



Elections & Laws for Life

November 4, 2021

Dear Representative,

I write to advise you that Susan B. Anthony List, on behalf of our more than 900,000 members from all 50 states, strongly opposes and will score against H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14. This bill is replete with vast expansions of taxpayer funding of abortion, examples of which will be explained below in a non-exhaustive list.

It is critical to remember that whenever abortion is not explicitly excluded from funding, it is included. Additionally, the status quo position of the American people and the American government has been that taxpayer dollars should not be used to fund abortion. A careful reading of this bill shows billions of dollars being appropriated outside of Hyde protections, leaving them available for direct and indirect abortion funding, upsetting the status quo and funneling money to the abortion industry.

Title III—Energy and Commerce, Subtitle I—Public Health massively expands funding without Hyde protections. Sections 31001, 31002, 31003, 31005, 31006, 31007, and 31008 together appropriate \$15.87 billion outside of Hyde protections for health equity activity (pro-abortion legislators have characterized abortion restrictions as racial injustice); infrastructure that would be used for abortion services; training for medical students, Nurse Corps, National Health Service Corps, schools of medicine and schools of nursing in underserved areas—all with no restrictions on using the funds to train providers in abortion techniques or build out infrastructure to provide abortion. Funds for promoting equity in maternal health outcomes through digital tools are not prohibited from being used for telehealth abortion (Sec. 31047). Large grants for public health infrastructure for state, territorial, local, and tribal health departments at the CDC, Native Hawaiian Health Care Systems and Health Improvement grants, and more, are funded without critical restrictions on abortion funding. Section 31035 appropriates funds for a new program to grow and diversify the doula workforce, at the same time “abortion doulas” are increasingly being promoted by the abortion lobby. All these and other funding streams are left unprotected by Hyde, leaving many billions of dollars available to fund abortion from every angle—training, infrastructure, telehealth, support services, and elective abortion.

Title III—Energy and Commerce, Subtitle E—Affordable Health Care Coverage expands abortion coverage under the Affordable Care Act (ACA) in several ways. The original ACA was intentionally drafted to avoid application of the Hyde Amendment. Instead of stopping funding for health insurance plans that cover elective abortion consistent with Hyde, the ACA expressly permits subsidies for health insurance plans that cover elective abortion, provided an abortion surcharge is paid and accounting gimmicks are followed. This approach was a radical departure from the Hyde amendment.

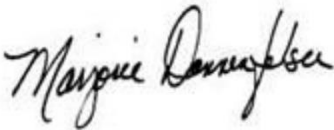
- The ACA coverage provision **mandates abortion coverage** for its Medicaid-gap populations in the twelve states that opted out of Medicaid expansion for plan years 2024 and 2025. It is notable that none of these states currently fund abortion coverage. This language would coerce these states to cover abortion against the will of their constituents.
- This bill expands the ACA premium tax credits three years beyond the American Rescue Plan's two-year extension, until 2025, further subsidizing abortion on Obamacare exchange plans.
- This bill also appropriates \$30 billion unprotected by Hyde for cost sharing and reinsurance provisions through 2025.

Title II—Committee on Education and Labor, Subtitle C provides \$500 million for Job Corps outside of Hyde protections. Job Corps currently requires funding of excepted abortions—to save the life of the mother or in cases of incest and rape—but this money is appropriated outside of the Labor, Health and Human Services appropriations, which avoids Hyde entirely and makes this money available to cover elective abortions broadly. Subtitle F appropriates \$30 million for the Family Violence Prevention Act, set up by the American Rescue Plan to fall outside of Hyde protections.

This so-called Build Back Better Act is shattering status quo principles that Americans should not pay for the destruction of unborn human life. Pro-abortion legislators are funding existing programs and creating new ones outside of the traditional appropriations process, thereby intentionally removing the limitations on funding for abortion. Healthcare should promote life, not aid in its brutal destruction.

Susan B. Anthony List strongly opposes and will score against H.R. 5376.

Sincerely,

A handwritten signature in black ink that reads "Marjorie Dannenfelser". The signature is written in a cursive, flowing style.

Marjorie Dannenfelser
President
Susan B. Anthony List