

October 22, 2025

Dear Members of Congress,

We are grateful that Republicans continue to stand strong against Democrats' demands for massive spending on a continuing resolution—specifically, funding for Obamacare subsidies that cover abortion plans. Democrats are refusing to fund the government unless Republicans agree to extend Biden's COVID-era expanded subsidies. Any funding for Obamacare, however, whether through cost-sharing reductions or premium tax credits, is forced taxpayer funding of abortion, unless such funds are definitively limited to coverage that excludes elective abortion. Obamacare was written to be self-appropriating from the Treasury rather than appropriated through the Labor, Health and Human Services spending bill, and therefore, Hyde does not apply—and has never applied—to it.

For over 40 years, the Hyde amendment has protected the unborn by stopping taxpayers from being forced to pay for abortion and for health insurance plans that include coverage of abortion. The enactment of Obamacare in 2010 ruptured that longstanding policy by codifying the largest-ever departure from the Hyde amendment and the largest legislative expansion of abortion since *Roe v. Wade*. Among other objectionable provisions, Obamacare authorized massive federal subsidies to assist millions of Americans with purchasing health insurance plans that include abortion. Democrats at the time wrote Obamacare intentionally to avoid the Hyde amendment by bypassing the annual appropriations process to which Hyde applies. Instead of stopping funding for health insurance plans that cover elective abortion in a consistent manner with Hyde, Obamacare expressly permits subsidies for health insurance plans that cover elective abortion. Abortion coverage through these plans is funded using premium tax credits (PTCs) as well as cost-sharing reduction payments (CSRs) that reduce out-of-pocket costs for subsidized enrollees.

Democrats falsely claim that Section 1303¹ applies Hyde to Obamacare. This is not the case. Section 1303 established separate payment and separate accounting requirements to justify taxpayer funding for plans that cover abortion. This “accounting gimmick,” colloquially known as the “abortion surcharge,” allows health insurance plans on Obamacare exchanges to cover elective abortion and still receive taxpayer funds; so long as they collect the surcharge. If they intended to apply the Hyde amendment they could have used the Hyde amendment. They didn't.

Under section 1303, PTCs and CSRs pay for healthcare plans that cover abortion that are not allowable under Hyde. When the taxpayer funds the plan, they make all coverage available to the enrollee, no accounting gimmick changes that. When taxpayer dollars buy a plan that covers abortion, they are funding the abortion. This means that any extension of Obamacare PTCs or CSRs by Congress must be protected by the true Hyde policy.

As pro-life leaders, we urge you to raise your voice to unequivocally oppose any consideration of extending the COVID-era subsidies without Hyde protections. The pro-life Congress must not be a party to Obama's abortion funding scheme.

¹ Patient Protection and Affordable Care Act, Pub. L. No. 111-148, § 1303, 124 Stat. 119, 168–171 (2010).

Sincerely,

Susan B. Anthony Pro-Life America

American Association of Prolife
Obstetricians and Gynecologists (AAPLOG)

AAPLOG Action

Advancing American Freedom

AFA Action

Alabama Policy Institute

American College of Pediatricians

American Principles Project

Americans United for Life

Anglicans For Life

Areté Global Consulting

CA Faith & Freedom Coalition

Campaign Life Missouri

CatholicVote

Center for Christian Virtue

Center for Urban Renewal and Education
(CURE)

Choose Life

Choose Life Coalition

Christian Defense Coalition

Cincinnati Right to Life

Citizens for a Pro-Life Society

Cogency Strategic

Concerned Women for America Legislative
Action Committee

Eagle Forum

Eagle Forum of Alabama

Ethics and Public Policy Center

Ethics and Religious Liberty Commission

Everlasting Light Ministries

Faith & Freedom Coalition

Family Policy Alliance

Family Research Council

Florida Faith & Freedom Coalition

Georgia Faith & Freedom Coalition

Georgia Life Alliance

Good Counsel

Heartlife Foundation

Human Life Alliance

Iowa Faith & Freedom Coalition

Idaho Family Policy Center

Indiana Right to Life

Jewish Pro-Life Foundation

Kansans For Life

Kentucky Right to Life

KY Faith & Freedom Coalition

Liberty Counsel Action

Life Issues Institute

Life Legal Defense Foundation

LifeNews.com

Live Action

Louisiana Family Forum

Maine Right to Life

March for Life Action

Maryland Family Institute

Maryland Right to Life, Inc.

Midwest March for Life
Missouri Right to Life
Montana Family Foundation
Montanans for Life
National Pro-Life Alliance
National Right to Life
Natrona County Chapter, Wyoming Right to Life
NC Faith & Freedom Coalition
NC Values Coalition
Nebraska Family Alliance
Nevada Faith & Freedom Coalition
New Jersey Right to Life
New Mexico Alliance for Life
New York Families Action
NY Faith & Freedom Coalition
Ohio Faith & Freedom Coalition
Oregon Right to Life
PA Faith & Freedom Coalition
Palmetto Family Council
Pennsylvania Family Institute
Priests for Life
Pro-Life Action League
Pro-Life Action Ministries
Pro-Life Greenville (South Carolina)
Pulse Life Advocates
Right to Life of Central California

Right to Life of Michigan
Right to Life of Northeast Indiana
Right to Life of Southwest Indiana
S.M.A.R.T. Women's Healthcare - Science Matters in Abortion Related Trauma
Sanctuary Cities for the Unborn Initiative
SC Faith & Freedom Coalition
Speakhope.net
Stanton Healthcare
Students for Life Action
Tennessee Faith & Freedom Coalition
Tennessee Right to Life
Texas Faith & Freedom Coalition
Texans for Life Committee
Texas Values
The Abortion Survivors Network
The Family Foundation of Kentucky
The FAMiLY Leader
The Justice Foundation
Thomas More Society
Tradition, Family, Property, Inc.
Unplanned Good Inc.
Virginia Faith & Freedom Coalition
Wisconsin Faith & Freedom Coalition
WV Faith & Freedom Coalition
Wyoming Family Alliance