

A Pro-Life Agenda for the 119th Congress and the Administration

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KEY TAKEAWAYS

Congress and the Trump Administration should reverse the Biden-era pro-abortion policies.

Congress and the Administration should restore, and build on, the pro-life policies enacted during the first Trump Administration.

Congress can and should take additional action to protect unborn life. It must act quickly, or else squander this historic opportunity.

With a pro-life majority in both the House and the Senate, Congress can—and should—pursue a pro-life, pro-family agenda. But the numbers do not lie: The majority in the House is razor thin, and the majority in the Senate is not filibuster proof. This means that Members must be insistent, creative, and willing to stand their ground.

Congress Must Pursue Pro-Life Policies

Congress must protect unborn children who survive abortion attempts, permanently prohibit taxpayer funding for elective abortion, defund abortion providers like Planned Parenthood, protect women and girls from dangerous abortion drugs, protect rights of conscience, and repeal the Freedom of Access to Clinic Entrances (FACE) Act.

This paper, in its entirety, can be found at <https://report.heritage.org/bg3915>

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Abortion Survivors. Babies can and do survive abortion attempts. While some states provide legal protection for these babies—and criminal penalties for medical providers who fail to provide them with care—many states do not.¹ The Born Alive Abortion Survivors Protection Act² would require that an abortion survivor receive the same care as any other newborn. In January 2025 the Senate voted on the bill but could not reach the 60-vote threshold to overcome a filibuster.³ Two days later, the bill passed in the House.⁴ Congress should continue trying to protect abortion survivors; protecting these babies should not be remotely controversial.

Abortion Funding. Congress must not allow taxpayer funding of abortions. For nearly 50 years the Hyde Amendment has banned federal funding for most abortions. Similar language applies across government funding streams from State and Foreign Operations (SFOPS) to the Department of Justice (DOJ), to the District of Columbia via the Financial Services and General Government (FSGG) appropriations. The “Hyde family” of provisions’ lifesaving impact is possible because they are included in each annual appropriations bill. But, instead of relying on this patchwork of annual appropriations amendments, Congress should make the Hyde policy permanent. This would be accomplished through the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act.⁵

Planned Parenthood. Planned Parenthood is the nation’s largest abortion provider, as well as the largest provider of sterilizing cross-sex hormones in the country. Planned Parenthood’s most recent 2023–2024 annual report reveals that it ended the lives of more than 400,000 unborn babies in one year.⁶ Non-abortion services, such as cancer screenings and prenatal services, have declined over the years, while government funding is at an all-time high.⁷ The most recent annual report reveals that Planned Parenthood received almost \$800 million in government funding in one year.⁸ Government funding sources include Medicaid reimbursements, Title X Family Planning Program grants, and COVID-19 relief programs, such as the Paycheck Protection Program.

Because money is fungible, every dollar that taxpayers provide to Planned Parenthood for non-abortion activities frees up money for Planned Parenthood to devote to abortion. Taxpayers should no longer be forced to subsidize Big Abortion. Legislation, such as the Protecting Life and Taxpayers Act⁹ and the End Taxpayer Funding for Abortion Providers Act,¹⁰ would end taxpayer funding for Planned Parenthood once and for all. Congress can also defund Planned Parenthood via the budget reconciliation process, discussed below.

Dangerous Abortion Drugs. Abortion pills are used in more than half of all abortions in the United States. These dangerous drugs harm women and girls who abort, or try to abort, their babies this way. One recent study found that the adverse-event rate for these drugs is 22 times higher than the rate reported on the Food and Drug Administration (FDA) label.¹¹ The Obama and Biden Administrations removed many important safety protocols for these risky drugs, sanctioning dangerous practices, such as sending abortion drugs by mail and allowing abortionists to prescribe them without women receiving an in-person evaluation. The abortion pill’s politicized approval process, the FDA’s ideologically motivated negligence of post-marketing oversight, and the health and safety risks of these drugs are detailed in previous Heritage Foundation *Backgrounders*.¹² Congress can and should step in. The Support and Value Expectant Moms and Babies Act, or SAVE Moms and Babies Act, would put a stop to mail-order abortion drugs and restore safety protocols that were wrongly removed during the Obama and Biden Administrations.¹³

