



H.R. 7 – No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2017 (Rep. Smith, R-NJ)

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FLOOR SCHEDULE:

Expected to be considered on January 24, 2017 under a closed rule.

TOPLINE SUMMARY:

[H.R. 7](#) would permanently codify abortion prohibitions like the Hyde Amendment, barring federal funds from being used to pay for abortions except in the case of rape or incest, or when the life of the mother is in danger. It would also prohibit the use of Affordable Care Act premium tax credits, cost-sharing subsidies, and small business tax credits for the purchase of health plans that include elective abortion coverage.

COST:

A Congressional Budget Office (CBO) estimate is not yet available.

CONSERVATIVE CONCERNS:

There are no substantive concerns.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

DETAILED SUMMARY AND ANALYSIS:

The current prohibitions against abortion in the federal code exist as a patchwork of laws that must be regularly extended to remain in effect, typically during annual appropriations bills. The Hyde Amendment, first enacted in 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.

Title I 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, effectively codifying the Hyde and Dornan amendments. This bill would also make permanent the Smith Amendment, a prohibition on the use of funds for abortion in the Federal Employee Health Benefits Program. It would prohibit the use of federal health facilities to provide an abortion and would prevent federal employees from performing elective abortions as part of their employment. 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 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.

A past legislative bulletin can be found [here](#). H.R. 7 passed in the 114th Congress, by a vote of [242-179](#), and in the 113th Congress, by a vote of [227-188](#). More information from the Pro-Life Caucus can be found [here](#).

OUTSIDE GROUPS KEY VOTING IN SUPPORT:

- [National Right to Life](#)
- [March for Life](#)
- [Family Research Council](#)
- [Concerned Women for America](#)
- Heritage Action

OUTSIDE GROUPS IN SUPPORT

- [Susan B Anthony List](#)
- [US Conference of Catholic Bishops](#)
- American United for Life (AUL)
- Ethics & Religious Liberty Commission
- [Priests for Life](#)
- Christian Medical Association
- American Association of Pro-Life Obstetricians and Gynecologists
- The American College of Pediatricians
- Catholic Medical Association
- Alliance Defending Freedom
- Faith & Freedom Coalition
- The Radiance Foundation
- Population Research Institute
- CareNet
- New Jersey Right to Life
- Life Issues Institute
- Liberty Counsel Action
- American Center for Law and Justice
- [CatholicVote.org](#)
- American Family Association

COMMITTEE ACTION:

H.R. 7 was introduced on January 3, 2017, and referred to the House Committees on Ways and Means, Energy and Commerce, and the Judiciary.

ADMINISTRATION POSITION:

A Statement of Administration Policy can be found [here](#).

CONSTITUTIONAL AUTHORITY:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the U.S. Constitution. No specific enumerating clause was provided.

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.*