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***The New Battle to Eliminate Insurance Coverage for Abortion***

On January 20, 2011, Congressman Chris Smith (R-NJ) introduced H.R. 3, the No Taxpayer Funding for Abortion Act.

abortion from a host of programs that fulfill

As one member of Congress noted, The government of the District of Columbia representing the wishes of its citizenry must...be able to choose how to spend its revenues collected through property and income taxes and other sources.<sup>1</sup>

The District abortion ban is antithetical to the spirit of the Home Rule Act. Measures such as the abortion ban serve only to disenfranchise and marginalize the District's leaders and residents. Through this provision, non-resident Members of Congress impose their own ideology, morality or religious belief upon the District's residents and utterly disregard the needs or wishes of the broader community or those directly impacted. Most egregiously, those who seek to negate the will of the District's residents or leaders are not accountable to the people of the District. That which they could not do in their own home districts, they do with impunity against the residents of the District. Measures such as the abortion ban erode and undermine such progress and serve only to accentuate the voicelessness of those residing in the District.

### **5. Expands the Federal Refusal Law (Weldon Amendment) and Writes it Into Permanent Law**

H.R. 3 codifies the Federal Refusal Law (also known as the Weldon Amendment), expands its reach, and provides new remedies for those allegedly aggrieved, including a private right of action.

Since 2004 the Labor, Health and Human Services and Education appropriations bill has contained a rider known as the Weldon Amendment that provides broad immunities for hospitals and insurance companies that refuse to provide, pay for, cover, or even refer for abortions. The Amendment offers immunities to health care institutions and professionals who deny women access to critical information about their health care options and sets up roadblocks for states seeking to enforce their own laws.

The Smith bill would expand these immunities by applying them not only to federal agencies and programs funded under the Labor-HHS-Education appropriations bill but to all federal agencies and programs. Moreover, it would make these broad and unnecessary immunities permanent.

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<sup>1</sup> See 132 Cong. Rec. H4872 (daily ed. July 24, 1986; statement by Rep. Theodore Weiss (NY)).