

House Energy and Commerce Committee
112th Congress
Markup of Protect Life Act, H.R. 358

On February 15, 2011, the House Energy and Commerce Committee (Chairman, Rep. Fred Upton, R-MI) marked up H.R. 358, the Protect Life Act, to correct abortion-related problems in the Patient Protection and Affordable Care Act (PPACA), the health care reform law passed in 2010. Four votes occurred: three hostile weakening amendments were defeated, and H.R. 358 was approved.

	Co-Sponsor Protect Life Act (H.R. 358)	1 DeGette Amend.	2 Schakowsky Amend.	3 Engel Amend.	4 Final Passage
Majority (31)					
Fred Upton (MI-6) <i>Chairman</i>	X	X	X	X	X
Joe Barton (TX-6) <i>Chairman Emeritus</i>	X	X	X	X	X
Cliff Stearns (FL-6)	X	X	X	X	X
Edward Whitfield (KY-1)	X	X	X	X	X
John Shimkus (IL-19)	X	X	X	X	X
Joe Pitts (PA-16)	X	X	X	X	X
Mary Bono Mack (CA-45)		X	X	X	X
Greg Walden (OR-2)		X	X	X	X
Lee Terry (NE-2)	X	X	X	X	X
Mike Rogers (MI-8)	X	X	X	X	X
Sue Myrick (NC-9) <i>Vice Chair</i>	X	X	X	X	X
John Sullivan (OK-1)	X	X	NV	NV	X
Tim Murphy (PA-18)	X	X	X	X	X
Michael C. Burgess (TX-26)	X	X	X	X	X
Marsha Blackburn (TN-7)	X	X	X	X	X
Brian P. Bilbray (CA-50)		X	X	X	X
Charles F. (Charlie) Bass (NH-2)		X	X	X	X
Phil Gingrey (GA-11)	X	X	X	X	X
Steve Scalise (LA-1)	X	X	X	X	X
Bob Latta (OH-5)	X	X	X	X	X
Cathy McMorris Rodgers (WA-5)	X	X	X	X	X
Gregg Harper (MS-3)	X	X	X	X	X
Leonard Lance (NJ-7)	X	X	X	X	X
Bill Cassidy (LA-6)	X	X	X	X	X
Brett Guthrie (KY-2)	X	X	X	X	X
Pete Olson (TX-22)	X	X	X	X	X
David McKinley (WV-1)	X	X	X	X	X
Cory Gardner (CO-4)		X	X	X	X
Michael Pompeo (KS-4)	X	X	X	X	X
Adam Kinzinger (IL-11)	X	X	X	X	X
Morgan Griffith (VA-9)		X	X	X	X

Minority (23)

Henry A. Waxman (CA-30)	O	O	O	O
<i>Ranking Member</i>				
John D. Dingell (MI-15)	NV	NV	NV	NV
Ed Markey (MA-7)	O	O	O	O
Edolphus (Ed) Towns (NY-10)	O	O	O	O
Frank Pallone, Jr. (NJ-6)	O	O	O	O
Bobby L. Rush (IL-1)	NV	NV	NV	O
Anna G. Eshoo (CA-14)	O	O	O	O
Eliot L. Engel (NY-17)	O	O	O	O
Gene Green (TX-29)	O	O	O	O
Diana DeGette (CO-1)	O	O	O	O
Lois Capps (CA-23)	O	O	O	O
Mike Doyle (PA-14)	O	O	O	O
Jane Harman (CA-36)	NV	O	O	O
Janice Schakowsky (IL-9)	O	O	O	O
Charles A. Gonzalez (TX-20)	NV	O	NV	NV
Jay Inslee (WA-1)	O	O	O	O
Tammy Baldwin (WI-2)	O	O	O	O
Mike Ross (AR-4)	X	X	X	X
Anthony D. Weiner (NY-9)	O	O	O	O
Jim Matheson (UT-2)	NV	NV	O	X
G. K. Butterfield, Jr. (NC-1)	O	O	O	O
John Barrow (GA-12)	O	O	O	O
Doris Matsui (CA-5)	O	O	O	O

Description of Votes

Vote 1: DeGette Amendment—H.R. 358 would eliminate from PPACA any requirement “to provide coverage of or access to abortion services” or training in abortion services. The DeGette Amendment would define the term “access to” not to include information about abortion services (insurance coverage, location where available, and related procedural requirements). *The DeGette Amendment was defeated, 17-yes, 32-no.* “No” was a pro-life vote.

Vote 2: Schakowsky Amendment—State conscience protection laws regarding matters other than abortion could be overridden by PPACA. *The Schakowsky Amendment was defeated, 19-yes, 31-no.* “No” was a pro-life vote.

Vote 3: Engel Amendment—The provisions of H.R. 358 preventing any government agency from discriminating against any health care entity that “refuses” to participate in abortion in various ways is broadened to protect any health care entity “whether or not” it participates in abortion in various ways. Abortion providers would acquire new rights to sue governmental bodies that regulate or restrict abortion. *The Engel Amendment was defeated, 19-yes, 31-no.* “No” was a pro-life vote.

Vote 4: Final Passage—*On final passage, H.R. 358 was approved, 33-yes, 19-no.* “Yes” was a pro-life vote.

Two amendments by Rep. Anthony Weiner (D-NY) challenging the constitutional basis for H.R. 358 were ruled nongermane.

KEY **X = Pro-life** **O = Pro-abortion** **NV = Not voting**