



February 14, 2011

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Dear Member of Congress:

When the House of Representatives considers the Full-Year Continuing Appropriations Act (H.R. 1) this week, we anticipate that roll call votes may occur on a number of issues that are of great importance to the National Right to Life Committee (NRLC), which is the federation of state right-to-life organizations. These issues include:

ABORTION FUNDING BY APPROPRIATION OF CONGRESS (DISTRICT OF COLUMBIA): In late 2009, the Obama Administration succeeded, by way of a provision in the Omnibus Appropriations Act, in effectively repealing a longstanding ban on the use of congressionally appropriated funds for abortion in the Federal district (District of Columbia), by the subterfuge of creating a legal fiction distinguishing between “Federal” funds and other funds appropriated by Congress to the local administrative government. However, the U.S. Constitution provides that with respect to the Federal district, all legislative authority resides within the Congress (“exclusive legislation in all cases whatsoever,” in the words of Article I). Thus, the local District administration is a government entity that operates *exclusively* on delegated congressional authority, and *exclusively* with congressionally appropriated funds. The district administration has resumed funding of elective abortion, as confirmed by the *Washington Post* in a February 8 report. There is no limitation on abortion at any point in pregnancy in the city code, all vestiges having been repealed by the District Council in 2003, effective April 29, 2004. Section 1590 of H.R. 1 would restore the ban on government funding of abortion in the Federal district (except to save the life of the mother, or in cases of rape or incest). **An amendment to strike Section 1590 may be offered. NRLC’s annual “scorecard” will report a vote in favor of such an amendment as a vote to fund abortion on demand, at any point in pregnancy, with funds appropriated by Congress.**

MEXICO CITY POLICY: Section 2122 of H.R. 1 (page 333, lines 18-25) would restore and codify the “Mexico City Policy,” under which U.S. foreign aid for “population assistance” will go only to foreign organizations that agree not to promote or perform abortion in foreign countries. **NRLC strongly supports this provision, and will score negatively any amendment to remove or weaken it.**

UNITED NATIONS POPULATION FUND (UNFPA): Despite disingenuous disclaimers that it does not “provide” abortions, the United Nations Population Fund (UNFPA) is, in reality, chief among the multilateral entities that are aggressively seeking

PRO-LIFE ISSUES ON CONTINUING RESOLUTION, PAGE 2

to undermine protections for unborn children throughout the developing world. In addition, the UNFPA has for decades been a cheerleader for, and an active participant in, China's ruthless birth-quota system, which relies heavily upon involuntary abortion. Section 2122 of H.R. 1 would block any additional U.S. funds from going to the UNFPA (see page 333, lines 11-17). **NRLC strongly supports this provision, and will score negatively any amendment to preserve funding for the UNFPA.**

In addition to the issues discussed above, NRLC has been advised of the following amendments that will be filed and offered on the floor:

PENCE AMENDMENT – PLANNED PARENTHOOD: Congressman Pence intends to offer an amendment that would deny federal funds the Planned Parenthood Federation of America (PPFA) and its affiliates. PPFA is the nation's largest abortion provider, reporting 324,008 abortions in 2008. It appears that abortion accounts for roughly one-third of the aggregate income generated by PPFA-affiliated clinics. According to press reports, PPFA has recently mandated that all of its regional affiliates must provide abortions by the end of 2013. Recent media reports regarding abuses associated with PPFA-affiliated clinics in multiple states provide an additional justification for the amendment. **NRLC strongly supports the Pence Amendment, and will include the roll call in our scorecard.**

FLEMING AMENDMENT – CONSCIENCE PROTECTION: The Obama Administration has published a notice (74 FR 10207) that it intends to rescind a Bush Administration regulation (73 FR 78072, 45 CFR Part 88), which provides remedies for health care providers who are penalized for refusing to participate in providing abortions. Congressman John Fleming will offer an amendment to prevent the expenditure of funds to rescind or modify the conscience-protecting regulation. **NRLC strongly supports the Fleming Amendment, and intends to score any roll call on the amendment.**

It is possible that other amendments will be filed to H.R. 1, to which NRLC may express support or opposition. Information regarding NRLC's position on any filed amendment may be obtained by calling the NRLC Federal Legislation Department at 202-626-8820 or sending an e-mail to federallegislation@nrlc.org. Thank you for your consideration of NRLC's positions on these critical issues.

Respectfully,



Douglas Johnson
Legislative Director