class families. Yet, more than 4 months into this Congress, we have not considered one bill, not one bill that would achieve these goals.

Instead, we have before us today H.R. 3, one of the centerpieces of the Republican agenda, and it would limit the health care choices of women.

Now, even if all it did is what the name implies, to prohibit Federal subsidies for abortion, it would be redundant, unnecessary and misguided. But it's much worse than that. In truth, it's an unprecedented and extreme attempt to limit health insurance coverage for American women, to raise taxes on small businesses, to infringe on the legally protected right of American servicewomen, to make this legal, constitutionally protected medical procedure inaccessible to women.

I oppose H.R. 3, and urge my colleagues to vote ''no.'' And I urge the majority to get to work helping Americans to get to work.

VOTE ''NO'' ON H.R. 3

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Madam Speaker, it appears that there are some in this body who believe that if you state a falsehood often enough people will believe that it's the truth. That's what the bill before us is all about. It's an attempt to legislate something that isn't.

The proponents of H.R. 3 want you to believe that abortion is rampant in America, and we spend zillions of Federal dollars a year, and this bill will stop the use of those Federal funds. This is a crock of baloney.

Everyone in this House knows that Federal funds are not spent on abortions. It's been the law of this land for the last 35 years. H.R. 3 will have no effect, zero, nada, on the use of Federal funds for abortion services in America because it's the law under which we are already operating.

But what H.R. 3 will do is drastically codify an untruth. It will reach into the pockets of women and prevent them from using their own money, their own private money, on purchasing health care insurance which covers abortion services.

This is a mass intrusion into the private lives of people and to businesses. It should be defeated.

ASSAULT ON WOMEN'S HEALTH

(Mrs. LOWEY asked and was given permission to address the House for 1 minute.)

Mrs. LOWEY. Later today, the House will continue its extreme assault on women's health. H.R. 3 would prevent small businesses and families from receiving tax credits for private insurance coverage that includes safe and legal health procedures; allow hospitals to deny lifesaving care to women; if audited, potentially require victims to prove to the IRS agents they were raped.

Most troubling, in the report accompanying the bill, radical Republicans want to limit the exception for rape victims who can access full legal health services to only forcible rape victims.

This bill to limit women's health services is a shameful distraction from the public's top priority, creating jobs.

BIG OIL WELFARE REPEAL ACT

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, with gas prices in my district in Louisville, Kentucky hitting $4, as they are all over the country, ExxonMobil just reported earnings of $10.7 billion for the quarter, almost 70 percent higher than last year. BP, Conoco, Shell, and Chevron already reported huge increases in profits. And we are still giving them taxpayer-financed subsidies.

Last week, the chairman of the Budget Committee said he thinks we ought to do away with these subsidies. And yet, he and the rest of the Republican majority are pushing a budget that not only sustains those giveaways to oil companies, but also would lower taxes for billionaires, all at the expense of our seniors, our students and our struggling families who are paying that $4 a gallon all over the country.

We ought to do away with these subsidies, and the Democrats have introduced the Big Oil Welfare Repeal Act to do just that. If we are serious about deficit reduction and equity in this country and fairness, we will pass the Big Oil Welfare Repeal Act, and we will help to begin to return this country to having an economy that works for everybody, and not just for ExxonMobil.

THE NO TAXPAYER FUNDING FOR ABORTION ACT

(Mr. HINCHEY asked and was given permission to address the House for 1 minute.)

Mr. HINCHEY. Madam Speaker, I rise in opposition to H.R. 3, which has nothing to do with taxpayer funding of abortion. Right or wrong, Federal funding for abortion hasn't been allowed for more than 3 decades.

Instead, H.R. 3 has everything to do with infringing on the constitutionally protected right to an abortion that has been the law of the land for 38 years.

For years we've been listening to Republicans call for smaller government, less regulation, fewer taxes. But this bill represents the opposite of these values. It's more regulation on business, more regulation on health care decisions that should be left up to women and their doctors. It's more taxes on small business, more taxes on women. And it's more control by anti-choice extremists in Washington.

Finally, this bill isn't about job creation either. Instead, it's about bringing up divisive legislation that has no hope of becoming law in order to divide and distract the American people.

It's been 4 months, and still the new majority here hasn't brought a serious bill about job creation to this floor for a vote. It's time to get back to the work of putting Americans back to work. Let's do that.

NO TAXPAYER FUNDING FOR ABORTION ACT

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 237 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 237

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary, 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. House Resolution 237 provides for a closed rule for consideration of H.R. 3. The rule provides for ample debate on this bill and gives Members of both the minority and the majority the opportunity to participate in the debate.

Madam Speaker, I rise today in support of this rule and the underlying

bill. For the past 30 years, we've used a patchwork system of clauses and amendments to protect American tax dollars from being used to pay for abortions. Every year Congress has to attach a series of amendments to appropriation bills specifically stating that funds spent in that legislation may not be used for elective abortions. Every year these amendments pass. These amendments pass, Madam Speaker, because Members of Congress know and recognize the fact that the vast majority of Americans do not want their hard-earned money to be spent for abortions of innocent, unborn lives.

□ 1230

In 2010 the Zogby/O'Leary poll found that 77 percent of Americans believe that Federal funds should never be used to pay for abortions or should only be used to save the life of the mother—77 percent, Madam Speaker. This number proves that even people who support a woman's right to choose still believe that tax dollars should not pay for that choice.

Clearly the time has come to move beyond this piecemeal approach and reform the way our Nation addresses this very important and sensitive issue.

H.R. 3 simply codifies and makes permanent the policies that currently rely upon regular, re-approval of Congress. Among the riders made permanent to H.R. 3 are:

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 Helms amendment, which prohibits funding for abortion as a method of family planning overseas;

the Smith Federal Employee Health Benefit Plan amendment, which prohibits funding for elective abortion coverage for Federal employees;

the Dornan amendment, which prohibits the use of congressionally appropriated funds for abortion in the District of Columbia;

the Hyde-Weldon conscience clause, which ensures that recipients of Federal funding do not discriminate against doctors, nurses, and hospitals because they do not provide, pay for, cover, or refer for abortions.

Madam Speaker, a woman's right to choose can be a divisive issue that splits the American people down the middle. However, we aren't talking about a 50/50 issue; we're talking about 77 percent. It's clearly a majority.

Just like Americans on both sides of the aisle believe that tax dollars shouldn't go to pay for abortions, so do the Members of Congress from both parties. There are 227 bipartisan cosponsors of H.R. 3. I'm proud to be one of those cosponsors.

H.R. 3 will ensure that American taxpayers are not forced to fund what many consider the destruction of innocent human life through abortion on demand.

The No Taxpayer Funding for Abortion Act will establish a government-wide statutory prohibition on funding abortion or insurance coverage that includes abortion. This comprehensive approach will reduce the need for numerous separate abortion-funding riders.

It eliminates abortion-related amendments to appropriation bills, bills that the rules of the House remind us aren't even supposed to legislate through amendments. It ensures that all Federal programs are subject to this important safeguard.

Once again, Madam Speaker, I rise in support of this rule and the underlying legislation. I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bill.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

We have had many misnamed bills, euphemistically called almost anything to try to make some kind of point, but this one does not have a thing in the world to do with restricting Federal money used in abortions. That has not been done for 30 years. This bill actually says let's try to make sure that no insurance companies in the country will ever cover them again no matter what the circumstances.

With no other medical procedure would we be even standing here talking about what's best for American citizens. In all my years in Congress, I have never had to debate a bill about how and when a patient can receive an appendectomy nor a bill about how or when a patient can receive corrective surgery nor is it legal to have a vasectomy.

Yet here we are today debating a bill that will reach far beyond the status quo and place restrictions on the constitutionally protected right to access reproductive health care. In the case of abortion, it has been decided with this bill that they can dictate how and when a woman is allowed to receive reproductive health care.

In part because women are instinctual nurturers, the decision about whether or not to have an abortion is one of the most personal and important decisions that they will ever make. In making this decision, a woman should be free to consult with whomever she pleases, whether it be her doctor, her spouse, her family, a parent, confidant, or religious adviser.

But a woman should never, never be forced to adhere to extreme restrictions placed upon her by Members of Congress. I've served in three legislatures, and in every one of them were always men in blue suits who knew very little about the life-altering experience of pregnancy and birth who demanded this kind of action.

I have often spoken in support of a woman's right to access an abortion and have many people, including some of my own constituents, who disagree with me, and that's fine. They have never, however, tried by law to enforce upon me what they themselves believe.

Once I was at a meeting in my district and I was asked by a man who was strongly opposed to a woman's right to choose, What should be done about that? And my response to him was simple and personal and still applies today.

I asked him that if, God forbid, he ever finds himself in a difficult position of having to decide whether or not his wife needed to have an abortion, either because of the health of the fetus or the mother was in danger or because of another personal or private matter, is he willing to say to people gathered in the hospital and during the discussion, No decision can be made until LOUISE SLAUGHTER gets here because Congress will make that decision for him?

The right to an abortion is already a procedure that is carefully regulated by the decision of Roe v. Wade. Today's legislation would go far beyond this status quo and further restrict access in an attempt to make it practically impossible to receive an abortion under these laws.

Today's bill changes the tax system—this is an important point and I want you to understand this—for private health care plans that offer abortion coverage to small businesses and individuals, as most of them do. If passed into law, this bill would pressure private health insurance plans to stop offering that coverage altogether. And that, Madam Speaker, is the purpose of this bill.

In addition, and most egregiously, today's legislation opens the door to the IRS audits of rape and incest survivors, to prove that they followed the law when paying for an abortion. Do we do this with anything else—I'm absolutely astonished—to place this kind of burden on a medical procedure? It's been designed specifically to chip away at the rights of women.

Most egregiously, this bill has put a dangerous provision into the committee report that accompanies this bill. Please listen up. You need to know what this says in this report language, which is as important as the bill itself. That report language states that the legislation is intended to prohibit the use of Federal money to subsidize abortions in cases of statutory rape. That, ladies and gentlemen, is the rape of a child too young to give consent.

Now, think about that for a moment. This bill forbids any money being used to help that child. It's not bad enough that they have been raped or that they are victims of incest. Now we're telling them that they have to keep records so that they can prove to the IRS that they followed the law? That is what I thought about when I made the statement earlier this spring ''show me your papers.'' And that is precisely what this bill is asking to do.

If this bill becomes law, think about the statutory rape. Think about your children. Think about other people's children. If it becomes law, the committee report will become one of the

documents relied upon by the courts when deciding the cases about abortion. With the committee report in hand, a future justice would have the document they need to further restrict access to abortion for victims of rape and incest. If this sounds extreme, believe me, it is.

We, like our Nation's Founders, know that each individual is entitled to his or her beliefs. But no matter how strongly we believe them, we should not be allowed to force them upon others as we wish. Yet placing an ideology upon others and restricting their choices when it comes to reproductive health is the spirit behind today's legislation and one of the many reasons why it should be stopped.

□ 1240

As we all know, at the time of our Nation's founding, the ideal of equal rights and freedoms was far from realized. In fact, it was not even of much concern. African Americans were property; women could not vote or own anything; and indeed, a pregnant woman who was widowed could find that her child had been willed away from her by her husband, who had all the rights. Native Americans were pushed off their land and out of our society.

With great struggle and over time—and certainly, I know of the struggle for women's rights because of what happened in my own district, which is where that struggle began—we have righted many of these wrongs, and as a Nation, we have come to believe that men and women of every color and creed are created equal, that we are all entitled to the rights and individual freedoms at the core of our Nation's ideals.

Today's proposed legislation up-ends the principle of equal rights and freedoms by placing severe restrictions on the constitutionally protected right to an abortion. Instead of crafting legislation to restrict a woman's right to safe, secure reproductive health, this Congress should respect the rights of women and uphold their constitutionally protected rights.

I strongly urge my colleagues to vote ''no'' on today's rule and on the underlying bill, which may be the most egregious that comes to the floor this year.

I reserve the balance of my time.

Mr. NUGENT. Madam Speaker, I yield 3 minutes to my colleague, Dr. GINGREY of Georgia.

Mr. GINGREY of Georgia. I thank the gentleman from Florida for yielding.

I do rise in very strong support of this rule as well as the underlying bill, H.R. 3, the No Taxpayer Funding for Abortion Act.

I would also like to commend our colleague from New Jersey, Representative CHRIS SMITH, for his leadership on this legislation and for his steadfast pro-life stance throughout his tenure in Congress.

Madam Speaker, as a practicing OB/GYN physician for nearly 30 years, I believe that all life is sacred. The issue of abortion is a very personal issue for me as it is for many people across the country and for many Members of this body. However, that is not why we are considering this legislation on the House floor today. Instead, we are here to answer one simple question:

Should American tax dollars be used to fund abortions? When an elective choice can decide life and death, should the Federal Government be allowed to use tax dollars to pay for that choice?

Madam Speaker, H.R. 3 is a bill that seeks to set right what the last Congress got wrong: to ensure that abortions are not funded by taxpayer dollars. At its very base level, H.R. 3 simply codifies the Hyde Amendment, which has been enacted in some form or another as an appropriations rider since fiscal year 1976. Through this legislation today, we will make permanent the prohibition on Federal funding for abortions, thereby eliminating the inherent vulnerability that riders like the Hyde Amendment face as part of the annual appropriations process.

Furthermore, H.R. 3 codifies the Hyde-Dr. Dave Weldon conscience clause that has protected health care providers from discrimination by State and local governments for simply refusing to provide, to pay for or to even refer for abortion. Additionally, H.R. 3 will allow those health care providers who choose not to perform abortions legal recourse if they face, as they often do, overt discrimination.

Madam Speaker, H.R. 3 also prevents Federal funds from being used for tax credits that subsidize health insurance coverage that includes elective abortion through the Patient Protection and Affordable Care Act, so-called ''ObamaCare.'' One of the many problems with this law ObamaCare is that there is no statutory language prohibiting premium assistance from being used for abortions despite many efforts of House and Senate Republicans during the last Congress. H.R. 3 provides the assurance that our taxpayer dollars will not be used in any form of Federal subsidies for abortion coverage.

So, Madam Speaker, as a father and as an OB/GYN physician who has delivered over 5,000 babies, I will be voting to ensure that the Federal Government does not use taxpayer dollars for any elective abortion. I ask all of my colleagues to support this rule as well as the underlying bill, H.R. 3.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Madam Speaker, I rise in vehement opposition to this rule and dangerous legislation, the No Taxpayer Funding for Abortion Act.

This extreme bill's title belies its true intent—to go far beyond current law and comprehensively curtail women's health care. This bill isn't just about taxpayer funding for abortion. It is a comprehensive attack on women's lives. We hear all the time that people want government out of their lives, out of their business. There is nothing more invasive than the government's getting in between families and their doctors when making this difficult decision.

This bill won't save taxpayer dollars or create jobs, but it will undermine women's health, and it will hurt small businesses by penalizing them for offering their employees insurance plans that cover a full range of women's health care. This is a slap in the face of small businesses, which are trying to take care of their companies, their employees and their own families. It is also a slap in the face to any family that has to make the difficult decision to seek abortion care.

As a daughter and wife of physicians, I am shocked that we would so quickly dismiss the judgment of our country's medical personnel and families in making the best decision to preserve the health and lives of their loved ones. We are wasting time on divisive issues while denying the real implications this will have on our families and economy.

I urge my colleagues to join me in strong opposition to this bill.

Mr. NUGENT. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. I thank the gentleman for yielding me the time.

Madam Speaker, Americans deserve to know how the government spends their money, and they are right to refuse the use of their tax dollars for highly controversial activities—in this case, abortion. Let me first make my own position clear.

I am pro-life, and I believe that women deserve better than abortion; but certainly, we can all agree that the U.S. Government should not take tax dollars from hardworking Americans to fund abortion. I really believe it is time that we look at the reality of abortion, that we be honest and see the choice for what it is. It is interesting to note that the early feminist movement recognized that abortion is a fundamental injustice. Abortion harms women. It takes the lives of children, and it allows a man to escape his responsibility.

The abortion industry many times profits from all of this pain. Abortion is also so often the result of psychological or physical coercion or even emotional or physical abandonment, which is a tragic social paradigm that has caused a deep wound in the soul of our country. No matter how difficult the circumstances, Madam Speaker, I believe we can and must do better as a society, and at a minimum, taxpayer dollars should not be involved.

This issue has manifested itself again most intently during the health care debate. Unless a prohibition is enacted, taxpayers will fund abortion under the framework of the new health care law. Madam Speaker, abortion is not health

care. The House of Representatives recently voted to stop the use of taxpayer funds for abortions in the District of Columbia. For decades, Congress has proscribed Federal funding for abortion in this piecemeal fashion through the Hyde Amendment and other similar provisions in annual appropriations.

It is time to settle this once and for all as the majority of Americans wish. This bill will provide a comprehensive prohibition on the use of Federal tax dollars to fund the socially divisive issue of abortion, and it is time we stopped it.

Ms. SLAUGHTER. I yield myself 30 seconds just to speak to something that is very important.

H.R. 3 is actually dangerous for women's health. By refusing to provide any exceptions to women who are facing serious health conditions—cancer, heart or whatever that may be—you are forcing women to choose to risk their health or to risk bankruptcy, and I think that is morally unacceptable.

Under H.R. 3, a woman facing cancer who needs to terminate a pregnancy in order to live might have to go into debt over the $10,000 that the legal and necessary procedure could cost. Despite having both health insurance and tax-preferred savings accounts, this bill would prevent her from having that.

I am pleased to yield 1½ minutes to a nurse, the gentlewoman from California (Mrs. CAPPS).

□ 1250

Mrs. CAPPS. I thank my colleague for yielding.

Madam Speaker, I rise in strong opposition to this rule and to the underlying legislation.

A mere 2 weeks ago, the Republican majority brought us to the brink of government shutdown over their disapproval of Planned Parenthood. But instead of moving past divisive social issues and addressing our economic challenges with housing and creating jobs, we are here again today witnessing the Republicans' obsession with reopening the culture wars.

