. Senate with approval of bill to defund Planned Parenthood, repeal major elements of Obamacare

WASHINGTON (December 14, 2015) – In a major victory for the pro-life movement and for the Republican congressional leadership, the U.S. Senate has for the first time passed a bill that would block most federal funding to Planned Parenthood.

The same bill would repeal major components of Obamacare, including the provision that provides federal tax subsidies to health plans that cover elective abortion.



Senate Majority Leader Mitch McConnell (R-Ky.) and NRLC President Carol Tobias.

Following months of intense activity by National Right to Life, the Senate on December 3 approved H.R. 3762, known as the “budget reconciliation bill,” by a close vote of 52-47. The roll call on final passage was largely along party lines, with all but two Republicans voting to pass the bill, and every Democrat voting against passage. (See roll call table, pages 40-42.)

See “Forces,” page 38

Kansas Court of Appeals hears dispute over dismemberment ban injunction

By Kathy Ostrowski, Legislative Director, Kansans for Life

While last Wednesday’s full court hearing of the Kansas Court of Appeals was characterized by one of the 14 judges as “merely a whistle stop on the destination to justice,” it would be a mistake to underestimate the significance of the 90-minute hearing.

At issue is Attorney General Derek Schmidt’s appeal of a temporary injunction granted June 25 by a state court which blocked Senate Bill 95, the “Unborn Child Protection from Dismemberment Abortion Act,” from going into effect.



Kansas State Solicitor General, Steve McAllister

The lawsuit was filed by father-daughter abortionists at the Center for Women’s Health, Herb Hodes and Traci Nausner, who attended the hearing along with a raft of attorneys, reporters, representatives of the other two Kansas abortion businesses and members of Kansans for Life. Court staff had added extra chairs and a “cheat” sheet with the judges’ photos and names. No electronic devices are allowed, so notes had to be taken with old fashioned paper and pen.

This hearing was focused

on the process of awarding an injunction, and not the content of the law enjoined. So it was not too surprising that not one word was uttered describing the horrific dismemberment abortion method that uses sharp metal clamps and scissors to tear apart, piece by piece, a well-formed, living unborn child.

Rather, the focus of the oral argument (45 minutes each, pro and con) was on pretty heavy-duty legal language—for example, how federal

See “Truth,” page 37

Pro-life forces score major win in U.S. Senate with approval of bill to defund Planned Parenthood, curb Obamacare

From page 1

“The U.S. Senate has for the first time passed legislation that will defund Planned Parenthood, and also repeal the Obamacare program that subsidizes about 1,000 health plans that cover elective abortion,” said National Right to Life President Carol Tobias. **“This victory is the fruit of many weeks of hard skillful work by Senate Majority Leader Mitch McConnell (R-Ky.) and other members of the congressional Republican leadership, who skillfully executed a filibuster-proof strategy, backed up by an outpouring of support from the grassroots pro-life movement.”**

The Senate’s December 3 action followed initial approval of the reconciliation bill in the U.S. House of Representatives on October 23 by a vote of 240-189, with only one Democrat supporting the bill, and only seven Republicans opposing it.

A “budget reconciliation bill” is a bill considered under special fast-track procedures. Such a bill is not subject to filibuster in the Senate, so it can be approved there by a simple majority vote. However, complex rules limit what types of subjects can be addressed in a reconciliation bill, and these rules differ somewhat between the House and Senate.

The House-passed bill contained language to block most federal funding to Planned Parenthood for one year, and to repeal some aspects of Obamacare. The Senate, operating under its distinct rules, approved a version that retained the language to defund Planned Parenthood, while adding provisions to repeal additional provisions of Obamacare in two years.

Among the provisions added was a repeal of the Obamacare program that currently provides

federal tax subsidies to help millions of Americans purchase health plans that cover elective abortions, in states that have not passed specific laws to prevent this. This is the first time that the Senate has passed legislation to repeal this program, which constitutes the single greatest abortion-expanding component of Obamacare.

Because of the changes that the Senate made to the reconciliation bill, it must still receive final approval in the House, which is expected to occur when Congress returns from its holiday recess in early January. President Obama has expressed strong opposition to both the Planned Parenthood and Obamacare aspects of the bill, and has vowed to veto the measure.

