

Obama Administration, New Congress Poised to Push Broad Pro-Abortion Agenda

WASHINGTON (January 2, 2009)—The pro-life movement is bracing for battle as a new Congress convenes with pro-abortion Democrats in majority control in both houses, poised to work with incoming President Barack Obama to push an expansive pro-abortion agenda.

2009 will be the first time since 1994 that both houses of Congress are under pro-abortion majority control at the same time as a pro-abortion president is in office.

“The alignment of a hard-core pro-abortion president with pro-abortion Democratic majorities in Congress means that many existing pro-life policies are now in great jeopardy,” said NRLC Legislative Director Douglas Johnson. “Some damage is inevitable, but the extent to which the Obama abortion agenda will be achieved will depend on the perception of elected policymakers

as to how the public is responding to the proposed changes.”

During his years in the Illinois state Senate (1996–2004), Obama was a leader in opposing pro-life legislation, including bills to ban partial-birth abortions and to protect infants who are born alive during abortions. During his four years in the U.S. Senate (2005–08), he always voted against the pro-life side, and he cosponsored the so-called “Freedom of Choice Act” (FOCA), a proposed federal law that would invalidate virtually all limits on abortion.

During his campaign for the Democratic presidential nomination, Obama expressed his support for a broad range of goals sought by pro-abortion activists, including appointment of Supreme Court justices committed to extending *Roe v. Wade*, public funding of abortion, inclusion of abortion mandates in “health care reform”



Pro-abortion President-elect Barack Obama chose pro-abortion Senator Hillary Clinton as his secretary of state.

legislation, and enactment of the FOCA.

Once he secured the Democratic nomination, Obama quickly adopted a different “messaging strategy,” asserting that he would promote programs to “reduce abortions,” but pro-life critics charge that this was a political contrivance without substance, beyond serving as a cloak for plans to greatly increase federal funding to Obama-allied organizations such as the Planned Parenthood Federation of America (PPFA).

The pro-abortion agenda will be pushed piece by piece by the Obama Administration, congressional Democratic leaders, and pro-abortion lobbying groups (see “Pro-Abortion Alliance Submits 55-Page Wish List,” back cover). PPFA President Cecile Richards told the *Washington Post*, “We have been

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Goals for 2009: Double Membership, Expand Chapter Base

By DAVE ANDRUSKO

The election of pro-abortion Senator, now President-elect, Barack Obama crystallized and gave enormous added impetus to a plan already in the works to grow National Right to Life to unprecedented size in 2009. This all-out commitment to a surge in dues-paying membership and local chapters development dovetails with the focus of this special commemorative edition of *National Right to Life News*: “Stop the Obama Abortion Agenda.”

By the time most of you receive this edition, Obama will have already begun



Pro-Life Movement Lauds President Bush. (See page 4.)

to flesh out a few of the details of his administration's all-out assault on the pro-life legacy of President George W. Bush, Obama's commitment to integrating abortion into our national health care structure, and his preliminary moves to pave the way for eventual passage of the “Freedom of Choice Act” (FOCA), which is much more accurately described as the “Federal No-Limits-On-Abortion Bill.” (See Douglas Johnson's story on page one and sidebar on page 17.)

Our job is to defeat proposals where we can, minimize the damage where we cannot, and to raise high the banner that signals that we are growing stronger as we rebound from a tough 2008

election cycle. It can be done. With your invaluable help, it **will** be done.

Think of what we are trying to accomplish this way.

“Warp” and “woof” were originally sewing terms. The warp are the threads that run lengthwise. The woof are the threads that run across. Together they make up the fabric.

The *New Dictionary of Cultural Literacy* uses this illustration: “The Constitution and the Declaration of Independence are the warp and woof of the American nation.”

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communicating with his [Obama's] transition staff" almost daily, and "we expect to see a real change." (November 9, 2008)

By late December, President-elect Obama had already chosen a number of strong abortion advocates for key high-level jobs, including Senator Hillary Clinton as secretary of state, former Clinton Administration official Eric Holder as attorney general, and Congressman Rahm Emanuel (D-Ill.) as White House chief of staff. Melody Barnes, a former board member of both



Tom Daschle, former pro-abortion senator, named HHS chief

the Planned Parenthood Action Fund and EMILY's List (a pro-abortion PAC), will serve as director of the Domestic Policy Council in the White House, and EMILY's List Executive Director Ellen Moran will become the White House communications director.

Tom Daschle, picked by Obama to head the Department of Health and Human Services, was allied with NARAL and killed numerous major pro-life bills in his previous office as U.S. Senate majority leader, prior to his defeat in the 2004 election.

There are also prominent pro-abortion activists in key positions in the Obama transition team, including former NARAL Legal Director Dawn Johnsen, assigned to the "Justice Department Review Team," and University of Wisconsin Professor R. Alta Charo, a prominent critic of pro-life policies on biotech issues such as human

cloning, assigned to the "Health and Human Services Review Team."

