



Written by [Warren Mass](#) on March 12, 2015

Senate Democrats Withdraw Support for Anti-trafficking Bill That Bars Funding for Abortions

Senate Democrats, after discovering rather late in the legislative process that the Justice for Victims of Trafficking Act (H.R. 181, S. 178) contains provisions that would revive the Hyde Amendment's restrictions on federal funding for abortion, have suddenly come out against the legislation — unless the language they object to is removed.

Senate Minority Leader Harry Reid (D-Nev.) said in a statement on the Senate floor on March 11:



If my friend, the Republican leader [Mitch McConnell], is so in tune with getting this passed, take that [abortion funding restricting] legislation out of the bill. Otherwise, it will not pass.

Reid's statement was a far departure from what he had said just two days earlier, when *The Hill* reported that he was so firmly behind the legislation that he suggested the it could bypass some of the procedural hurdles that normally slow down legislation. "I think it would be a waste of the Senate's time to have a motion on a vote to proceed and a waste of time afterwards," Reid said on March 9. "So I hope that we can get on this legislation tomorrow. I doubt if there will be problems on my side. If there is, I will work to clear them."

McConnell said from the Senate floor the same day: "Victims groups and advocates have called this bipartisan measure the most comprehensive and thoughtful piece of anti-trafficking legislation currently pending."

It truly is a bipartisan measure. Though it was introduced in the House by a Republican, Ted Poe of Texas, five of the 15 cosponsors of the bill in the House were Democrats and, after there were no objections, it passed the House on a voice vote.

After it was introduced in the Senate (as S. 178) by John Cornyn (R-Texas.), it won the support of 16 Democratic cosponsors, including such high-profile liberal senators as Dianne Feinstein, Charles Schumer, and Barbara Boxer.

Two days later, after apparently having read the entire text of the legislation, Democrats suddenly decided they could no longer support it. (Perhaps House Democrats had followed the advice that their leader, Nancy Pelosi, once gave: "But we have to pass the bill so that you can find out what is in it.")

Discovering the language in the bill they objected to, Senate Democrats were quick to complain.

Minority Leader Reid said:

Today, the Senate is doing a good deed. We have a chance to address human trafficking. In this legislation that is meant as an outline to stop child trafficking and human trafficking generally, there is a provision in this legislation dealing with abortion. It has nothing, nothing to do with this.

Schumer, who had cosponsored the bill on February 12, complained:



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A list was sent to certain members saying, “Here are the changes from last year.” This provision was not listed among them.

And Patrick Leahy (D-Vt.) voiced his objections:

Senator Cornyn’s language, restricting needed, legal health care for women, was not included in the trafficking package the Judiciary Committee reported last year. I regret that Senator Cornyn put it in his new legislation this year.

In response to these objections, McConnell noted:

This bill has been available for any senator and any member of the public to read since January. This bipartisan legislation was considered and strengthened in an open and transparent committee process, and this human rights bill conforms with long-standing bipartisan laws our Democratic friends have supported, repeatedly.

Cornyn also defended his legislation, noting:

Democrats have supported legislation consistent with the Hyde Amendment for a long, long time. As I’ve said, it’s been the law of the land for 39 years. All the Democrats, every single Democrat, voted to support Obamacare, which contained the same restriction on taxpayer funding for abortions.

In other words, our Democratic friends have voted time, and time, and time, and time again for the exact same language they now say they’re going to filibuster on the Justice for Victims of Trafficking Act. Language they said they weren’t aware of when they voted for it. They didn’t read. Their staff didn’t tell them about it.

The original Hyde Amendment, passed in 1976, was named for its chief sponsor, Rep. Henry Hyde, (R-Ill.) It prohibited the use of certain federal funds to pay for abortions, unless a pregnancy resulted from incest or rape. It was never a permanent law, in itself, but has continued, in different forms, as a rider to annual appropriations bills passed since 1976.

Despite the current controversy, the word “abortion” does not appear in the Justice for Victims of Trafficking Act. The point of contention is found in the following language:

LIMITATIONS- Amounts in the Fund, or otherwise transferred from the Fund, shall be subject to the limitations on the use or expending of amounts described in sections 506 and 507 of division H of the Consolidated Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 409) to the same extent as if amounts in the Fund were funds appropriated under division H of such Act.

The Consolidated Appropriations Act, 2014 was nicknamed the “cromnibus,” because it combined appropriations for the overall budget (“Omnibus”) with a continuing resolution temporarily funding the Department of Homeland Security. A summary of the appropriations bill found on the House Republicans’ website notes:

Life — The Omnibus maintains all existing pro-life policy and funding provisions that have been carried in Appropriations legislation in previous years, including the Hyde Amendment, a ban on public funding for abortions in the District of Columbia, and a ban on abortion funding for federal prisoners. The bill also reduces Title X family planning funding by \$10 million.

S. 178, therefore, does not break new ground and is not a specifically pro-life bill. It merely plugs in to an appropriations bill signed into law by President Obama on January 17. This approval by Obama as



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part of a deal to pass overall legislation that he favored, was not unique. Back on March 21, 2010, Obama signed Executive Order 13535, which preserved the Hyde Amendment's policy restricting federal funds for abortion within the context of the ObamaCare legislation. Obama signed the order after an agreement with pro-life Representative Bart Stupak (D-Mich.), who had said he and several other pro-life Democrats in the House would not support the Patient Protection and Affordable Care Act (ObamaCare) unless the bill's language prohibiting federal funding of abortions was strengthened.

It may be conceded that the Hyde Amendment-like language in S. 178 is not readily apparent to the untrained layman, but our senators are not laymen. They employ large staffs responsible for reviewing all legislation they vote for in the hope that they will understand exactly what it is they are supporting or opposing.

Furthermore, their constituents who recognize the humanity of the unborn child and the horrendous consequences of abortion should not, in conscience, be forced to pay their tax dollars to support actions they find to be morally reprehensible.

Any language that frees taxpayers from such a dilemma is worthy of support, even from those legislators who consider themselves to be "pro-choice." Contrary to what senators such as Patrick Leahy have asserted, abortion is never "needed" — as the Life Institute pointed out, "There are NO conditions arising in pregnancy that can ONLY be treated by directly ending the life of the unborn child." Nor can it honestly be called "health care."

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