“While this bill faces the implacable opposition of President Barack Obama, the Senate’s action has constructed a legislative roadway that can be traveled to victory in the future – once we have a pro-life president,” said NRLC Legislative Director Douglas Johnson.

Long-running Battle

The bill is the latest chapter in a long-running effort by pro-life forces to curb federal funding for the Planned Parenthood Federation of America, which provides roughly 40% of the nation’s abortions. The organization receives approximately \$450 million annually from various federal programs, by far the largest portion of this through the Medicaid program.

Long-running controversy about this federal funding heated up last summer with the release of investigative undercover videos by the Center for Medical Progress. In some videos, various Planned

Parenthood officials discussed selling baby body parts to firms that in turn market such parts to medical researchers. In other videos, doctors associated with Planned Parenthood and others discussed changing abortion methods to preserve intact organs for harvesting and other disturbing subjects.

In response, several congressional committees launched probes into Planned Parenthood’s operations. More recently, the House created the Special Investigatory Panel on Infant Lives, a 14-member committee that will investigate various aspects of the abortion industry, including trafficking in body parts, and release a report and recommendations in 2016. The Senate Judiciary Committee is continuing its own investigation.

There were also renewed attempts during the summer and fall to move legislation to block federal funding for Planned Parenthood. The House passed such a bill in mid-September, but in the Senate an attempt to move similar legislation fell six votes short of the 60-vote supermajority required to take up the legislation in the face of a filibuster by Democratic senators.

Some conservative lawmakers and advocacy groups then insisted that the Planned Parenthood issue must be tied to a government-wide appropriations bill, but most mainstream pro-life groups, including National Right to Life, saw this as a dead-end strategy that would predictably lead to a “shutdown” of the federal government, give President Obama the political high ground while causing grave political harm to many pro-life lawmakers, and deflect public attention away from the substance of the Planned Parenthood issue. “National

Right to Life and Susan B. Anthony List didn’t want to risk taking the focus off of the Planned Parenthood sting videos . . . by embroiling Washington in a battle over government funding,” observed *Politico* in a story published December 3.

With the strong support of National Right to Life, the House and Senate Republican leadership instead crafted an alternative plan to embed an anti-Planned Parenthood provision in the filibuster-proof budget reconciliation bill.

Disregarding skeptical commentary by the advocacy group Heritage Action and some radio-talk hosts, congressional staff succeeded in crafting artful language that covered Medicaid and most other major sources of federal funds to Planned Parenthood.

NRLC analysts estimated that the language, if enacted into law, would block about \$400 million of the approximately \$450 million that Planned Parenthood is expected to receive through Medicaid and certain other federal programs in the next year, or about 89% of total federal funding. The amounts denied to Planned Parenthood would be reallocated to community health centers.

When the bill reached the House floor in October, the Planned Parenthood provision met with widespread approval among Republicans, but some conservative lawmakers criticized other provisions of the bill, which they felt were insufficiently ambitious in repealing various provisions of Obamacare. However, National Right to Life insisted that the bill must be passed regardless

See “Forces,” page 39

Pro-life forces score major win in U.S. Senate with approval of bill to defund Planned Parenthood, curb Obamacare

From page 38

of such reservations, advising House members in an October 22 letter that “our members and affiliates will view [votes on the bill] . . . as votes for or against stripping \$400 million from Planned Parenthood.”

Despite continuing objections from a few conservative quarters, the bill passed the House 240-189, with only seven Republicans opposing it (two of whom were against curbing funding to Planned Parenthood, and five of whom had other reservations about the bill).

The only House Democrat to support the bill was Rep. Collin Peterson (Mn.).

In the Senate, where Republicans control by a narrow 54-46 majority, Republican Leader Mitch McConnell (R-Ky.), a strong pro-life advocate, faced the challenge of passing the measure with no Democratic support, and at least three Republican senators opposed to cutting off funds to Planned Parenthood. Some other Republican senators expressed concerns as to whether the bill could be reshaped to reach various provisions of Obamacare that they considered particularly objectionable.

However, in a letter sent

to senators on November 17, National Right to Life said, “The pro-life vote is to pass the bill, for the sake of the defunding of Planned Parenthood -- no excuses!” In a story that day, *Politico* reported, “That means Republicans would risk their National Right to Life score -- a vital statistic to conservatives -- by opposing the legislation for any reason.

