



Written by [Dave Bohon](#) on October 2, 2013

## Under ObamaCare, Lawmakers and Staff Can Get Tax-Funded Abortions

A ruling September 30 by the Obama administration's Office of Personnel Management (OPM) will enable members of Congress and their staff to purchase healthcare that includes abortion coverage — even though the premiums for the insurance will be paid with tax dollars, a move that effectively violates the ban on tax-funded abortions.



Under ObamaCare, lawmakers and their staffers are required to replace their government health insurance with state-based healthcare exchanges, most of which include abortion coverage. However, unlike other Americans, Congress and staff will have their premiums paid for by tax dollars — a violation of the federal abortion ban, insist pro-life leaders and conservative congressmen.

Pro-life Representative Christopher Smith (R-N.J.), who helped craft the 1983 law prohibiting the federal government from paying for plans that cover abortion, said the OPM ruling is illegal. “You can’t break the law, Mr. President, and just issue a final rule as if somehow you’re comporting with the law,” Smith said in a statement provided to the [Washington Times](#). “We don’t want to subsidize abortion on demand, and the public is absolutely with us.”

Predictably, pro-abortion Democrats in Congress applauded the ruling as a win for women. “This decision honors the spirit of the Affordable Care Act, which is significantly improving health care for women,” said Representative Rosa DeLauro (Conn.) and Louise McIntosh Slaughter (N.J.) in a joint statement. “All women, no matter where they work, deserve health care coverage that can meet their individual health care needs.”

The *Washington Times* noted that the issues of abortion and contraception “have bedeviled President Obama’s health care law from the start. In 2010, when it was just a bill poised for final passage, pro-life Democrats balked and insisted on a special executive order from Mr. Obama guaranteeing federal funds wouldn’t be spent on abortion.”

While Obama made a public relations flair in signing the order on March 24, his actions since then have revealed that he had no intention on honoring the promise. Over the past year his administration has signed on to lawsuits filed by Planned Parenthood and other abortion providers to overturn state laws that would ban abortion providers from receiving state or federal tax dollars.

What has received the most opposition, however, has been the ObamaCare mandate that would require employers to provide their workers with free contraception — including “morning after” drugs that are



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known to cause abortion. Over the past two years scores of religious non-profits and business owners have filed lawsuits to overturn the mandate on the grounds that the mandate would require them to violate their moral opposition to abortion.

In the battle over an impending so-called government shutdown, Representative [Marsha Blackburn](#) (R-Tenn.) offered a religious freedom amendment to a stopgap spending bill to address abortion and the contraception mandate provisions in ObamaCare. "In addition to delaying ObamaCare for one year," Blackburn said in a statement, "my amendment protects people from the radical HHS mandate which violates millions of Americans' deeply-held religious beliefs and it prevents taxpayer subsidies from going to insurance plans that include elective abortion coverage."

By October 1 House Republicans had dropped Blackburn's amendment in their rush to hammer out an emergency government spending compromise, prompting the [Family Research Council's Tony Perkins](#) to register his disappointment that the House had chosen to consider a spending amendment that "ignores the threat to religious freedom that ObamaCare poses and does nothing to address the abortion subsidies that will take effect."

One of those subsidies will apparently be the abortion coverage members of Congress and their staffers will get thanks to the OPM ruling. "There's been a longstanding ban on federal funds going to pay for abortion in congressional and federal healthcare plans," the FRC noted in a press release, "but it now appears the administration is pushing a new abortion subsidy. The OPM plans to use its authority found in the Federal Employee Health Benefit Program (FEHBP) to contribute premium support to plans offered on the state exchanges that cover elective abortion."

While the Obama administration has insisted it will comply with the law prohibiting federal funding of abortion, the OPM ruling appears to indicate otherwise, noted the FRC. "If experience is any guide, where abortion is not explicitly prohibited it's implicitly allowed," said the FRC. "If the Administration plans to respect current law it should be an easy lift to include a ban in the proposed regulations, if for no other reason than to clarify an ambiguity."

[National Review Online](#) noted that, according to a recent analysis by the Charlotte Lozier Institute, under ObamaCare the number of abortions subsidized through federal tax credits and Medicaid expansion could range from 71,000 and 111,500 annually — or roughly one in 10 abortions in the United States.



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