



## ADVANCING FAITH, FAMILY AND FREEDOM

December 2, 2015

Senator  
U.S. Senate  
Washington D.C. 20510

Dear Senator:

On behalf of the Family Research Council (FRC) and the hundreds of thousands of families we represent, I urge you to vote in favor of the *Restoring Americans' Healthcare Freedom Reconciliation Act* (H.R. 3762) which eliminates a significant portion of federal funding for Planned Parenthood Federation of American (PPFA) as well as several key pillars of the Patient Protection and Affordable Care Act through the budget reconciliation process. **FRC will score against any amendments to strike the provision eliminating funding for Planned Parenthood. FRC will also score in favor of final passage of the bill.**

Americans are alarmed as they are made aware of what happens at abortion clinics, where life is only valued by the sum of body parts. PPFA, despite its nonprofit status, received over \$528 million in federal, state and local government grants and contracts in 2013-2014, and reported a total revenue of over \$1.3 billion. According to a March 2015 GAO report, PPFA received \$401.29 million in reimbursements from federal-state programs such as Medicaid, CHIP and Medicare in 2012. Of that \$400.45 million was provided to PPFA through Medicaid. For 2010-2012 those three programs funded PPFA a whopping \$1.186 billion, of which 99.9% came from Medicaid.

While prior efforts to defund PPFA have been blocked in the Senate due to the 60 vote cloture threshold, defunding a significant portion of PPFA's government revenue through the reconciliation process, which is subject to a 51 vote threshold, is entirely appropriate. Section 101 of the curative amendment #2874 to H.R. 3762, offered by Leader McConnell, will for one year restrict funding under several mandatory programs such as Medicaid to entities that provide abortion, other than for cases resulting from rape or incest or cases in which the life of the mother is at risk, and which receive over \$350 million. It will exclude such funding to entities such as PPFA. CBO estimates this provision would save an estimated \$235 million. The amendment Section 202 would allow funding in the amount of \$235 million to community health centers, which do not provide abortion. In essence, the amendment would defund a significant amount of federal funds PPFA receives, and also redirect funds to entities that do not perform abortion.

This bill would repeal key provisions of the Patient Protection Affordable Care Act, otherwise known as Obamacare. The amendment would repeal the penalties tied to the individual mandate (Section 102) and the employer mandate (Section 103). Repealing the penalty for not purchasing health care under Obamacare allows individuals to refuse to purchase insurance where there are no or few pro-life alternatives. This is especially relevant for individuals who live in the 26 states (including the District of Columbia) that did not opt out of elective abortion coverage. Indeed, of states that allow abortion coverage, 2 states have no pro-life plans, and 8 states have plans of which 85% cover elective abortion. Under Obamacare, those purchasing plans with elective abortion must pay an abortion surcharge. Moreover, even taxpayers in states that opted out of abortion coverage are still subsidizing health plans in other states that include elective abortion, and under current law, individuals are penalized for not purchasing health care. The amendment would remove this penalty, thereby allowing individuals to forgo purchasing health insurance if their conscience would be violated given their options.

Additionally, removing the employer mandate penalty allows employers to offer health care plans that are pro-life, but may not comply with all of the Obamacare mandates, or to refuse to offer health care plans that cover elective abortion without being penalized by the Federal government. Giving employers the option to forgo health care also allows them to escape the HHS mandate on drugs and devices that can cause abortion in violation against their conscience. While closely held businesses that object to the HHS mandate are protected under the Supreme Court ruling in the *Hobby Lobby* and *Conestoga Wood Inc.* case, non-profit entities such as the Little Sisters of the Poor and others are still subject to the HHS mandate. Employers should not be penalized if they do not comply with the employer mandate.

Moreover, the House bill and the Senate amendment repeals the Prevention and Public Health Fund (Section 201), which authorizes and directly appropriates funds not subject to the Hyde Amendment restrictions contained in the annual Labor, Health and Human Services Appropriations bill. Such funds could be used to directly pay for elective abortion since there is no restriction on the use of its funds for abortion. Repealing this provision helps restore the status quo on not funding elective abortion.

The final wrap around amendment to H.R. 3762 includes provisions to repeal additional portions of Obamacare not contained in the House-passed reconciliation bill. While FRC has strongly supported a full repeal of this onerous government power grab of the country's health care, we also support efforts to repeal many key portions that will result in expanding pro-life protections. FRC supports repealing the premium subsidies to purchase health care plans, even if such plans include elective abortion. The premium subsidies are advanceable refundable credits, meaning they are essentially direct payments for premiums of insurance, and Obamacare under Section 1303 allows such payments for plans that include elective abortion. This policy violated the long-standing prohibition of the Hyde Amendment which restricts not only direct funding for elective abortion but funding for health care plans that include elective abortion. Repealing these subsidies, which the substitute amendment does beginning in 2017, will help restore the status quo on federal funding for elective abortion.

FRC supports passage of the final package of H.R. 3762 under the reconciliation rules which can be accomplished by 51 votes. **It is imperative that pro-life Senators vote in favor of the curative amendment, S.Amdt. 2874**, containing the provision excluding funding for groups like Planned Parenthood, vote against any amendment to strike this provision, and vote in favor of the entire package since it contains additional provisions to repeal various anti-life and anti-conscience portions of Obamacare. Even though it is likely the President will veto this legislation, it is essential to set the precedent under Senate rules for a future pro-life President to defund a massive portion of federal subsidies to abortion providers such as Planned Parenthood and to repeal key portions of Obamacare. Again, **FRC will score against any amendment to strike Section 101 excluding funding for abortion providers. If Section 101 is retained, FRC will score in favor of the final bill.**

Sincerely,



David Christensen  
Vice President of Government Affairs