H.R. 3 represents the most egregious attack on reproductive rights in over 35 years, rights that are protected by the Supreme Court decision. H.R. 3 uses the Tax Code to effectively deny access to insurance that includes abortion care coverage, no matter how it is paid for. What it doesn't do is trust our Nation's women, trust our Nation's families, their doctors, their clergy, and trust small businesses to make their own health care choices for their employees. This is unacceptable. Make no mistake, despite the rhetoric coming from the other side of the aisle, the bill is not about funding. It is about using our laws and our Tax Code to infringe upon the rights of women, the protected rights of women and families across this Nation.

Madam Speaker, it is time that this Congress places trust in our Nation's women, its families and small businesses to make their own health care choices.

Mr. NUGENT. Madam Speaker, I yield 5 minutes to my colleague from New Jersey (Mr. SMITH), the author of H.R. 3.

Mr. SMITH of New Jersey. I thank my good friend Mr. NUGENT for yielding and thank him for his leadership.

Madam Speaker, America has changed and today is more pro-life than ever. By ever-increasing majorities, especially among our young people, the megatrend is to protect the child in the womb from the insidious violence of abortion and to protect women from the trauma, often lifelong emotional harm, of procuring an abortion.

This paradigm shift, reflected in all the major polls, is the direct result of pro-life education, pregnancy care centers, pro-life laws, including funding bans, informed consent and parental involvement statutes, the molding of consciences by the faith-based community and advances in ultrasound that have shattered the pernicious pro-abortion myth that the baby in the womb isn't a human person or alive or of innate value.

Even Planned Parenthood abortion clinic director Abby Johnson was shocked into her new pro-life view by witnessing an ultrasound-guided abortion of a 13-week-old baby who was dismembered and pulverized in real time right before her eyes at that Texas clinic.

But perhaps the greatest reason for the huge shift in public opinion in favor of life is the growing number of extraordinarily brave post-abortive women who deeply regret their abortions and today are silent no more.

One post-abortive woman told a group outside the U.S. Supreme Court, and I heard her say it, that as she lay on the operating table, the abortionist laughed as he inserted a sharp knife into her womb and said, ''Oh, it is trying to get away.'' Partially sedated, the woman immediately pleaded with the nurse and doctor to stop the abortion and to spare her child. They told her to shut up. Today she is deeply wounded by that cruel assault, that lethal assault on her baby.

Dr. Alveda King, niece of the late Dr. Martin Luther King, has had two abortions. Today she has joined the growing coalition of women who deeply regret their abortions. Out of deep personal pain and compassion for others, they challenge us to respect, protect and tangibly love both mother and child.

The women of Silent No More give post-abortive women a safe place to grieve and a roadmap to reconciliation. And to society at large, and especially to Congress, these brave women compel us to rethink and to reassess the cheap sophistry of the abortion culture. Reflecting on her famous uncle's speech, the ''I Have a Dream'' speech, Dr. Alveda King asks us: ''How can the dream survive if we murder the children?''

Madam Speaker, there is no doubt whatsoever that ending public funding for abortions saves lives. Even the pro-abortion Guttmacher Institute in June of 2009 in a report said ''approximately one-fourth of women who would have had Medicaid-funded abortions if the Hyde amendment didn't exist instead give birth when this funding is unavailable.''

I vividly remember the late Congressman Henry Hyde being moved to tears when he learned that the Hyde amendment had likely saved the lives of more than 1 million children, who today are perhaps in school and getting ready for summer vacation, perhaps playing sports, or, if they are in their twenties or thirties, building their own families.

H.R. 3, the No Taxpayer Funding for Abortion Act, comprehensively ensures that all programs authorized and appropriated by the Federal Government, including ObamaCare, including the Hyde amendment, do not subsidize the killing of babies except in the rare cases of rape, incest and life of the mother.

H.R. 3 ends the current IRS policy allowing tax-favored treatment for abortions under itemized deductions, HSAs, MSAs and FSAs. H.R. 3 also ends the use of tax credits under ObamaCare to purchase insurance plans that include abortions, except in cases of rape, incest or life of the mother.

Today we seek to end taxpayer complicity in abortion violence. No taxpayer should be coerced to pay, subsidize or facilitate the dismemberment, the chemical poisoning, the starvation—and remember, that is how RU–486 works; it first starves the baby to death, then the other chemical brings on delivery of a dead baby—or the suctioning to death of a child and the harming of women.

Regarding conscience rights, H.R. 3 protects pro-life health care entities by discrimination by State, local and Federal governments and empowers the courts with the authority to prevent and redress actual or threatened violations of conscience.

The need for this protection is great. According to the Alliance of Catholic Health Care, which represents California's Catholic health systems and hospitals, ''California's Catholic hospitals operate in a public policy environment that regularly challenges the concept of conscience rights protections by attempting to coerce them and other health care providers to perform, be complicit in or pay for abortions.''

So I urge Members to support this legislation. It is backed by 228 cosponsors.

Ms. SLAUGHTER. Madam Speaker, I yield myself 15 seconds to put in the real Guttmacher statement, what they have said. ''The claim that restoration of Federal Medicaid coverage would result in a significant increase in the incidence of abortion nationwide is not supported by research, and extrapolating from Guttmacher's Medicaid

findings to assert that coverage in the private insurance market is strongly linked to abortion incidence is entirely illegitimate.''

I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady.

Henry Hyde was one of the outstanding Members of the House of Representatives in the history of the House of Representatives. He believed intently in a pro-life position, and the remarks of colleagues who support this legislation are ones that I think Mr. Hyde would approve of. But he was also a master legislator, and he understood that other people have a different point of view than he has, and on the matter of abortion, something that is a matter of faith for many people, a matter of conscience for everyone, there are different points of view.

The excellent job that Mr. Hyde did was to take direct taxpayer funding out of the equation. If there were going to be abortions, they were not going to be paid for by taxpayer dollars. This amendment takes it a radical step further. What it does is it says, if there is any tax credit that is part of a health care plan, then this legislation would prohibit a small business from offering that health care plan to its workers.

Now, just think about the enormous burden that is being placed on hundreds, if not thousands, of small businesses in Vermont, on millions of small businesses in this country. Every one of those businesses, where it offers a comprehensive health care plan to their employees that may include abortion services, suddenly has to unravel those plans and deny that coverage to its workers. So what we have is an action by the sponsors of this legislation that would impose its will far beyond what Mr. Hyde ever did or sought to do on every small business in this country.

□ 1300

By the way, there's another issue here, a precedent. If now we're starting to interfere with the use of tax credits, does this mean the next target is what kind of home you buy if you're going to get the use of a taxpayer deduction?

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. WELCH. I thank the gentlelady.

Does it mean that if you're doing research on biotechnology, that the tax credit is going to be restricted and dictated by a majority, whoever it happens to be, of this House of Representatives? The basic question for this Congress is whether we're going to allow the status quo to exist through the Hyde amendment where people can exercise their conscience on this important question, or are we going to have a dictation from this Congress that absolutely and completely prohibits people from making that choice themselves.

The mutual respect that Mr. Hyde understood we needed in this country is really going to be frayed with this legislation. So I would urge Members to vote against this legislation. That's out of respect for the fact that there are sharply different views on this extraordinarily important question.

Mr. NUGENT. Madam Speaker, I yield 2¼ minutes to my colleague from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Florida for yielding me time to speak on the importance of protecting defenseless unborn children and ensuring taxpayer money is not used to pay for elective abortions.

I do want to explain to my glib friend from Vermont, who is so good on the floor, that the Hyde amendment itself covers plans as well as direct funding. So I think the people need to know there's a slight correction to the comments that he made.

According to a CNN poll last month, Madam Speaker, more than 60 percent of Americans oppose taxpayer-funding for abortion. Today, this House has the historic opportunity to end the patchwork of policies that are intended to prohibit taxpayer funding for abortion by passing a government-wide prohibition on funding elective abortions. H.R. 3, the No Taxpayer Funding for Abortion Act, codifies many longstanding pro-life protections that have been passed under both Republican and Democrat-controlled Congresses. In fact, Minority Leader NANCY PELOSI has voted 14 times to prohibit taxpayer funding for abortion in the District of Columbia. President Obama voted against taxpayer funding of abortion in the District of Columbia twice when he was in the Senate; and since being elected President, he's signed appropriations legislation into law that prohibits this funding.

As you can see, Madam Speaker, opposition to taxpayer funding for abortion is bipartisan, bicameral, and supported by the American people. There's nothing more important than protecting voiceless unborn children and their families from the travesty of abortion. Therefore, I urge my colleagues to vote for life by voting in favor of this rule and the underlying bill and say that my colleague from Vermont said we can differ on opinions, but this is the right position to take.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. I thank the gentlewoman from New York.

Madam Speaker, I rise today in opposition to the rule and in opposition to H.R. 3, a bill that threatens women's health and access to care. Over the past 2 weeks, as I traveled in my district, the top-of-mind issues were the economy and jobs. Now that we're back in D.C., instead of working together on bills that move our economy forward, we're asked to debate divisive social policy. Clearly, the priorities of the Republican majority do not match those of the people of Hawaii.

There are those who will say that H.R. 3 maintains the status quo. Not so. H.R. 3 is an extreme, radical measure that could deny tax credits for small businesses, take us back to the days when a woman had to prove that she was a victim of rape, and violate women's medical privacy rights. Do you think small business owners have the time and needed expertise to determine if their insurance plans cover abortions? Do you want to take our country back to the days when a woman had to prove that she resisted her rapist? Do you want to share your medical history with an IRS audit?

I was a member of the State legislature in the 1980s in Hawaii when I worked with women and victim advocacy groups to change our sexual assault laws so that the prosecution focused on the perpetrator of the rape rather than on the actions of the victim. Our court system in those days, because of our law, victimized the victims of rape. Hawaii changed its laws. This bill takes us back to those days when a woman had to show that she resisted.

Hawaii was also the first State in the Nation to decriminalize abortion and give a woman the right to choose. The person who carried this bill in the legislature was Senator Vince Yano, a devout Catholic. Governor Jack Burns, a devout Catholic—he went to mass every single day—he allowed this bill to become law in Hawaii, in spite of the fact that he had a lot of pressure as a Catholic to veto this bill. He could have done so. He respected the right of a woman to choose.

I urge my colleagues to join me in voting against this rule and this bill.

Mr. NUGENT. Madam Speaker, I yield 1 minute to my colleague from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. I thank my colleague for this opportunity.

You're seeing the old argument of Washington versus the new realities of America. We have two distinct issues here. Those two issues are: one, life; two, the taxpayer. I think those things are becoming very stark. Here we are, a situation where a President has signed an executive order to do many of the exact same things—to not allow Federal-funded abortions to be happening. Yet somehow we shouldn't be putting this into law. It seems common sense that we would do that. We need to do this to protect the taxpayer. If you look at polling, you look at the number of things that are going on, we cannot allow Federal funds to be used and our taxpayers to be used for this procedure.

Now let's move on to life. We know the sanctity of life that is there from that very conception until natural death. We need to protect that. We need to protect that atmosphere as a government. That is not our job to promote that horrendous operation. It's our job to protect those children.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the

gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. I thank you, Madam Chairman.

Madam Speaker, I rise in strong opposition to this legislation. Gas prices are approaching $5 a gallon, millions of Americans are looking for work, and we're busy turning the Tax Code into a moral club. Forget that abortion is a legal procedure. Forget the Republicans want limited government when it comes to protecting you in the workplace but Big Government when it comes to regulating your bedroom. This isn't about anyone's position on abortion. Roe v. Wade was decided 38 years ago. It's the law of the land. This is about whether we should use the Tax Code as a moral club to impose the religious beliefs of a few Members of Congress on the entire Nation.

What's next? Some find it immoral to drink alcohol or gamble. Should we outlaw business deductions for meals that include wine? How about business conventions in Las Vegas? Many people are morally opposed to profanity. Maybe we should make it against the law to swear when filling out your taxes.

Now, how about more serious issues? Many of my constituents think the war in Iraq is immoral. The same goes for subsidies for Big Oil and tax breaks that reward corporations for shipping our jobs overseas.

Singling out abortion is wrong. Even worse, it's a distraction from the serious challenges our Nation faces. If Republicans want to overturn Roe v. Wade, they should draft a bill and give it their best shot; but don't use the Tax Code as a bludgeon because you don't have the votes.

Mr. NUGENT. Madam Speaker, I yield 1 minute to my colleague from Ohio (Mr. CHABOT).

Mr. CHABOT. Madam Speaker, I rise today in strong support of H.R. 3, the No Taxpayer Funding for Abortion Act.

A majority of Americans have made it clear that they oppose the government using their tax dollars to pay for abortions, and it's time that we permanently extend the Hyde amendment, which bans this irresponsible practice. Particularly in our current budget situation, the Federal Government should not be subsidizing abortions.

□ 1310

Additionally, this bill permanently extends important legal protections for doctors and other health care providers who refuse to perform abortions to which they are morally opposed. Every doctor and health care provider deserves the right to act according to his or her own conscience, and this important legislation will ensure that he or she is not punished for doing so.

Madam Speaker, the American people support this legislation. They do not want their tax dollars used to pay for abortions. Let's stand together today and do the fiscally and morally responsible thing—vote to pass H.R. 3.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Madam Speaker, if a proposal were brought to the House floor that said the following, ''If an American makes a charitable contribution and takes a deduction on his income tax return, that we're going to disallow the charitable deduction if the group that's receiving the money promotes gun ownership, gun rights or gun education,'' I suspect it would not get one vote on the Republican side of the aisle, and it shouldn't get any votes on the Democratic side of the aisle because it's wrong and it's probably unconstitutional.

That is exactly what the underlying bill does here. It says that an American exercising his or her constitutional right, in this case her constitutional right, with their own money, will suffer a negative tax consequence because the majority wants them to.

Understand this. If an American woman, with her own money, chooses to exercise her constitutional right, she will be suffering an increase in taxes as a result of making this decision. I scarcely say that anyone on the majority side would agree that if we picked one of their favorite social issues and said we're going to raise taxes on people who engage in that social issue, much less than a constitutional right, that they would agree with this.

This is not a debate about abortion. This is a debate about privacy. It's a debate about individual liberty and the right of people to do what they choose with their own money, particularly when they're enforcing one of their own constitutional rights.

I would also say for the record, it's my understanding that if this bill is carried out, a person who is a minor who is a victim of statutory rape may not be able to avail herself of her constitutional rights with her family's own money.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. I know very well, Madam Speaker, that people feel passionately about the right to life and the right to choose, and this is the forum in which that debate ought to take place. But using the Internal Revenue Code to either punish or reward certain social conduct, particularly conduct that is in the exercise of a constitutional right, is wrong, and if anyone on the majority side would like to tell me that they would vote for that NRA provision, I welcome that. I wouldn't, because it's an impermissible, unconstitutional burden on the constitutional rights of Americans. So is this.

Mr. NUGENT. Madam Speaker, I yield 3 minutes to my colleague from Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of H.R. 3, the No Taxpayer Funding for Abortion Act. I am a proud cosponsor of this legislation.

As an obstetrician and gynecologist, I have delivered nearly 5,000 babies, and I strongly support the sanctity of life. I believe life is a precious gift from God that begins at conception. I have seen human development occur from the earliest stages of a small fetus all the way through birth. The magic of the heartbeat at 26 to 28 days post-conception is indescribable in my field like this, which strengthens my conviction of the right to life.

Since 1976 until the passage of President Obama's health care reform law, Congress prevented taxpayer funding for abortions. Unless abortion is specifically excluded from Federal insurance plans, the courts and administrative agencies have historically mandated it. That's why the language in H.R. 3 is so important and necessary. It explicitly states that taxpayer dollars should not be used to fund abortion.

Abortion is not a business our government should be involved in. Because something is legal doesn't mean you should do it. Regardless of how people felt about the President's health care law, people shared the belief that the President's Executive order on this subject was simply insufficient. I agree with this concern and believe that further efforts need to be made to ensure that no taxpayer funds are ever used for this purpose.

Under H.R. 3, Federal funds are statutorily prohibited from being involved in any type of health care coverage or benefits that include abortion. This means future Presidents, or even our President, can't go back and insert abortion coverage on a whim.

As legislators, we carry the responsibility and privilege to protect those who do not have a voice. We must make our laws consistent with our science and restore full legal protections to all who are waiting to be born. This starts with legislation like H.R. 3.

One of government's core functions is to protect the most innocent among us, and I will do my best to ensure that government fulfills its duty. I will always fight for the right to life because it is my belief that we are unique creations of God who knows us and loves us even before we are conceived.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentlewoman for yielding and for her strong work on this bill.

Madam Speaker, this bill is unprecedented in a number of ways. It is unprecedented in that it uniquely affects my district, and yet I was not allowed to testify at the hearing of the Judiciary Committee where it was considered. It is unprecedented in its attack on a woman's right to choose, going

well beyond the Hyde amendment. And it is unprecedented in seeking to federalize the local funds of the District of Columbia.

Section 309 of this bill would make permanent the ban in the recent 2011 spending bill that keeps the District from spending its own local funds on abortions for poor women. That's bad enough, but the party that came to power even to devolve Federal power back to the States is engaged in the reverse process in this bill, in federalizing what has always been understood in our Constitution to be local power and, worse, local money and deciding how it should be spent.

It is a dictatorship over local funds. It goes against every principle that the majority claims to support when it cites the Constitution. It goes against the accepted practice, a practice you can do nothing about in the States, where 17 States have, of course, spent their own local funds on abortions for poor women for decades, recognizing that this could not be done with Federal money.

The District of Columbia does not ask for 1 cent of Federal money. In the same way, the District of Columbia demands that its local funds be kept local for us as for every other jurisdiction of this body.

CONGRESSIONAL BLACK CAUCUS,
Washington, DC, May 3, 2011.