Conscience Protection. No person should ever face discrimination for declining to perform, participate in, or pay for an abortion. Federal law acknowledges as much, with permanent laws such as the Church and Coats–Snowe Amendments, as well as the Weldon Amendment, which is an annual rider to Department of Health and Human Services (HHS) appropriations.¹⁴ But when these policies are violated, an individual or entity’s only recourse is to file a complaint with the Office for Civil Rights (OCR) at HHS and hope for a remedy. During the Biden and Obama Administrations, the OCR failed to address or remedy complaints of conscience violations. The Conscience Protection Act¹⁵ would codify the Weldon Amendment. It would also provide a private right of action so that Americans can have their day in court if they allege that their conscience has been violated, instead of leaving them at the mercy of a government bureaucracy that may or may not prioritize protecting conscience rights. Congress should also amend Title VI to cover religious discrimination in all federally funded programs.

The FACE Act. The Free Access to Clinic Entrances (FACE) Act, enacted in 1994, prohibits physically obstructing, injuring, intimidating, or interfering with anyone “obtaining or providing reproductive health services.”¹⁶ Proponents argued that the act was necessary due to widespread activity, such as blockades, and harassment and violence directed at abortion clinics and workers. While sufficient laws exist at the state level to address criminal activity, the Justice Department under President Joe Biden weaponized the FACE Act against peaceful pro-life Americans while failing to vigorously apply FACE Act protections that apply to churches and pregnancy centers, which faced increasing attacks after the leak of the *Dobbs* decision draft

overturning *Roe v. Wade*.¹⁷ As a Heritage Foundation *Legal Memorandum* further explains, Congress could have addressed the problem “in a way that minimized the likelihood it would be weaponized against individuals and used to suppress ordinary pro-life activity and expression,” but did not. “Instead, abortion advocates used the controversy over some pro-life activities to create a weapon for attacking and suppressing a much broader range of pro-life activity and expression.”¹⁸

To address this abuse, President Donald Trump pardoned 23 pro-life activists convicted under the FACE Act. These are encouraging steps. Congress should go further and repeal the FACE Act, which can be accomplished through the FACE Act Repeal Act of 2025.¹⁹

Power of the Purse

In order to promote pro-life policies via federal spending, Congress should:

Retain Existing Funding Prohibitions for Abortion. Appropriations bills, including omnibus bills and continuing resolutions (CRs), must retain all existing pro-life and conscience-protection riders (such as the Hyde provisions).

Incorporate Additional Pro-Life Policies into Appropriations and Omnibus Bills and CRs. In addition to incorporating the policies of standalone legislation as appropriations riders, many more life-affirming policies can be included in government funding bills. For example, Congress can require the FDA to strengthen existing protections for abortion drugs or prohibit review of new drug applications for new abortion methods. Congress can prohibit funding for morally and ethically unsound research using embryonic stem cells and fetal tissue obtained from abortions and limit the number of human embryos created without a reasonable likelihood of implantation through in vitro fertilization—like much of the world already does. Congress can also make clear that Hyde protections include prohibitions on federal funding of abortion-related travel.

Defund Planned Parenthood in Budget Reconciliation. The budget reconciliation process, which Congress uses “to navigate decisions on spending, taxes, and budget deficits,”²⁰ offers a prime opportunity to defund Planned Parenthood. Unlike regular order in the Senate where a 60-vote threshold is needed to pass legislation, reconciliation requires a simple majority of 51 votes. For a policy to be included as an amendment to a reconciliation bill, it must meet certain requirements, such as being related to the underlying bill and not increasing the deficit.²¹

Previous reconciliation attempts have already laid out the road map to defunding Planned Parenthood: In both 2015²² and 2017,²³ initial versions of reconciliation bills included such a provision. Specifically, the bills prohibited making money available to a “prohibited entity,” defined as certain organizations that provide abortions. These bills ultimately did not make it into law.