In a December 3 story, *Politico* concluded that National Right to Life’s “aggressive” approach had played a key role in overcoming obstacles to winning approval of the legislation: “National Right to Life’s score . . . is of pivotal importance to many rank-and-file Republicans. The group has an active grassroots base in states vital to maintaining control of the Senate.”

Among the other organizations that actively worked to push the bill through the Senate were the Susan B. Anthony List and the Family Research Council.

Ultimately, McConnell steered the bill through an amendment process that preserved the Planned Parenthood cutoff, while

expanding the anti-Obamacare provisions. This produced a final bill that was acceptable to all except two Republicans, Susan Collins (Maine) and Mark Kirk (Il.), both of whom support funding of Planned Parenthood.

Among the senators supporting the bill were all of the Republican presidential contenders who serve in the Senate: Marco Rubio (Fla.), Rand Paul (Ky.), Lindsey Graham (S.C.), and Ted Cruz (Texas).

No Senate Democrat supported passage of the bill.

Senate Votes Down Amendments

During Senate consideration of the bill, pro-abortion senators twice offered amendments to protect Planned Parenthood – both of which were rejected.

The first such amendment was offered by Sen. Patty Murray (D-Wa.). It would have stricken the provision to de-fund Planned Parenthood, and replaced it with language authorizing \$1,000,000,000 (one billion dollars) in new funding, over a ten-year period, for which only organizations that provide elective abortions would be eligible. The new

fund would be used to provide medical services (not excluding abortion) or “security” measures.

The Murray Amendment was tabled (killed) by a vote of 54-46. Despite its radical character, only one Democrat voted against the Murray Amendment – Sen. Joe Manchin (WV). Only one Republican supported the Murray Amendment – Sen. Mark Kirk (Il.).

After that, Republican Senator Susan Collins (Maine) – who had voted against the Murray Amendment – offered an amendment to simply strike the provision to defund Planned Parenthood. She was joined by fellow Republicans Lisa Murkowski (Ak.) and Kirk. In addition, every Democrat except Manchin voted for the Collins Amendment, which failed by a narrow margin, 48-52.

Following votes on other amendments dealing primarily with Obamacare provisions, the amended bill was approved on the 52-47 vote, along party lines except for the negative votes of Collins and Kirk.

(See table of Senate roll calls on the Murray Amendment, Collins Amendment, and final passage, pages 40-42.)

U.S. Senate approves pro-life reconciliation bill after rejecting amendments to preserve funding for Planned Parenthood

On December 3, 2015, the U.S. Senate considered what is known as the "budget reconciliation bill" (H.R. 3762). The bill, as already approved on October 23, 2015, by the House of Representatives, contained a provision to block most federal funding for Planned Parenthood -- about \$400 million in the next year. National to Life strongly supported this legislation.

When the Senate took up the bill, pro-abortion Sen. Patty Murray (D-Wa.) offered an amendment to remove the language to defund Planned Parenthood, and replace it with new language to authorize \$1 billion in new funding for which only organizations that provide elective abortions would be eligible. The new fund could be used to provide medical services (not excluding abortion) or "security." National Right to Life opposed the Murray Amendment, which was tabled (killed) by a vote of 54 to 46 -- a pro-life win. **This is the roll call shown below in column no. 1.** It was official Senate roll call no. 311. The Murray Amendment was opposed by 53 Republicans and one Democrat (pro-life). It was supported by 45 Democrats and one Republican (pro-abortion).

After that, Sen. Susan Collins (R-Maine) offered an amendment to remove the provision that would defund Planned Parenthood, but without adding any new language. This amendment would have had the effect of retaining Planned Parenthood's current status. National Right to Life opposed the Collins Amendment, and the amendment failed by a vote of 48 to 52 -- another pro-life win. **This roll call is shown below as column no. 2.** It was official Senate roll call no. 314. The Collins Amendment was opposed by 51 Republican senators and one Democratic senator (pro-life). It was supported by 45 Democratic senators and three Republicans (pro-abortion).