DEAR SENATORS BOXER, CANTWELL, FEINSTEIN, GILLIBRAND, HAGAN, KLOBUCHAR, LANDRIEU, MCCASKILL, MIKULSKI, MURRAY, SHAHEEN, AND STABENOW: We, the women of the Congressional Black Caucus, write for two reasons. First, we want to express our gratitude to you, the Democratic women of the Senate, for successfully blocking the Planned Parenthood rider from the final fiscal year 2011 continuing resolution (CR). The rider was an attack on the health and lives of all American women, especially women of modest means. The public conditioning of your support for the CR on the exclusion of the rider made the critical difference. We agreed with your strong position, which showed the country that you would not abandon women in a tough fight. Although our party is in the minority in the House, we are ready to join with you to defeat future Republican attacks on women's health.

However, we are deeply disappointed that low-income women in the District of Columbia were sacrificed during the CR negotiations. The Administration and Senate Democratic Leadership agreed to re-impose a rider prohibiting the District government from spending its own local taxpayer-raised funds on abortions for low-income women. The poor women in the District have already begun to feel the terrible effects of the rider. Abortions are time-sensitive, and scores of women scheduled for District-funded abortions at a Planned Parenthood clinic immediately had their appointments canceled. This paradox cannot be overlooked. Nonprofits in the District, including the DC Abortion Fund which helps D.C. women pay for abortions, are desperately trying to raise funds to mitigate the harm done by the rider.

Not only did this concession by Democrats violate our party's long-standing support for reproductive choice and for the District's right to self-government, it was unnecessary. As House Minority Leader Nancy Pelosi has noted, fifty-nine House Republicans voted against the CR. This means 36 Democratic votes were needed to reach 218 votes for passage. According to media reports, most House Republicans who voted against the CR did so because it did not cut enough spending, not because of the absence of the Planned Parenthood or of any other rider. In fact, the CR was remarkably clean, with only four riders. Only two were controversial, D.C. abortion and a new private school voucher program in the District. It is no wonder that the District felt abandoned.

The D.C. abortion rider, as well as every other anti-home-rule rider, was removed during the last four years of Democratic congressional control. This was a historic first that could not have been achieved without your help. As the fiscal year 2012 appropriations process begins, we believe it would be invaluable if you stated, early and publicly, your opposition to the inclusion of the D.C. abortion rider in the fiscal year 2012 appropriations bill. This is perhaps the only way to keep it out of the bill after Democrats agreed to it in the CR. Such a statement would not only help in fiscal year 2012, it would discourage House Republicans from escalating their attacks on women in the District, which are already underway.

An odious anti-choice bill, H.R. 3 (the No Taxpayer Funding for Abortion Act), is due on the House floor this week. It would make the D.C. abortion rider permanent. Although we know you will not allow H.R. 3 to pass in the Senate, House Republicans may feel emboldened to bring up a permanent D.C. abortion ban as a stand-alone bill or to attach it to another bill. The consideration of H.R. 3 on the House floor could provide you an occasion to speak out against it and to note the D.C. provision as a special reason for your opposition. You could also use this opportunity to indicate your opposition to a D.C. abortion rider in the fiscal year 2012 appropriations bill.

District women have no vote in Congress and no representation in the Senate. The city's low-income women need the support of women in Congress who not only have a vote, but who have also shown they will stand with women everywhere.

Sincerely,

Barbara Lee, Karen Bass, Donna Christensen, Eddie Bernice Johnson, Corrine Brown, Yvette Clarke, Donna Edwards, Sheila Jackson Lee, Laura Richardson, Terri Sewell, Marcia Fudge, Gwen Moore, Maxine Waters, Frederica Wilson, Members of Congress.

DISTRICT OF COLUMBIA,
May 4, 2011.

DEAR MEMBERS OF CONGRESS: I write to express my outrage with legislation that is pending before the House of Representatives, H.R. 3, which contains language extremely offensive to the District of Columbia. I ask you to withdraw the bill from consideration immediately.

H.R. 3 purports to limit the use of taxpayer funds for a constitutionally protected activity, but in truth, it goes much further in its effects on the District of Columbia. The language used in the bill converts the District into a Federal property for the first time in its history. This unprecedented affront to the sovereignty of a local and state government would never be contemplated anywhere else in the United States. Yet, the District is particularly singled out in the bill for such treatment.

This effort to alter the entire status of the District Government is truly beyond the pale. The District of Columbia is comprised of 600,000 people who deserve the same rights as other citizens and residents of their nation. American history is defined as resistance to oppression while promoting freedom and democracy. Given the principles upon which this nation was founded, and America contrives to promote steadfastly world-wide, how can you justify the disparate and disrespectful treatment to which District residents are subjected?

The Constitution guarantees every citizen of age a direct line of communication to the highest levels of our representative government so that their interests are always heard and protected. Our interests are not being protected, they are being stripped from us. As an elected member of the national government, we implore you not to further encroach upon the rights of the people who live in our city.

I cannot urge you strongly enough to remove the District from this bill as we are not a component of the federal government.

Regards,

VINCENT C. GRAY,
Mayor.

COUNCIL OF THE
DISTRICT OF COLUMBIA,
Washington, DC, May 3, 2011.

Minority Leader NANCY PELOSI,
House of Representatives,
Washington, DC.

DEAR MINORITY LEADER PELOSI: We write in strong opposition to H.R. 3, the misleadingly named ''No Taxpayer Funding for Abortion Act,'' because it has nothing to do with federal funds. The bill would prohibit the District of Columbia from using its own, locally-raised funds to support abortion services for low-income women.

The bill would overturn the rule of local government. Republicans and Democrats nationwide believe that local governments should decide what is best with respect to local issues. This belief is bedrock American principle that extends from the original Founding Fathers to today's Tea Party activists. It is also the principle underlying your own Home Rule Act for the District—the purpose of which is ''to relieve Congress of the burden of legislating upon essentially local District matters.''

H.R. 3 would make the District of Columbia the only jurisdiction in the country that is prohibited from choosing whether or not to use its own locally-raised funds to support low-income abortion services. It would be a Pyrrhic victory for abortion opponents, as it does nothing to affect Congress' inability to overrule the 17 states that currently fund abortion services for low-income residents.

The 600,000 residents of the District have neither a voice nor a vote in the Congress to defend against this renewed assault that is H.R. 3. We urge members of Congress to respect the District and the fundamental American principle of local rule. We urge you to be helpful, not harmful, to our efforts to improve public health and safety. We urge you to vote against H.R. 3.

Sincerely,

Kwame R. Brown, Chairman; Phil Mendelson, Councilmember At-Large; Sekou Biddle, Councilmember At-Large; David Catania, Councilmember At-Large; Michael A. Brown, Councilmember At-Large; Jim Graham, Councilmember Ward 1; Jack Evans, Councilmember Ward 2; Mary M. Cheh, Councilmember Ward 3; Muriel Bowser, Councilmember Ward 4; Harry Thomas, Jr., Councilmember Ward 5; Tommy Wells, Councilmember Ward 6; Yvette Alexander, Councilmember Ward 7; Marion Barry, Councilmember Ward 8.

Mr. NUGENT. Madam Speaker, I yield 2 minutes to my colleague from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman.

Before I begin my remarks, I just have to say that I am really shocked by the statement from my friend and colleague from the State of New Jersey as well when he basically makes the bold statement that basically by taking away a subsidy of sorts of what we're doing here, and that translates to a tax increase on an individual. Nothing, of course, is done in this legislation to that effect.

I come to the floor today and rise in full support of H.R. 3, the No Taxpayer Funding for Abortion Act. I commend everyone who has worked on this, especially my other colleague from New Jersey (Mr. SMITH) not only for sponsoring the bill before us today but for being a leader on this important issue. You see, by passing this bill, what we really do is establish a permanent government-wide prohibition on subsidies for abortion and abortion coverage, while giving the doctors opposed to abortion certain protections to safeguard them from performing abortions against their will.

□ 1320

This is a commonsense bill. It is consistent with the opinions of the majority of Americans who have voiced opposition to Federal funding for abortion.

See, I believe that the time has come to do away with the patchwork ban currently in place with a law that extends the Hyde amendment to all aspects of spending authority here in Congress.

Now, I know my colleagues on the other side of the aisle will tell you that cutting off funding to abortion services will only cause abortion rates to do what? Rise, they say, but just the opposite. In fact, published research by the pro-abortion Alan Guttmacher Institute shows what? That we would actually see a 25 percent decrease in abortions.

Furthermore, contrary to what the opposition would have you believe, this legislation will not affect funding for family planning services. It will only prevent funding and subsidies for abortion and abortion coverage.

So it's important to point out that taxpayers across the country do not believe that they should be funding abortion coverage. Well, just last week in Indiana, Governor Daniels signed probably the most comprehensive taxpayer protection law.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUGENT. I yield the gentleman an additional 30 seconds.

Mr. GARRETT. As I was saying, just last week in Indiana, the Governor signed probably the most comprehensive taxpayer protection law to prevent taxpayers from doing what? Subsidizing abortion. I was reading the article in the L.A. Times. They said this is probably going to go in other States. Why is that? Because it's the will of the people.

Let me tell you and conclude on this. I'm the father of two beautiful girls. When I look at them, I see the promise of tomorrow. My life is, without question, better for the love I share with them. America is better for each child and life that is here.

So I will come to this floor and continue to fight to protect the most fundamental right of the unborn in each of us: the right to life.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 1¾ minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentlelady for yielding and for her leadership not only on this but so many important issues.

I want to make it very clear, in response to the gentleman's statement, there are no taxpayer-funded abortions now. There weren't any yesterday, and there won't be any in the future. H.R. 3 goes far beyond current law. It is stunning in its scope, appalling in its indifference, and outrageous in its arrogance.

The right to choose is absolutely meaningless without access to choice, and H.R. 3 creates obstacles for women to access safe, legal, and constitutionally protected health care. This makes access to abortion coverage incredibly difficult, and I would say that the bill is not only an attack on women's rights, but it is also an attack on the rights of the private insurance companies and small businesses.

It tells private insurance companies how to run their businesses, raises compliance costs for small business, and even tells the local government how they may spend their money. The bill manages to offend nearly every high-sounding principle the other side says they stand for.

So if you truly believe in the freedom of the individual and the wisdom of free market, vote ''no'' on this absolutely appalling piece of work. It is anti-woman, anti-choice, anti-respect, and anti-business. It is a totally flawed bill, goes far further than any existing law, and it is the deepest and strongest attack on a woman's right to choose that has come before this body in my lifetime.

And the Republican majority says its priority is jobs and job creation, but their actions speak louder than words. They want to come into the bedroom. They want to come between a woman and her doctor. It is an appalling bill. Please vote ''no.''

Mr. NUGENT. Madam Speaker, I yield 1 minute to my colleague from Tennessee (Mr. FINCHER).

Mr. FINCHER. I rise in support of the rule.

Over 20 years ago, in his 1985 book, ''For Every Idle Silence,'' Congressman Hyde wrote ''It is becoming culturally fashionable to protect the defenseless unborn.'' Those words hold even truer today as polling continually shows the majority of Americans oppose the vast majority of abortions and more Americans consider themselves pro-life more than ever.

Polls also show that a large majority of Americans oppose taxpayer subsidies for abortion and abortion coverage. An April 2011 CNN poll found that 61 percent of respondents opposed using public funds for abortion. A November 2009 Washington Post poll showed 61 percent of respondents opposed government subsidies for health insurance that includes abortion. A September 2009 International Communications Research poll showed that 67 percent of respondents opposed measure that would require people to pay for abortion coverage with their Federal taxes.

Our constituents and our conscience demand of us that we wait no longer. We must permanently end taxpayer funding of abortion and protect the lives of unborn children.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. NUGENT. I yield 2 minutes to my colleague from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman for yielding, and I appreciate the privilege to come here to the floor and stand up for the rights of the innocent unborn in this country.

At the root of this issue is the question of what is human life and is it sacred in all of its forms and at what instant does it begin, and I think all of us with a conscience will recognize that human life needs to be sacred in all of its forms and it begins at the instant of conception, and once we come to that conclusion we stand up to defend every voiceless innocent miracle that's on its way into breathing free air into this country.

And to think that we are compelling the American taxpayer to fund abortions across this country and in foreign lands on occasion, because we can't quite hear that voice—Henry Hyde heard that voice, and we're standing up with and for Henry Hyde. I so much appreciate him and CHRIS SMITH, who is the principal author of the underlying legislation.

I rise in support of this rule, Madam Speaker, and I rise in support of the innocent unborn. The conscience of America must be heard in this debate today, on this rule and on the underlying bill. The voice of the voiceless need to be heard, that of those people who were not heard in the life we will hear from in the next, as Henry Hyde so eloquently said. But an America that is a pro-life America, with over 60 percent that oppose Federal funding, taxpayer-funded abortions, this is a consistent position that reflects the will of the American people. We must draw this line not just with Planned Parenthood but every abortion provider in the country. If they can't make it in the market on their own, we have no business subsidizing them without regard to the impact on our overall economy.

Madam Speaker, I'm pleased and proud to be here today to take this stand, and I'm pleased and proud of the

entire Pro-Life Caucus that's here in the United States Congress, both Democrats and Republicans alike, who have done so much over the years to bring us to this point of consensus. And this is a consensus that will be reflected on this vote on the rule and on the vote on the underlying bill, a consensus of the American people with their resounding support for this rule and the underlying bill.

Ms. SLAUGHTER. Madam Speaker, I yield myself the balance of my time to close.

I first want to remind people what we've said about statutory rape. When this bill was first introduced, it modified the long-standing rape exception to the Hyde amendment by adding the term ''forcible'' before the word ''rape.'' In other words, the victim of rape had to show wounds and other matters that she really was forcibly raped before she could be covered, but they changed that because there was such an outcry. But they have found another way to get to exclude other victims of rape. Just saying those words scandalizes me.

The House Judiciary Committee report, which will be used by the courts to interpret the intent of this bill, says the bill will not allow the Federal Government to subsidize abortions in cases of statutory rape, claiming that this reflects existing law, and of course it does not. Statutory rape is one of the most serious of crimes because the young woman involved has not given consent and, indeed, is not allowed to because of her age. How dare we do that? Have they not suffered enough?

The Hyde amendment does not distinguish between statutory rape or any other kind of rape. In fact, a 1978 regulation implementing the Hyde amendment makes clear that it includes victims of statutory rape in the funding exemption.

Now, if most people in the United States don't want their tax money used for abortions, they can relax. We've not been using tax money for 38 years. We're not going to change that with this bill. That's not the intent of this bill at all. It's simply the title, which is meaningless.

□ 1330

What it does do is it increases taxes on middle class and lower-income women and their families, but it singles out small business employers and penalizes them if they provide comprehensive insurance coverage that includes abortion. Nearly two-thirds of all voters polled—this is two-thirds—oppose this draconian change in the tax system for small business and individuals with plans that cover abortion. In fact, even most Republicans, tea party supporters, anti-abortion workers, and evangelical Christians oppose the tax increase.

As the head of the South Carolina Small Business Chamber of Commerce wrote in a Hill column Monday: ''H.R. 3 is simply a slap in the face to the millions of small businesses now offering health insurance to employees and eligible for the new tax credits'' that come from the new health care bill.

[From The Hill's Congress Blog, May 2, 2011]

H.R. 3 A DELIBERATE ATTACK ON SMALL BUSINESS

(By Frank Knapp, Jr.)

After decades of escalading group health insurance premiums and demands for Congressional action for relief, a little over one year ago many of our small businesses finally were given the opportunity for federal health insurance tax credits.

Now H.R. 3, up for a vote this week, threatens to erase this benefit for small businesses because it would eliminate the health insurance tax credits under the Affordable Care Act for any existing or new plans that provide coverage for abortion.

The problems H.R. 3 would cause for small businesses that are trying to do the right thing and offer health insurance have nothing to do with the ideological intent of this bill. Even if a small business owner agrees with the intent, the cost of passage of H.R. 3 in terms of time, money and continuity of policy is very significant.

Small business owners do not have the expertise to closely examine healthcare plans to determine if abortion coverage is included. Such services are not labeled ''abortion'' but rather fall into numerous clauses in a health care policy from prescription drugs to outpatient surgery to maternity care that includes unforeseen complications. Small business owners are no more prepared to completely understand the fine print of their health insurance policies than members of Congress.

Requiring a small business owner to try to understand the intricacies of their health insurance policies would require considerable time on their own or with an insurance agent (who also probably has no idea how to interpret the verbiage in the policy as it relates to abortion). Essentially H.R. 3 will cause a small employer to divert time from running the business. And if time is money, as we are all told, then H.R. 3 will be an increase in cost for small businesses offering health insurance.

Small businesses that finally determine that their health insurance policy does in fact cover even one abortion service will be financially punished in one of two ways. Either they can keep their present policy and lose thousands of dollars in hard won tax credits or they will give up their current health plan and most likely have to pay higher premiums for a new plan. The latter will result from both re-underwriting by a new carrier and adding provisions now required in any new policy. This is especially true since the health insurance exchanges will not be in place until 2014 to increase competition for this business.

H.R. 3 is simply a slap in the face to the millions of small businesses now offering health insurance to employees and eligible for the new tax credits. Targeting small businesses for such punitive action, while ignoring big businesses that also receive tax benefits when offering health insurance, demonstrates a callous disregard for the ''backbone of our economy'', as members of Congress love to proclaim.

I yield back the balance of my time.

Mr. NUGENT. Madam Speaker, I need to correct one thing. The word ''forcible'' is nowhere in the statute or the legislation as we have it on the floor.

Madam Speaker, my colleagues on the other side of the aisle would have you believe that H.R. 3 is about taking away a woman's right to choose. That is simply not true. H.R. 3 is about ensuring that taxpayers aren't on the hook for paying for that choice. My Democratic colleagues would have you believe that we want to raise your taxes and allow the IRS to audit women. Again, that is simply not true. The bill is about one thing: keeping our tax dollars from being spent for elective abortions on demand.

