



**Legislative Bulletin.....January 22, 2015**

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**H.R. 7 – No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2015 (as filed)**

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**H.R. 7 – No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2015 — (Smith, R-NJ)**

**Order of Business:** [H.R. 7](#) is scheduled for consideration on Thursday, January 22, 2015, under a [closed rule](#) which provides for one hour of debate.

**Summary:** This bill would prohibit the use of all funds authorized or appropriated by the federal government (including funds appropriated to the District of Columbia) to be used to pay for abortions except in the case of rape or incest, or when the life of the mother is in danger. This includes a prohibition on the use of funds for health benefits that include abortion coverage and the use of federal health facilities to provide an abortion. Nothing in this bill would prohibit an individual, entity, state, or locality from purchasing separate abortion coverage using non-federal funds.

Title II of the bill would prohibit the use of the Affordable Care Act’s (ACA) cost-sharing subsidies and the small business tax credits for the purchase of health insurance that includes abortion coverage. This bill would also ban the coverage of abortions found in multi-state plans. Finally, this bill would require health plans to disclose to enrollees, at the time of enrollment, information regarding abortion coverage in each plan.

**Major Changes Since the Last Time This Legislation was Before the House:** The 113<sup>th</sup> Congress passed [H.R. 7](#), the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2014, on January 28, 2014, by a vote of [227-188](#). The bill was referred to the Senate where no further action was taken. H.R. 7 mirrors the bill that passed the House last Congress.

Read the RSC legislative bulletin on H.R. 7, [here](#).

**Additional Background:** The current prohibitions against abortion in the federal code exist as a patchwork of laws, many of which must be extended on a regular basis. The Hyde amendment, in effect since 1976, only bans abortion funding appropriated through the Labor HHS

appropriations bill. The Hyde amendment does not prohibit the use of federal funds for abortions from other funding sources. According to the [committee report](#) from the 113th Congress, this bill would make permanent the policies that have been previously passed on a case-by-case basis. Provisions that currently rely on regular re-approval include:

- The Hyde amendment, which prohibits funding for elective abortion coverage through any program funded through the annual Labor, Health and Human Services Appropriations Act;
- The Smith Federal Employee Health Benefits Plan (FEHBP) amendment, which prohibits funding for health plans that include elective abortion coverage for Federal employees; and,
- The Dornan amendment, which prohibits use of congressionally appropriated funds for abortion in the District of Columbia.

**Committee Action:** This bill was introduced by Representative Smith on January 21, 2015, and it was referred to the Committee on Energy and Commerce, the Committees on Ways and Means, and the Judiciary where it awaits further action.

**Outside Groups Scoring in Favor (as provided by leadership):**

- [Concerned Women for America](#)
- [Americans United for Life Action](#)
- Eagle Forum
- [Family Research Council](#)
- National Right to Life Committee

**Outside Groups Support (as provided by leadership):**

- American Center for Law and Justice (ACLJ)
- Bound4LIFE
- CareNet
- Christian Coalition
- Christian Medical Association (CMA)
- Focus on the Family
- Knights of Columbus
- Liberty Counsel Action
- March for Life
- Priests for Life
- [Susan B. Anthony List](#)
- US Conference of Catholic Bishops (USCCB)

**Possible Conservative Concerns:** Some conservatives may be concerned this bill was introduced and brought to the floor for a vote within a 24 hour time period.

**Administration Position:** No statement of administration policy is available at this time.

**Cost to Taxpayers:** No CBO score is available for H.R. 7.

In the 113th Congress, the Joint Committee on Taxation (JCT) estimated H.R. 7 would have negligible effects on tax revenues. Similarly, [CBO](#) estimates that any effects on direct spending would be negligible for each year and over the 2014-2024 period.

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No. Nothing in this bill prohibits the non-federal entities from selling healthcare policies which cover abortions or the ability of a state or locality from contracting separately with such provider.

**Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10<sup>th</sup> Amendment?:** No.

**Does the Bill Delegate Any Legislative Authority to the Executive Branch?:** No.

**Constitutional Authority:** According to the [sponsor](#), “The Congress's Power under the Spending Clause in Article I, Section 8, of the Constitution.”

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