



Legislative Bulletin.....January 28, 2014

Contents:

H.R. 7 — No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2014

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

Order of Business: H.R. 7 is scheduled to be considered on January 27, 2014, at 5:00 P.M., by the House Committee on Rules. It could be on considered on the floor, subject to a rule, as early as Tuesday, January 28, 2014.

Summary: [H.R. 7](#) would ban the federal funding of abortions, except when the life of the mother is in danger, or when the pregnancy is the result of incest or rape. Current laws on the federal funding of abortion are found throughout the Federal Code and ban abortions based on the funding source. This bill amends Title 1 of the United States Code to implement a ban on taxpayer funding of abortion, regardless of the funding sources. H.R. 7 also amends the Internal Revenue Code provisions created by the Affordable Care Act (ACA) to prohibit “credits” for abortion coverage.

Major Changes Since the Last Time This Legislation was Before the House: The House passed H.R. 3 in the 112th Congress but the Senate failed to act on the legislation. The exchanges created under the ACA are now active and consumers have already purchased their plans for the 2014 year. As updated, the prohibition on taxpayer funding for abortion for plans under the ACA does not go into effect until January 1, 2015, but transparency provisions go into effect 30 days after enactment to ensure consumers are informed about abortion coverage in the interim. Provisions not directly relevant to the ACA are eliminated.

Additional Background: The current prohibitions against abortion in the Federal code exist as a patchwork of laws. The Hyde amendment, in effect since 1976, only bans the funding of abortions appropriated through the Labor HHS appropriations bill; it does not cover any other funds.

- H.R. 7 is a bipartisan bill and passed with bipartisan support out of the House Committee on the Judiciary.
- The Report from the Committee on the Judiciary can be viewed [here](#).
- H.R. 7 does not prevent the private funding of abortions or insurance coverage that includes abortion.

Committee Action: H.R. 7 was introduced on May 14, 2013. On January 15, 2014, the House Committee on the Judiciary favorably reported the bill without amendment by a [vote](#) of 22-12.

Administration Position: The Executive Office of the President issued a [Statement of Administration Policy](#) stating that his senior advisors would recommend that he veto the bill.

Outside Organizations Scoring in Favor of the Bill:

- Americans United for Life Action
- Family Research Council
- National Right to Life Committee
- Concerned Women for America

Outside Organizations in Support of the Bill:

- March for Life Education and Defense Fund
- Ethics and Religious Liberty Commission of the Southern Baptist Convention
- Susan B. Anthony List

Cost to Taxpayers: According to the Congressional Budget Office [cost estimate](#) “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.

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

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

Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: No.

Constitutional Authority: According to the bill sponsor, “Congress has the power to enact this legislation pursuant to the following: The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8 of the Constitution.” Congressman Smith’s statement in the Congressional Record can be viewed [here](#).

RSC Staff Contact: Scott Herndon, Scott.Herndon@mail.house.gov, 202-226-2076

NOTE: *RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.*

###