



1446 Duke Street | Alexandria, Virginia 22314  
(202) 626-8800 (voice) | [www.nrlc.org](http://www.nrlc.org) | [nrlc@nrlc.org](mailto:nrlc@nrlc.org)



March 9, 2021

(202) 626-8820

RE: Scorecard Advisory - American Rescue Plan Act of 2021 -  
Senate Amendment to H.R. 1319

Dear Representative:

The National Right to Life Committee (NRLC), the federation of state right-to-life organizations, urges you to oppose the Senate Amendment to H.R. 1319.

**Because this legislation departs sharply from the principles of the Hyde Amendment, NRLC intends to include any roll call that occurs on the Senate Amendment to H.R. 1319 in our scorecard of key roll calls of the 117th Congress.**

An array of long-established laws, including the Hyde Amendment, have created a nearly uniform policy that federal programs do not pay for abortion or subsidize health plans that include coverage of abortion, with narrow exceptions. The COVID-19 reconciliation bill dramatically departs from this longstanding policy.

The Hyde Amendment is widely recognized as having a significant impact on the number of abortions in the United States, saving over an estimated two million American lives. National Right to Life believes that the Hyde Amendment has proven itself to be the greatest domestic abortion-reduction measure ever enacted by Congress. Additionally, a majority of Americans have consistently opposed taxpayer funding for abortion at home and abroad.

This legislation is a Democrat wish-list containing numerous provisions aimed at propping up the abortion industry as well as potentially funneling millions of dollars into programs without Hyde Amendment protections. The list of offensive provisions below is by no means exhaustive but is meant to highlight several egregious items.

**Domestic Abortion Funding:**

The Senate Amendment to H.R. 1319 directs \$219 billion to state, and \$130 billion to local governments “to mitigate the fiscal effects stemming from” COVID-19. The Hyde Amendment is not applied to these funds. It is possible for state and local governments to use these funds to pay for abortion and abortion providers in the name of “responding to or mitigating the public health emergency.”

In addition, the Biden administration recently announced their intention to rescind the current rule related to Title X, indicating that funds will again go to organizations that promote and perform abortions. Under the Trump Administration’s Title X rule, abortion facilities could not be housed in the same location where family planning services were delivered. The rule did not

*Defending Life in America Since 1968*

cut funding for family planning but ensured that funding went to health facilities that did not perform or promote abortion as family planning.

In previous Democrat administrations, the Title X program was identified as Planned Parenthood's largest source of discretionary funding. Democrats, in the reconciliation bill, seek to add an additional \$50 million to this program.

### **International Abortion Funding:**

The Senate Amendment to H.R. 1319 authorizes \$204 million for State Department expenses to "prevent, prepare for, and respond to coronavirus domestically or internationally, which shall include maintaining Department of State operations." This \$204 million is not subject to the protections of the Helms Amendment. The failure to include this important protection means that these funds could be spent on abortion.

Additionally, \$500 million is appropriated for the foreign humanitarian response, again "to prevent, prepare for, and respond to coronavirus." Similarly, these millions are not subject to the protections of the Helms Amendment.

There is a high risk that these funds will directly fund abortion. In fact, U.N. agencies have issued COVID-19 guidance emphasizing the importance of abortion access during the pandemic and have even offered information on how to circumvent abortion restrictions, in violation of the laws of many nations.

### **Expansion of Obamacare:**

While there is a long-standing and nearly uniform policy preventing taxpayer dollars from funding abortion, the 2010 Obamacare health law ruptured that longstanding policy. Among other objectionable provisions, the Obamacare law authorized massive federal subsidies to assist many millions of Americans to purchase private health plans that will cover abortion on demand.

The Senate Amendment to H.R. 1319 includes the most significant step in the last 10 years toward expanding the Obamacare program. The legislation includes a two-year expansion of the Obamacare premium subsidies. It would not only increase the size of the subsidy for those already eligible for assistance but will extend the universe of people eligible for the subsidy. This will have the effect of driving large numbers of people into plans that cover abortion.

Roughly half of the states do not have laws in effect that restrict abortion coverage. In 2021, there are an estimated total of 1,296 available plans in those jurisdictions with no restriction on abortion coverage. Of those plans, an estimated 69% (892 plans) cover elective abortion.

**For the reasons above, National Right to Life urges you to oppose the Senate Amendment to H.R. 1319 and intends to include votes related to this legislation in our scorecard of key right-to-life votes of the 117th Congress.**

Should you have any questions, please contact us at (202) 378-8863, or via e-mail at [jpopik@nrlc.org](mailto:jpopik@nrlc.org). Thank you for your consideration of NRLC's position on this important legislation.

Sincerely,

Handwritten signature of Carol Tobias in blue ink.

Carol Tobias  
President

Handwritten signature of David N. O'Steen in blue ink.

David N. O'Steen, Ph.D.  
Executive Director

Handwritten signature of Jennifer Popik in blue ink.

Jennifer Popik, J.D.  
Legislative Director