The United States is currently borrowing 42 cents of every dollar we spend. We are in debt and spending money we don't have. We need to focus on bringing our government back to its core mission. You can't tell me that paying for elective abortions is part of our core mission.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 177, not voting 12, as follows:

[Roll No. 286]

YEAS—243

Adams
Aderholt
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
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Cassidy
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Coffman (CO)
Cole
Conaway
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Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
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Ellmers
Farenthold
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Fitzpatrick
Flake
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Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
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Gingrey (GA)
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Goodlatte
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Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
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Hastings (WA)
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Huizenga (MI)
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Johnson (IL)
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Kildee
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LaTourette
Latta
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Long
Lucas
Luetkemeyer
Lungren, Daniel E.
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Marchant
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McCaul
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McMorris Rodgers
Meehan

Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
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Nugent
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Olson
Palazzo
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Paulsen
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Price (GA)
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Rogers (AL)
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Ros-Lehtinen
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Ross (AR)
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Royce
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Scalise
Schilling
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Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
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Simpson
Smith (NE)
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Southerland
Stearns
Stivers
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Sullivan
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Walberg
Walden
Walsh (IL)
Webster
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Wilson (SC)
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Baca
Baldwin
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Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
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Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
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Clarke (MI)
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Connolly (VA)
Conyers
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Davis (CA)
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DeFazio
DeGette
DeLauro
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Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
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Maloney
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McCollum
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McGovern
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Michaud
Miller (NC)
Miller, George
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Perlmutter
Peters
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
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Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
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Wu
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Akin
Bilbray
Bilirakis
Costa
Diaz-Balart
Emerson
Giffords
Johnson, Sam
Lummis
Nunnelee
Pingree (ME)
Thompson (PA)

□ 1356

Ms. BROWN of Florida changed her vote from ''yea'' to ''nay.''

Messrs. COFFMAN of Colorado, GARY G. MILLER of California, and HELLER changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SMITH of Texas. Madam Speaker, pursuant to House Resolution 237, I call up the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. MYRICK). Pursuant to House Resolution 237, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, the amendment in the nature of a substitute printed in House Report 112–71 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''No Taxpayer Funding for Abortion Act''.

(b) TABLE OF CONTENTS.—the table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROHIBITING FEDERALLY-FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS

Sec. 101. Prohibiting taxpayer funded abortions and providing for conscience protections.

Sec. 102. Amendment to table of chapters.

TITLE II—ELIMINATION OF CERTAIN TAX BENEFITS RELATING TO ABORTION

Sec. 201. Deduction for medical expenses not allowed for abortions.

Sec. 202. Disallowance of refundable credit for coverage under qualified health plan which provides coverage for abortion.

Sec. 203. Disallowance of small employer health insurance expense credit for plan which includes coverage for abortion.

Sec. 204. Distributions for abortion expenses from certain accounts and arrangements included in gross income.

TITLE I—PROHIBITING FEDERALLY-FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS

SEC. 101. PROHIBITING TAXPAYER FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS.

Title 1, United States Code is amended by adding at the end the following new chapter:

''CHAPTER 4—PROHIBITING TAXPAYER FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS

''Sec.

''301. Prohibition on funding for abortions.

''302. Prohibition on funding for health benefits plans that cover abortion.

''303. Limitation on Federal facilities and employees.

''304. Construction relating to separate coverage.

''305. Construction relating to the use of non-Federal funds for health coverage.

''306. Non-preemption of other Federal laws.

''307. Construction relating to complications arising from abortion.

''308. Treatment of abortions related to rape, incest, or preserving the life of the mother.

''309. Application to District of Columbia.

''310. No government discrimination against certain health care entities.

''§ 301. Prohibition on funding for abortions

''No funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which funds are authorized or appropriated by Federal law, shall be expended for any abortion.

''§ 302. Prohibition on funding for health benefits plans that cover abortion

''None of the funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which funds are authorized or appropriated by Federal law, shall be expended for health benefits coverage that includes coverage of abortion.

''§ 303. Limitation on Federal facilities and employees

''No health care service furnished—

''(1) by or in a health care facility owned or operated by the Federal Government; or

''(2) by any physician or other individual employed by the Federal Government to provide health care services within the scope of the physician's or individual's employment,

may include abortion.

''§ 304. Construction relating to separate coverage

''Nothing in this chapter shall be construed as prohibiting any individual, entity, or State or locality from purchasing separate abortion coverage or health benefits coverage that includes abortion so long as such coverage is paid for entirely using only funds not authorized or appropriated by Federal law and such coverage shall not be purchased using matching funds required for a federally subsidized program, including a State's or locality's contribution of Medicaid matching funds.

''§ 305. Construction relating to the use of non-Federal funds for health coverage

''Nothing in this chapter shall be construed as restricting the ability of any non-Federal health benefits coverage provider from offering abortion coverage, or the ability of a State or locality to contract separately with such a provider for such coverage, so long as only funds not authorized or appropriated by Federal law are used and such coverage shall not be purchased using matching funds required for a federally subsidized program, including a State's or locality's contribution of Medicaid matching funds.

''§ 306. Non-preemption of other Federal laws

''Nothing in this chapter shall repeal, amend, or have any effect on any other Federal law to the extent such law imposes any limitation on the use of funds for abortion or for health benefits coverage that includes coverage of abortion, beyond the limitations set forth in this chapter.

''§ 307. Construction relating to complications arising from abortion

''Nothing in this chapter shall be construed to apply to the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion. This rule of construction shall be applicable without regard to whether the abortion was performed in accord with Federal or State law, and without regard to whether funding for the abortion is permissible under section 308.

''§ 308. Treatment of abortions related to rape, incest, or preserving the life of the mother

''The limitations established in sections 301, 302, and 303 shall not apply to an abortion—

''(1) if the pregnancy is the result of an act of rape or incest; or

''(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

''§ 309. Application to District of Columbia

''In this chapter:

''(1) Any reference to funds appropriated by Federal law shall be treated as including any amounts within the budget of the District of Columbia that have been approved by Act of Congress pursuant to section 446 of the District of Columbia Home Rule Act (or any applicable successor Federal law).

''(2) The term 'Federal Government' includes the government of the District of Columbia.

''§ 310. No government discrimination against certain health care entities

''(a) NONDISCRIMINATION.—A Federal agency or program, and any State or local government that receives Federal financial assistance (either directly or indirectly), may not subject any individual or institutional health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

''(b) HEALTH CARE ENTITY DEFINED.—For purposes of this section, the term 'health care entity' includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

''(c) REMEDIES.—

''(1) IN GENERAL.—The courts of the United States shall have jurisdiction to prevent and redress actual or threatened violations of this section by issuing any form of legal or equitable relief, including—

''(A) injunctions prohibiting conduct that violates this section; and

''(B) orders preventing the disbursement of all or a portion of Federal financial assistance to a State or local government, or to a specific offending agency or program of a State or local government, until such time as the conduct prohibited by this section has ceased.

''(2) COMMENCEMENT OF ACTION.—An action under this subsection may be instituted by—

''(A) any health care entity that has standing to complain of an actual or threatened violation of this section; or

''(B) the Attorney General of the United States.

''(d) ADMINISTRATION.—The Secretary of Health and Human Services shall designate the Director of the Office for Civil Rights of the Department of Health and Human Services—

''(1) to receive complaints alleging a violation of this section;

''(2) subject to paragraph (3), to pursue the investigation of such complaints in coordination with the Attorney General; and

''(3) in the case of a complaint related to a Federal agency (other than with respect to the Department of Health and Human Services) or program administered through such other agency or any State or local government receiving Federal financial assistance through such other agency, to refer the complaint to the appropriate office of such other agency.''.

SEC. 102. AMENDMENT TO TABLE OF CHAPTERS.

The table of chapters for title 1, United States Code, is amended by adding at the end the following new item:

''4. Prohibiting taxpayer funded abortions and providing for conscience protections ..... 301''.

TITLE II—ELIMINATION OF CERTAIN TAX BENEFITS RELATING TO ABORTION

SEC. 201. DEDUCTION FOR MEDICAL EXPENSES NOT ALLOWED FOR ABORTIONS.

(a) IN GENERAL.—Section 213 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) AMOUNTS PAID FOR ABORTION NOT TAKEN INTO ACCOUNT.—

''(1) IN GENERAL.—An amount paid during the taxable year for an abortion shall not be taken into account under subsection (a).

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to—

''(A) an abortion—

''(i) in the case of a pregnancy that is the result of an act of rape or incest, or

''(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy, and

''(B) the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 202. DISALLOWANCE OF REFUNDABLE CREDIT FOR COVERAGE UNDER QUALIFIED HEALTH PLAN WHICH PROVIDES COVERAGE FOR ABORTION.

(a) IN GENERAL.—Subparagraph (A) of section 36B(c)(3) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: ''or any health plan that includes coverage for abortions (other than any abortion or treatment described in section 213(g)(2))''.

(b) OPTION TO PURCHASE OR OFFER SEPARATE COVERAGE OR PLAN.—Paragraph (3) of section 36B(c) of such Code is amended by adding at the end the following new subparagraph:

''(C) SEPARATE ABORTION COVERAGE OR PLAN ALLOWED.—

''(i) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in subparagraph (A) shall be construed as prohibiting any individual from purchasing separate coverage for abortions described in such subparagraph, or a health plan that includes such abortions, so long as no credit is allowed under this section with respect to the premiums for such coverage or plan.

''(ii) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in subparagraph (A) shall restrict any non-Federal health insurance issuer offering a health plan from offering separate coverage for abortions described in such subparagraph, or a plan that includes such abortions, so long as premiums for such separate coverage or plan are not paid for with any amount attributable to the credit allowed under this section (or the amount of any advance payment of the credit under section 1412 of the Patient Protection and Affordable Care Act).''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2013.

SEC. 203. DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.

(a) IN GENERAL.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Any term'' and inserting the following:

''(1) IN GENERAL.—Any term'', and

(2) by adding at the end the following new paragraph:

''(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—The terms 'qualified health plan' and 'health insurance coverage' shall not include any health plan or benefit that includes coverage for abortions (other than any abortion or treatment described in section 213(g)(2)).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 204. DISTRIBUTIONS FOR ABORTION EXPENSES FROM CERTAIN ACCOUNTS AND ARRANGEMENTS INCLUDED IN GROSS INCOME.

(a) FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.—Section 125 of the Internal Revenue Code of 1986 is amended by redesignating subsections (k) and (l) as subsections (l) and (m), respectively, and by inserting after subsection (j) the following new subsection:

''(k) ABORTION REIMBURSEMENT FROM FLEXIBLE SPENDING ARRANGEMENT INCLUDED IN GROSS INCOME.—Notwithstanding section 105(b), gross income shall include any reimbursement for expenses incurred for an abortion (other than any abortion or treatment described in section 213(g)(2)) from a health flexible spending arrangement provided under a cafeteria plan. Such reimbursement shall not fail to be a qualified benefit for purposes of this section merely as a result of such inclusion in gross income.''.

(b) ARCHER MSAS.—Paragraph (1) of section 220(f) of such Code is amended by inserting before the period at the end the following: '', except that any such amount used to pay for an abortion (other than any abortion or treatment described in section 213(g)(2)) shall be included in the gross income of such holder''.

(c) HSAS.—Paragraph (1) of section 223(f) of such Code is amended by inserting before the period at the end the following: '', except that any such amount used to pay for an abortion (other than any abortion or treatment described in section 213(g)(2)) shall be included in the gross income of such beneficiary''.

(d) EFFECTIVE DATES.—

(1) FSA REIMBURSEMENTS.—The amendment made by subsection (a) shall apply to expenses incurred with respect to taxable years beginning after the date of the enactment of this Act.

(2) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsection (b) and (c) shall apply to amounts paid with respect to taxable years beginning after the date of the enactment of this Act.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee of the Judiciary, 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Texas (Mr. BRADY), the gentleman from Michigan (Mr. LEVIN), the gentleman from Pennsylvania (Mr. PITTS), and the gentlewoman from Colorado (Ms. DEGETTE) each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

First, let me recognize the gentleman from New Jersey (Mr. SMITH), the chief sponsor of H.R. 3, for his persistent leadership over the years on this issue.

□ 1400

Many Members and the American people have strong feelings about the subject of abortion, but one thing is clear: The Federal funding of abortion will lead to more abortions. For example, in 2009, there were only 220 government-financed abortions. The Congressional Budget Office has estimated that the Federal Government would pay for as many as 675,000 abortions each year without the Hyde Amendment and other provisions that prevent the Federal funding of abortion.

The American people do not want federally funded abortions. A Zogby poll found that 77 percent of Americans feel that Federal funds should never pay for abortions or should pay only to save the life of the mother. That is the policy of the Hyde Amendment, which H.R. 3 would enact into law.

H.R. 3 does not ban abortion. It also does not restrict abortions or abortion coverage in health care plans as long as those abortions or plans use only private or State funds. This legislation places no additional legal restrictions on abortions. It simply protects taxpayers from having to fund or to subsidize something they morally oppose. H.R. 3 also is necessary to fix the recent health care law. Absolutely nothing in that law prevents the Federal funding of abortions under the programs it creates.

Neither Congress nor the administration should take the view that they know better than the American people what is good for them. Congress should pass H.R. 3 to codify the longstanding ban on the Federal funding of abortions.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. I yield myself 3 minutes.

Madam Speaker and Members of the House, the problem with this bill is that it reaches far beyond Federal funding in that it subjects women to profound government intrusion, that it restricts women's access to health care, and that it targets small businesses for disparate treatment under the Tax Code. That's why I have more than a dozen organizations, ranging from the American Nurses Association to the YWCA, which are all opposed to this legislation. In addition, this bill will punish women for their private health care decisions, and will subject them to profound government intrusion. So this is not a Democrat versus Republican issue. It is a very important personal decision.

Now, the goal of this bill—and I'd like to suggest it from the outset of this discussion—is to make it impossible to obtain abortion services even when paid for with purely private, non-Federal funds. If there is anyone who has a different view about this, I hope that it gets expressed this afternoon.

Finally, H.R. 3 subjects small businesses to disparate treatment under the tax laws; and as one who supports small business and workers in this country, that alone would turn my support against this measure.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the former chairman of the Judiciary Committee and the current chairman of the Crime Subcommittee of the Judiciary.

Mr. SENSENBRENNER. I thank the gentleman for yielding.

Madam Speaker, today we are presented with an opportunity to take a giant step toward protecting the unborn. For almost 35 years, restrictions on the use of Federal funds for abortion have been enacted separately and have been contained in annually renewed congressional temporary funding restrictions, regulations and Executive orders. Such policies have sought to ensure that the American taxpayer does not fund the destruction of innocent human life through abortion. The legislation on the floor today will end the need for numerous separate abortion funding policies, and will finally put into place a permanent ban on any U.S. Government financial support for abortion.

Each year, the abortion industry is allocated millions of tax dollars to advance its agenda. Last year alone, the Planned Parenthood Federation of America collected more than 360 million taxpayer-funded dollars. Because all money is fungible, when taxpayers pay an organization like Planned Parenthood millions of dollars, we cannot help but empower and promote all of that organization's activities. Taxpaying Americans are fed up. They are tired of their hard-earned money being spent on supporting and promoting the abortion industry.

Under H.R. 3, Federal funds will be prohibited for elective abortion coverage through any program in the U.S. Department of Health and Human Services. The legislation prevents the funding for abortion as a method of family planning overseas. It prohibits funding for elective abortion coverage for Federal employees, and it prevents taxpayer-funded abortions in Washington, D.C.

Importantly, H.R. 3 would also protect the conscience-driven health care providers from being forced by the government to participate in abortions. The conscience clause is critically needed in order to protect health care providers who do not want to take part in the abortion business. Without it, people could be forced to participate in something they strongly believe to be morally wrong. Faith-based hospitals could lose funding and be forced to close.

It is time to end taxpayer-funded abortions. I strongly support this important and needed approach to preserve and promote the sanctity of life in our country.

Mr. CONYERS. Madam Speaker, I would like now to yield 3 minutes to the former chairman of the Subcommittee on the Constitution, JERRY NADLER of New York.

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, this bill has nothing to do with creating jobs, reducing our deficit or bolstering our economy. It addresses, instead, the completely fictitious claim that legislation is needed to prevent the Federal funding of abortion services. This bill has been falsely advertised as a mere codification of existing law prohibiting the Federal funding of abortion.

I have always opposed the unfair restrictions on Federal funding for a perfectly legal health care procedure, but this bill goes far beyond prohibiting Federal funding. The real purpose and effect of this bill is to eliminate private health care choices for women by imposing significant tax penalties on families and small businesses when they use their own money to pay for health insurance or medical care. This tax penalty is intended to drive insurance companies into dropping abortion services from existing private health care policies that women and families now have and rely upon.

This bill claims that a tax credit or deduction is a form of government funding. It follows that tax-deductible charitable contributions to a church, synagogue or other religious institution are also government funding—a position my Republican colleagues have never taken and that, if taken, would prohibit tax deductions for charitable contributions to religious organizations because they would then be violations of the Establishment Clause of the First Amendment.

You can't have it both ways. Either tax exemptions, deductions or credits for private spending are government funding or they are not. If they are not, this bill makes no sense. If they are, then tax-deductible private contributions to religious institutions are government funding prohibited by the Constitution.

The power to tax is the power to destroy, and here, the taxing power is being used to destroy the right of every American to make private health care decisions free from government interference. This bill is an unprecedented attack on the use of private funds to make private health care choices, and is part of the new House majority's broader and disturbing attack on women's access to health care.

After 2 years of hearing my Republican colleagues complain that government should not meddle in the private insurance market or in private health care choices, I am astounded by this legislation, which is so obviously designed to do just that. It seems that

many Republicans believe in freedom provided that no one uses that freedom in a way that Republicans find objectionable. It is a strange understanding of freedom.

There is also a provision in this bill that might allow any health care provider or institution to refuse to provide an abortion to a woman whose life depends on having that abortion. They could let that woman die right there in the emergency room, and the government would be powerless to do anything. In fact, if the government insisted that the hospital not let the woman die, the bill would allow the hospital to sue the government and, in the case of a State or locality, strip that community of all Federal funding until the jurisdiction relented.

□ 1410

Despite the fact that Republicans made a big show of taking out language limiting rape to forcible rape, the committee report now says that the bill still excludes victims of statutory rape in order to close a ''loophole.'' That is right. You women who have been sexually victimized are really just a loophole. Frankly, disgusting.

