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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend title 18, United States Code, to protect unborn children.

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IN THE HOUSE OF REPRESENTATIVES

Mr. GOOD of Virginia introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title 18, United States Code, to protect unborn  
children.

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. LEGISLATIVE FINDINGS AND DECLARATION OF**

4 **CONSTITUTIONAL AUTHORITY FOR ENACT-**

5 **MENT.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The dignity of every human life is reflected  
8 in our Nation’s founding principles, “Life, Liberty  
9 and the Pursuit of Happiness”.

1           (2) Abortion ends the life of a person entitled  
2           to rights under the Constitution and the laws of this  
3           Nation. Since the 1973 decision of *Roe v. Wade*,  
4           over 60,000,000 abortions have ended the lives of  
5           unborn children. Unborn children are among the  
6           most vulnerable and deserve full and equal protec-  
7           tion of the law.

8           (3) Congress exercised its authority under the  
9           Commerce Clause when it enacted the Partial-Birth  
10          Abortion Ban Act of 2003 and has used that author-  
11          ity to enact other criminal statutes, such as the pro-  
12          hibition on female genital mutilation (18 U.S.C.  
13          116).

14          (4) The Supreme Court has broadly interpreted  
15          Congress' power to regulate interstate commerce,  
16          holding that it applies to activities with a substantial  
17          economic effect or that, cumulatively, affect com-  
18          merce. See, e.g., *NLRB v. Jones & Laughlin Steel*  
19          *Corp.*, 301 U.S. 1 (1937); *United States v. Darby*,  
20          312 U.S. 657 (1941); and *Wickard v. Filburn*, 317  
21          U.S. 111 (1942).

22          (5) Abortion often involves commercial activity  
23          between states and across foreign borders. This in-  
24          cludes the manufacturing and distribution of drugs  
25          that cause abortion and the use of equipment, in-

1       struments, and other supplies that have traveled in  
2       interstate commerce to perform surgical abortions.  
3       See, e.g., *Scarborough v. United States*, 431 U.S.  
4       563 (1977).

5           (6) Article I, section 8, clause 1 of the Con-  
6       stitution grants Congress broad spending powers,  
7       which Congress may attach conditions to: “The Con-  
8       gress shall have Power To lay and collect Taxes, Du-  
9       ties, Imposts and Excises, to pay the Debts and pro-  
10      vide for the common Defense and general Welfare of  
11      the United States”. Furthermore, in clause 18 Con-  
12      gress can “make all Laws which shall be necessary  
13      and proper for carrying into Executive the foregoing  
14      Powers. . .”. The Supreme Court has upheld this  
15      generally in cases like *South Dakota v. Dole* and in  
16      regard to abortion in *Harris v. McRae*.

17           (7) Through the decision in *Dobbs v. Jackson*  
18      *Women’s Health Organization*, handed down in June  
19      2022, the Supreme Court has redressed and cor-  
20      rected the grave injustice which for 50 years had  
21      been perpetuated by their decisions in *Roe v. Wade*,  
22      *Doe v. Bolton*, and *Planned Parenthood v. Casey*, al-  
23      lowing Congress and State legislators to enact legis-  
24      lation to limit abortion as the legislators see fit. The  
25      Court declared that “the Constitution does not con-

1       fer a right to abortion” (Dobbs v. Jackson Women’s  
2       Health Org., 142 S. Ct. 2228, 2234 (2022)).

3           (8) The Supreme Court has held that “[i]t is  
4       time to heed the Constitution and return the issue  
5       of abortion to the people’s elected representatives”  
6       (Dobbs v. Jackson Women’s Health Organization,  
7       142 S. Ct. 2228, 2243 (2022)).

8           (9) The Supreme Court has also held that “[a]  
9       law regulating abortion, like other health and wel-  
10      fare laws, is entitled to a ‘strong presumption of va-  
11      lidity.’ . . . It must be sustained if there is a rational  
12      basis on which the legislature could have thought  
13      that it would serve legitimate State interests...These  
14      legitimate interests include respect for and preserva-  
15      tion of prenatal life at all stages of development. .  
16      . ; the protection of maternal health and safety; the  
17      elimination of particularly gruesome or barbaric  
18      medical procedures; the preservation of the integrity  
19      of the medical profession; the mitigation of fetal  
20      pain; and the prevention of discrimination on the  
21      basis of race, sex, or disability.” (Dobbs v. Jackson  
22      Women’s Health Organization, 142 S. Ct. at 2239).

