

**Congress of the United States**  
**Washington, DC 20515**

April 19, 2013

The Honorable Hal Rogers  
Chairman  
Committee on Appropriations  
H-307, The Capitol  
Washington, DC 20515

The Honorable Jack Kingston  
Chairman  
Subcommittee on Labor, Health and  
Human Services, Education and  
Related Agencies  
2358-B Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Rogers and Chairman Kingston:

As fellow pro-life Members of Congress committed to protecting the individual's rights of conscience, we would like to thank you for your past support and again respectfully request that you ensure that adequate protections for these fundamental liberties are included in the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies (Labor/HHS) draft legislation to fund the government for fiscal year (FY) 2014.

Specifically, we are asking that the Appropriations Committee incorporate H.R. 940, the Health Care Conscience Rights Act, authored by Rep. Diane Black, into the Labor/HHS FY2014 appropriations mark. Including full conscience protections would be consistent with sections 537 and 538 of the House draft FY2013 Labor/HHS appropriations bill. The provisions of H.R. 940 would amend the Patient Protection and Affordable Care Act (PPACA) to ensure that the federal government cannot require individuals, charities, or businesses to buy insurance coverage that includes items or services against which they have a deeply held moral or religious objection. It would also ensure that recipients of state, local, or federal government funds do not discriminate against any health care entity or worker for abiding by their conscience and refusing to provide, train, or refer for abortion services. The Health Care Conscience Rights Act would also ensure a private right of action for victims facing discriminatory practices.

There are a growing number of cases show that such discrimination is an issue that needs Congressional attention. For example, Cathy DeCarlo, a nurse at Mt. Sinai Hospital in New York, was forced to take part in the gruesome dismemberment of a 22-week-old unborn child. Nurses have also been told by Vanderbilt University and by a state-run medical center in New York that they must assist in abortions that violate their deeply-held convictions. Such reckless actions against the sanctity of an individual or health care entity's moral code are seen time and time again.

In addition, more than 130 plaintiffs have filed suit against the unconstitutional HHS mandate, first issued on August 3, 2011, which requires that insurance plans include "all Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling for all

women with reproductive capacity.” Hobby Lobby and religious book-seller Mardel, Inc., which are owned by the same Christian family, are suing to block this part of the federal health care law that requires employee health care plans to provide insurance coverage for the morning-after pill and similar abortifacient drugs. Hobby Lobby’s failure to comply with the HHS mandate could result in fines of up to \$1.3 million per day.

Over the last 19 months, the U.S. Department of Health and Human Services has issued guidelines, clarifications, and most recently, a notice of proposed rule-making (NPRM) regarding their so-called “accommodation” for those objecting to the HHS mandate. Rather than addressing the conscience concerns of religious objectors, the NPRM only further demonstrates that the Administration does not plan to exempt them from the mandate. This latest so-called “accommodation” provides no remedy for individuals and small business owners, such as Hobby Lobby, and falls far short of addressing the concerns of religious non-profits and charities. The NPRM demonstrates that the mandate will continue to place a heavy moral and financial burden on religious and non-religious affiliated employers that seek to provide quality health coverage consistent with their beliefs.

This attack on religious freedom demands immediate congressional action. Nothing short of a full exemption for both non-profit and for-profit entities will satisfy the demands of the Constitution and common sense. In recent years, the Administration has committed unprecedented attacks against the religious freedoms guaranteed in the Constitution, all under the guise of “access to health care.” Congress cannot ignore the relentless assault on the First Amendment right to religious freedom, and must act before the PPACA provisions are fully enacted in August of this year.

Thank you for considering this request. We look forward to working with you to ensure that the vital protections of H.R. 940 are included in the Labor/HHS appropriations bill and become a permanent part of the U.S. Code.

Sincerely,

Quinn Black

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