A vote for this bill, Madam Speaker, is a vote for a tax increase on women, families, and small businesses. It is a vote for taking away the existing health insurance that women and families now have and pay for with their own funds. It is a vote to elevate the right to refuse care over the obligation to provide lifesaving care. It deserves to be defeated.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FRANKS), who is the chairman of the Constitution Subcommittee of the Judiciary Committee.

Mr. FRANKS of Arizona. I thank the gentleman.

Madam Speaker, it is said that a government is what it spends. This bill is really about whether the role of America's government is to fund a practice that takes the lives of over 1 million unborn American babies every year, despite the fact that the overwhelming majority of Americans, even some of those who consider themselves prochoice, strongly object to their taxpayer dollars being used to pay for abortions.

In 1973, Madam Speaker, the United States Supreme Court said the unborn child was not a person under the Constitution and we have since witnessed the tragic deaths of over 50 million innocent little baby boys and girls who died without the protection we in this Chamber should have given them. Some of this was carried out with taxpayer dollars before the Hyde amendment and other such laws were in place, and taxpayer funding of abortion could recommence in the future under ObamaCare.

So before we vote on this bill, it is important for Members to ask themselves the real question: Does abortion take the life of a child? If it does not, then this is simply a budgetary issue. But if abortion really does kill a little baby, then those of us sitting here in these chambers of freedom are presiding over the greatest human genocide in the history of humanity, and some of it may be financed in the future, Madam Speaker, with taxpayer dollars over which we will have had direct control.

Madam Speaker, our Founding Fathers believed there were certain self-evident truths that were worth holding on to. The greatest of those truths in their minds was the transcendent meaning of this gift of God called human life. Our Constitution says no person shall be deprived of life, liberty or property without due process of law. Thomas Jefferson said that ''The care of human life and its happiness and not its destruction is the chief and only object of good government.''

Madam Speaker, protecting the lives and constitutional rights of our fellow Americans is why we are all here, and forcing taxpayers to pay for the indiscriminate killing of helpless little baby Americans is not good government and it should be ended once and for all.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. CHU), a distinguished member of the Judiciary Committee.

Ms. CHU. Imagine what life would be like for women under H.R. 3. Imagine you are pregnant and then diagnosed with breast cancer. Your doctor says that chemotherapy could save your life, but will permanently harm the baby. The diagnosis is devastating. But to add to your grief, because of H.R. 3, an abortion will not be covered by your private health insurance. You must pay out of pocket, even though it is necessary to save your life.

Imagine IRS agents as abortion cops. You see, under H.R. 3 you couldn't deduct an abortion as a medical expense unless it were the result of rape or incest, even though you are using your own money and even though you can deduct every other medical procedure. Imagine the IRS knocking at your door demanding receipts and grilling you about your rape.

This bill forces women to live their lives as if America was Orwell's 1984, where big brother Washington bureaucrats dictate the personal and private health decisions of American families.

Stop these attacks on women. Oppose H.R. 3.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman for yielding.

Madam Speaker, as a cosponsor, I rise today in support of H.R. 3, the No Taxpayer Funding for Abortion Act. I have long believed that the right to life is one that we must vigorously protect, and I have cosponsored many bills to do that, including the Right to Life Act last Congress.

While there are many divergent views on this topic, one thing that most agree on is that it is wholly improper for the Federal Government to use taxpayers' hard-earned dollars to fund abortions. This is a moral issue of the highest importance to many taxpayers and to force them to fund these activities is completely unacceptable. For many Americans, taxpayer-funded abortions would constitute an extreme violation of conscience that should not be sanctioned by this Congress.

I urge my colleagues to support H.R. 3, and I want to thank the gentleman from New Jersey, Mr. SMITH, and the gentleman from Texas, Mr. SMITH, for first introducing and then advancing this legislation.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY), a strong progressive in this Congress.

Ms. WOOLSEY. I thank the gentleman.

Madam Speaker, for the last 18 years as a Member of this body I have listened to Republicans go on and on about keeping government out of the health care system. That and taking away the voice of women actually puts the government between that woman and her most private health care decisions and is the biggest, the most intrusive government of all.

I thought my Republican friends hated taxes, but apparently they hate reproductive freedom and women's rights even more, because this bill would raise taxes on small businesses that provide their employees with health plans that include abortion coverage. And in one of its most egregious provisions, this bill could lead to IRS audits of women who seek abortion care after they have had a sexual assault. Absolutely unconscionable. Vote ''no'' on H.R. 3.

Mr. SMITH of Texas. Madam Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. JORDAN), who is a member of the Judiciary Committee and also chairman of the Republican Study Committee.

Mr. JORDAN. I thank the gentleman from Texas, the distinguished chair of the Judiciary Committee.

Look, life is precious, life is sacred, and government should protect that basic fact. It is not some grant from government. It is a gift from God. Our founders understood that when they talked about the creator giving us this inalienable right, and the fact that we live in the greatest Nation in history and our tax dollars are used to destroy the life of unborn children is just plain wrong.

This bill corrects that. This bill is what the American people want, and this bill is consistent with this great Nation, founded on life, liberty and the pursuit of happiness. That is why it should pass and that is why I am a proud sponsor and urge a ''yes'' vote on the legislation.

Mr. CONYERS. I yield 2 minutes to the gentleman from Iowa (Mr. BRALEY).

Mr. BRALEY of Iowa. I thank the gentleman for yielding.

If you remember only one thing about this bill, remember this: It is a solution in search of a problem. The simple truth is that there are no taxpayer dollars being used to pay for abortions. None. Zero. Nada.

Don't be fooled by this bill. It isn't about funding. It is about preventing women from being able to access comprehensive health care. That is what this bill is about. The debate is about whether politicians sitting in Congress should dictate the personal, private medical decisions of the American people. It aims to impose intrusive government rules on personal medical decisions.

The bill's supporters don't want abortion, any abortion, to be legal in the United States, and so they are adding as many bureaucratic rules as they can come up with. This bill would not allow an exception for rape and incest for women in the military and military dependents.

□ 1420

Think about that. Military studies in news reports suggest that the sexual assault in the military is unconscionably high. CBS News reported that one in three military women experience sexual assault during their career in the service. One in three. This is outrageous. And yet under this bill, those brave women who took an oath to defend and support the Constitution of this country and put their lives on the line every day, if they are sexually assaulted by a peer and become pregnant, would not have an opportunity to get an abortion under this rule.

That's what we're talking about today. And that is the contrast between these two philosophies of the role of government and the personal-private medical decisions of women. And that is why I ask my colleagues to reject this bill.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. I want to thank CHRIS SMITH and Chairman SMITH for this very simple but profound bill.

Ladies and gentlemen, all this bill does is end public funding—taxpayer funding—of abortion. The driving force behind H.R. 3 is simply to update the longstanding Hyde amendment and apply it to programs that are federally funded but outside the scope of the Labor-HHS appropriations as well as replace a patchwork system with permanent law. It takes the Hyde amendment, the Dornan amendment, the Helms amendment, the Hyde-Weldon amendment, as well as others, and makes them permanent. That's what the bill does.

H.R. 3 enjoys great bipartisan support and had over 227 cosponsors. The support of this bill is in the public's hands. A CNN poll recently taken last month said 61 percent of the respondents do not want their tax dollars used to pay for abortions. And that's what this bill does. It ends the public funding of abortions. There are a host of other polls that clearly state the same thing.

The Hyde amendment is in current law but it simply needs to be broadened for all the things that we do here in Congress.

I ask my colleagues to vote for this very important bill.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 minute to the former chair of the Congressional Black Caucus, the gentlewoman from California, BARBARA LEE.

Ms. LEE. I want to thank our ranking member for his leadership and for leading for so many years on so many important issues.

Madam Speaker, here we go again. Instead of working on creating jobs and jump-starting the economy, we're debating another cynical and divisive attempt to strip away the rights of women. Republicans continue to perpetrate their war on women while millions of people around the country are desperate for jobs to help provide for their families. Let me be clear. Current law already bans Federal funds from being used for abortions. That is a fact—even though I personally think we should get rid of that ban.

What's next? Are we going to block transportation funding because it might be used to build a road to a hospital that provides a road to abortion? Come on. By the logic of this bill, any type of Federal funding, whether it's health related or not, would become abortion money. That is such a cynical ploy on the majority side.

This bill specifically attacks low-income women in the District of Columbia by permanently prohibiting the District from spending its purely local funds on abortions for low-income women.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlewoman 30 additional seconds.

Ms. LEE. These women in the District have already begun to feel the terrible effects of the rider passed already in the CR. This is outrageous. It's ideologically driven and it's dangerous.

So let's reject this bill and this attack and this dangerous war on women, especially low-income women. Vote ''no'' on H.R. 3.

Mr. SMITH of Texas. Madam Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. PENCE), a member of the Judiciary Committee and the vice chairman of the Constitution Subcommittee.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the gentleman for yielding.

I rise in strong support of H.R. 3, the No Taxpayer Funding for Abortion Act.

I believe that ending an innocent human life is morally wrong. But I also believe it's morally wrong to take the taxpayer dollars of millions of pro-life Americans and use it to fund a procedure that they find morally offensive. Fortunately, for over 30 years, a patchwork of policies has regulated Federal funding and denied Federal funding for abortion in America.

But today, thanks to the yeoman's work of Congressman CHRIS SMITH of New Jersey and Congressman DAN LIPINSKI, we're bringing forward a bipartisan measure that will send a clear and strong and codified message that the American people don't want to allow public funding of abortion at the Federal level. I strongly support it.

The man who first brought this idea before the Congress was the late Henry Hyde. I had the privilege of serving with him. His eloquence cannot be matched, but it can be repeated. Henry said, ''I believe nothing in this world of wonders is more beautiful than the innocence of a child, that little, almost-born infant struggling to live as a member of the human family; and abortion is a lethal assault against the very idea of human rights and destroys, along with a defenseless little baby, the moral foundation of our democracy.''

Today, we say ''yes'' to life but we also say ''yes'' to respecting the moral sensibilities of millions of Americans who, wherever they stand on this divisive social question, stand broadly for the principle that no taxpayer dollars should be used to subsidize abortion at home or abroad. H.R. 3 is that legislation. I urge my colleagues to support it.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

It has been mistakenly repeated at least a dozen times on the floor that without this bill Federal funds could be used for abortion. I want it to be clear on the RECORD that that is incorrect. I'm sorry that I have to make this statement.

This legislation subjects women to profound government intrusion. It restricts women's access to health care, and it targets small businesses for additional taxing under our IRS Code.

There are many, many organizations that are opposed to this legislation: The American Nurses Association, the American Civil Liberties Union, the American Congress of Obstetricians and Gynecologists, Catholics for Choice, the Equal Health Network, the Human Rights Campaign, the National Association of Nurse Practitioners, the National Organization of Women, the National Women's Law Center, People for the American Way, the Union for Reform Judaism, the United Church of Christ, the United Methodist Church, and the YWCA, plus numerous others.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. AMASH).

Mr. AMASH. Free societies are founded on a core set of rights—rights that are beyond the reach of government and that no other person or group can take away. The Founders created our government to secure these unalienable rights, and chief among them is the right to life.

President's recognize this right when they weigh carefully whether to put our soldiers in harm's way. Our judiciary respects this right when it spends years reviewing each and every capital punishment case. Yet this same government authorizes, and in some cases pays for, the routine taking of the most innocent of lives—the lives of the unborn.

It is unconscionable that in a country founded explicitly to protect individuals' fundamental rights we allow the regular violation of the right to life. Worse yet, the government forces each of us to pay for the killing of innocent life.

I urge you to vote for H.R. 3, to strengthen our protection of the right to life.

Mr. CONYERS. Madam Speaker, I am proud to yield 2 minutes to the minority whip from Maryland, STENY HOYER.

□ 1430

Mr. HOYER. I thank the gentleman for yielding.

Two minutes, of course, is not time enough to discuss this issue, but I rise in opposition to this piece of legislation.

With millions out of work, the American people sent Congress a strong mandate in the last election: take action on jobs. Yet after 4 months in the House majority, Republicans have yet to put forward a jobs agenda. What are they doing instead? They are pursuing a controversial social agenda, one that is far too extreme for most Americans.

Let me say something to my colleagues on the other side of the aisle, my friends on the other side of the aisle. Some of you, I think, probably characterize yourselves as libertarians, or close to libertarians. You believe the government ought to stay out of people's lives. I think that's a worthwhile premise. I have been here for, as some of you know, a long time, some 30 years; and I have heard Republicans say so often, it's their money, let them keep their money, they know better how to spend their money.

So what do you do today, my friends? What you say is, well, it's your money, and, yes, we'll give you a tax credit, if you spend it the way we want you to spend it. That's what this legislation says: it's your money, but if you don't spend it the way we want you to spend it, we will not give you the tax credit that every other American can get.

How far can you take that, my friends? In tax preference after tax preference after tax preference, we can say, you don't get it if you don't spend it the way we want you to spend it. I want you to think about that. I want you to think about the precedent that you're setting here, the social activism that you are embarking upon, on the imposition of your views on others through the Tax Code.

My friends, this bill undermines, more than any bill that I have seen, the rights of women under the Constitution of the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOYER. May I have 1 additional minute?

Mr. CONYERS. I yield my friend an additional 30 seconds.

Mr. HOYER. Stingy, aren't you? I miss my 1 minute, ladies and gentlemen, I tell you that. The public won't know what I'm talking about, of course.

But the fact of the matter is this bill is bad public policy, it's bad for women's health, and it's bad for America. Vote ''no'' on this bill. Let freedom ring.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair.

Mr. SMITH of Texas. I yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Madam Speaker, I appreciate the opportunity to speak today. Clearly, there is one clear issue before us in H.R. 3, and it is whether or not Americans shall be required to fund the taking of innocent human life.

It has been indicated that this is controversial, and it certainly is; but without a doubt the American people demand they not be required to subsidize abortion.

The second issue here, Madam Speaker, is the question that over and over we've heard from my colleagues that they would like to see abortion rare. That is what this bill does. With the subsidization of abortion, it expands. This bill will limit the payments and restrict and prohibit the use of Federal taxpayer dollars for the funding of abortion. That's what this bill does.

Madam Speaker, again it is very clear, and, contrary to the claims of the opponents of this bill, it is very simple. Americans should not be required to pay for abortions. H.R. 3 accomplishes this objective. I encourage my colleagues to support the bill.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Florida, TED DEUTCH, a member of the Judiciary Committee.

Mr. DEUTCH. I rise today in opposition to H.R. 3, but I also rise in great disappointment that the people's House is again engaging in a debate about the rights of women rather than a discussion about the challenges our Nation faces.

For months, Democrats have urged this body to refocus its efforts on jobs; yet since the Congress convened in January, the Republican majority has failed to bring to the floor any measures to help create jobs. Their negligence is showing. Instead of working in a bipartisan way to regain America's economic strength, we again find ourselves on the floor in a divisive debate over women's reproductive freedoms.

That's right. Rather than wage a war on unemployment, my Republican colleagues are waging a war on women's health.

Under this legislation's logic, anyone who has government-subsidized insurance coverage—which is really everyone who has private health insurance, for we exempt employers from paying taxes on health benefits—would be forbidden from abortion.

Where does it end? The answer is it doesn't end. Even in the face of overwhelming support for women's rights among the American people, even in the face of more pressing challenges, real challenges like the jobs crisis, nothing stops my Republican colleagues from their assault on a woman's right to choose.

I urge a ''no'' vote.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to my colleague from Texas (Mr. HENSARLING), who is also the chairman of the Republican Conference.

Mr. HENSARLING. Madam Speaker, I rise to proudly support H.R. 3 for three simple reasons:

Number one, this bill just simply helps codify what has de facto been our policy for 35 years through the Hyde amendment, and that is a policy that no way, shape or form outlaws abortion; it simply says Federal taxpayers will not be compelled to subsidize them.

Second of all, Madam Speaker, at a time when our Nation is going broke, where we're borrowing 42 cents on the dollar, much of it from the Chinese and sending the bill to our children and grandchildren, maybe, maybe those programs that have the least consensus and are most divisive among us ought to be the first to lose their taxpayer subsidies.

Third, and most importantly and profoundly for me, Madam Speaker, in my heart and in my head, I can come to no other conclusion but that life begins at conception. It is our most fundamental right, enshrined in the Constitution. No taxpayer should be compelled against their will to subsidize the loss of human life, truly the least of these.

Mr. CONYERS. I am pleased now to yield 1 minute to the distinguished gentlelady from Connecticut, ROSA DELAURO.

Ms. DELAURO. Madam Speaker, I rise in strong opposition to this overreaching legislation, which raises taxes, threatens the health of our economy, and endangers women's health.

This bill will raise taxes on small businesses that offer comprehensive health coverage for women. It will punish perfectly legal private health decisions by raising taxes on plans that offer coverage for abortion. Eighty-seven percent of private health plans will be impacted by this unprecedented assault, and Americans will see their health insurance options restricted or taken away.

With this legislation, we have yet another example of the majority's real priorities, not to create jobs, not to grow the economy, not to reduce the deficit but to advance a divisive social agenda by manipulating the Tax Code.

And they're doing more than just raising taxes. Rather than trusting women, like the majority of Americans do, the House majority is trying to force women back into traditional roles. They are risking their very health. The report that accompanied this bill goes even further; it tries to redefine rape and narrow the exception for sexual assault.

This bill is unconscionable, and I urge my colleagues to oppose it. Let's create jobs. We should not be raising taxes and putting women's lives at risk to appease an ideological agenda.

Mr. SMITH of Texas. I yield 30 seconds to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Madam Speaker, a large majority of Americans oppose taxpayer subsidies for abortion. Those who oppose this bill, including the President, claim that it denies access to health care for women. My message to them is simple: the majority of women are opposed to having their hard-earned tax dollars spent on abortion. In a recent survey, it was found that 70 percent of women oppose taxpayer funding for abortion.

We must permanently end this practice. It is our duty to act and to act now. I urge my colleagues to listen to the majority of Americans who strongly oppose publicly funding abortion services and pass this bill.