23           (10) Medical and other authorities now know  
24      more about human prenatal development than ever  
25      before, including that life begins at the moment of

1 conception and the child in a woman’s womb is a  
2 human being.

3 (11) Even if there exists some degree of uncer-  
4 tainty about an aspect of prenatal development, the  
5 Supreme Court has held that Congress and State  
6 legislatures retain “wide discretion to pass legisla-  
7 tion” (Gonzales v. Carhart, 550 U.S. at 163). “The  
8 law need not give abortion doctors unfettered choice  
9 in the course of their medical practice, nor should it  
10 elevate their status above other physicians in the  
11 medical community” (Gonzales v. Carhart, 550 U.S.  
12 at 163). “Medical uncertainty does not foreclose the  
13 exercise of legislative power in the abortion context  
14 any more than it does in other contexts” (Gonzales  
15 v. Carhart, 550 U.S. at 164).

16 (12) Scientific evidence and personal testi-  
17 monies document the massive harm that abortion  
18 causes to women. Abortion heightens the risk of  
19 mental health issues with studies showing that after  
20 an abortion women are 34 percent more likely to de-  
21 velop anxiety disorders, 37 percent more likely to de-  
22 velop depression, 110 percent more likely to rely on  
23 alcohol use or abuse, 115 percent more likely to de-  
24 velop suicidal behavior, and 220 percent more likely  
25 to take on marijuana use or abuse. As many as 60

1 percent of women having an abortion experience  
2 some level of emotional distress afterwards, with 30  
3 percent being classified as severe distress. Abortion  
4 also includes risks to physical health such as heavy  
5 or persistent bleeding, damage to cervix, abdominal  
6 pain or cramping, scarring of uterine lining, breast  
7 cancer, future premature births or miscarriages, in-  
8 fection or sepsis, placenta previa, perforation of  
9 uterus, damage to other organs, and even death.

10 (13) More than 50 percent of abortions nation-  
11 wide are committed by chemical abortion. Many of  
12 these abortions are obtained through telehealth visits  
13 and without the supervision of a licensed medical  
14 care professional.

15 (14) Every State has enacted a “safe haven”  
16 law, relieving the responsibility of childcare for par-  
17 ents who do not wish to care for a child.

18 (15) Public attitudes favoring adoption have  
19 created a culture of adoption in the United States,  
20 with many families waiting long periods of time to  
21 adopt newborn infants.

22 (16) Abortion disproportionately affects minor-  
23 ity communities. Black babies are 3.4 times more  
24 likely to be aborted as White babies. An estimated  
25 19,000,000 Black babies have been killed by abor-

1           tion since 1973. Minorities have been the unwitting  
2           victims of a hidden racist agenda of the abortion in-  
3           dustry for over 50 years.

4           (b) PURPOSE.—It is the intent of this Act to ensure  
5           that abortion is abolished and to protect the lives of un-  
6           born children.

7   **SEC. 2. PROHIBITION AGAINST CERTAIN ABORTION MEAS-**  
8                                   **URES.**

9           (a) IN GENERAL.—Chapter 74 of title 18, United  
10          States Code, is amended by amending section 1531 to  
11          read as follows:

12   **“§ 1531. Prohibition against certain abortion meas-**  
13                                   **ures**

14          “(a) CRIMINAL OFFENSE.—Notwithstanding any  
15          other provision of law, a licensed physician who—

16                 “(1) in the circumstances described in sub-  
17                 section (d), intentionally performs or attempts to  
18                 perform an abortion at any point after fertilization;  
19                 or

20                 “(2) receives any Federal funds under any cov-  
21                 ered program that intentionally performs or at-  
22                 tempts to perform an abortion at any point after  
23                 fertilization,

24          “‘shall be guilty of a class D felony.’.

25          “(b) CIVIL REMEDIES.—

1           “(1) WITHOUT CONSENT.—A woman upon  
2           whom an abortion was performed or attempted,  
3           without consent or that occurred under duress,  
4           fraud, or inducement, may bring in an appropriate  
5           court a civil action against the licensed physician in  
6           violation of subsection (a) to obtain appropriate re-  
7           lief.

