

**National Committee for a Human Life Amendment**

The First Session of the 112<sup>th</sup> Congress convened on January 5, 2011. Bills are not carried over from 2010. Information related to federal legislation—text of bills, testimony from hearings, committee reports, floor debates in the *Congressional Record*, roll call of floor votes, and the like—is available on the Library of Congress website: [thomas.loc.gov](http://thomas.loc.gov).

**Early Issues to Watch**

1. Fiscal Year 2011 Appropriations—A short-term Continuing Resolution extends government spending authority for fiscal year 2011 only through March 4. One of the early tasks for the 112<sup>th</sup> Congress will be completing the appropriations process for the remainder of the current fiscal year.

2. Protect Life Act—The health care reform law passed in 2010, the Patient Protection and Affordable Care Act (PPACA), promises to be a major focus of debate in the 112<sup>th</sup> Congress. The provisions in the law on preventing abortion funding are unacceptable, and the provisions on conscience protections are not adequate for health care providers, plans or employers. On January 20, Reps. Joseph Pitts (R-PA) and Dan Lipinski (D-IL) reintroduced the Protect Life Act (H.R. 358). The measure has 120 other sponsors and was referred to the Subcommittee on Health of the House Committee on Energy and Commerce. In a letter to Congress, Cardinal Daniel DiNardo, Chairman of the bishops' Committee on Pro-Life Activities, noted that H.R. 358 “will bring PPACA into line with policies on abortion and conscience rights that have long prevailed in other federal health programs.” The Cardinal urged Representatives to support and co-sponsor this legislation. For full text of letter, see: [nchla.org/datasource/idocuments/HR358\\_USCCB.pdf](http://nchla.org/datasource/idocuments/HR358_USCCB.pdf).

Hearings: On February 9, the House Energy and Commerce Subcommittee on Health (Chair, Rep. Pitts) held a hearing on H.R. 358. Douglas Johnson, National Right to Life Committee, and Helen Alvare, George Mason University School of Law, testified in favor of the bill. The testimony of Mr. Johnson and Ms. Alvare can be found on the Committee's web site at: [energycommerce.house.gov/hearings/hearingdetail.aspx?NewsID=8180](http://energycommerce.house.gov/hearings/hearingdetail.aspx?NewsID=8180).

Committee Markup: On February 11, the Health Subcommittee marked up H.R. 358. *After five hostile weakening amendments were rejected, the bill was approved, 14-yes, 9-no.* For a list of all amendments and votes, see: [nchla.org/datasource/idocuments/HealthSub-HR358-Markup-e.pdf](http://nchla.org/datasource/idocuments/HealthSub-HR358-Markup-e.pdf).

On February 15, the full Energy and Commerce Committee marked up H.R. 358. *After three hostile weakening amendments were defeated, the bill was approved, 33-yes, 19-no.*

Floor: H.R. 358 next goes to the House floor, though a schedule has not yet been set. Now is the time to urge all Representatives to support H.R. 358 and to reject all weakening amendments. See NCHLA Action Alert at: [nchla.org/actiondisplay.asp?ID=286](http://nchla.org/actiondisplay.asp?ID=286).

3. No Taxpayer Funding for Abortion Act—The passage of PPACA in 2010 underlined the need to place in permanent law the appropriation policies that restrict the funding of abortion. On January 20, Reps. Chris Smith (R-NJ) and Dan Lipinski (D-IL) reintroduced the No Taxpayer Funding for Abortion Act (H.R. 3). The measure has 204 other sponsors and was referred to three committees: Judiciary, Energy and Commerce, and Ways and Means.

In a letter to Congress, Cardinal Daniel DiNardo urged Representatives to support and cosponsor H.R. 3. The bill “will write into permanent law a policy on which there has been strong popular and congressional agreement for over 35 years: The federal government should not use taxpayers’ money to support and promote elective abortion.” The problem, the Cardinal points out, is that while the *policy* has been remarkably consistent, “implementation of that policy in *practice* has been piecemeal, confusing and sometimes sadly inadequate.” These kinds of problems, exemplified in the passage of PPACA, would be addressed by H.R. 3. For full text of letter, see: [nchla.org/datasource/documents/1.hr3letter21.11.pdf](http://nchla.org/datasource/documents/1.hr3letter21.11.pdf).

For NCHLA Action Alert on H.R. 3, see: [nchla.org/actiondisplay.asp?ID=288](http://nchla.org/actiondisplay.asp?ID=288).

Hearing: A hearing on H.R. 3 was held February 8 before the Constitution Subcommittee (Chairman Trent Franks, R-AZ) of the House Judiciary Committee. Richard Doerflinger, U.S. Conference of Catholic Bishops, and Cathy Ruse, Family Research Council, testified in favor of the bill. Copies of their testimony can be found at the Committee’s website at: [judiciary.house.gov/hearings/hear\\_02082011.html](http://judiciary.house.gov/hearings/hear_02082011.html). Mr. Doerflinger’s testimony also can be found at: [usccb.org/prolife/HR3-testimony-2011-02-08.pdf](http://usccb.org/prolife/HR3-testimony-2011-02-08.pdf).

4. Abortion Non-Discrimination Act— A national campaign to force health care providers to participate in abortion threatens the civil rights of health care professionals and other health care entities. On January 20, Reps. John Fleming (R-LA) and Dan Boren (D-OK) introduced the Abortion Non-Discrimination Act (ANDA) (H.R. 361). The bill has 42 other sponsors and was referred to the Committee on Energy and Commerce.

H.R. 361 strengthens existing federal conscience protection laws and affirms the principle that no health care entity should be forced by government to perform or participate in abortions. The Office of Civil Rights at the Department of Health and Human Services will be designated to investigate claims of discrimination brought by health care providers. In a letter to Congress, Cardinal Daniel DiNardo urged Representatives to support and cosponsor ANDA. For text of letter, see: [nchla.org/datasource/documents/HR361\\_USCCB.pdf](http://nchla.org/datasource/documents/HR361_USCCB.pdf).

For NCHLA Action Alert on H.R. 361, see: [nchla.org/actiondisplay.asp?ID=287](http://nchla.org/actiondisplay.asp?ID=287).

In 2009, the Obama Administration issued a proposed rule to rescind *conscience protection regulations*. In late 2010, the Obama Administration advised a court that they anticipate publishing a final rule in early 2011.