Mr. CONYERS. Madam Speaker, I yield 1 minute to the distinguished gentleman from New Jersey, ROB ANDREWS.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Members who are pro-life or pro-choice should oppose this bill because it does violence to the Constitution. This bill purports to say that through the Tax Code, we can favor or disfavor the exercise of constitutional rights.

□ 1440

That's not right, and that's not constitutional. The Members on the majority side would certainly not support, nor would I, a provision that says you can't take a charitable contribution to support a group that lobbies in favor of pro-life causes. But if we wanted to disfavor that point of view in the Tax Code, this is the way we would do it. There is no difference between what the majority's doing here and that odious provision that I just described.

It is wrong to raise taxes on people who exercise their constitutional rights because they've chosen to exercise their constitutional rights. Whether you are pro-choice or pro-life, if you are pro-Constitution, you should vote ''no.''

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Speaker, I rise today in support of the legislation.

As of today, Congress prohibits the expenditure of Federal funds on abortions through a patchwork of riders on our annual appropriations bills. These riders include the Hyde amendment in Labor-HHS and other prohibitions in the State and Foreign Operations bill, the Financial Services bill, the Commerce-Justice-Science bill, in addition to the Defense bill. Simply put, this legislation will eliminate the need for these annual riders to ensure that these policies become permanent statute.

This bill also codifies the Hyde-Weldon conscience clause that would expand the policy to include all recipients of Federal funds. The conscience clause protects health care entities that choose not to provide abortions from discrimination by State, local, or Federal agencies that receive Federal funds. Therefore, no one who has deep religious or moral opposition to abortions should be forced to provide for them.

Madam Speaker, I support this legislation, and I urge my colleagues to do the same.

Mr. CONYERS. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to my colleague from Texas (Mr. GOHMERT), who is also a member of the Judiciary Committee.

Mr. GOHMERT. Madam Speaker, my first daughter was born very prematurely. They rushed her over to Shreveport to the highest level intensive care. The neonatologist encouraged me, because my wife couldn't come, to caress her, talk to her, that it meant so much, even though she couldn't see me. She grabbed my finger and held it for hours. She wanted to cling to life.

For those of us who think it's wrong to kill children in utero, it is even more wrong to pry money from our hands at the point of an IRS gun so that others can use our tax dollars to pay to kill those children.

Please, let's stop it.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

I want to urge all of the Members of the House to please consider this issue from as an unemotional point of view as possible, to please determine in your hearts and in your mind about the fact that this bill goes over the top.

I would now like to yield 1 minute to the distinguished minority leader, NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding. I thank him for his ongoing leadership on issues that relate to privacy and the health of America's women.

Madam Speaker, today is approximately the 120th day of the Republican majority in the Congress of the United States; and in all those 120 days, we have yet to see a jobs bill brought to the floor. We haven't even seen a jobs proposal or a jobs agenda. Instead, once again, we see a diversion. We see legislation which is extreme and divisive and harmful to women's health.

I rise today to urge my Republican colleagues in the House to let us come together to work in a bipartisan way to address the number one priority of the American people, the creation of jobs; and I rise today as the Republicans bring to the floor this legislation instead of bringing to the floor a bill to end the subsidies for Big Oil. They gave the impression during the break that they would do that. I wrote to the Speaker; the President of the United States has written to the bipartisan leadership in Congress asking for an end to the subsidies to Big Oil. Instead of doing that, we are, again, undermining women's health.

Let us begin this part of the debate with a clear understanding of the facts. Federal funding for abortion is already prohibited under the law due to the Hyde amendment except in the cases of rape, incest, and life of the mother. Federal funding for abortion is already prohibited. This bill is even a radical departure from the Hyde amendment. It represents an unprecedented and, again, radical assault on women's access to the full range of reproductive health care services. For the first time, this bill places restrictions on how women with private insurance can spend their private dollars in purchasing health insurance.

This bill will deny tax credits for women who buy the type of health insurance that they currently have, health insurance that covers a full range of reproductive care. As a result, now, this is about businesses. If you're a woman and you have a job and your employer gives you health insurance, that employer will no longer be able to take a tax deduction from your health insurance—quite different from what happens with their male employees. And in that event, when that happens, health insurance companies will then roll back that coverage because there won't be enough people participating in the pool to justify that insurance. So there are millions of women who will no longer have access to insurance policies from their employer that cover all reproductive services.

The practical result of this legislation for many is there will be a tax increase, a tax increase on small businesses and a tax increase on women based on how they choose to spend their private dollars simply for keeping the coverage they have right now.

Even more of a problem, this legislation allows hospitals to deny life-saving care to women in moments of direst emergency. The bill would permit medical professionals to turn their back on women dying from treatable conditions. It is appalling.

As the American College of Obstetricians and Gynecologists wrote in opposition to this effort: ''We oppose legislative proposals to limit women's access to any needed medical care. These

proposals can jeopardize the health and safety of our patients and put government between a physician and a patient.''

□ 1450

Madam Speaker, let us not work to limit the care; let us expand it. Let us not raise taxes on small business and women; let us strengthen our middle class. Let us never attack the health of women; let us, instead, create jobs. That's what the American people expect us to do, and that is why I urge my colleagues to oppose this divisive and radical legislation.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the Speaker of the United States House of Representatives.

Mr. BOEHNER. Let me thank my colleague for yielding and express my support for H.R. 3, the No Taxpayer Funding for Abortion Act. This commonsense bipartisan legislation codifies the Hyde amendment and similar policies by permanently applying a ban on taxpayer funding of abortion across all Federal programs.

Last year we listened to the American people through our America Speaking Out project, and they spoke out on this issue loudly and clearly. We included it in our Pledge to America, and today we are taking another step toward meeting that commitment and keeping our word.

A ban on taxpayer funding of abortion is the will of the American people and ought to be the law of the land. But the law, particularly as it is currently enforced, does not reflect the will of the American people. This has created additional uncertainty, given that Americans are concerned not just about how much we are spending but how we are spending it. Enacting this legislation would provide the American people with the assurance that their hard-earned tax dollars will not be used to fund abortions. And I want to commend the leadership of the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. LIPINSKI), and I urge my colleagues to support this bill.

Mr. CONYERS. I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH), who is the chief sponsor of this legislation.

Mr. SMITH of New Jersey. I thank my good friend, the chairman of the Judiciary Committee, Mr. SMITH, for his great leadership. I want to thank Mr. LIPINSKI, prime cosponsor of H.R. 3. I want to thank the other distinguished chairmen, DAVE CAMP; and FRED UPTON; our extraordinary Speaker, JOHN BOEHNER, for his eloquent statement and for his compassion for both mothers and children who are hurt by abortions; and for ERIC CANTOR, our superb majority leader, and the 228 cosponsors of this legislation.

Madam Speaker, there is no doubt whatsoever that ending all public funding for abortions saves lives. Even the pro-abortion Guttmacher Institute said in an analysis in 2009 that ''approximately one-fourth of women who would have had Medicaid-funded abortions (if the Hyde amendment did not exist) instead give birth when this funding is unavailable.'' In other words, when public funding and facilitation isn't available for abortion, children have a greater chance at survival.

I said earlier during the debate on the rule that I remember the late Congressman Henry Hyde being moved literally to tears—I was in the room when it happened—when he learned that the Hyde amendment had likely saved the lives of more than 1 million babies who today are getting on with their lives, going to school, forging a career, perhaps serving in this Chamber—at least some of them—or even establishing their own families.

H.R. 3, the No Taxpayer Funding for Abortion Act, comprehensively ensures that all programs authorized and appropriated by the Federal Government, including ObamaCare, do not subsidize the killing of babies except in the rare cases of rape, incest, or the life of the mother. H.R. 3 ends the current IRS policy of allowing tax favored treatment for abortions under itemized deductions, HSAs, MSAs, and FSAs. H.R. 3 also ends the use of tax credits under ObamaCare to purchase insurance plans that include abortions, again, except cases of rape, incest, or a threat to the life of the mother.

Madam Speaker, we know that Americans are taking a good, long, hard second look at abortion. The polls show it. On taxpayer funding, a supermajority—over 60 percent and some polls put it as high as 68 or 69 percent—do not want their funding being used to pay for abortions.

Earlier in the debate, some of my colleagues had suggested that this is a tax increase; yet the Americans for Tax Reform, who doggedly protect the public purse, have said, ''Americans for Tax Reform has no problems or issues with H.R. 3. The bill has no net tax change whatsoever.''

H.R. 3 also makes the Hyde-Weldon conscience protection permanent and significantly more effective by authorizing the courts to prevent or redress actual or threatened violations of conscience. And we know without any doubt that there are huge pressures, particularly in some States, like California, to coerce healthcare providers and plans and insurers and entire health care systems—especially those who are faith-based—to change their policy and to permit abortion on demand.

The need for this protection—Hyde-Weldon—is great. According to Alliance of Catholic Health Care, which represents California's Catholic Health Systems and Hospitals, ''California's Catholic hospitals operate in a public policy environment that regularly challenges the concept of conscience-rights protections by attempting to coerce them and other health care providers to perform, be complicit in, or pay for abortion.''

On three different occasions in the past three years, the California Department of Managed Health Care denied health insurance plan applications because the plans excluded abortion coverage and demanded that all healthcare plans must provide coverage for all basic health care services and medically-necessary health services including so-called ''medically-necessary abortions.'' This is a clear violation of the Hyde-Weldon conscience clause, but the injured parties lack judicial recourse. This legislation would remedy this problem by making the policy permanent and providing access to the courts.

Let me just conclude, Madam Speaker. Someday I truly believe future generations of Americans will look back on us, especially policymakers, and wonder how and why such a rich and seemingly enlightened society, so blessed and endowed with the capacity to protect vulnerable human life, could have instead so aggressively promoted death to children and the exploitation of their moms. They will note with deep sadness that some of our most prominent politicians, while they talked about human rights, they never lifted a finger to protect the most persecuted minority in the world, the child in the womb. Protect innocent life, vote for H.R. 3, the No Taxpayer Funding for Abortion Act.

Mr. BRADY of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, on behalf of DAVE CAMP, chairman of the Ways and Means Committee, and me, I stand today in strong support of H.R. 3, the No Taxpayer Funding for Abortion Act, a bill that restricts the use of taxpayer funds for abortion.

I will continue my statement, but at this time, I would like to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader of the U.S. House.

Mr. CANTOR. I thank the gentleman. And I would also like to congratulate and thank the gentleman from New Jersey, who had just spoken, for his leadership on this issue.

Madam Speaker, above all else, we are a culture that values life. Likewise, our efforts as a Nation are dedicated to improving, preserving, and celebrating life. That's why it's no surprise that polling routinely shows that over 60 percent of Americans oppose taxpayer funding for abortion.

H.R. 3, the No Taxpayer Funding for Abortion Act, enforces a government-wide prohibition on subsidies for abortion and abortion coverage. At a time of fiscal crisis, this bill ensures that scarce resources are not diverted towards increasing the number of abortions in America. This bill also codifies existing conscience protections and

closes loopholes that offer tax-preferred status to abortion. In short, it comports with our values as a people.

Thomas Jefferson warned that ''to compel a man to subsidize with his taxes the propagation of ideas which he disbelieves and abhors is sinful and tyrannical.'' Forcing Americans to subsidize elective abortion with their tax dollars falls squarely in this camp.

Madam Speaker, I urge my colleagues to support H.R. 3 to ensure that no taxpayer dollars go toward the funding of abortion.

Mr. LEVIN. I yield myself 2 minutes.

We here need to talk straight to the American people. This bill does not codify the Hyde amendment. It goes well beyond it. We don't need to codify the Hyde amendment. It's the law of the land. The purpose of this bill is to go beyond it, and that's what you should acknowledge.

□ 1500

In doing so, you cross a very, very important line. This bill is going nowhere in the Senate. Where it can go is everywhere in interfering with a person's access to health care, or with the use of their own money for their own purposes as they choose. The logic here, if it becomes precedent, could be used, for example, to prevent a health policy falling under the Tax Code if the procedure relates to a development that occurred because of stem cell research. We should not be doing that. It takes away the ability to use an itemized deduction. We should not do that.

Where does this stop? Where does it stop? It crosses a line for the first time. It does not codify. It threatens crossing a line we should not in terms of the ability of people to provide health care and use their own resources.

I reserve the balance of my time.

Mr. BRADY of Texas. I yield myself 1½ minutes.

Simply put, this legislation is about making sure taxpayer funds aren't used to fund abortions. In the clearest and most general terms, we're codifying the longstanding bipartisan Hyde amendment which prevents taxpayer funds from being used for abortion-related costs.

I want to be clear about what the legislation does and does not do. This legislation does not, as critics claim, affect either the ability of an individual to pay for an abortion or abortion coverage through private funds or the ability of an entity to provide separate abortion coverage. It does not apply to abortions in the cases of rape, incest or life-threatening physical conditions of the mother. Nor does it apply to treatment of injury, infection or other health problems resulting from an abortion. And to be crystal clear, this legislation does not increase taxes.

At this time, Madam Speaker, I would like to submit a letter from Americans for Tax Reform to that effect.

AMERICANS FOR TAX REFORM,
Washington, DC, March 16, 2011.

Hon. PAT TIBERI,
House of Representatives, Committee on Ways and Means, Washington, DC.

Hon. RICHARD NEAL,
House of Representatives, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN TIBERI AND RANKING MEMBER NEAL: On behalf of Americans for Tax Reform, I write today to clarify our position on H.R. 3, the ''No Taxpayer Funding for Abortion Act.'' As you know, the Congressional Budget Office on March 15, 2011 declared that H.R. 3 has ''negligible effects on tax revenues.'' In budgetary parlance, that is synonymous with a zero tax score. As a result, ATR has no problems or issues with H.R. 3. The bill has no net tax change whatsoever, and is therefore not legislation at all relating to the Taxpayer Protection Pledge. Attempts to claim otherwise are not based on reality, but on mere political gamesmanship of the lowest order.

We look forward to continuing to work with you to make certain that all tax legislation is (at worst) tax revenue-neutral, as H.R. 3 already is.

Sincerely,

GROVER NORQUIST.

This legislation makes specific and narrow changes to the Tax Code so if funds in an FSA or health savings account are used to pay for an abortion, those dollars will not receive tax-favored treatment; prevents the cost of an abortion from counting towards the deduction for unreimbursed medical expense; and clarifies tax subsidies made available in the 2010 health law for the purpose of insurance cannot be used for policies that cover abortion.

Madam Speaker, H.R. 3 is pro-life, pro-family, and it is pro-taxpayer. It's a responsible step to ensuring a longstanding precedent Republicans and Democrats have supported for decades. And I urge all Members to support H.R. 3 so that no taxpayer funds are used for abortion.

I reserve the balance of my time.

Mr. LEVIN. I yield 1½ minutes to another member of the Ways and Means Committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. My friend from Michigan said it right. There are no Federal funds for abortion under the terms of the Hyde amendment, except in the case of rape and incest.

What this is about is how families spend their money and small business deals with insurance. It's part of a continuing Republican assault against people with whom they disagree. It continues the sad spectacle of using the Internal Revenue Service—I would say not just the use but the abuse of the IRS—to attack people with whom they disagree.

Remember the spectacle of the Ways and Means hearing where they drug AARP before them and tried to have an investigation because they disagreed with them on health insurance?

Yes, this would put government between doctors and American families. But it's not just about abortion under the Hyde amendment.

Remember, there are some people who are against the rape and incest exemption. There are some people who had a shocking proposal to radically change the very definition of rape.

There is a continuing effort to erode basic fundamental reproductive freedom, and this shows a tactic of using the IRS that I think is very dangerous. It does, in fact, increase the complexity and raises taxes on individuals who may, in fact, need these procedures that may, in fact, be lifesaving. The proponents may not agree with what a woman and her doctor decide but that should be their decision.

This raises the specter of using the Tax Code and the Congressional investigating power in ways that no one should support.

Mr. BRADY of Texas. Madam Speaker, I yield the balance of my time to the distinguished gentlewoman from Tennessee (Mrs. BLACK), a nurse and a member of the Ways and Means Committee.

Mrs. BLACK. Madam Speaker, today we have heard many misrepresentations of the true nature of this bill, and so I want to boil it down to the simple facts of what this bill actually does—no hyperbole, no scare tactics.

This bill codifies the Hyde amendment that no taxpayer dollars will go to funding abortions. And this is a longstanding policy of the Federal Government since 1976.

We already know how medical expenses of all sorts are treated under the Tax Code. Taxpayers who use itemized deductions for medical expenses, who have HSAs or FSAs or MSAs, do not, and I want to highlight that, do not identify each medical expense on an individual tax return. That is not the case today nor will it be the case if this bill is signed into law.

And to be clear, what this bill does not do, a woman would not have to list on a tax form that a specific medical expense was for an abortion. That's simply not how the process works. It's not how it works today nor will it be how it works if this is signed into law.

So it's important to make clear that no one would ever be audited because of an abortion. They would have to already be under an audit for some other reason before—and I want to emphasize before—the IRS would even consider asking about any medical procedure.

Many types of medical care are very private. And as a nurse for over 40 years, I fully understand how personal medical issues can be. And taxpayers who don't want to tell the IRS about medical procedures they wish to be kept private can do so by not claiming those tax credits for such care.

Now, even if this issue did arise in an audit, other Federal agencies that already use taxpayer dollars, such as Medicaid and the Federal Employee Health Benefit Program, have had no problem distinguishing between abortions following rape and incest and elective abortions, and have done so without a reporting requirement. It's already there. They generally accept

the statement of the provider, basically, a doctor's note. And I would expect the IRS to do the same in these extremely rare cases.

Now, that doesn't mean that this is not a very difficult situation for that small group of women. And I understand it is incredibly difficult, and my heart goes out to them. But if you claim a tax benefit for a medical procedure like an abortion and you get audited, you can either choose to forego that tax benefit or else prepare to substantiate the tax benefit.

Mr. LEVIN. It is now my pleasure to yield the balance of my time to a very distinguished member of our committee, the gentleman from New York (Mr. CROWLEY).

