

**AMENDMENT TO THE AMERICAN RESCUE PLAN**  
**ACT OF 2021**  
**OFFERED BY MRS. GREENE OF GEORGIA**

Add at the end the following new titles:

1 **TITLE XIII—PROHIBITING FED-**  
2 **ERALLY FUNDED ABORTIONS**

3 **SEC. 13001. PROHIBITING TAXPAYER FUNDED ABORTIONS.**

4 Title 1, United States Code, is amended by adding  
5 at the end the following new chapter:

6 **“CHAPTER 4—PROHIBITING TAXPAYER**  
7 **FUNDED ABORTIONS**

“301. Prohibition on funding for abortions.

“302. Prohibition on funding for health benefits plans that cover abortion.

“303. Limitation on Federal facilities and employees.

“304. Non-preemption of other Federal laws.

“305. Construction relating to complications arising from abortion.

“306. Application to District of Columbia.

8 **“§ 301. Prohibition on funding for abortions**

9 “No funds authorized or appropriated by Federal  
10 law, and none of the funds in any trust fund to which  
11 funds are authorized or appropriated by Federal law, shall  
12 be expended for any abortion.

13 **“§ 302. Prohibition on funding for health benefits**  
14 **plans that cover abortion**

15 “None of the funds authorized or appropriated by  
16 Federal law, and none of the funds in any trust fund to

1 which funds are authorized or appropriated by Federal  
2 law, shall be expended for health benefits coverage that  
3 includes coverage of abortion.

4 **“§ 303. Limitation on Federal facilities and employees**

5 “No health care service furnished—

6 “(1) by or in a health care facility owned or op-  
7 erated by the Federal Government; or

8 “(2) by any physician or other individual em-  
9 ployed by the Federal Government to provide health  
10 care services within the scope of the physician’s or  
11 individual’s employment,  
12 may include abortion.

13 **“§ 304. Non-preemption of other Federal laws**

14 “Nothing in this chapter shall repeal, amend, or have  
15 any effect on any other Federal law to the extent such  
16 law imposes any limitation on the use of funds for abortion  
17 or for health benefits coverage that includes coverage of  
18 abortion, beyond the limitations set forth in this chapter.

19 **“§ 305. Construction relating to complications arising**  
20 **from abortion**

21 “Nothing in this chapter shall be construed to apply  
22 to the treatment of any infection, injury, disease, or dis-  
23 order that has been caused by or exacerbated by the per-  
24 formance of an abortion. This rule of construction shall

1 be applicable without regard to whether the abortion was  
2 performed in accord with Federal or State law.

3 **“§ 306. Application to District of Columbia**

4 “In this chapter:

5 “(1) Any reference to funds appropriated by  
6 Federal law shall be treated as including any  
7 amounts within the budget of the District of Colum-  
8 bia that have been approved by an Act of Congress  
9 pursuant to section 446 of the District of Columbia  
10 Home Rule Act (or any applicable successor Federal  
11 law).

12 “(2) The term ‘Federal Government’ includes  
13 the government of the District of Columbia.”.

14 **SEC. 13002. AMENDMENT TO TABLE OF CHAPTERS.**

15 The table of chapters for title 1, United States Code,  
16 is amended by adding at the end the following new item:

**“4. Prohibiting taxpayer funded abortions ..... 301”.**

17 **TITLE XIV—APPLICATION**  
18 **UNDER THE AFFORDABLE**  
19 **CARE ACT**

20 **SEC. 14001. CLARIFYING APPLICATION OF PROHIBITION TO**  
21 **PREMIUM CREDITS AND COST-SHARING RE-**  
22 **DUCTIONS UNDER ACA.**

23 (a) IN GENERAL.—

24 (1) DISALLOWANCE OF REFUNDABLE CREDIT  
25 AND COST-SHARING REDUCTIONS FOR COVERAGE

1 UNDER QUALIFIED HEALTH PLAN WHICH PROVIDES  
2 COVERAGE FOR ABORTION.—Subparagraph (A) of  
3 section 36B(c)(3) of the Internal Revenue Code of  
4 1986 is amended by inserting before the period at  
5 the end the following: “or any health plan that in-  
6 cludes coverage for abortions (other than any treat-  
7 ment described in section 305 of title 1, United  
8 States Code)”.