In May 2025, the House passed reconciliation legislation called the One Big Beautiful Bill Act.²⁴ The bill includes a provision prohibiting certain abortion providers, such as Planned Parenthood, from receiving Medicaid funding for a 10-year period, and the Senate version includes a defunding provision for a one-year period.²⁵

Planned Parenthood’s most recent annual report²⁶ reveals that the abortion giant received almost \$800 million in federal funds in a single year. Meanwhile, it aborted more than 400,000 unborn children. Planned Parenthood’s “market share” of known abortions in the United States is roughly 40 percent.²⁷ Taxpayers should not be forced to subsidize Big Abortion. Stripping Planned Parenthood of the bulk of its federal funding through reconciliation is a prime opportunity to achieve this long-standing goal.

President Trump Can Undo Four Years of Attacks on Pro-Life Policies

During his four-year term, President Biden repeatedly used administrative and regulatory policy to advance his radical pro-abortion agenda. Though the to-do list remains long, President Trump has already begun to reverse the damage. So far, the President has:

Issued an Executive Order to Disentangle Taxpayers from Abortion Funding. On January 24, President Trump issued an executive order making clear that it is U.S. policy “to end the forced use of Federal taxpayer dollars to fund or promote elective abortion.”²⁸ The order also revokes two of President Biden’s executive orders that (1) imposed a government effort to promote and fund abortion and to politicize enforcement of the FACE Act, and (2) promoted abortion access, including via Medicaid payments for abortion-related travel.

Reinstated the Protecting Life in Global Health Assistance Policy. This policy is an expanded version of the Mexico City Policy. Under this policy, nongovernmental organizations must certify that they will not “perform or actively promote abortion as a method of family planning” as a condition for receiving U.S. funds.²⁹ Originally announced by President Ronald Reagan in 1984, the Mexico City Policy was enforced by all

Republican Presidents and suspended under all Democratic Presidents (most recently President Biden). During his first term, President Trump expanded the policy and renamed it the Protecting Life in Global Health Assistance Policy. It now applies to a wider range of global health funding than the Mexico City Policy.³⁰ The policy does not reduce the amount of available global health funding. Rather, it ensures that the American taxpayer is not subsidizing international abortion organizations, such as the International Planned Parenthood Federation. President Trump reinstated the Protecting Life in Global Health Assistance Policy on January 24, 2025.³¹

Defunded the United Nations Population Fund (UNFPA). President Trump initiated the process to defund the UNFPA on January 24, 2025.³² The Kemp–Kasten Amendment to SFOPS appropriations authorizes the President to withhold federal funding from any organization that “supports or participates in the management of a program of coercive abortion or involuntary sterilization.”³³ Under Republican Presidents, including President Trump, Kemp–Kasten has been used to withhold funding from the UNFPA due to its complicity in China’s coercive and inhumane population control policies.

Renewed Membership to the Geneva Consensus Declaration. On January 24, 2025, the United States renewed its membership to the Geneva Consensus Declaration (GCD).³⁴ The GCD is a partnership of more than 35 countries united in the goal of improving women’s health, preserving human life, strengthening the family, and protecting national sovereignty. The GCD originated during President Trump’s first term as countries pushed back against aggressive abortion promotion within the United Nations ecosystem. President Biden withdrew from the GCD shortly after taking office in 2021.³⁵

Committed to Promoting Pro-Woman, Pro-Family Policies on the International Stage. In a recent statement at the United Nations, the United States declared that it will “no longer promote radical ideologies that replace women with men in spaces and opportunities designed for women. Nor will it devastate families by indoctrinating our sons and daughters to begin wars with their own bodies—or each other.”³⁶

