

On March 23, 2010, the “*Patient Protection and Affordable Care Act*” was signed into Law by President Obama (Public Law 111-149). The legislation was approved by the U.S. Senate on December 24 by a vote of 60 to 39, then by the U.S. House of Representatives on March 21 by a vote of 219 to 212. Only one vote would have stopped the bill in the Senate; only four votes would have stopped the bill in the House. Area Congresswoman Kathy Dahlkemper, self-described as “pro-life,” voted *for* this legislation.

### **MISINFORMATION**

Contrary to what Rep. Dahlkemper has been telling the public, this law contains massive funding for insurance plans that pay for abortion, it directly appropriates public money for health care with no restrictions on abortion, and it requires the federal government to administer insurance plans that pay for abortion.

### **HUGE SUBSIDIES FOR ABORTION**

The *Patient Protection and Affordable Care Act* (PPACA) requires the federal government to spend billions of taxpayer dollars annually to pay the premiums for insurance plans that cover abortion, making elective abortion more readily available to millions of insurance plan enrollees and increasing the number of abortions. Longstanding federal policies previously prevented this kind of federal subsidy for abortion. The Federal Employees Health Benefits Program, for example, has excluded abortion coverage from all federal employee insurance plans since 1983 (except during the first two years of the Clinton administration).

Many people will be forced to enroll in federally subsidized insurance plans that pay for abortion because they are the only available insurance plans that meet their medical needs and those of their families. These people will then be forced to make monthly payments explicitly to pay for other people’s abortions. This requirement applies to everyone enrolled in plans that cover abortion regardless of age, gender, or personal convictions about the taking of innocent human lives.

### **COMMUNITY HEALTH CENTERS**

The PPACA spends 11 billion dollars over five years on Community Health Centers with no restrictions on the use of this money to pay for abortion-on-demand. These facilities, intended to serve low-income people, are already able to provide abortions paid for with federal money in cases of

rape/incest and where the mother’s life is endangered. However, federal law had prevented federal funds from being used for other abortions. (Cases of rape/incest and life endangerment represent, at most, two or three percent of all abortions.)

### **THE EXECUTIVE ORDER HOAX**

In a March 29 e-mail to her constituents, Rep. Dahlkemper wrote that an executive order signed by President Obama, “closes loopholes in the Senate abortion language to ensure that no federal funds pay for abortions. The executive order from the president has the full force of law.” Dahlkemper is wrong. First, federal courts have (unfortunately but consistently) ruled that when Congress provides money for a full range of medical services without explicitly excluding abortion, abortion funding must be allowed. Second, a presidential order that violates or contradicts a law passed by Congress is not enforceable; a President is not above the law. Thus, Congress – and Kathy Dahlkemper – have passed a law that requires the federal government to pay for abortions at Community Health Centers, and no executive order can reverse this. (Rep. Dahlkemper should know that while dictators may be able to arbitrarily repeal and amend laws, U.S. Presidents cannot.)

### **LOOPHOLES**

The PPACA is riddled with loopholes that could be used to promote abortion. For instance, it authorizes and requires a federal agency called the Health Resources and Services Administration to establish a list of “preventive services” for women, which all health plans will be required to provide (Sec. 2713(a)(4)). Although some Senators raised concerns that insurance plans could be forced to cover abortion as a “preventive service” (the prevention of a live birth), these concerns were ignored in the final language of the bill.

### **CONSCIENCE PROTECTION LACKING**

While the PPACA provides that no *health plan* may discriminate against an individual health care provider or facility for refusing to carry out abortions, there is no such provision to protect health care entities from discrimination by federal agencies or by state or local governments.

### **PRO-LIFE LAWS IN JEOPARDY**

While there is language to prevent the PPACA from interfering with state laws regarding abortion *funding* and *procedural* requirements (such as parental notification and waiting periods), nothing is mentioned about protecting state laws that actually

restrict or prohibit abortion (such as laws against partial-birth abortion or late-term abortions).

#### **DAMAGE CONTROL**

The *Patient Protection and Affordable Health Care Act* is the most pro-abortion legislation ever passed by Congress. It represents the single-biggest setback for the pro-life cause – and unborn children – since *Roe v. Wade* legalized abortion-on-demand in 1973.

No government has a right to stand back passively while anyone is being deliberately killed or denied basic human rights. But now, thanks to Rep. Dahlkemper's vote for the PPACA, the federal government is not only permitting the flagrant violation of a basic human right (the right to live); it is escalating the killing by funding and facilitating abortions, including the 95% of abortions that are obtained merely because the pregnancy poses some measure of inconvenience to the parties involved.

A bill now before Congress, the *Protect Life Act* (H.R. 5111), would revise the PPACA and ensure that your taxes are not being used to fund abortion. As of July 1 it had 108 cosponsors, both Democrats and Republicans. Rep. Dahlkemper was not a cosponsor of the *Protect Life Act* – not surprising in view of her public statements claiming that the original bill does not fund abortion.

#### **REP. KATHY DAHLKEMPER**

WASHINGTON, DC OFFICE

Voice: (202) 225-5406

Fax: (202) 225-3103

#### ERIE OFFICE

208 E. Bayfront Pkwy., Suite 102

Erie, PA 16507

Phone: (814) 456-2038

Toll Free: (877) 528-4948

Fax: (814) 454-0163

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### ***PEOPLE FOR LIFE***

1625 W. 26th Street

P.O. Box 1126

Erie, PA 16512

(814) 882-1333

Twitter: [gopeopleforlife](#)

[www.peopleforlife.org](http://www.peopleforlife.org)

# The New Health Care Law & Abortion



***The most pro-abortion  
legislation ever passed  
by Congress***