8           “(2) REMEDY FOR PARENT OF A MINOR.—A  
9           parent of a minor upon whom an abortion has been  
10          performed or attempted may bring in an appropriate  
11          court a civil action against the licensed physician in  
12          violation of subsection (a) to obtain appropriate re-  
13          lief.

14          “(3) APPROPRIATE RELIEF DEFINED.—In this  
15          subsection, the term ‘appropriate relief’ includes—

16                 “(A) money damages for all injuries, psy-  
17                 chological and physical, occasioned by the viola-  
18                 tion of this section;

19                 “(B) statutory damages equal to the  
20                 amount that is three times the cost of the abor-  
21                 tion;

22                 “(C) punitive damages; and

23                 “(D) reasonable attorneys’ fees and costs.

24          “(c) AFFIRMATIVE DEFENSE.—It is an affirmative  
25          defense to prosecution under this section if—



1           “(1) a licensed physician provides medical treat-  
2           ment to a pregnant woman which results in the acci-  
3           dental or unintentional injury or death to an unborn  
4           child; or

5           “(2) the abortion was performed with the pur-  
6           pose of—

7                   “(A) saving the life of a pregnant woman  
8                   whose life is endangered by a physical disorder,  
9                   physical illness, or physical injury, including a  
10                  life-endangering physical condition caused by or  
11                  arising from the pregnancy itself, but not in-  
12                  cluding psychological or emotional conditions;

13                  “(B) removing a dead unborn child caused  
14                  by miscarriage or stillbirth; or

15                  “(C) removing an ectopic pregnancy.

16           “(d) CIRCUMSTANCES DESCRIBED.—For the pur-  
17           poses of subsection (a), the circumstances described are  
18           that:

19                   “(1) The licensed physician performed an abor-  
20                   tion using a means, channel, facility, or instrumen-  
21                   tality of interstate or foreign commerce in further-  
22                   ance of or in connection with the conduct described  
23                   in subsection (a).

24                   “(2) A payment of any kind was made, directly  
25                   or indirectly, in furtherance of or in connection with

1 the conduct described in subsection (a) using any  
2 means, channel, facility, or instrumentality of inter-  
3 state or foreign commerce or in or affecting inter-  
4 state or foreign commerce.

5 “(3) Any instrument, item, substance, or other  
6 object that has traveled in interstate or foreign com-  
7 merce was used to perform the conduct described in  
8 subsection (a).

9 “(4) The conduct described in subsection (a)  
10 occurred within the special maritime and territorial  
11 jurisdiction of the United States, or any territory or  
12 possession of the United States.

13 “(5) The conduct described in subsection (a)  
14 otherwise occurred in or affected interstate or for-  
15 eign commerce.

16 “(6) The conduct described in subsection (a)  
17 occurred in the District of Columbia.

18 “(7) The conduct described in subsection (a)  
19 occurred in a health care facility owned or operated  
20 by the Federal Government.

21 “(e) RULES OF CONSTRUCTION.—

22 “(1) IN GENERAL.—Nothing in this section  
23 shall be construed to—

1           “(A) authorize the criminal prosecution or  
2 conviction of a woman with the death of her  
3 own unborn child;

4           “(B) impose civil or criminal liability on a  
5 woman upon whom an abortion is performed or  
6 attempted;

7           “(C) prohibit the administration of  
8 misoprostol for the purposes of treatment of a  
9 miscarriage or stillbirth; or

10           “(D) prohibit the sale, use, prescription, or  
11 administration of contraception, if the contra-  
12 ception is sold, used, prescribed or administered  
13 in accordance with manufacturer instructions or  
14 for non-life-ending purposes.

15           “(2) STATE LEGISLATION.—Nothing in this  
16 section shall be construed to override or enforce a  
17 greater penalty established by State law with respect  
18 to the protection of the life of an unborn child at  
19 any point after fertilization.

20           “(f) DEFINITIONS.—In this section:

21           “(1) ABORTION.—The term ‘abortion’ means  
22 the act of using, prescribing, administering, pro-  
23 curing, or selling any instrument, medicine, drug, or  
24 any other substance, device, or means with the pur-  
25 pose to terminate a pregnancy of a woman, with

1 knowledge that the termination by any of those  
2 means will with reasonable likelihood cause the  
3 death of the unborn child.

4 “(2) CONTRACEPTION.—The term ‘contracep-  
5 tion’ is a measure, drug, or chemical that prevents  
6 a pregnancy before fertilization.