Froze Millions of Dollars of HHS Funding for Abortion Providers. In March 2025, HHS froze \$27.5 million in Title X Family Planning Program funding (roughly one-eighth of the program’s \$200 million budget) to certain groups, including Planned Parenthood, over potential violations of President Trump’s executive order banning discriminatory diversity, equity, and inclusion (DEI) policies in government as well as the private sector. According to an HHS spokesperson, funding was paused for 16

Title X grantees while the Administration reviews these organizations to ensure that they “are in full compliance with Federal law and applicable grant terms, and to ensure responsible stewardship of taxpayer dollars.”³⁷

Restored Millions in Family Planning Funding to Pro-Life States.

The Trump Administration restored Title X Family Planning Program funding that had been previously denied by the Biden Administration in Oklahoma³⁸ and Tennessee.³⁹ Both states, which have enacted strong pro-life laws protecting women and unborn children in recent years, would not counsel women on abortions—something the Biden Administration demanded as a requirement to receive Title X grants.⁴⁰

Rescinded the Department of Defense (DOD) Abortion Travel Policy. On January 29, 2025, the DOD rescinded the Biden Administration’s memorandum that, among other things, instructed employees to make travel and transportation allowances available for abortion if such services are not available locally.⁴¹ Between June and December 2023, the policy was used 12 times and cost taxpayers nearly \$45,000.⁴² In the interest of transparency, the DOD should publicize 2024 data as well.

Released a Pro-Life Budget Request for Fiscal Year (FY) 2026. In May, the Office of Management and Budget (OMB) released its budget request for the upcoming fiscal year.⁴³ The request includes long-standing proposals, such as Hyde protections across multiple departments (foreign and domestic), conscience protections, and bioethics-related funding restrictions for certain research. New requests include additional protections separating foreign aid funding from organizations that perform or promote abortions, additional conscience protections for medical students, stripping Planned Parenthood of any HHS funding, and ending funding for fetal tissue research. While the proposal is a request and Congress will ultimately decide FY 2026 funding and dollar amounts, the Administration has outlined its strong commitment to pro-life policymaking throughout the government.

Rescinded Emergency Medical Treatment And Labor Act (EMTALA) Guidance. On May 30, 2025, the Centers for Medicare and Medicaid Services (CMS) rescinded Biden-era guidance that wrongly claims that federal law on emergency medical care requires that doctors perform elective abortions.⁴⁴

Further Action Needed

Previous Heritage Foundation *Backgrounders*, listed in the appendix, have detailed the full scope of President Biden’s policies that need to be

reversed and policies from President Trump's first term that should be reinstated. The policies listed below, while not exhaustive, encompass vital ways in which the Administration can restore and build on President Trump's pro-life policies.

HHS should:

- **Restore** the Conscience and Religious Freedom Division within HHS's OCR, **reinstate** the 2019 regulation⁴⁵ that strengthened enforcement of conscience rights statutes, and **robustly enforce** conscience rights laws against states and hospitals found to be in violation.
 - This includes restoring the \$200 million per quarter Medicaid disallowance on California for its violations of the Weldon Amendment⁴⁶ for forcing people, including an order of nuns, to buy insurance that includes abortion coverage. The Biden Administration did not hold California accountable for its violations.⁴⁷

- **Reinstate** pro-life regulations, including:
 - The regulation that requires Title X Family Planning Program grant recipients to physically and financially separate all abortion activity from Title X activity and prohibits promoting or referring for abortion.⁴⁸
 - HHS should ensure that the reinstated version of the Title X regulation reverses the Biden-era prohibition on funding groups that offer fertility awareness-based methods (FABMs),⁴⁹ but not other contraceptive methods, in Title X programs.
 - The regulation that enforces the Affordable Care Act's (ACA's) requirement that insurers be transparent about a plan's abortion coverage and collect a separate payment for elective abortion coverage in qualified health plans (QHPs) approved to be sold on the exchanges.⁵⁰
 - The regulation that enforces the ACA's nondiscrimination provision in section 1557, making clear that discrimination on the basis of "sex" does not encompass "gender identity" and abortion.⁵¹

