## House Judiciary Committee 112<sup>th</sup> Congress Markup of the No Taxpayer Funding for Abortion Act, H.R. 3

On March 3, 2011, the House Judiciary Committee marked up H.R. 3, the No Taxpayer Funding for Abortion Act. This measure places in permanent law the long-standing policy that the federal government not fund or promote elective abortion and codifies the Hyde/Weldon conscience protection amendment. Fifteen weakening amendments were offered and all were defeated. H.R. 3 was then approved.

		Roll Call Votes													
Majority (23 Members)	Co- Sponsor H.R.3	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Lamar Smith (TX-21) Chairman	X	X	X	X	X	X	X	NV	NV	X	X	X	X	X	X
F. James Sensenbrenner, Jr. (WI-5)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Howard Coble (NC-6)	X	X	X	X	NV	X	X	X	X	X	X	X	X	X	X
Elton Gallegly (CA-24)	X	X	X	X	X	X	X	X	X	X	X	X	X	NV	X
Bob Goodlatte (VA-6)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Dan Lungren (CA-3)	X	NV	NV	NV	NV	X	X	X	X	X	X	X	X	X	X
Steve Chabot (OH-1)	X	NV	X	X	X	NV	NV	NV	NV	NV	X	X	X	X	X
Darrell Issa (CA-49)	X	NV	NV	NV	NV	X	X	X	NV	NV	X	X	X	X	X
Mike Pence (IN-6)	X	NV	X	X	X	X	X	X	X	X	X	X	X	X	X
J. Randy Forbes (VA-4)	X	NV	NV	NV	NV	X	X	X	X	X	X	X	X	X	X
Steve King (IA-5)	X	X	X	X	X	X	X	X	NV	NV	NV	X	X	X	X
Trent Franks (AZ-2)*	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Louie Gohmert (TX-1)	X	X	X	X	X	X	X	NV	NV	NV	NV	NV	NV	X	X
Jim Jordan (OH-4)	X	X	X	NV											
Ted Poe (TX-2)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Jason Chaffetz (UT-3)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tom Reed (NY-29)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tim Griffin (AR-2)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tom Marino (PA-10)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Trey Gowdy (SC-4)	X	X	X	X	X	X	X	NV	X	X	X	X	X	X	X
Dennis Ross (FL-12)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sandy Adams (FL-24)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Benjamin (Ben) Quayle (AZ-3)	X	X	NV	X	X	X	X	X	X	X	X	X	X	X	X
Minority (16 Members)															
John Conyers, Jr. (MI-14),		O	O	О	О	О	О	О	О	О	О	О	О	О	О
Ranking Member		U	O	U	U	U	O	U	O	U	U	U	U	U	U
Howard L. Berman (CA-28)		O	O	O	O	NV	NV	O	O	O	NV	NV	O	O	O
Jerrold Nadler (NY-8)		О	О	О	О	O	О	О	О	О	О	O	О	O	О
Bobby Scott (VA-3)		O	O	O	O	O	O	O	O	O	O	O	O	O	O
Mel Watt (NC-12)		NV	O	O	O	O	O	O	NV	O	O	O	O	O	O
Zoe Lofgren (CA-16)		O	O	O	O	O	O	O	O	O	O	O	O	O	O
Sheila Jackson Lee (TX-18)		O	O	O	O	O	О	NV	NV	O	O	O	O	O	O
Maxine Waters (CA-35)		NV	O	O	O	O	O	O	O	O	O	O	O	O	O
Steve Cohen (TN-9)		O	O	O	O	O	O	O	O	O	O	O	O	O	O
Hank Johnson (GA-4)		O	O	O	O	O	O	O	O	O	O	O	O	O	O
Pedro Pierluisi (D-PR)		O	X	O	X	X	X	X	X	X	X	O	X	O	X
Mike Quigley (IL-5)		O	O	O	O	O	O	O	O	O	O	O	O	O	O
Judy Chu (CA-32)		O	O	O	O	O	O	O	O	O	O	O	O	O	O
Ted Deutch (FL-19)		О	O	O	O	O	O	O	NV	O	NV	O	O	O	O
Linda Sanchez (CA-39)		NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV	NV
Debbie Wasserman Schultz (FL-20)		О	O	O	Ο	O	O	O	O	O	O	O	O	O	Ο