The Senate adopted a number of other amendments not related to Planned Parenthood, and not shown below. The final amended bill, in addition to blocking most funds for Planned Parenthood,

would repeal many major components of Obamacare in two years, including the program that provides federal tax subsidies for about 1,000 health plans that cover elective abortions (in states that have not passed specific laws to prevent this).

National Right to Life strongly supported passage of the bill, which was approved by a vote of 52 to 47 on the roll call shown below as column no. 3. This was official Senate roll call no. 329. All 52 votes in favor of the bill (pro-life) were by Republican senators. It was opposed by two Republicans (Sen. Susan Collins, Maine, and Mark Kirk, Illinois) and by 45 Democrats (pro-abortion).

It is expected that the House of Representatives will give final approval to the bill in January, and send it to President Obama, who has expressed strong opposition to both the Planned Parenthood and Obamacare provisions.

For full details on action by the U.S. House of Representatives and U.S. Senate on the pro-life budget reconciliation bill, please see the story that begins on page 1 of this issue. To see scorecards of House and Senate roll calls on key pro-life issues during the current Congress or previous congresses, visit the NRLC Legislative Action Center at www.capwiz.com/nrlc/home/

KEY

- X Pro-life vote (against pro-abortion amendment or in favor of passing the pro-life bill)
- O Pro-abortion vote (for pro-abortion amendment or against passing the pro-life bill)
- ? Absent or not voting

Alabama Senators	1	2	3
Jeff Sessions (R-AL)	X	X	X
Richard Shelby (R-AL)	X	X	X
Alaska Senators	1	2	3
Lisa Murkowski (R-AK)	X	O	X
Dan Sullivan (R-AK)	X	X	X
Arizona Senators	1	2	3
John McCain (R-AZ)	X	X	X
Jeff Flake (R-AZ)	X	X	X
Arkansas Senators	1	2	3
John Boozman (R-AR)	X	X	X
Tom Cotton (R-AR)	X	X	X
California Senators	1	2	3
Dianne Feinstein (D-CA)	O	O	O
Barbara Boxer (D-CA)	O	O	O
Colorado Senators	1	2	3
Cory Gardner (R-CO)	X	X	X
Michael Bennet (D-CO)	O	O	O

Connecticut Senators	1	2	3
Christopher Murphy (D-CT)	O	O	O
Richard Blumenthal (D-CT)	O	O	O
Delaware Senators	1	2	3
Thomas Carper (D-DE)	O	O	O
Chris Coons (D-DE)	O	O	O
Florida Senators	1	2	3
Marco Rubio (R-FL)	X	X	X
Bill Nelson (D-FL)	O	O	O
Georgia Senators	1	2	3
David Perdue (R-GA)	X	X	X
Johnny Isakson (R-GA)	X	X	X
Hawaii Senators	1	2	3
Mazie Hirono (D-HI)	O	O	O
Brian Schatz (D-HI)	O	O	O

See "Senate," page 41

U.S. Senate approves pro-life reconciliation bill after rejecting amendments to preserve funding for Planned Parenthood