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Madam Speaker, with all due respect to my colleague, Mrs. BLACK, when someone comes to the floor and says, I'm going to speak now free of hyperbole, well, it will be so high up to your neck you don't have to worry about getting it off your shoe because the reality is that was all hyperbole.

If what we were doing here right now was simply codifying existing law, there would probably be very little angst on this side of the aisle. But that's not what's happening. What this provision does is goes so much further. It only speaks to the ideological purge that you're on right now.

Madam Speaker, on the 100th day of Republican rule of the House, I stood speechless on this floor at their failed campaign promise to focus on job creation and economic growth. It's said, ''Actions speak louder than words,'' and that is true.

□ 1510

For all the Republicans' talk about putting Americans back to work, their actions demonstrate this is the least of their priorities. Instead, they have cut jobs, they have raised taxes, and reduced Americans' access to health care.

The bill being debated today also has no jobs component whatsoever. Not a single job will be created because of this bill today. In fact, it will raise taxes and hamper the ability of small businessmen and -women to hire people.

In their ideological zeal to restrict a woman's right to choose, the Republicans have prioritized a measure that the South Carolina Small Business Chamber of Commerce calls, and I quote, ''a slap in the face to small business owners.''

We just a few weeks ago removed the 1099 onerous provisions, and now we are going to further burden small businessmen and -women with this provision. It will burden them. It will not create a single job. It will only further burden the ability of small businessmen and -women to create jobs in America.

Mr. PITTS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the bill before us today should be a no-brainer. Americans overwhelmingly reject the use of taxpayer funds for abortion. In several polls over the last few years, anywhere from 60 percent to 70 percent of the public oppose using taxpayer funds for abortion. H.R. 3 puts into statute the will of the American people.

Since 1976, the Hyde amendment has been included in appropriations bills to ensure that Federal funds are not used to provide abortions. This policy provision has passed year in and year out with bipartisan support. H.R. 3 would just take that provision and put it into law. This may make sense to most Americans, but for some reason this idea receives great pushback in Washington.

Health care reform also placed abortion funding at the center of its debate. In their haste to pass ObamaCare last Congress, the Democrat leadership in Washington neglected to include any adequate prohibition on abortion funding. The President did issue an executive order to support the intentions of Hyde. Unfortunately, the order merely reiterated the accounting gimmick in the health care bill.

The President's own chief of staff at that time would later comment on how he thought up the idea for this executive order so that they could ''allow the Stupak amendment not to exist by law but by executive order.''

When the President signed that bill into law, he allowed a massive expansion in Federal funding for abortion. In a time of great Federal debt, the last thing the American people want is to have their taxpayer dollars used on the morally objectionable practice of abortion.

According to a 2007 Guttmacher Institute report, if the Hyde amendment were removed from law, the number of abortions would likely increase by 25 percent. The study reveals what is common sense: an increase in funding for abortions will directly lead to an increase in the number of abortions.

Many of my colleagues on the other side of the aisle have expressed their desire to reduce abortions. If that is truly their desire and not just a talking point, then they should have no problem at all voting in favor of this bill. I urge my colleagues to support this bill.

I reserve the balance of my time.

Ms. DEGETTE. Madam Speaker, I rise in strong opposition to this extreme legislation, and I yield 2 minutes to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I rise in opposition to H.R. 3, the so-called No Taxpayer Funding for Abortion Act. But don't be confused. H.R. 3 goes far beyond current law which is already highly restrictive and, frankly, which I oppose.

The Hyde amendment already prohibits women enrolled in Medicaid and Medicare, Federal employees, women serving in the military, women in Federal prisons, Peace Corps volunteers, and women seeking care under the Indian Health Services Act from getting the care they need. In other words, there is no Federal funding for abortion. But actually what it does do, among other things, is attack small businesses.

Let's hear the words of Frank Knapp, Jr., president and CEO of the South Carolina Small Business Chamber of Commerce with 5,000 members. Here is what he says:

H.R. 3 is an attempt to roll back the historic small business health insurance tax credit created by the Affordable Care Act. When the House voted to eliminate and defeat the entire Affordable Care Act, we—he means small businesses—could rationalize that this great benefit for small businesses was just collateral damage. My own Congressman told me he would support the small business health insurance tax credits in the Affordable Care Act replacement legislation. But small businesses can no longer think of themselves as collateral damage.

Mr. Knapp says: Let me make this very clear. A vote for H.R. 3 is a direct attack on small business. Every Representative who loudly proclaims their love for small businesses because they are the backbone of the economy now can put their vote where their mouth is. Their true support for small business will be judged by their ''no'' vote on H.R. 3.

I urge all my colleagues not to let this phony use of the Tax Code to take away the rights of small businesses that get tax credits or individuals to pay for abortions with their own money.

Mr. PITTS. For the information of the Members, the Hyde amendment only applies to the Labor-H bill. It is offered every year as a rider. Similar language is offered to Indian Health, Federal Employee Health Benefits Act. We have done these amendments, or riders, to these bills every year for years. So when you speak about the Hyde amendment, we should speak about it accurately.

I yield such time as she may consume to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Madam Speaker, I rise in support of H.R. 3.

This is not a controversial bill. This is a commonsense bill to rein in our runaway government spending and to quit spending money on things that the American citizens don't want. Certainly we should not be spending our hard-earned tax dollars on abortion.

People work hard all year to send in their taxes on April 15, and they shouldn't have their money going to something that is morally objectionable to them that takes away human life.

There are many, many areas of this budget that we need to rein in, but this is noncontroversial. This is something that over 60 percent of the American people say, I don't want my tax dollars

going to pay for abortions, the taking of a human innocent life.

So it is time to make this permanent so that we don't have to, as a Congress, come in every year and discuss these issues on all the different legislation that is out there. Now is the time to make this permanent. Get it off the table so we can get on to other areas of reining in the runaway spending, making government more efficient and more effective, using our tax dollars more wisely.

And certainly it is not an affront to women's health. Women have the opportunity to get the health care that they need now, but we don't need to be using it to take innocent human life.

I certainly applaud this bill, which has so many cosponsors. We need to make sure that our tax dollars are not used for abortion.

□ 1520

Ms. DEGETTE. I am now pleased to yield 1 minute to a senior member of the Energy and Commerce Committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentlewoman for yielding.

I believe my friends on the other side of the aisle think that, if they repeat something again and again, people will begin to believe it. The fact of the matter is the Hyde Amendment already prohibits Federal funds from being used for abortions. This is not about Federal funds.

The other thing I don't understand is my Republican friends always claim that they want smaller government, that they don't want the government to intrude on people's lives. So here we are, about to pass a measure that expands government, that intrudes on people's lives, that penalizes small businesses, and impedes them from creating jobs.

I don't believe the government should be in the business of preventing people from accessing legal medical treatment. It surprises me and worries me that this Congress keeps proposing legislation that diminishes the right to access health care. Abortion is legal in this country. I understand how people feel on both sides of the aisle. It's a very personal decision. Yet Republicans seem intent on interfering with a woman's right to make her own decisions with her family and physicians, using her private money.

Abortion is a difficult choice, to be sure, and this extreme legislation makes the decision even harder. We need to provide women and their families with the support they need to make health decisions, not criminalize them. Vote ''no'' on this bill.

Mr. PITTS. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 30 seconds remaining.

Mr. PITTS. I yield 30 seconds to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Pennsylvania for his leadership on this issue and for yielding time.

Madam Speaker, not using the hard-earned money of taxpayers to destroy innocent unborn children is not extreme, and it is not radical. It is the right thing to do. The majority of Americans agrees with us that it is the wrong thing to use their money for this issue.

I want to support my colleague in this legislation in saying we need to pass this bill, and we need to send a message to the American people that we are wise stewards of their money.

The SPEAKER pro tempore. The gentlewoman from Colorado has 2 minutes remaining.

Ms. DEGETTE. I yield myself the balance of my time.

Madam Speaker, in sitting and listening to this debate, it would be extremely easy to become completely confused. The proponents of this bill keep repeating the same mantra. They want to stop the Federal funding of abortion. They forget to mention that there is no Federal funding of abortion.

What they want to do for the first time is to expand restrictions on funding into tax policy. Right now, under current law, we have the Hyde Amendment, which every year prevents Federal funds from being used for abortion except in the cases of rape, incest or in saving the life of the mother. I don't like the Hyde Amendment. Lots of people don't like the Hyde Amendment, but it's the law. This bill, however, goes far beyond current law. Now my colleagues across the aisle want to expand these restrictions and make sure that individuals and businesses can't get complete women's health care in their health insurance, with their own money, without paying for a tax increase. Businesses, which right now get tax relief for having full health insurance, would not be able to get it.

Let me say this again: At a time when everybody in this House and certainly when everybody on the other side of the aisle is saying we can't raise taxes, the leadership of this House is supporting raising taxes to advance a social policy.

I don't think, Madam Speaker, that this was in the Republican Pledge to America. I don't know how many times the Republican leadership is going to make this Congress vote to strip American women of their access to health care with their own money. I, for one, would like to encourage them to spend their time getting our country back to work rather than on an extreme agenda that the American people didn't ask for, didn't want, and that is going nowhere in the U.S. Senate but, if it did, would be vetoed by the President of the United States.

I urge the Members to vote ''no'' on this ill-conceived piece of legislation.

Ms. BORDALLO. Madam Speaker, I rise today in support of H.R 3, the No Taxpayer Funding for Abortion Act, sponsored by Congressman CHRISTOPHER H. SMITH. This bill, supported by the United Conference of Catholic Bishops, would reinforce the Hyde Amendment, which prohibits the use of federal funds to cover abortion services; the bill would also prohibit federal funding for health insurance that includes abortion coverage.

H.R. 3 would prevent public funds from being used to pay for, or subsidize, abortions, either through the Patient Protection and Affordable Care Act or health care affordability tax credits. The bill includes a provision to provide for exceptions in the case of rape, incest, physical injury or physical illness to the women. The Hyde Amendment is already in place in current federal health programs like Medicaid and Medicare, and this bill would ensure it is governed in a consistent manner.

I have received numerous letters from my constituents whom have expressed serious concerns that federal funds would be used to pay for elective abortion procedures. I am very supportive of the overall goals of H.R. 3, which would effectively codify the Hyde–Weldon clause to support existing federal conscience protections for health care providers.

I commend Congressman SMITH for his leadership on this important issue, and I urge my colleagues to support this amendment.

Mr. MARINO. Madam Speaker, I rise today to express my strong support for H.R. 3, the No Taxpayer Funding for Abortion Act. I believe strongly that every human life should be protected, whether born or yet to be born. As the father of two adopted children this issue is very personal to me; every day that I spend with my children reminds me that all lives are precious. Protecting the lives of innocent children should be the responsibility of Congress and this legislation represents an important step in the right direction.

Currently, we rely on a patchwork of ''riders'' to appropriations legislation or Executive orders to protect American taxpayers from funding abortions. As the debate on the health care legislation transpired during the last Congress, we saw first-hand the problem with continuing to rely on this draconian process. Instead of relying on the whims of the annual appropriations process or any easily revocable order by the President, it is time to put into law the prohibition against using taxpayer dollars to pay for abortions. The Federal government should not, directly or indirectly, provide any funding for abortion services and this legislation is critical to ensuring these prohibitions exist.

As you can see, I believe one of the largest responsibilities of Congress is to provide the utmost protection for our nation's children—including the lives of the unborn. It is time that we enact one, consistent policy to eliminate any problems or confusion about abortion funding in future legislation.

Mr. FARR. Madam Speaker, H.R. 3 is an extremely misleading piece of legislation. Supporters of the bill argue that it will simply codify the Hyde amendment and permanently prohibit taxpayer funding of abortion. However, we all know that is false. H.R. 3 is actually much more nefarious than that. It seeks to restrict women's reproductive rights and access to health care; increase healthcare premiums for many Americans and small businesses; and, limit the private insurance choices of consumers. It will almost certainly guarantee that insurance companies will no longer offer abortion coverage to consumers.

The Republicans in the House have been on a mission, ever since they took over the Majority, to completely eliminate women's reproductive rights and their access to healthcare.

I recently received a letter from a male constituent who is 68 years young; someone we can all agree is definitely not in need of reproductive health care. This man is a recipient of Medicare and receives his primary care at the Santa Cruz chapter of Planned Parenthood. His doctor is the one of the few doctors in Santa Cruz County who currently accepts Medicare patients.

If the Republicans get their way and federal funding is denied to Planned Parenthood and other organizations that provide primary healthcare for low income patients simply because they also provide reproductive healthcare, then this man, along with millions of other low income Americans, will be denied their only access to primary healthcare in their communities. Hospital emergency rooms will become the health care provider of first resort. Hospitals that are currently overwhelmed would be further inundated, thereby driving up healthcare costs even higher and costing the federal government even more taxpayer dollars.

If saving taxpayer dollars is truly the goal, then the Majority should be supporting family planning and reproductive healthcare services, not attacking them. We all know that for every $1 spent on family planning, $4 of taxpayer money is saved.

This bill is radical and extreme. It is a far cry from any kind of middle ground or compromise on abortion policy. It will make abortion as difficult to obtain as possible without actually criminalizing the procedure. H.R. 3 overreaches in every possible way. More importantly, it would penalize rather than help taxpayers, impede basic government functions, and discriminate against women who are struggling to do their best in a difficult situation.

Madam Speaker, the American people want both parties to work together. H.R. 3 only inflames an already intense and intractable debate and further polarizes this House. I urge my colleagues to object to H.R. 3.

Mr. HONDA. Madam Speaker, I rise today in strong opposition to H.R. 3, an unnecessary and intrusive bill that represents a short-sighted attack on the rights of women and families, and distracts us from the work that Americans sent us here to do.

H.R. 3 would diminish meaningful access to healthcare for millions of lower and middle income families by denying them tax credits if the insurance plan they choose includes coverage for abortion services. This means that under this bill, for the first time ever, our country would equate health expenses that are the subject of preferential tax treatment as the same as federal spending. The costs of health services remain the same, whether the coverage for abortions is provided in a plan or not. Removing these tax breaks for the most vulnerable members of our society is not only dangerous, it is heartless, and it will return a constitutionally-protected medical procedure to its dark back-alley days. Rather than offering real solutions to the problems our nation faces, the other side of the aisle only offers a return to the fights over social issues of the past.

Republicans claim that H.R. 3 merely codifies the Hyde Amendment, a provision prohibiting the use of federal funds for most abortion services, but it goes much farther than that—it tries to end private insurance coverage of abortion care. Besides, the Hyde Amendment has been passed every single year for nearly forty years—we already have a law prohibiting the use of federal funds to pay for abortion, we don't need another one.

H.R. 3 is an unnecessary distraction from the real issues that we were sent here to address. While some of us take our duties seriously, the GOP is busy creating diversions to avoid doing real work. Rather than focus on job creation, as the American public has said it wants us to do, the Republican majority would limit women's healthcare options and increase healthcare costs for lower- and middle-income women and families. This kind of diversion has no place in this Congress. The GOP has been in the majority for four months, yet they have failed to introduce even one piece of legislation that addresses jobs. They do, however, have the time to play political games with the health care of poor Americans and to attack the rights of every woman in this country to choice—a personal decision that is and should remain between a women and her physician.

The proponents of this legislation aren't interested in addressing real problems, Madam Speaker. They're only interested in creating more of them. That is why I oppose H.R. 3.

Ms. RICHARDSON. Madam Speaker, I rise today in strong opposition to H.R. 3, the ''No Taxpayer Funding for Abortion Act.'' This deceptively titled legislation is nothing more than another Republican assault on women's access to reproductive health care.

At a time when Congress needs to be focused on creating jobs and protecting the middle class, the Republican majority has decided to make this anti-choice bill a priority. If enacted, this legislation will severely curtail women's access to reproductive health care by:

1. Banning the coverage of abortion services in the new health care law;

2. Imposing tax penalties on women and small businesses with health insurance plans that cover abortion;

3. Narrowing the already restrictive rape and incest exceptions in the Hyde Amendment; and

4. Continuing to limit access to reproductive health care for low income women, and ban coverage for federal employees and women in the military.

If this bill were enacted, millions of families and small businesses with private health insurance plans that offer abortion coverage would be faced with tax increases, making the cost of health care insurance even more expensive.

Under the Affordable Care Act, insurers are able to offer abortion coverage and receive federal offsets for premiums as long as enrollees pay for the abortion coverage from separate, private funds. If enacted, H.R. 3 would deny federal subsidies or credits to private health insurance plans that offer abortion coverage even if that coverage is paid for from private funds.

This would inevitably lead to private health insurance companies dropping abortion coverage leaving millions of women without access to affordable, comprehensive health care. Currently, 87% of private insurance health care plans offered through employers cover abortion. If H.R. 3 is made into law, consumer options for private health insurance plans would be unnecessarily restricted and the tax burden on these policy holders would increase significantly.

H.R. 3 would also deny tax credits to small businesses that offer their employees insurance plans that cover abortion. This would have a significant impact on millions of families across the nation who would no longer be able to take advantage of existing tax credits and deductions for the cost of their health care. For example, small businesses that offer health plans that cover abortions would no longer be eligible for the Small Business Health Tax Credit—potentially worth 35%–50% of the cost of their premiums—threatening 4 million small businesses. Self-employed Americans who are able to deduct the cost of their comprehensive health insurance from their taxable income will also be denied similar tax credits and face higher taxes.

A November 2010 Hart Research poll found that a significant majority (74%) of the American population opposes the key provision of this bill, which would increase the tax burden on those who purchase comprehensive health insurance plans.

Current law requires state Medicaid programs to cover abortion care in limited circumstances, including in cases of rape, incest, or when the pregnancy jeopardizes the woman's life. H.R. 3 would allow states to refuse abortion coverage for Medicaid beneficiaries in all of these cases, even when their life is in danger.

Women who would need to terminate a pregnancy as a result of medical complications would be forced to pay up to $10,000 or more for abortion services. For many women, being forced to pay the full cost of an abortion is not economically feasible and would lead many families into bankruptcy or force pregnant women with medical complications to take on major risks to carry the child to term. H.R. 3 would also undermine the District of Columbia's home rule by restricting its use of funds for abortion care to low-income women.

