

Language in House Appropriations Bills That Would Limit Abortion Access



A Quick Primer on the Appropriations Process

(Or How the Country Decides on a Budget Each Year)

The president submits a budget to Congress for the federal government every fiscal year (October 1 through September 30). Congress must pass 12 appropriations bills or pass a continuing resolution before the October 1st deadline to fund the government for the following year. **Often, lawmakers will use the “power of the purse” during appropriations season to limit spending on programs they do not agree with. This appropriations season, the House appropriations bills are full of anti-abortion provisions that, if passed, will severely limit access in 2024. All twelve House appropriation bills include anti-abortion language, but we are especially concerned about the following bills.**

FDA & Agriculture

This bill would roll back guidance that allows pharmacies to dispense Mifepristone, a drug crucial to self-managing abortion, as well as previous guidance that allowed abortion pills to be mailed.

SEC. 761.

(a) The modifications made by the Food and Drug Administration on January 3, 2023 to the risk evaluation and mitigation strategy under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1) for mifepristone are hereby nullified.

(b) None of the funds made available by this Act may be used to establish, implement, or enforce —

(1) any provision of a risk evaluation and mitigation strategy under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1) for mifepristone that is substantially similar to any of the modifications nullified by subsection (a); or

(2) any non-enforcement or enforcement discretion policy for any provision of a risk evaluation and mitigation strategy under such section for mifepristone.

Department of Defense/Veteran's Affairs

This bill would abolish a Biden Administration policy that extends coverage to abortion and abortion counseling for CHAMPVA insurance beneficiaries. CHAMPVA typically covers the spouses, widow(er)s, and the children of U.S. veterans.

It would also strip funding from a Department of Defense policy that expanded access to reproductive health care for service members

SEC. 258.

(a) None of the funds made available in this Act may be used to implement, administer, or otherwise carry out the Department of Veterans Affairs interim final rule published on September 9, 2022, or any successor to such rule, or to propose, promulgate, or implement any substantially similar rule or policy.

(b) None of the funds appropriated in this Act shall be expended for any **abortion**, including through a medical benefits package or health benefits program that includes coverage of abortion.

(c) The limitations established in subsection (b) shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Language in House Appropriations Bills That Would Limit Abortion Access (cont.)



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Labor, Health, & Human Services

This bill includes language that would prohibit Medicare from withholding funds from states that refuse to provide abortions.

It would also cut all federal funding to Planned Parenthood and eliminate funding for Title X, the only federally funded family planning program.

This bill would require HHS to give Congress a report on the number of abortions performed under Hyde Amendment exceptions. (The Hyde Amendment withholds abortion care for those ensured by Medicaid except in cases of rape, incest, or a life-threatening pregnancy).

6 SEC. 506. (a) None of the funds appropriated in this
7 Act, and none of the funds in any trust fund to which
8 funds are appropriated in this Act, shall be expended for
9 any **abortion**.

10 (b) None of the funds appropriated in this Act, and
11 none of the funds in any trust fund to which funds are
12 appropriated in this Act, shall be expended for health ben-
13 efits coverage that includes coverage of **abortion**.

15 (d)(1) None of the funds made available in this Act
16 may be made available to a Federal agency or program,
17 or to a State or local government, if such agency, program,
18 or government subjects any institutional or individual
19 health care entity to discrimination on the basis that the
20 health care entity does not provide, pay for, provide cov-
21 erage of, or refer for abortions.

Commerce & Justice

This bill would prohibit federal funds from being used on people in federal prisons seeking abortions.

It would also defund the Reproductive Rights Task Force and bar the department from using funds to sue state or local governments over their abortion laws.

22 SEC. 580. None of the funds made available by this
23 Act may be used to sue any State or local government
24 over their **abortion** laws, or to intervene or file an amicus
25 brief in such a case.

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1 SEC. 581. None of the funds made available by this
2 Act may be used to sue any State or local government
3 over any law relating to transgender issues, or to intervene