From page 40

Idaho Senators	1	2	3	Missouri Senators	1	2	3
Michael Crapo (R-ID)	X	X	X	Claire McCaskill (D-MO)	O	O	O
Jim Risch (R-ID)	X	X	X	Roy Blunt (R-MO)	X	X	X
Illinois Senators	1	2	3	Montana Senators	1	2	3
Richard Durbin (D-IL)	O	O	O	Jon Tester (D-MT)	O	O	O
Mark Kirk (R-IL)	O	O	O	Steve Daines (R-MT)	X	X	X
Indiana Senators	1	2	3	Nebraska Senators	1	2	3
Joe Donnelly (D-IN)	O	O	O	Deb Fischer (R-NE)	X	X	X
Dan Coats (R-IN)	X	X	X	Ben Sasse (R-NE)	X	X	X
Iowa Senators	1	2	3	Nevada Senators	1	2	3
Charles Grassley (R-IA)	X	X	X	Harry Reid (D-NV)	O	O	O
Joni Ernst (R-IA)	X	X	X	Dean Heller (R-NV)	X	X	X
Kansas Senators	1	2	3	New Hampshire Senators	1	2	3
Pat Roberts (R-KS)	X	X	X	Kelly Ayotte (R-NH)	X	X	X
Jerry Moran (R-KS)	X	X	X	Jeanne Shaheen (D-NH)	O	O	O
Kentucky Senators	1	2	3	New Jersey Senators	1	2	3
Rand Paul (R-KY)	X	X	X	Robert Menendez (D-NJ)	O	O	O
Mitch McConnell (R-KY)	X	X	X	Cory Booker (D-NJ)	O	O	O
Louisiana Senators	1	2	3	New Mexico Senators	1	2	3
David Vitter (R-LA)	X	X	X	Tom Udall (D-NM)	O	O	O
Bill Cassidy (R-LA)	X	X	X	Martin Heinrich (D-NM)	O	O	O
Maine Senators	1	2	3	New York Senators	1	2	3
Angus King (I-ME)	O	O	O	Charles Schumer (D-NY)	O	O	O
Susan Collins (R-ME)	X	O	O	Kirsten Gillibrand (D-NY)	O	O	O
Maryland Senators	1	2	3	North Carolina Senators	1	2	3
Barbara Mikulski (D-MD)	O	O	O	Richard Burr (R-NC)	X	X	X
Benjamin Cardin (D-MD)	O	O	O	Thom Tillis (R-NC)	X	X	X
Massachusetts Senators	1	2	3	North Dakota Senators	1	2	3
Edward Markey (D-MA)	O	O	O	John Hoeven (R-ND)	X	X	X
Elizabeth Warren (D-MA)	O	O	O	Heidi Heitkamp (D-ND)	O	O	O
Michigan Senators	1	2	3	Ohio Senators	1	2	3
Gary Peters (D-MI)	O	O	O	Sherrod Brown (D-OH)	O	O	O
Debbie Stabenow (D-MI)	O	O	O	Rob Portman (R-OH)	X	X	X
Minnesota Senators	1	2	3	Oklahoma Senators	1	2	3
Amy Klobuchar (D-MN)	O	O	O	James Inhofe (R-OK)	X	X	X
Al Franken (D-MN)	O	O	O	James Lankford (R-OK)	X	X	X
Mississippi Senators	1	2	3				
Thad Cochran (R-MS)	X	X	X				
Roger Wicker (R-MS)	X	X	X				

See "Senate," page 42

U.S. Senate approves pro-life reconciliation bill after rejecting amendments to preserve funding for Planned Parenthood

From page 41

Oregon Senators	1	2	3	Utah Senators	1	2	3
Jeff Merkley (D-OR)	O	O	O	Orrin Hatch (R-UT)	X	X	X
Ron Wyden (D-OR)	O	O	O	Mike Lee (R-UT)	X	X	X
Pennsylvania Senators	1	2	3	Vermont Senators	1	2	3
Bob Casey (D-PA)	O	O	O	Patrick Leahy (D-VT)	O	O	O
Patrick Toomey (R-PA)	X	X	X	Bernard Sanders (I-VT)	O	O	NV
Rhode Island Senators	1	2	3	Virginia Senators	1	2	3
Jack Reed (D-RI)	O	O	O	Tim Kaine (D-VA)	O	O	O
Sheldon Whitehouse (D-RI)	O	O	O	Mark Warner (D-VA)	O	O	O
South Carolina Senators	1	2	3	Washington Senators	1	2	3
Tim Scott (R-SC)	X	X	X	Maria Cantwell (D-WA)	O	O	O
Lindsey Graham (R-SC)	X	X	X	Patty Murray (D-WA)	O	O	O
South Dakota Senators	1	2	3	West Virginia Senators	1	2	3
John Thune (R-SD)	X	X	X	Shelley Capito (R-WV)	X	X	X
Mike Rounds (R-SD)	X	X	X	Joe Manchin (D-WV)	X	X	O
Tennessee Senators	1	2	3	Wisconsin Senators	1	2	3
Lamar Alexander (R-TN)	X	X	X	Tammy Baldwin (D-WI)	O	O	O
Bob Corker (R-TN)	X	X	X	Ron Johnson (R-WI)	X	X	X
Texas Senators	1	2	3	Wyoming Senators	1	2	3
Ted Cruz (R-TX)	X	X	X	John Barrasso (R-WY)	X	X	X
John Cornyn (R-TX)	X	X	X	Michael Enzi (R-WY)	X	X	X