

103D CONGRESS  
1ST SESSION

# H. R. 26

To amend various provisions of law to ensure that services related to abortion are made available to the same extent as are all other pregnancy-related services under federally funded programs.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. FAZIO of California (for himself, Mr. ABERCROMBIE, Mr. BEILENSON, Mr. BERMAN, Mrs. CLAYTON, Mr. CONYERS, Mr. DEFazio, Ms. DELAURO, Mr. EDWARDS of California, Mr. FRANK of Massachusetts, Mr. FROST, Mrs. JOHNSON of Connecticut, Mrs. KENNELLY, Mr. KOPETSKI, Mrs. LOWEY of New York, Mr. McDERMOTT, Mr. MACHTLEY, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Ms. MOLINARI, Mr. MORAN, Mrs. MORELLA, Ms. NORTON, Mr. PAYNE of New Jersey, Mrs. SCHROEDER, Ms. SLAUGHTER, Mr. STARK, Mr. STUDDS, Mr. TORRES, Mr. TOWNS, Mrs. UNSOELD, Mr. WAXMAN, Mr. WYDEN, and Mr. ZIMMER) introduced the following bill; which was referred jointly to the Committees on Armed Services, the District of Columbia, Energy and Commerce, Foreign Affairs, the Judiciary, Natural Resources, and Post Office and Civil Service

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## A BILL

To amend various provisions of law to ensure that services related to abortion are made available to the same extent as are all other pregnancy-related services under federally funded programs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reproductive Health  
3 Equity Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) abortion is a legal medical service related to  
7 pregnancy and the choice to elect an abortion is a  
8 personal, private right protected by the Constitution;

9 (2) the Federal Government provides assistance  
10 for pregnancy-related care for substantial numbers  
11 of women under a variety of Federal programs, in-  
12 cluding the medicaid program, the Indian health  
13 care program, the Federal employees’ health benefits  
14 program (FEHBP), the program of health care for  
15 military dependents and retirees (CHAMPUS), the  
16 Peace Corps program, general payments to the Dis-  
17 trict of Columbia, and the program of medical serv-  
18 ices to Federal penal and correctional institutions;

19 (3) pregnant women who otherwise are provided  
20 pregnancy-related care under these programs have  
21 been denied equal access to health care services due  
22 to Congress’ severe and unjustified restrictions on  
23 their freedom to choose services that relate to abor-  
24 tion; and

25 (4) denial of access to health care services be-  
26 cause those services relate to abortion is unjust and

1       unfair to pregnant women who are or whose spouses  
2       are employed by the Federal Government or who  
3       otherwise are dependent on the Federal Government  
4       for health care and threatens the health and well-  
5       being of themselves and their families.

6       **SEC. 3. MEDICAID PROGRAM.**

7       Section 1902(a)(10) of the Social Security Act (42  
8       U.S.C. 1396a(a)(10)), relating to medical assistance  
9       under the medicaid program, is amended—

10           (1) by striking “and” at the end of subpara-  
11       graph (E);

12           (2) by inserting “and” at the end of subpara-  
13       graph (F); and

14           (3) by inserting after subparagraph (F) the fol-  
15       lowing new subparagraph:

16           “(G) for making medical assistance avail-  
17       able with respect to services related to abortion  
18       to the same extent as such assistance is pro-  
19       vided with respect to other pregnancy-related  
20       services;”.

21       **SEC. 4. FEDERAL EMPLOYEES HEALTH BENEFITS PRO-**  
22       **GRAM.**

23       Section 8904 of title 5, United States Code, relating  
24       to the type of benefits under the Federal employees health

1 benefits program, is amended by adding at the end the  
2 following new subsection:

3 “(c) All plans contracted for under this chapter shall  
4 include benefits for services related to abortion to the  
5 same extent as for other pregnancy-related services.”.

6 **SEC. 5. INDIAN HEALTH CARE.**

7 (a) GENERAL AUTHORITY.—Section 201(b) of the  
8 Indian Health Care Improvement Act (25 U.S.C.  
9 1621(b)), relating to the direct or indirect patient care  
10 program for Indians, is amended by adding at the end the  
11 following new paragraph:

12 “(3) Funds appropriated under the authority of this  
13 section for each fiscal year are available to provide services  
14 related to abortion to the same extent as such funds are  
15 available for other pregnancy-related services.”.

16 (b) CONFORMING AMENDMENT.—Section 806 of the  
17 Indian Health Care Improvement Act (25 U.S.C. 1676)  
18 is repealed.

19 **SEC. 6. MILITARY HEALTH CARE.**

20 (a) MEMBERS AND FORMER MEMBERS.—Section  
21 1074 of title 10, United States Code, relating to medical  
22 and dental care for members and certain former members  
23 of the uniformed services, is amended by adding at the  
24 end the following new subsection:

1 “(d) Medical care provided under this section shall  
2 include services related to abortion to the same extent as  
3 such care includes other pregnancy-related services.”.

4 (b) DEPENDENTS.—Section 1077(a)(8) of such title,  
5 relating to medical care for dependents of members of the  
6 uniformed services, is amended—

7 (1) by striking out the comma after “infant  
8 care” and inserting in lieu thereof a period;

9 (2) by striking out “including” and inserting in  
10 lieu thereof “Such care shall include”; and

11 (3) by inserting before the period at the end the  
12 following: “and services related to abortion to the  
13 same extent as other pregnancy-related services”.

14 (c) CONFORMING AMENDMENT.—Section 1093 of  
15 such title is repealed.

16 **SEC. 7. PEACE CORPS.**

17 Section 5(e) of the Peace Corps Act (22 U.S.C.  
18 2504(e)), relating to health care for Peace Corps volun-  
19 teers, is amended by inserting before the period at the end  
20 of the first sentence the following: “, except that health  
21 care provided under this subsection to volunteers during  
22 their service shall include services related to abortion to  
23 the same extent as such care includes other pregnancy-  
24 related services”.

1 **SEC. 8. DISTRICT OF COLUMBIA.**

2 Section 503 of the District of Columbia Self-Govern-  
3 ment and Governmental Reorganization Act, relating to  
4 the authorization of appropriations of the Federal pay-  
5 ment to the District of Columbia, is amended—

6 (1) by redesignating subsection (b) as sub-  
7 section (c); and

8 (2) by inserting after subsection (a) the follow-  
9 ing new subsection:

10 “(b) Amounts appropriated pursuant to the author-  
11 ization provided under this section shall be made available  
12 for services related to abortion to the same extent as such  
13 amounts may be made available for other pregnancy-relat-  
14 ed services.”.

15 **SEC. 9. FEDERAL PENAL AND CORRECTIONAL INSTITU-**  
16 **TIONS.**

17 Section 4005(a) of title 18, United States Code, re-  
18 lating to medical services to the Federal penal and correc-  
19 tional institution, is amended by adding at the end the  
20 following new sentence: “Notwithstanding any other provi-  
21 sion of law, medical services provided under this sub-  
22 section shall include services related to abortion to the  
23 same extent as they include other pregnancy-related serv-  
24 ices.”.

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