7 “(3) COVERED PROGRAM.—The term ‘covered  
8 program’ means:

9 “(A) The program for medical assistance  
10 established under title XIX of the Social Secu-  
11 rity Act.

12 “(B) The State children’s health insurance  
13 program established under title XXI of the So-  
14 cial Security Act.

15 “(C) The Indian Health Service.

16 “(D) The Veterans Health Administration.

17 “(E) The TRICARE program (as such  
18 program is defined in section 1072(7) of title  
19 10).

20 “(F) Any project grant or contract for  
21 family planning services awarded under title X  
22 of the Public Health Services Act.

23 “(4) FERTILIZATION.—The term ‘fertilization’  
24 means the fusion of a human spermatozoon with a  
25 human ovum.

1           “(5) LICENSED PHYSICIAN.—The term ‘licensed  
2           physician’ means a doctor of medicine or osteopathy  
3           legally authorized to practice medicine and surgery  
4           by the State in which the doctor performs such ac-  
5           tivity, or any other individual legally authorized by  
6           the State to perform abortions.

7           “(6) MISCARRIAGE.—The term ‘miscarriage’ is  
8           the spontaneous loss of pregnancy before 20 weeks  
9           of pregnancy.

10           “(7) STILLBIRTH.—The term ‘stillbirth’ means  
11           the loss of a baby at or after 20 weeks of pregnancy.

12           “(8) UNBORN CHILD.—The term ‘unborn child’  
13           means an individual organism of the species Homo  
14           sapiens from fertilization until live birth.”.

15           (b) TABLE OF CONTENTS.—The table of contents for  
16           chapter 74 of title 18, United States Code, the item relat-  
17           ing to section 1531 is amended to read as follows:

          “1531. Prohibition against certain abortion measures.”.

18           (c) CHAPTER HEADING.—The header of chapter 74  
19           of title 18, United States Code, is amended by striking  
20           “**PARTIAL-BIRTH ABORTIONS**” and inserting  
21           “**ABORTIONS**”.

1 **SEC. 3. PROHIBITION OF ABORTIONS IN HEALTH PRO-**  
2 **GRAMS THAT ACCEPT FEDERAL FUNDS.**

3 (a) **MEDICAID.**—Section 1902 of the Social Security  
4 Act (42 U.S.C. 1396a) is amended by adding at the end  
5 the following new subsection:

6 “(uu) **PROHIBITION ON STATE PLAN COVERAGE OF**  
7 **ABORTION.**—Notwithstanding subsection (b), beginning  
8 on January 1 of the second year beginning on or after  
9 the date of the enactment of this subsection, the Secretary  
10 may not approve a State plan for medical assistance under  
11 this section, and shall revoke any such plan in effect as  
12 of such date, if such State plan provides payment for abor-  
13 tion (as such term is defined in section 1531 of title 18)  
14 furnished at any point after fertilization, except to save  
15 the life of a pregnant woman whose life is endangered by  
16 a physical disorder, physical illness, or physical injury, in-  
17 cluding a life-endangering physical condition caused by or  
18 arising from the pregnancy itself, but not including psy-  
19 chological or emotional conditions.”.

20 (b) **CHILDREN’S HEALTH INSURANCE PROGRAM.**—

21 (1) **IN GENERAL.**—Section 2107(e)(1) of the  
22 Social Security Act (42 U.S.C. 1397gg(e)(1)) is  
23 amended by adding at the end the following new  
24 subparagraph:

25 “(U) Section 1902(uu) (relating to prohibi-  
26 tion on payment for abortion).”.

1 (2) CONFORMING AMENDMENTS.—

2 (A) LIMITATION ON FUNDS PROVIDED TO  
3 STATE.—Section 2105(c)(1) of the Social Secu-  
4 rity Act (42 U.S.C. 1397ee(c)(1)) is amended  
5 by striking “the mother or if the pregnancy is  
6 the result of an act of rape or incest” and in-  
7 serting “a pregnant woman whose life is endan-  
8 gered by a physical disorder, physical illness, or  
9 physical injury, including a life-endangering  
10 physical condition caused by or arising from the  
11 pregnancy itself, but not including psychological  
12 or emotional conditions”.

