

**Statement of National Council of Jewish Women on  
HR 3, No Taxpayer Funding for Abortion Act**

Written Testimony submitted by  
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US House of Representatives  
Committee on Ways and Means  
Subcommittee on Select Revenue Measures

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The National Council of Jewish Women (NCJW) is a grassroots organization of volunteers and advocates who are inspired by Jewish values. Since 1893, NCJW members have turned progressive ideals into action, striving for social justice by improving the quality of life for women, children, and families, and by safeguarding individual rights and freedoms.

NCJW has a long history of strong support for the protection of every female's right to reproductive choices, including safe and legal abortion, access to contraception, and the elimination of obstacles that limit reproductive freedom. The ninety-thousand members, volunteers, and supporters of NCJW have long supported abortion care as an essential component in the spectrum of comprehensive, confidential, affordable reproductive health services that must be accessible to women, regardless of age or ability to pay. We believe that each woman must have the right to exercise her own moral judgment when making personal decisions, including those that affect her reproductive life. Ensuring that women, regardless of financial status or age, have access to comprehensive reproductive health services is essential not only to women's health but also to women's equality and economic opportunity.

We view HR 3, the "No Taxpayer Funding for Abortion Act," introduced by Representative Chris Smith (R NJ), as harmful to women and families on several fronts. This legislation would unjustly target their pocketbooks, imposing financial barriers on many American workers and discriminating against low-income women; cruelly endanger their health; and wrongly erode their right to privacy and religious liberty.

If enacted, the government would greatly restrict consumer options in the private insurance market and penalize the insurance companies and employers who offer abortion-inclusive health insurance coverage. While more than 85 percent<sup>1</sup> of private plans today offer such coverage, HR 3 would increase taxes on the individuals and families who now have abortion coverage and want to keep it, while barring others from buying this coverage with their own money. Penalizing consumers – male and female – with increased taxes as a means of restricting abortion coverage is an unjust and extreme move that would harm women, men, and their families.

HR 3 also puts women at risk. It would make permanent the Hyde Amendment, banning abortion for women receiving subsidized insurance – discriminating against low-income and other women who rely on federal health programs, such as Medicaid beneficiaries, US servicewomen, and federal employees. Moreover, this legislation would not provide exceptions for women whose health may be harmed by the continuation of a pregnancy and, as originally proposed, it would change long-standing definitions of rape

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<sup>1</sup> Guttmacher Institute, *Memo on Private Insurance Coverage of Abortion*, <http://www.guttmacher.org/media/inthenews/2011/01/19/index.html> (Feb. 3, 2011)

and incest exceptions to deny care to some minors, women with disabilities, adult incest survivors, and others whose pregnancies are the result of rape. In so doing, this bill would callously and carelessly endanger women's health and well-being.

NCJW believes that the above reasons alone should be enough to oppose HR 3, but this legislation does take an additional step that makes it especially offensive to NCJW and all Americans who value individual rights and freedoms. The "No Taxpayer Funding for Abortion Act" would erode our nation's guarantee of religious liberty.

We recognize that abortion is a complex issue – replete with moral, bio-ethical, philosophical and theological implications. What is clear is that the issue engenders strong feelings on all sides. Different religions have differing views on when life begins; and even within religions, there can be varying opinions. We submit that this diversity of opinions is a question that our nation has answered by upholding the key, founding principle of religious freedom. A central part of the United States Supreme Court's 1973 decision in *Roe v. Wade* recognized that different moral and religious traditions have differing views of abortion.

Reproductive rights are integrally bound up with religious freedom. As a faith-based women's organization, we understand that those who would restrict women's access to abortion and other reproductive health care services are often motivated by their religious belief and seek to impose their religious views on others. Yet, having freedom of choice means that women are valued as moral decision-makers and are free to make decisions about their reproductive lives based on their own religious beliefs and conscience, in consultation with their physicians, families, and religious leaders – or whomever they choose to involve. For the legislature to mandate one religion's views on this very personal issue is to restrict religious liberty for all.

Judaism teaches that, during a pregnancy, the life of the mother takes precedence over the potential life of a fetus. In fact, the Jewish scholar, Rabbi Sofer, taught: "no woman is required to build the world by destroying herself."<sup>2</sup> We respect and recognize the right of religious groups whose beliefs differ from ours to follow the dictates of their faiths in this matter. But we ask no less for ourselves.

We oppose HR 3 because it blatantly disregards and undermines the basic right of our freedom to choose. And both religious freedom and personal freedom are the underpinnings of this right.

NCJW strongly and respectfully urges you to oppose HR 3. This legislation would take extreme measures that would not only impose discriminatory financial hardships on women and families and endanger women's health, but it would greatly impinge on religious freedom. As you deliberate the suitability and constitutionality of this legislation, we hope that you will take into account not only its detrimental impact on women's over-all health, equality, and economic opportunity, but also its impact on religious liberty.

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<sup>2</sup> Resp. Hatam Sofer, E.H. No. 20