



Secretariat for Pro-Life Activities

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Dear Senator:

As the Senate again prepares to consider S. 1200, the Indian Health Care Improvement Act Amendments of 2007 (S. 1200), I want to reiterate our strong support for the Vitter amendment on abortion funding as outlined in the attached letter by Cardinal Justin Rigali. This amendment simply writes into the bill the language that has governed federal abortion funding under the Hyde amendment and similar provisions for many years – replacing a uniquely irregular situation, which forces the Indian Health Service statute to cross-reference an annual appropriations bill governing *other* federal health programs to discover what its abortion policy is each year.

Also to be offered is a Democratic leadership amendment on this subject that is at best confusing and at worst extremely harmful. The amendment says that nothing "in this Act" may "effect or otherwise modify" current laws on abortion funding. But upon enactment of S. 1200, there will be no current law restricting abortion funding for this program, because S. 1200 supplants the old Indian Health Service Act in its entirety – including its cross-referencing provision that prevents funding of abortion on demand. Section 805 of S. 1200 replicates the old cross-referencing provision – but Section 805 is part of "this Act" and therefore, by one reading of the amendment, forbidden to have legal effect.

To be sure, this amendment's legal effect is far from clear, but it seems to conflict with the policy of both the Vitter amendment and Section 805 as it now stands, allowing a judge to decide which provision will prevail. One possible result could be a situation in which, for the first time in decades, one particular class of American unborn children is targeted for federally subsidized abortion on demand.

I urge you to reject the confusing and potentially harmful Democratic leadership amendment, and to support the Vitter amendment.

Sincerely,

Thomas J. Grenchik
Executive Director

USCCB Secretariat of Pro-Life Activities