9 (2) DISALLOWANCE OF SMALL EMPLOYER  
10 HEALTH INSURANCE EXPENSE CREDIT FOR PLAN  
11 WHICH INCLUDES COVERAGE FOR ABORTION.—Sub-  
12 section (h) of section 45R of the Internal Revenue  
13 Code of 1986 is amended—

14 (A) by striking “Any term” and inserting  
15 the following:

16 “(1) IN GENERAL.—Any term”; and

17 (B) by adding at the end the following new  
18 paragraph:

19 “(2) EXCLUSION OF HEALTH PLANS INCLUDING  
20 COVERAGE FOR ABORTION.—The term ‘qualified  
21 health plan’ does not include any health plan that  
22 includes coverage for abortions (other than any  
23 treatment described in section 305 of title 1, United  
24 States Code).”.

1           (3) CONFORMING ACA AMENDMENTS.—Section  
2       1303(b) of Public Law 111–148 (42 U.S.C.  
3       18023(b)) is amended—

4           (A) by striking paragraph (2);

5           (B) by striking paragraph (3), as amended  
6       by section 202(a); and

7           (C) by redesignating paragraph (4) as  
8       paragraph (2).

9       (b) APPLICATION TO MULTI-STATE PLANS.—Para-  
10   graph (6) of section 1334(a) of Public Law 111–148 (42  
11   U.S.C. 18054(a)) is amended to read as follows:

12           “(6) COVERAGE CONSISTENT WITH FEDERAL  
13   ABORTION POLICY.—In entering into contracts  
14   under this subsection, the Director shall ensure that  
15   no multi-State qualified health plan offered in an  
16   Exchange provides health benefits coverage for  
17   which the expenditure of Federal funds is prohibited  
18   under chapter 4 of title 1, United States Code.”.

19       (c) EFFECTIVE DATE.—The amendments made by  
20   subsection (a) shall apply to taxable years ending after  
21   December 31, 2021, but only with respect to plan years  
22   beginning after such date, and the amendment made by  
23   subsection (b) shall apply to plan years beginning after  
24   such date.

1 **SEC. 14002. REVISION OF NOTICE REQUIREMENTS REGARD-**  
2 **ING DISCLOSURE OF EXTENT OF HEALTH**  
3 **PLAN COVERAGE OF ABORTION AND ABOR-**  
4 **TION PREMIUM SURCHARGES.**

5 (a) IN GENERAL.—Paragraph (3) of section 1303(b)  
6 of Public Law 111–148 (42 U.S.C. 18023(b)) is amended  
7 to read as follows:

8 “(3) RULES RELATING TO NOTICE.—

9 “(A) IN GENERAL.—The extent of cov-  
10 erage (if any) of services described in para-  
11 graph (1)(B)(i) or (1)(B)(ii) by a qualified  
12 health plan shall be disclosed to enrollees at the  
13 time of enrollment in the plan and shall be  
14 prominently displayed in any marketing or ad-  
15 vertising materials, comparison tools, or sum-  
16 mary of benefits and coverage explanation made  
17 available with respect to such plan by the issuer  
18 of the plan, by an Exchange, or by the Sec-  
19 retary, including information made available  
20 through an Internet portal or Exchange under  
21 sections 1311(c)(5) and 1311(d)(4)(C).

22 “(B) SEPARATE DISCLOSURE OF ABOR-  
23 TION SURCHARGES.—In the case of a qualified  
24 health plan that includes the services described  
25 in paragraph (1)(B)(i) and where the premium  
26 for the plan is disclosed, including in any mar-

1           keting or advertising materials or any other in-  
2           formation referred to in subparagraph (A), the  
3           surcharge described in paragraph (2)(B)(i)(II)  
4           that is attributable to such services shall also be  
5           disclosed and identified separately.”.

6           (b) **EFFECTIVE DATE.**—The amendment made by  
7           subsection (a) shall apply to materials, tools, or other in-  
8           formation made available more than 30 days after the date  
9           of the enactment of this Act.

