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To: South Dakota Right to Life

From: Ingrid Duran, Director, State Legislation Department, National Right to Life Committee (NRLC)

Date: February 25, 2020

RE: NRLC Strongly Urges Opposition to The Life Appropriation Act (HB 1225)

The National Right to Life Committee (NRLC) strongly urges the defeat of HB 1225 known as The Life Appropriation Act. Voting for the passage of this bill is not a prolife vote.

These bills purport to prevent public funds from being used to promote or perform abortion in Tennessee using a flawed legal theory. The findings of these bills use the argument that because secular humanists favor abortion, that funding abortion is promoting a religious belief, therefore violating the Establishment Clause of the United States Constitution.

NRLC's General Counsel James Bopp Jr. recently advised our department that:

“We have strongly opposed the argument that the Bill embraces -- that, because something is consistent with the teaching of a religion, it is inherently a religious belief. The pro-abortion side has made this argument against us -- that because abortion is condemned by numerous religions, government restrictions on abortion violate the Establishment clause. We have fought this argument but it is embraced in principle by the Bill. We do not want this principle to be embraced, especially by our side.”

Embracing a flawed legal theory such as this, would endanger the very prolife laws we seek to pass that provide effective protection for unborn children. It is also unnecessary since the United States Supreme Court has ruled consistently that state governments are not required to fund for abortions or provide resources for abortion. See: *Harris v. McRae*, 448 U.S. 497 (1980); *Maher v. Roe*, 432 U.S. 464 (1977); *Poelker v. Doe*, 432 U.S. 519 (1977) (St. Louis City Hospital not required to perform abortions).

The National Right to Life Committee urges opposition to The Life Appropriation Act (HB 1225).