## **Description of Votes**

- <u>Vote 1: Convers Amendment</u>—H.R. 3 applies the prohibition on use of federal funds for abortion to all funds appropriated by Congress for the District of Columbia. The Convers Amendment would exclude the District of Columbia from the federal funding restriction. *The Convers Amendment failed, 13-yes, 18-no.* "No" was a pro-life vote.
- <u>Vote 2: Nadler Amendment</u>—H.R. 3 contains a provision prohibiting tax benefits related to abortion (Par. 303). The Nadler Amendment would delete this provision. *The Nadler Amendment failed, 14-yes, 20-no.* "No" was a pro-life vote.
- <u>Vote 3: Jackson Lee Amendments</u>—Rep. Jackson Lee offered two amendments, which were voted on as one. First amendment: H.R. 3 would not take effect unless the Attorney General certified that it "will not violate a constitutionally guaranteed right." Second amendment: In addition to rape or incest, or life of the mother, an exception would be added for health. *In an en bloc vote, the Jackson Lee Amendments failed, 15-yes, 19-no.* "No" was a pro-life vote.
- <u>Vote 4: Nadler Amendment</u>—The Nadler Amendment specifies that the provision prohibiting tax benefits related to abortion (Par. 303) would not take effect unless the President determines the section would not result in a tax increase for any individual, small business, or employer. *The Nadler Amendment failed, 14-yes, 19-no.* "No" was a pro-life vote.
- <u>Vote 5: Nadler Amendment</u>—The Nadler Amendment specifies that the provision prohibiting tax benefits related to abortion (Par. 303) does not apply to health benefits plans provided by or through an employer. *The Nadler Amendment failed, 13-yes, 22-no.* "No" was a pro-life vote.
- <u>Vote 6: Nadler Amendment</u>—The Nadler Amendment specifies that the provision prohibiting tax benefits related to abortion (Par. 303) does not apply to the self-employed, with the term "self-employed" defined broadly to include any individual who is not covered under a health benefits plan provided by or through an employer. *The Nadler Amendment failed, 13-yes, 22-no.* "No" was a pro-life vote.
- <u>Vote 7: Nadler Amendment</u>—The Nadler Amendment extends the conscience protection provided in H.R. 3 to health care entities that do provide, pay for, provide coverage of, or refer for abortion. *The Nadler Amendment failed, 13-yes, 19-no.* "No" was a pro-life vote.
- <u>Vote 8: Johnson Amendment</u>—H.R. 3 will not take effect unless the Attorney General submits a report to Congress "setting forth the effect of this chapter on women's access to abortion and to health benefits coverage that includes coverage of abortion." *The Johnson Amendment failed, 11-yes, 18-no.* "No" was a pro-life vote.
- <u>Vote 9: Johnson Amendment</u>—The Johnson Amendment specifies that the provision prohibiting tax benefits related to abortion (Par. 303) does not apply to a taxpayer "who is an individual, except to the extent that such amount is paid or incurred in carrying on a trade or business." *The Johnson Amendment failed, 14-yes, 19-no.* "No" was a pro-life vote.
- <u>Vote 10: Quigley Amendment</u>—The Quigley Amendment specifies that the provision prohibiting tax benefits related to abortion (Par. 303) applies only if the President certifies that the provision will not affect the availability of abortion coverage offered by health plans for individuals who are not eligible for tax credits under the new health care law. *The Quigley Amendment failed, 12-yes, 21-no.* "No" was a pro-life vote.
- <u>Vote 11: Chu Amendment</u>—The conscience protection provided in H.R. 3 shall not be "construed to relieve any health care provider from providing emergency health care services. . . ." *The Chu Amendment failed, 14-yes, 21-no.* "No" was a pro-life vote.
- <u>Vote 12: Wasserman Schultz Amendment</u>—The Wasserman Schultz Amendment specifies that the provision prohibiting tax benefits related to abortion (Par. 303) does not apply to small businesses. *The Wasserman Schultz Amendment failed, 14-yes, 22-no.* "No" was a pro-life vote.
- <u>Vote 13: Wasserman Schultz Amendment</u>—In addition to rape or incest, or life of the mother, the Wasserman Schultz Amendment would add an exception for "the case of a woman with cancer who needs life saving treatment incompatible with continuing the pregnancy." The additional exception either narrows the life of the mother exception already in the bill or expands that exception beyond life of the mother. *The Wasserman Schultz Amendment failed, 15-yes, 21-no.* "No" was a pro-life vote.
- <u>Vote 14: Final Passage</u>—On final passage, H.R. 3, as amended in the nature of a substitute offered by Rep. Franks, was approved, 23-yes, 14-no. "Yes" was a pro-life vote.
- Rep. Chu also offered an amendment specifying that H.R. 3 would not allow anyone to restrict "full disclosure of all relevant information to patients" or to "violate the principles of informed consent and the ethical standards of health care professionals." The Chu Amendment failed by voice vote.

For access to text of the amendments and roll call of the votes as reported by the committee, click here.