The New Congress

The majority leadership of both houses of Congress was firmly pro-abortion during 2007–08, but they did not aggressively push a broad pro-abortion agenda for two reasons. First, they wanted to avoid highly visible fights on contentious "social issues" such as abortion before the presidential election. Second, President Bush warned emphatically, in letters sent in May 2007 to House Speaker Nancy Pelosi (D-Cal.) and Senate Majority Leader Harry Reid (D-Nev.), that he would veto any bill that weakened any existing pro-life policy, and it was clear that any such pro-life vetoes would be sustained in Congress.

But both of those constraints will be absent in the new Congress that convenes on January 6, 2009, the 111th Congress. Moreover, in the November election, the pro-abortion side gained about six votes in the Senate and about 15 votes in the House (the exact number varies depending on the issue).

Pelosi, who became Speaker in 2007, has a solidly pro-abortion record throughout her 21-year career in the House. Her pro-abortion allies chair the key House committees, and she will enjoy a Democratic majority of about 80 seats in the new Congress.

In the Senate, at least 58 out of 100 Senate seats will be filled by supporters of *Roe v. Wade*. However, some senators who support legal abortion also support certain pro-life policies, such as the longstanding ban on federal funding of abortion. Moreover, the Senate rules would permit pro-life senators to block some pro-abortion proposals through a filibuster unless the pro-abortion side can muster the 60 votes necessary to "invoke cloture" (end a filibuster).

The Democratic leader in the Senate, Senator Harry Reid (Nev.), is sometimes erroneously identified in press accounts as pro-life, in part because of his religion (Mormon). In fact, however, he has worked closely with pro-abortion forces—for example, by orchestrating a successful effort in 2006 to kill parental notification

legislation that had passed the House.

"Reid is a strong ally of the pro-abortion lobby, but he is up for re-election in 2010, and most likely he will try to conceal from his constituents the extent to which he is advancing the pro-abortion agenda," commented Johnson.

Some of the specific anticipated points of attack are summarized below.

Human Embryos

It is expected that as soon as Obama takes office, he will use his executive authority to remove President Bush's block on federal funding of the type of stem cell research that requires the killing of human embryos. It is also likely that Congress will quickly pass legislation that formalizes a legal structure for federal



Pro-abortion Rep. Rahm Emanuel (D-Ill.), standing here behind pro-abortion Speaker Nancy Pelosi (D-Cal.), was named to serve as President Obama's White House chief of staff.

funding of such research—similar to legislation that was approved by Congress twice before, but which did not become law only because of President Bush's successful vetoes.

International Issues

As soon as he is sworn in as President, Obama will surely nullify the pro-life "Mexico City Policy," which was instituted by President Reagan and also adopted by the subsequent Republican presidents. This policy denies U.S. population-control funding to organizations that "perform or actively promote abortion" in foreign countries. The effect of Obama's action will be to re-direct a substantial amount of the pool of U.S. "population assistance" funds away from overseas groups that avoid involvement in abortion, and into the hands of groups that are committed to the expansion of access to abortion.

The Obama Administration will also restore U.S. funding to the United Nations Population Fund (UNFPA). The Bush Administration had blocked funding for that agency because of its collaboration in China's coercive population-control program, which includes forced abortions.

Obama Administration delegations to U.N. panels and conferences are expected to push a strongly pro-abortion agenda, under the watchful eye of incoming Secretary of State Clinton, who is giving up her seat in the U.S. Senate to take the job.

In addition, there may be a renewed push to ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), a treaty that has been interpreted by some international bodies to conflict with pro-life laws.

Hyde Amendment

One of the most important federal pro-life policies is the Hyde Amendment, which prohibits the use of federal Medicaid funds for abortions (except to save the life of the mother, or in cases of rape or incest). The Hyde Amendment has been incorporated into the annual appropriations bills for the federal Department of Health and Human Services since 1976. Obama opposes the Hyde Amendment, and during 2009, the Democratic congressional leadership could seek to block renewal of the law.

"There are at least one million Americans alive today because of the

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Hyde Amendment, perhaps many more,” said NRLC’s Johnson. “So if President Obama was really interested in ‘abortion reduction,’ the last thing he would want to do is repeal the Hyde Amendment, which would result in tax-funding of abortion as a method of birth control, and greatly increase the number of abortions. Yet, the



Planned Parenthood Federation of America President Cecile Richards

Hyde Amendment is in jeopardy, because it is on the hit list of Planned Parenthood, NARAL, and other pro-abortion pressure groups with which Obama and the congressional Democratic leadership are closely allied.”

