

**Calendar No. 15**

103D CONGRESS  
1ST SESSION

**S. 48**

**A BILL**

To protect the lives of unborn human beings, and  
for other purposes.

MARCH 3, 1993

Read the second time and placed on the calendar

**Calendar No. 15**103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 48**

To protect the lives of unborn human beings, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. HELMS introduced the following bill; which was read the first time

MARCH 3, 1993

Read the second time and placed on the calendar

---

**A BILL**

To protect the lives of unborn human beings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Unborn Children’s

5 Civil Rights Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) scientific evidence demonstrates that abor-  
2           tion takes the life of an unborn child who is a living  
3           human being;

4           (2) a right to abortion is not secured by the  
5           Constitution; and

6           (3) in the cases of *Roe v. Wade*, 410 U.S. 113  
7           (1973) and *Doe v. Bolton*, 410 U.S. 179 (1973) the  
8           Supreme Court erred in not recognizing the human-  
9           ity of the unborn child and the compelling interest  
10          of the States in protecting the life of each person  
11          before birth.

12 **SEC. 3. PROHIBITION ON USE OF FUNDS FOR ABORTION.**

13          No funds appropriated by Congress shall be used to  
14          take the life of an unborn child, except that such funds  
15          may be used only for those medical procedures required  
16          to prevent the death of either the pregnant woman or her  
17          unborn child so long as every reasonable effort is made  
18          to preserve the life of each.

19 **SEC. 4. PROHIBITION ON USE OF FUNDS TO ENCOURAGE**  
20 **OR PROMOTE ABORTION.**

21          No funds appropriated by Congress shall be used to  
22          promote, encourage, counsel for, refer for, pay for (includ-  
23          ing travel expenses), or do research on, any procedure to  
24          take the life of an unborn child, except that such funds  
25          may be used in connection with only those medical proce-

1 dures required to prevent the death of either the pregnant  
2 woman or her unborn child so long as every reasonable  
3 effort is made to preserve the life of each.

4 **SEC. 5. PROHIBITION ON ENTERING INTO CERTAIN INSUR-**  
5 **ANCE CONTRACTS.**

6 Neither the United States, nor any agency or depart-  
7 ment thereof shall enter into any contract for insurance  
8 that provides for payment or reimbursement for any pro-  
9 cedure to take the life of an unborn child, except that the  
10 United States, or an agency or department thereof may  
11 enter into contracts for payment or reimbursement for  
12 only those medical procedures required to prevent the  
13 death of either the pregnant woman or her unborn child  
14 so long as every reasonable effort is made to preserve the  
15 life of each.

16 **SEC. 6. LIMITATIONS ON RECIPIENTS OF FEDERAL FUNDS.**

17 No institution, organization, or other entity receiving  
18 Federal financial assistance shall—

19 (1) discriminate against any employee, appli-  
20 cant for employment, student, or applicant for ad-  
21 mission as a student on the basis of such person's  
22 opposition to procedures to take the life of an un-  
23 born child or to counseling for or assisting in such  
24 procedures;

1           (2) require any employee or student to partici-  
2           pate, directly or indirectly, in a health insurance  
3           program which includes procedures to take the life  
4           of an unborn child or which provides counseling or  
5           referral for such procedures; or

6           (3) require any employee or student to partici-  
7           pate, directly or indirectly, in procedures to take the  
8           life of an unborn child or in counseling, referral, or  
9           any other administrative arrangements for such pro-  
10          cedures.

11 **SEC. 7. LIMITATION ON CERTAIN ATTORNEY'S FEES.**

12          Notwithstanding any other provision of Federal law,  
13          attorneys' fees shall not be allowable in any civil action  
14          in Federal court involving, directly or indirectly, a law, or-  
15          dinance, regulation, or rule prohibiting or restricting pro-  
16          cedures to take the life of an unborn child.

17 **SEC. 8. APPEALS OF CERTAIN CASES.**

18          Between the first and second paragraphs of section  
19          1252 of title 28, United States Code, insert the following  
20          new paragraph:

21          “Notwithstanding the absence of the United States  
22          as a party, if any State or any subdivision of any State  
23          enforces or enacts a law, ordinance, regulation, or rule  
24          prohibiting procedures to take the life of an unborn child,  
25          and such law, ordinance, regulation, or rule is declared

1 unconstitutional in an interlocutory or final judgment, de-  
2 cree, or order of any court of the United States, any party  
3 in such a case may appeal such case to the Supreme  
4 Court, notwithstanding any other provision of law.”.