- **Ensure** that no federal funding goes to entities that conduct research on unethical and obsolete fetal tissue obtained from elective abortions and **prioritize** ethical alternatives instead.
- **Maintain** both moral and religious exemptions from the ACA’s contraception mandate and promulgate a regulation that enforces the Religious Freedom Restoration Act.
- **Invite** states—via the CMS—to seek Medicaid Section 1115 waivers (and resolve any currently pending) to prohibit abortion providers from participating in state-run Medicaid programs. Abortion is not health care, and states should be free to work with qualified providers that are not part of the abortion industry.
- **Ensure** that all offices offering grants, contracts, and other funding respect the religious and moral beliefs of applicants and do not discriminate against faith-based organizations.
- **Require** the FDA to collect all serious adverse events—not just deaths—associated with dangerous abortion drugs and reverse the Biden Administration’s reckless policy of allowing abortion pills to be shipped by mail and dispensed without in-person interaction with a physician.⁵²
- **Rescind or revise** pro-abortion Biden-era regulations, including:
 - A regulation implementing the Pregnant Workers Fairness Act (PWFA) wrongly defining a medical condition related pregnancy to include abortion (and thus requiring employers to provide accommodation).⁵³
 - A regulation that purports to strengthen protections for sensitive private health information but would turn medical professions in pro-life states into criminals if they cooperate in certain investigations related to abortion (even in cases involving rape, trafficking, and abuse).⁵⁴
 - A regulation that requires the Office for Refugee Resettlement to facilitate abortions for unaccompanied children in its custody.⁵⁵

- A regulation that undermines the prohibition on elective abortion funding within the Indian Health Service.⁵⁶
- A regulation on Title IX that, among other things, redefined pregnancy to include abortion.⁵⁷ In January 2025 a federal court blocked⁵⁸ the regulation from going into effect; any future Title IX regulation must not be used as a vehicle for abortion education, referrals, or access.

The FDA should:

- **Revisit** the safety and approval of chemical abortion pills. Given new research that highlights real-world complications far beyond what the drug label acknowledges,⁵⁹ the FDA should at the very least restore its original safety protocols that required in-person interaction with a doctor and did not allow mail-order abortion. The FDA should also work with the Drug Enforcement Administration to regulate chemical abortion pills as a controlled substance due to the danger of diversion and abuse.

The Department of State should:

- **Combat** gender ideology in multilateral fora like the United Nations and the World Health Organization and **fight** the promotion of abortion under the guise of human rights.⁶⁰
 - The Trump Administration's actions—such as rejoining the Geneva Consensus Declaration and integrating the key functions of the U.S. Agency for International Development into the State Department to ensure that programs such as the U.S. President's Emergency Plan for AIDS Relief (PEPFAR), which has been used to fund abortion, and other vital assistance programs are conducted in accordance with U.S. law (and that they protect life and family)⁶¹—are important steps for achieving this goal.
- **Abandon** policies of cultural colonialism,⁶² which promote abortion and other divisive policies in other countries instead of focusing on security and economic flourishing.
- **Nominate** pro-life personnel to key international roles, including the Ambassador to the United Nations and the Office of Global Women's Issues.

The Department of Defense should:

- **Amend** the Biden-era policy⁶³ that provides assisted-reproductive-technology services for service members injured during active duty and **return** to the original policy in which the qualifying person must be married, and third-party gametes are not permitted. Funding for surrogacy-related costs should be prohibited.

The Department of Veterans Affairs (VA) should:

- **Rescind** the Interim Final Rule on abortion procedures and abortion referrals and counseling to veterans at VA medical facilities.⁶⁴ Potential action appears to be underway.⁶⁵ Between September 2022 and September 2023, the VA provided 88 abortions.⁶⁶ In the interest of transparency, the VA should disclose current figures.
- **Amend** the Biden-era policy⁶⁷ that provides assisted-reproductive-technology services for veterans and **return** to the original policy in which the qualifying person must be married, and third-party gametes are not permitted.