Pro-abortion forces in Congress could attack the Hyde Amendment as early as January, “in which case one of the first big news stories about the Obama Administration will be a huge fight about federal funding of abortion,” said Johnson. But it may be more likely that the showdown will be postponed until February or later.

A Zogby poll conducted in late November found 69% in opposition to repeal of the Hyde Amendment. The poll accurately described the Hyde Amendment as stating

that “federal tax funds may be used to pay for abortions only to save the life of the mother, or in cases of rape or incest” and informed the respondent that its repeal “would result in taxpayer funding of abortions performed as a method of birth control.”

“Freedom of Choice Act”

The “Freedom of Choice Act” (FOCA) is a proposed federal law that would nullify virtually every state and federal law and policy that in any way limits access to abortion, including parental notification laws and the ban on partial-birth abortion. In addition, the FOCA prohibits any level of government from enforcing any policy that would “discriminate” against abortion, which means that abortion would have to be provided and funded in any government health program that provides services to pregnant women (e.g., Medicaid, SCHIP).

Although Obama said in 2007, “The first thing I’d do as president is sign the Freedom of Choice Act,” it seems more likely that his administration will initially concentrate on other goals, such as achieving an abortion mandate in “health care reform” legislation.

“We’re going to be smart and strategic about our policy agenda to bring people together to make progress for women’s health,” PPFA President Richards told the *Wall Street Journal* (December 17, 2008). “The Freedom of Choice Act is very important . . . but we have a long list of things to get done . . . that are really immediate concerns.”

If the FOCA does advance, stopping it might depend on organizing a successful pro-life filibuster in the Senate.

“Not all pro-abortion proposals are open to filibuster, but for those that are—such as the so-called ‘Freedom of Choice

Act’—this may be the pro-life side’s most effective line of defense,” said NRLC’s Johnson.

Conscience Rights

On December 19, 2008, the Bush Administration published a new regulation to prohibit entities that receive federal funds from discriminating against health-care providers for refusal to participate in abortion. As a senator, Obama signed a letter opposing the regulation when it was first proposed. According to the *Wall Street Journal* (December 17, 2008), “The rule could be blocked by Congress, or Health and Human Services could begin the laborious process of issuing a new regulation reversing course. Officials close to the transition have signaled that they intend to begin the regulatory process anew.”

Pro-abortion Alliance Submits 55-Page Wish List Memo to Obama Transition

Pro-abortion advocacy groups have big plans for the Obama Administration.

In November, more than 60 organizations submitted a 55-page memorandum to the Obama transition team, explaining in detail the policy changes that the signatory groups are recommending. The signing organizations include NARAL, Planned Parenthood, Guttmacher Institute, National Abortion Federation, American College of Obstetricians and Gynecologists, and the Sierra Club.

The Obama transition office posted the memo on its website—a manifestation of what the transition calls its “transparency” policy. (The document can also be downloaded from the NRLC website at <http://www.nrlc.org/obamaabortionagenda/index.html>)

The memo, titled “Advancing Reproductive Rights and Health in a New Administration,” contains a lengthy section detailing policies that the alliance says should be undertaken within the first 100 days of the new Administration (which begins with Obama’s inauguration on January 20, 2009). Some of these, such as a restoration of federal funding

to organizations that promote abortion overseas, can be accomplished by presidential order—and for these, an appendix to the memo provides specific language that the groups suggest Obama adopt in his orders.

In other cases, the signing groups urge the Obama Administration to propose changes to Congress—for example, the elimination of the Hyde Amendment, which prohibits federal funding of most abortions, and greatly increased funding for “family planning” programs that direct many funds to Planned Parenthood affiliates.

Also within the first 100 days, the memo urges the Administration to reverse recent steps taken by the Bush Administration to protect the conscience rights of health care providers who do not wish to facilitate abortions, and to propose a health-care reform bill that will guarantee “access to the full range of reproductive health services, including . . . abortion care.”

The memo details other policy goals that the alliance wants to see realized “over the next four years,” including enactment of the “Freedom of Choice Act” (FOCA). The memo suggests that the bill is needed in part

to counter the April 18, 2007, Supreme Court ruling in *Gonzales v. Carhart*, which upheld the ban on partial-birth abortion—a ruling that the memo says “declares open season on rights that women have relied on since *Roe v. Wade*.”

One section of the memo urges that the new President nominate to federal courts only men and women who are pre-committed to support abortion. The memo says that it is “critical” that all judicial nominees have “a demonstrated commitment to fundamental legal rights . . . including the right to have an abortion.”

“Pro-abortion advocacy groups have provided the Obama Administration with a detailed road map for delivery of an extreme pro-abortion agenda—and regrettably, the new President will be all too willing to follow this map,” commented NRLC Legislative Director Douglas Johnson. “It is up to the pro-life movement to alert mainstream America to this emerging threat, because most elements of this agenda cannot be implemented without agreement from the Congress.”