13 (B) CHILD HEALTH ASSISTANCE DE-  
14 FINED.—Section 2110(a)(16) of the Social Se-  
15 curity Act (42 U.S.C. 1397jj(a)(16)) is amend-  
16 ed by striking “the mother or if the pregnancy  
17 is the result of an act of rape or incest” and  
18 inserting “a pregnant woman whose life is en-  
19 dangered by a physical disorder, physical ill-  
20 ness, or physical injury, including a life-endan-  
21 gering physical condition caused by or arising  
22 from the pregnancy itself, but not including  
23 psychological or emotional conditions”.

24 (c) AMENDMENT TO INDIAN HEALTH CARE IM-  
25 PROVEMENT ACT.—Title II of the Indian Health Care Im-

1 provement Act (25 U.S.C. 1621 et seq.) is amended by  
2 adding at the end a new section:

3 **“SEC. 227. PROHIBITION AGAINST OFFERING AN ABORTION.**

4 “Amounts appropriated to carry out this title may  
5 not be used to offer an abortion (as such term is defined  
6 in section 1531 of title 18, United States Code) at any  
7 point after fertilization, except to save the life of a preg-  
8 nant woman whose life is endangered by a physical dis-  
9 order, physical illness, or physical injury, including a life-  
10 endangering physical condition caused by or arising from  
11 the pregnancy itself, but not including psychological or  
12 emotional conditions.”.

13 (d) AMENDMENT TO TITLE X.—Section 1008 of the  
14 Public Health Service Act (42 U.S.C. 300a–6) is amended  
15 to read as follows:

16 “PROHIBITION OF ABORTION

17 “SEC. 1008.

18 “(a) No funds may be made available under this title  
19 to any public or private entity if such entity or any affil-  
20 iate or agency thereof offers abortions at any point after  
21 fertilization, except to save the life of a pregnant woman  
22 whose life is endangered by a physical disorder, physical  
23 illness, or physical injury, including a life-endangering  
24 physical condition caused by or arising from the pregnancy  
25 itself, but not including psychological or emotional condi-  
26 tions.



1 “(b) In this section:

2 “(1) The term ‘abortion’ has the meaning given  
3 to such term in section 1531 of title 18, United  
4 States Code.

5 “(2) The term ‘affiliate’ means any company  
6 that controls, is controlled by, or is under common  
7 control with an entity referred to in subsection (a).”.

8 (e) TABLE OF CONTENTS AMENDMENT.—The table  
9 of contents for title II of the Indian Health Care Improve-  
10 ment Act (25 U.S.C. 1621 et seq.) is amended by adding  
11 at the end the following:

“227. Prohibition against offering an abortion.”.

12 **SEC. 4. PROHIBITION ON GROUP HEALTH COVERAGE FOR**  
13 **ABORTIONS.**

14 (a) PROHIBITING COVERAGE UNDER GROUP  
15 HEALTH PLANS AND GROUP AND INDIVIDUAL HEALTH  
16 INSURANCE.—

17 (1) IN GENERAL.—Subpart II of part A of the  
18 Public Health Service Act (42 U.S.C. 300gg–11 et  
19 seq.) is amended by adding at the end the following  
20 new section:

21 **“SEC. 2730. PROHIBITION ON COVERAGE FOR ABORTION.**

22 “(a) IN GENERAL.—A group health plan, and a  
23 health insurance issuer offering group or individual health  
24 insurance coverage, may not provide coverage for abortion  
25 (as such term is defined in section 1531 of title 18) at

1 any point after fertilization, except to save the life of a  
2 pregnant woman whose life is endangered by a physical  
3 disorder, physical illness, or physical injury, including a  
4 life-endangering physical condition caused by or arising  
5 from the pregnancy itself, but not including psychological  
6 or emotional conditions.

7 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-  
8 tion shall be construed to prohibit the coverage of items  
9 or services that are furnished in order to—

10 “(1) remove a dead unborn child caused by mis-  
11 carriage or stillbirth, or

12 “(2) remove an ectopic pregnancy.”.

13 (2) EFFECTIVE DATE.—The amendments made  
14 by this subsection shall apply to plan years begin-  
15 ning on or after January 1 of the second year begin-  
16 ning on or after the date of the enactment of this  
17 subsection.