The Department of Justice should:

- **Rescind** the Biden-era memorandum⁶⁸ about interpretation of the Comstock Act, which prohibits mailing “any article or thing designed, adapted, or intended for producing an abortion.”⁶⁹ As explained in a Heritage Foundation *Legal Memorandum*, the Office of Legal Counsel’s interpretation of Comstock is so narrow “that it would be virtually unenforceable.... The plain and ordinary meaning of [Comstock] unambiguously prohibits mailing abortion drugs.”⁷⁰
- **Prosecute** criminals who have attacked and firebombed pregnancy-resource centers and churches because they are pro-life.
- **Investigate** late-term abortions in Washington, DC. Publicly shared images of abortion victims at a late-term abortion facility in 2022 indicate that some preemie-sized babies may have been aborted using the illegal partial-birth abortion procedure. One baby still in the amniotic sac may have been born alive and left to die.⁷¹

- **Promulgate** a regulation that enforces the Religious Freedom Restoration Act and **launch** its own Conscience and Religious Freedom Division.
- **Vet** and **approve** only pro-life judges for appointment to the bench.

Pro-Life President, Congress Must Protect Life

During President Trump's first term, his Administration and Congress made profound gains for the pro-life cause. But President Biden and his pro-abortion allies in Congress worked hard to undermine or reverse those victories. President Trump is already working to undo the damage, and Congress can strike a blow against Big Abortion. But Congress and the Administration must act fast, or else squander this historic opportunity.

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Appendix

Pro-life actions and policies of President Trump's first term are compiled in the following Heritage Foundation reports:

- “Defending Life: Opportunities for the 115th Congress,” Heritage Foundation *Issue Brief* No. 4656, February 23, 2017, <https://www.heritage.org/sites/default/files/2017-02/IB4656.pdf>.
- “The Pro-Life Agenda: A Progress Report for the 115th Congress and the Trump Administration,” Heritage Foundation *Backgrounders* No. 3280, January 24, 2018, <https://www.heritage.org/sites/default/files/2018-01/BG3280.pdf>.
- “Defending Life: Recommendations for the 116th Congress,” Heritage Foundation *Backgrounders* No. 4981, July 24, 2019, <https://www.heritage.org/sites/default/files/2019-07/IB4981.pdf>.
- “The Pro-Life Agenda: A Progress Report for the 116th Congress and the Trump Administration,” Heritage Foundation *Backgrounders* No. 3471, February 24, 2020, <https://www.heritage.org/sites/default/files/2020-02/BG3471.pdf>.

Pro-abortion actions and policies of President Biden's term are compiled in the following Heritage Foundation reports:

- “Defending Life: Recommendations for the 117th Congress,” Heritage Foundation *Issue Brief* No. 6060, March 22, 2021, <https://www.heritage.org/sites/default/files/2021-03/IB6060.pdf>.
- “Pro-Life Progress Report for the 117th Congress and Administration,” Heritage Foundation *Backgrounders* No. 3700, May 3, 2022, <https://www.heritage.org/sites/default/files/2022-05/BG3700.pdf>.
- “A Pro-Life Agenda for the 118th Congress,” Heritage Foundation *Backgrounders* No. 3750, March 1, 2023, <https://www.heritage.org/sites/default/files/2023-03/BG3750.pdf>.
- “A Pro-Life Progress Report for the 118th Congress,” Heritage Foundation *Backgrounders* No. 3898, March 24, 2025, <https://www.heritage.org/sites/default/files/2025-03/BG3898.pdf>.

Endnotes

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8. Planned Parenthood Federation of America, *Annual Report 2023-2024*.
9. H.R. 272, Protecting Life and Taxpayers Act of 2025, 119th Cong., 1st Sess., <https://www.congress.gov/bill/119th-congress/house-bill/272> (accessed June 16, 2025).
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