

9/25

MEMO

TO : PAUL

FROM : CHRIS B.

RE : BAUMAN & ASHBROOK AMENDMENTS TO CONTINUING APPROPRIATIONS RESOLUTION

*BAUMAN AMEND. states that ' the several states are and shall remain free not to fund abortions to the extent that they in their sole discretion deem appropriate.'

Arguments against:

- 1) not a 'states rights' amendment; Fedl. Govt. usually sets minimum levels for any program it creates and funds.
- 2) an Anti-Medicaid amend.- Fedl. Govt. sets minimum levels of care for certain medically necessary services.
- 3) allows states to be more restrictive than Fedl. Gov't : may refuse to fund abortions even in the most dire cases of rape or incest.

*ASHBROOK AMEND. states that ' none of the funds made available by this joint res. shall be expended pursuant to any order or injunction which would compel the expenditure of such funds for a purpose for which such expenditure is specifically prohibited by such Act.'

Arguments against:

- 1) would prevent any court from ruling against an unconstitutional limitation on this appropriations bill.

COMMITTEE ACTION :

Senate Appropriations Committee voted down (12-11) a motion offered by Sen. Stevens to strike both of these restrictive amendments on Sept. 23.

FLOOR ACTION :

Senator Weicker plans to make a motion to strike the restrictive amendments, to be followed by a motion to reinstate the current provisions.