

September 25, 2025

Dear Members of Congress,

On behalf of the 89 undersigned organizations we urge you to permanently extend the Affordable Care Act (ACA) premium tax credits without additional abortion restrictions.

In this health care crisis manufactured by H.R. 1 and abortion restrictions, members of congress must reject any restrictions on health care access, including abortion coverage. With continued attacks on sexual and reproductive health care, Planned Parenthood health care center closures, and insurmountable financial barriers to care for many patients, it is of vital importance that members of congress continue to fight for life-saving services and coverage.

For decades, anti-abortion lawmakers have attempted to use restrictions on abortion coverage to push care out of reach. Prior to the ACA, most private health plans across the country included abortion coverage, but a provision in the ACA allowed states to strip abortion coverage from millions of people. Now, some lawmakers are taking advantage of the critical negotiations to extend the ACA premium tax credits as a desperate attempt to try to gut abortion coverage from the ACA marketplaces. Doing so could take away the health coverage that people rely on — including in states that explicitly require abortion coverage during an ongoing crisis and when access to comprehensive sexual and reproductive health care, including abortion, is worsening.

These are harmful attempts to hijack time-sensitive negotiations to attack abortion access. This is all despite the fact that the ACA already prohibits subsidies from being used to pay for abortion services beyond the narrow exceptions under the discriminatory Hyde Amendment (which bans federal funding for abortion except in cases of rape, incest, and life endangerment). Doing so could take away the health care coverage that people rely on, including in states that do explicitly require abortion coverage. This is especially alarming due to the shrinking access to comprehensive sexual and reproductive health care, including abortion.

To be clear: Section 1303 of the Affordable Care Act explicitly prohibits federal funding from being used to pay for abortion coverage under Marketplace plans except in the limited circumstances of life, rape, or incest. It is simply not true that federal subsidies are covering abortion care beyond those circumstances. Under current law, only non-federal funds can be used to pay for coverage of abortion services that fall outside of those limited exceptions, and Marketplace insurers must maintain those non-federal funds in a segregated account to cover abortion services. The ACA makes it very clear that the states have the right to mandate (or ban) abortion coverage and this proposal would undermine that central promise. What is being proposed is federal interference in the private insurance market that would have profound implications across states that ban and protect abortion access alike.

Prohibiting the more than 20 million enrollees who use the tax credits from purchasing comprehensive coverage would force insurers to offer nearly duplicate plans without abortion coverage—creating confusion for consumers and logistical nightmares for insurers—or to drop

abortion coverage altogether. With such high stakes, most health insurers will likely be forced to leave the ACA marketplaces altogether. This is an unprecedented interference in the private insurance market and would remove the option of comprehensive health coverage from everyone who purchases their health plans from the marketplace, including those who do not use any subsidies to pay for their insurance. Additionally, states like New York that have chosen to require insurance plans to cover abortion care would have that ability threatened.

Bans and restrictions on abortion coverage deny people the ability to make decisions about their bodies, lives, and futures. The cost of obtaining abortion care, which includes the cost of travel, lodging, and childcare on top of the abortion services is increasing in the face of a hostile and constantly shifting legal landscape. These costs push care out of reach, particularly for those facing the greatest financial and logistical barriers such as people working to make ends meet, women of color, immigrants, young people, LGBTQ+ people, people with disabilities, and those living in rural areas. We know well the real life impact of denying people access to abortion coverage. People forgo basic necessities such as paying rent, utility bills, or even buying food, to cover the cost, which research has documented amounts to a third of many impacted people's monthly income. People may be required to delay accessing care, resulting in accessing care later in pregnancy. People are forced to carry unwanted pregnancies to term, resulting in higher rates of poverty for those individuals. Each of us should be able to make personal health care decisions without lawmakers' interference — 8 in 10 Americans overwhelmingly agree.

Congress must protect health care and coverage by permanently extending the tax credits that make health insurance premiums affordable. These enhanced tax credits have proven critical to increasing access to health care for millions of Americans, particularly women and LGBTQ+ people who are more likely to have lower incomes due to systemic discrimination. Between 2021, when the enhanced tax credits were first introduced, and 2024, women's enrollment in these plans increased by 72%. If they are not extended, out-of-pocket premiums would rise by over 75% on average for the vast majority of individuals and families buying coverage through the Affordable Care Act (ACA) Marketplaces. This is a cost patients cannot afford.

Abortion is essential health care and any attempts by opponents of abortion access to use these critical negotiations to eliminate abortion coverage must be rejected. We urge you to hold strong and demand a permanent extension of the enhanced tax credits that does not deny people essential abortion care coverage.

Sincerely,

Abortion Forward
American Civil Liberties Union (ACLU)
Advance Maryland
Advocates for Youth
AIDS United
All* Above All

All* In Action Fund
American Atheists
Amnesty International USA
Arkansas Abortion Support Network
Arkansas Black Gay Men's Forum
California LGBTQ Health and Human Services
Caring Across Generations
Center for Law and Social Policy (CLASP)
Center for Reproductive Rights
Clearinghouse on Women's Issues
Cobalt Advocates
Color Of Change
COLOR: Colorado Organization for Latina Opportunity and Reproductive Rights
Colorado Consumer Health Initiative
Common Cause Maryland
Community Catalyst
Courage California
Disability Rights Education and Defense Fund
EMAA Project
Equality California
Families USA
Feminist Majority
Greenbelt Alliance for Reproductive Freedom
Guttmacher Institute
Health & Medicine Policy Research Group
Human Rights Campaign
Ibis Reproductive Health
Indivisible
Ipas US
Just Solutions
Justice and Joy National Collaborative
Keystone Progress
Keystone Progress Education Fund
Legal Momentum, the Women's Legal Defense & Education Fund
Maryland National Organization for Women
Men4Choice
Midwest Access Coalition
Montgomery County MD Chapter, National Organization for Women
National Asian Pacific American Women's Forum
National Council of Jewish Women
National Family Planning & Reproductive Health Association
National Health Law Program
National Hispanic Health Foundation
National Institute for Reproductive Health Action Fund

National Latina Institute for Reproductive Justice
National Network of Abortion Funds
National Organization for Women
National Partnership for Women & Families
National Women's Political Caucus
NSRH
National Women's Law Center Action Fund
Oshun Family Center
People Power United
PFLAG National
Physicians for Reproductive Health
Planned Parenthood Federation of America
Positive Women's Network-USA
Power to Decide
Pregnancy Justice
Progress Florida
ProgressNow New Mexico
Reproaction
Reproductive Freedom For All
Reproductive Health Access Project
Reproductive Justice Action Collective
Rural Organizing
SiX Action
The TransLatin@ Coalition
True North Research
UCSF Bixby Center for Global Reproductive Health
UltraViolet Action
Union for Reform Judaism
URGE: Unite for Reproductive & Gender Equity
Wild West Access Fund
Women's Fund of Omaha
Serving at-risk families everywhere, Inc.
Protect Our Healthcare Coalition RI
Protect Our Care
Women of Reform Judaism
If/When/How: Lawyering for Reproductive Justice
Jewish Women International