18 (b) APPLICATION OF ABORTION PROHIBITION TO  
19 PREMIUM CREDITS AND COST-SHARING REDUCTIONS  
20 UNDER ACA.—

21 (1) IN GENERAL.—Section 36B(c)(3)(A) of the  
22 Internal Revenue Code of 1986 (26 U.S.C.  
23 36B(c)(3)(A)) is amended by inserting before the  
24 period at the end the following: “or a health plan  
25 that includes coverage for abortion (as such term is

1 defined in section 1531 of title 18) furnished at any  
2 point after fertilization, except to save the life of a  
3 pregnant woman whose life is endangered by a phys-  
4 ical disorder, physical illness, or physical injury, in-  
5 cluding a life-endangering physical condition caused  
6 by or arising from the pregnancy itself, but not in-  
7 cluding psychological or emotional conditions”.

8 (2) CONFORMING ACA AMENDMENTS.—Section  
9 1303 of Public Law 111–148 (42 U.S.C. 18023) is  
10 amended—

11 (A) in subsection (a)(1), by striking “abor-  
12 tion coverage” and inserting “coverage of abor-  
13 tions described in subsection (b)(1)(B)(ii)”;

14 (B) in subsection (b)—

15 (i) in paragraph (1)—

16 (I) in the paragraph heading, by  
17 striking “VOLUNTARY CHOICE OF  
18 COVERAGE OF” and inserting “PROHI-  
19 BITION ON COVERAGE OF CERTAIN”;

20 (II) in subparagraph (A)—

21 (aa) in clause (i)—

22 (AA) by striking “sub-  
23 paragraph (B)(i) or”;

24 (BB) by striking “and”

25 at the end;

1 (bb) in clause (ii)—  
2 (AA) by striking “sub-  
3 paragraph (B)(i) or”; and  
4 (BB) by striking the  
5 period at the end and insert-  
6 ing “; and”; and  
7 (cc) by adding at the end  
8 the following new clause:

9 “(iii) the issuer of a qualified health  
10 plan may not provide coverage of services  
11 described in subparagraph (B)(i).”; and

12 (III) by amending subparagraph  
13 (B) to read as follows:

14 “(B) ABORTION SERVICES.—

15 “(i) PROHIBITED ABORTION SERV-  
16 ICES.—The services described in this  
17 clause are any abortions (as such term is  
18 defined in section 1531 of title 18) fur-  
19 nished after fertilization that are not de-  
20 scribed in clause (ii).

21 “(ii) PERMITTED ABORTION SERV-  
22 ICES.—The services described in this  
23 clause are only abortions that are fur-  
24 nished to save the life of a pregnant  
25 woman whose life is endangered by a phys-

1 ical disorder, physical illness, or physical  
2 injury, including a life-endangering phys-  
3 ical condition caused by or arising from  
4 the pregnancy itself, but not including psy-  
5 chological or emotional conditions.”;

6 (ii) by striking paragraphs (2) and  
7 (3); and

8 (iii) by redesignating paragraph (4) as  
9 paragraph (2).

10 (3) APPLICATION TO MULTI-STATE PLANS.—

11 Section 1334(a)(6) of Public Law 111–148 (42  
12 U.S.C. 18054(a)(6)) is amended—

13 (A) in the paragraph heading, by striking  
14 “ASSURED AVAILABILITY OF VARIED COV-  
15 ERAGE” and inserting “PROHIBITION OF CER-  
16 TAIN ABORTION COVERAGE”; and

17 (B) by striking “there is at least one such  
18 plan that does not” and inserting “such plans  
19 do not”.

20 (4) EFFECTIVE DATE.—The amendments made  
21 by paragraphs (1) and (2) shall apply to taxable  
22 years ending after January 1 of the second year be-  
23 ginning on or after the date of the enactment of this  
24 subsection, but only with respect to plan years be-  
25 ginning on or after such date, and the amendments

1       made by paragraph (3) shall apply to plan years be-  
2       ginning on or after such date.

3       (c) AMENDMENT TO TITLE 5.—Section 8902 of title  
4       5, United States Code, is amended by adding at the end  
5       the following:

6       “(q) A contract may not be made or a plan approved  
7       that includes an obstetrical benefit that includes coverage  
8       for an abortion (as defined in section 1531 of title 18),  
9       except to save the life of a pregnant woman whose life  
10      is endangered by a physical disorder, physical illness, or  
11      physical injury, including a life-endangering physical con-  
12      dition caused by or arising from the pregnancy itself, but  
13      not including a psychological or emotional condition.”.