



FEDERAL LEGISLATIVE

# ACTION ALERT

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## Urge U.S. Senate to Vote for Abortion Funding Restriction

The Senate is in the process of considering a bill to reauthorize the Indian Health Service, the Indian Health Care Improvement Act Amendments (S. 1200). Sen. David Vitter (R-LA) is sponsoring the Hyde Amendment language as an amendment to this bill (no federal funding for abortion except to save the mother's life, or in cases of rape or incest) (Senate Amendment 3896). According to a Senate agreement, the Vitter Amendment will be considered on February 25 or 26 but only after the Senate has voted on a Democratic leadership amendment on the same subject matter. The Democratic amendment has not been formally introduced. Preliminary indications are that it is confusing and may be construed by a court to nullify abortion funding restrictions in the bill. For this reason, it should be voted down. See February 25 letter from Thomas Grenchik, Executive Director, USCCB Pro-Life Secretariat; [www.nchla.org/docdisplay.asp?ID=179](http://www.nchla.org/docdisplay.asp?ID=179). *Please urge your two U.S. Senators to vote against the Democratic leadership amendment and to vote for the Vitter Amendment.*

The Vitter Amendment will correct an awkward and anomalous procedure in current law. Neither the authorizing legislation for the Indian Health Service nor a rider to the annual Interior appropriations bill (which funds the Indian Health Service) directly prevent the use of federal funds to pay for abortion in the Indian Health Service program. Rather, the authorizing legislation specifies by reference that any abortion funding limitations in the annual Labor/Health and Human Services Appropriations bill apply to the Indian Health Service for that year (see 25 USC Sec. 1676). The Vitter Amendment would provide the appropriate adjustment to this arrangement by including the abortion funding restrictions of the Hyde Amendment directly in the authorizing law.

The preferred way to express abortion funding policies in law is through authorizing legislation rather than through the annual appropriations bills. In addition, restricting abortion funding has been accepted policy for many years. In 1980, the U.S. Supreme Court upheld the constitutionality of the Hyde Amendment, and over the years Congress has acted to ensure that taxpayers are not forced to subsidize abortion. As Cardinal Justin Rigali, Chairman of the Bishops' Committee for Pro-Life Activities, stated in a January 17 letter to the Senate: "The Vitter amendment offers an opportunity to reaffirm a basic and long standing congressional policy of not requiring U.S. tax dollars to fund elective abortions." See: [www.nchla.org/docdisplay.asp?ID=177](http://www.nchla.org/docdisplay.asp?ID=177).

**ACTION:** Contact your two U.S. Senators by phone, FAX letter, or e-mail. Call the U.S. Capitol switchboard at: 202-224-3121, and ask for the offices of your Senators. For full contact information, see:

[www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](http://www.senate.gov/general/contact_information/senators_cfm.cfm).

**MESSAGE:** "Please oppose the Democratic leadership amendment and support the Vitter Amendment to S. 1200. The leadership's amendment is confusing in meaning but the Vitter Amendment reaffirms longstanding congressional policy of not requiring U.S. taxpayers to fund elective abortion."

**WHEN:** Votes on the Vitter Amendment and the related leadership amendment are expected to take place on February 25 -- no votes before 5:30 p.m. -- or February 26. Please continue to contact your Senators. Thanks!

First issued 1/18/08; updated 2/22/08