The Hyde Amendment stipulates that no taxpayer dollars are to be used for abortion care, and has narrow exceptions for rape, incest, and health complications that arise from pregnancy which put the mother's life in danger. H.R. 3 would restrict women's access to reproductive health care even further by narrowing the already stringent requirements set forth in the Hyde Amendment.

When the Affordable Care Act was signed into law, the President issued an Executive Order to ''ensure that Federal funds are not used for abortion services.'' This bill goes far beyond the safeguards established under the Affordable Care Act, and sets a dangerous precedent for the future of women's reproductive health in this country.

At a time when the American people want Congress to focus on creating jobs and stabilizing the economy, the Republicans wish to focus on this divisive piece of legislation that does nothing to move our country forward.

I urge my colleagues to join me in voting no on H.R. 3, a bill that represents an unprecedented step backward in women's reproductive freedom.

Ms. HANABUSA. Madam Speaker, I would like to express my deep opposition to H.R. 3. Rather than focus on legislation that will help the millions of Americans struggling to recover from a national recession, the majority in this chamber have instead decided to take up an unreasonable piece of legislation that essentially declares war on women's access to healthcare.

H.R. 3 is being called the ''No Taxpayer Funding for Abortion Act.'' In fact, the healthcare legislation that President Obama signed into law last year already states that no federal taxpayer dollars may be use to fund abortion services. Additionally, the law requires that plans receiving federal funds must keep taxpayer dollars separate from funds for abortion services.

Women in the United States simply do not get public funds for abortion services. However, under the guise of eliminating abortion funding, what this bill really does is limit access to reproductive healthcare for the millions of women who pay for insurance and medical expenses through their own private insurance plans.

Finally, it is my firm belief that it is not the place of Congress to impede on women's reproductive freedom rights, which is exactly what this bill does.

Instead of debating divisive partisan issues, we should be working to get the nation back on track. The Republican leadership has controlled the agenda in the House of Representatives for the last 18 weeks and has still not brought forth legislation that would help stimulate the economy and spur economic growth.

Mr. PASCRELL. Madam Speaker, let me be clear. Throughout my years in Congress, I have always supported the Hyde amendment and have been against any government funding of abortion. Moreover, I have voted with the conviction that we, as Members of Congress, should not reach into the private lives of our constituents on issues as personal as this.

There is a very thin line here and this bill goes beyond it. As we all know, good policy is about striking a good balance. During health care reform, we reached a delicate compromise yet this bill would unravel that compromise to use the tax code in an unprecedented manner. As a Member of the Ways and Means Committee, I am acutely aware of how we use the tax code and disagree with the majority's choice to set this precedent.

At the end of the day, my constituents know my position on this issue. I believe women should be able to make their personal decisions in consultation with their families, their faith, and with their health professionals. That is how it should be. However, should this bill become law, not only would the IRS be involved asking women about a very personal decision, but the middle class would face increased taxes. I am not comfortable with these consequences and with the unbalanced approach of this bill. I urge my colleagues to vote no on H.R. 3.

Mr. WAXMAN. Madam Speaker, I am wholly opposed to this legislation, and urge its defeat.

We have a lot of challenges in this country: high gasoline prices, high unemployment, an economy that is not growing strongly enough, crumbling infrastructure, a growing threat from carbon pollution and climate change, and two ongoing wars in the Middle East, among many others.

But rather than focus on issues that are front and center in the lives of Americans from all walks of life, what legislation does the Republican leadership choose to bring to the floor today? Not a bill for jobs. Not a bill for growth. Not a bill that will promote clean energy. Not a bill for education. Not a bill for infrastructure investment. Not even a bill that addresses the deficit.

Instead, the Republican leadership presents a bill whose relentless focus is to extinguish a woman's right of choice with respect to pregnancy.

We have already resolved this issue. Last year, we did so in the Affordable Care Act. That law clearly and unequivocally prohibits the use of federal funds for abortion; keeps state and federal abortion-related law in place; and ensures that those whose conscience dictates against abortion are protected, and not discriminated against.

But this is not enough for some. H.R. 3 will result in a virtual shut-down of abortion services in the United States.

In addition to making permanent the prohibition in existing law on any federal funding for abortion, H.R. 3 prohibits any federal funds from being expended for health benefits coverage that includes coverage of abortion. It establishes tax penalties for private expenditures on abortion. It provides a limitation on federal facilities and employees with respect to abortion. It again singles out the District of Columbia to prevent the citizens of that city from determining whether the local government can fund abortion services with its own revenue.

H.R. 3 is extreme, it is cruel, it is offensive, and it is wrong.

As I have stated in opposing other restrictive legislation on reproductive rights this year, this legislation will not become law. It is not what the American people are asking us to do. November's election was focused on jobs and economic growth. Its outcome was not a mandate to erode the rights of choice that are protected by the Constitution.

H.R. 3 turns the clock back to over 50 years ago. It should never have been brought to the floor and it should never be given the force of law. Not in the United States of America. Not in the 21st century. I urge its defeat.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today to state my strong opposition to H.R. 3. This bill—ostensibly the Republican leadership's third-highest priority—is a reprehensible piece of legislation that will do nothing but put the lives of American women at risk.

It also tells us what the Republican leadership thinks of American women. When this bill was first introduced, I was outraged and horrified that the bill narrowed the long-standing exemption for rape to only ''forcible rape.'' I called this out for what it is—a violent act against women.

When this bill was marked up in the House Judiciary committee, ''forcible'' had been removed, therefore leaving the language as it has stood for decades. Without the word ''forcible,'' this exemption includes a wealth of horrifying circumstances, such as date rape, statutory rape, and rape where the woman is unconscious or mentally unable to consent.

To say that these instances are not really rape is a violent affront against women and the gravest insult to ALL victims of sexual assault.

Madam Speaker, I was absolutely incensed when I learned that although ''forcible'' does not appear in the bill language, its sponsors ensured that the report language clearly noted that the bill intends to apply to only ''forcible'' instances of rape.

So not only do the bill's sponsors not have a problem with endangering the lives of American women—but they're perfectly fine with not telling them the truth, too.

Let me be clear—no amendment, no word change could make this bill even close to acceptable. It is an insult to American women who require life-saving abortion care for health purposes, and a slap in the face to all American women who until now may have thought that their constitutional right to make their own private medical decisions about their body was safe.

Now we know that it's not— and the anti-choice community will stop at nothing to ensure that they chip away at Roe v. Wade until it is gone forever.

Madam Speaker, I urge my colleagues to vote ''no'' on this atrocious bill. A vote against H.R. 3 is a vote for the health of American women and the sanctity of constitutional rights for us all.

Mr. STARK. Madam Speaker, I rise in vehement opposition to the ''No Taxpayer Funding for Abortion Act.''

Of the many problems with this legislation, it ignores the fact that the Affordable Care Act already bans federal funding for abortion except in rare cases. Instead of being content with these firm restrictions, the authors of this bill have paved a new way for the most perilous anti-choice policy: their legislation would actually deny a woman an abortion when carrying out her pregnancy would endanger her life. The more subtle details of the bill are almost as onerous.

Republicans want IRS agents to double as ''abortion detectives'' who decide whether tax benefits have been improperly claimed with regard to abortion service expenses. Their legislation prevents low-income women and families from using premium tax credits if their coverage includes abortion services. It increases families' taxes when they use funds from their health savings or flexible-spending accounts for abortion related expenses. It denies employers the right to use ACA tax credits to provide their employees with comprehensive health coverage.

If this bill becomes law, our constituents will be paying far more than just higher taxes: they will be paying with their privacy, their dignity, and their right to determine the course of their own lives.

This bill does everything short of having anti-choice politicians physically present in our doctor's rooms, in our hospitals and looking over our shoulders when we fill out our tax forms. I urge my colleagues to show their respect for our constituents by opposing this thoughtless and harmful bill.

Mr. MORAN. Madam Speaker, I rise today in strongest opposition to H.R. 3, the ''No Taxpayer Funding for Abortion Act.'' Not only is this bill taking up valuable floor time, but it is redundant and goes beyond a woman's right to control her body by tinkering with the tax code and private health insurance plans.

It is a mystery to me why we keep wasting time on legislation that addresses abortion. The Supreme Court has ruled on this issue, and there are established policies that prohibit the use of federal funds for abortion services except in very narrow circumstances. The President has announced he will veto this bill should it actually reach his desk.

Almost 9 percent of Americans are out of work, yet the House of Representatives has not taken one step to address this pressing national concern.

My Republican colleagues—who are strong advocates for less government—consistently

want the federal government to oversee a woman's reproductive rights. This legislation jeopardizes the health of pregnant women who may be suffering from cancer or another devastating disease, by limiting their ability to obtain adequate insurance in the private market.

House Republicans are manipulating the tax code to make sure abortions are out of reach for low income and in some cases, even middle class women. This legislation would also take away benefits that women insured in the private market currently have by imposing tax penalties on individuals and small businesses whose insurance plans include any kind of abortion services.

And if all this weren't enough, H.R. 3 would once again tell the District of Columbia how to spend its own money. It would codify policy included in the CR usurping the city council's authority to use locally raised revenue to provide abortion care for its low-income residents, an unfair restriction which Congress lifted in 2009 and reimposed this year.

Why should the District of Columbia be constantly used as a Petri dish for Republican policy experiments. It just isn't right.

Abortion is a hard choice for any woman. It is a decision that should be made by her, her family and her physician—without the federal government restricting access to services.

Let's move on to legislation that will help grow our economy and get people back to work.

I urge a ''no'' vote on H.R. 3

Ms. JACKSON LEE of Texas. Madam Speaker, today we have an opportunity to examine H.R. 3, ''the No Taxpayer Funding for Abortion Act,'' a bill which is claimed to simply codify what is already law. However, H.R. 3 is by far more restrictive than any current law, or interpretation thereof.

My colleagues across the aisle claim that this bill is simply about limiting federal funding for abortions. If that were truly the case, then there would be no purpose for H.R. 3, because Federal funding has not been available for abortions since passage of the Hyde amendment in 1977.

The effect of H.R. 3 is, in fact, to so drastically limit access to abortions that they will essentially become unavailable, even when paid for with an individual's own funds. In its attempt to make abortions unavailable, H.R. 3 will have a detrimental impact on women's health, and moreover, attacks a woman's constitutionally protected right to choose.

Twice, first in the Judiciary Committee Markup and secondly when H.R. 3 was being considered in the Rules Committee, I have attempted to offer to amendments to this bill that help to protect both the constitutionally protected rights of women, and their health. In both instances, my amendments were not accepted by the Republican majority on the Rules Committee.

My first amendment would have required the Attorney General to certify to Congress that H.R. 3 does not violate any constitutionally protected right before allowing this bill to take effect. The sponsor's of this bill have been perfectly clear that their goal with H.R. 3 is to create so many barriers and obstacles to abortion that it essentially becomes unavailable. The law is clear that while the government may regulate, it cannot impose an undue burden on a constitutionally protected right. The effect of H.R. 3 would be to impose such an insurmountable burden on a woman's fundamental right to make decisions about pregnancy that it could very likely be considered unconstitutional.

The second amendment I attempted to offer would have created an exception to protect women from severe long lasting health damage. This amendment is supported by the American Congress of Obstetricians and Gynecologists. Every year, 10–15 million women suffer severe or long-lasting damage to their health during pregnancy, including but not limited to lung disease, heart disease diabetes, and loss of reproductive ability. H.R. 3 only considered a woman's health when she is faced with death, but provides no protection for women who face serious health consequences from continuing a pregnancy. Congress should not be in the business of interfering with a woman's health, nor should we ever single out women who choose not to endure long-lasting health defects or diseases due to a pregnancy.

H.R. 3 would impose a great burden on a women like Tamara, a mother of 3 who had been diagnosed with cervical cancer and found out she was pregnant. She was faced with the difficult choice of carrying the pregnancy to term and risking her own health or terminating the pregnancy to receive treatment for her cancer.

H.R. 3 would impose a great burden on women like Holly from my state of Texas, a mother of two who suffered from a serious illness affecting her liver. Treatment for her liver would pose a threat to her pregnancy.

H.R. 3 goes to new lengths by effectively using the tax code to impede upon a woman's right to choose and essentially penalize individuals for even carrying health insurance that covers abortions.

It imposes an unprecedented penalty on anyone who spends their own money to pay for abortion, or in many cases, those who use their own money for insurance that will cover abortion if needed.

H.R. 3 will actually impose a tax increase on many Americans—across all races, all classes, and all socioeconomic levels. It increases taxes on women, families, and businesses by denying them the normal tax exemptions and credits for health insurance if they choose a policy that provides abortion coverage. This unprecedented penalty is a radical restriction on a lawful and constitutionally protected medical procedure. It will result in a tax increase on anyone who uses their own money to pay for abortion or, in many cases, insurance that would cover abortion.

Furthermore, the Bill puts the IRS into the middle of private and personal decisions by families. The result of this bill would also be that the IRS would be required to use the tools currently available as part of its tax enforcement duties, including the IRS's ability to audit taxpayers, to determine whether tax benefits had properly or improperly been claimed with respect to expenses related to abortion services. Family planning decisions, which are amongst the most personal and private decisions many people face, are subject to scrutiny by the IRS for tax purposes.

H.R. 3 does not merely codify existing protections for so-called rights of conscience. H.R. 3 rejects the even-handed approach taken since 1973 in the Church Amendment, which protects the religious or moral beliefs of those who provide, or refuse to provide, abortion services.

Furthermore, it takes the more-recent Weldon Amendment approach, which allows a large universe of entities to refuse abortion services for any—or no reason whatsoever. Unlike the Church Amendment approach, H.R. 3 protects only those who refuse to provide abortion services, and makes that one-sided protection permanent for all laws by providing a completely new private cause of action. It does nothing to protect those entities that do offer abortions.

The conscience rights of those who provide services, and not just those who refuse, deserve equal respect and recognition. Americans rights of conscience should not be protected only if they accord with the views of the Members of Congress; they should be protected regardless of what lawmakers' personal beliefs are.

Instead of Bringing Up Bills to Create Jobs, Republicans Are Pursuing An Extreme and Divisive Agenda. Today, the House will consider H.R. 3, Restricting Women's Access to Full Range of Health Care Services. Americans want us to work together to create jobs and move the country forward. This bill would do exactly the opposite—move our country backwards in an attempt to re-litigate a divisive issue.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong opposition to the so-called and sorely mislabeled ''No Taxpayer Funding for Abortion Act.''

This bill is a hoax as Federal law currently prohibits the use of taxpayer money on abortion services. The legislation would effectively prevent millions of American women from using their own private money to purchase an insurance plan that includes coverage of abortions—whether it is private insurance or an insurance plan in the Health Insurance Exchanges. In addition, small businesses would not be allowed to take advantage of tax credits if it provided comprehensive health care coverage to its employees. This is a dramatic break with the current practice where most insurance plans provide for such coverage for individuals who choose such plans.

A woman's right to choose her own health care is a fundamental one, and the Congress should not tell women how to manage their health or reproductive care. Sadly, the legislation we're considering today will do just that and severely jeopardize women's access to health care.

Madam Speaker, I urge my colleagues to reject this misguided bill because it would effectively prohibit individuals from using their own money to purchase insurance plans offering comprehensive health care coverage. Instead, I urge the Republican majority to focus on an agenda that will create jobs, help America's middle class families, and move our country forward.

Mr. BOSWELL. Madam Speaker, I rise today to oppose this legislation and to focus on the importance of the health of the many women in my district and across our nation.

I stand against H.R. 3, because I believe that a woman deserves the same respect as a man. She deserves this respect as an employee, a wife, a mother, a sister, simply just for her humanity. And that respect must be real and must include important matters like access to health care.

During the 111th Congress, we made it illegal for insurance companies to charge a woman a higher premium just because she is

female. We did this because to do anything else is blatant discrimination.

Yet here we are today, with a bill that would circumvent the very discrimination we stopped and would direct the Internal Revenue Service to tax a woman based on her health needs, just because her needs are different from that of a man.

Even worse, at this critical time in our economy, we are now going to tax any business that provides comprehensive health care to a woman.

So, instead of fighting for the most critical need of our nation right now, job creation, H.R. 3 picks a fight with a woman and her employer.

Why do any one of us seek to have health insurance? We choose to have health insurance in order to plan for the unforeseeable, the unknown, those emergencies that arise and for which no one can plan. No one plans to have cancer, but many Americans do. Health insurance is how each of us protects ourselves against the unknown.

This legislation says that a woman—with her own money—cannot have comprehensive health insurance without a penalty. It creates a new barrier to access to care, and puts in place a system of discrimination, backed by statute in the United States Tax Code.

For my colleagues who argue that this is to reduce the rate of abortion services, it will not. The facts show otherwise.

Access to family planning services is what reduces the need for abortion services. It is family planning services that have proven to cut the rate of abortion by more than 200,000 per year and reduce unintended pregnancies by more than 600,000 per year.

This bill was titled the "No Taxpayer Funding for Abortion Act," but it reads more like a "Tax our Daughters Act."

Stop this boldfaced attack on American women. Let us instead provide them with jobs and a fair paycheck.

Vote against H.R. 3. Show the women of your district, and your family, that you respect them.

Ms. DEGETTE. I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. LUMMIS). All time for debate has expired.

Pursuant to House Resolution 237, the previous question is ordered on the bill, as amended.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3 is postponed.

REPEALING MANDATORY FUNDING FOR SCHOOL HEALTH CENTER CONSTRUCTION

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1214.

□ 1525

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, with Mrs. MYRICK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 3, 2011, a request for a recorded vote on amendment No. 2 printed in the CONGRESSIONAL RECORD, offered by the gentleman from New Jersey (Mr. PALLONE), had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. JACKSON LEE of Texas.

Amendment No. 2 by Mr. PALLONE of New Jersey.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 218, not voting 7, as follows:

[Roll No. 287]

AYES—207

Ackerman
Andrews
Austria
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burgess
Butterfield
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gingrey (GA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hanna
Harris
Hastings (FL)
Heinrich
Heller
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kline
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (IN)

NOES—218

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster