

May 30, 2013

The Honorable John A. Boehner
Speaker of the House
H-232, The Capitol
Washington DC 20515

The Honorable Eric Cantor
Majority Leader
H-329, The Capitol
Washington DC 20515

Dear Speaker Boehner and Leader Cantor:

We, the undersigned representing millions of Americans, strongly support enactment of protections for religious liberty and freedom of conscience. We thank you for your efforts to protect these fundamental rights of all Americans. Given that the threat to religious freedom is already underway for businesses such as Hobby Lobby and others, and that this threat will be directed at religious non-profit organizations on August 1st, we strongly urge House leadership to take the steps necessary to include such protections in the debt limit bill or other must-pass legislation before that deadline.

A vital First Amendment right is threatened by the HHS mandate. The mandate will force religious and other non-profit entities to violate their conscience in their health coverage, or face steep fines and other penalties for offering a noncompliant health plan. The penalties for noncompliance could force employers to stop offering health coverage, negatively impacting them as well as those who work for them and their families. The mandate exempts churches, but not other religious entities such as charities, hospitals, schools, health care providers or individuals. Through this mandate the government is dictating which religious groups and individuals are, and are not, religious enough to have their fundamental freedoms respected. We believe this policy constitutes a gross breach of the Constitution's religious freedom protections as well as the federal Religious Freedom Restoration Act.

A large portion of the nation's social services is provided by religious organizations which are not recognized as "religious enough" under the terms of the mandate. Either such charities will cease offering health coverage or shut down altogether rather than violate their moral principles, or they will be compelled to use scarce resources to pay punitive fines, thus diverting funds intended to serve the poor.

Other acts of government discrimination against health care providers must also be addressed by strengthening existing conscience laws. Nurses, medical students, and other health care workers should not be threatened by the government, or entities receiving federal funds, when they have an objection to abortion or other morally controversial services.

To this end, Members of Congress led by Rep. Diane Black, R.N., Rep. John Fleming, M.D., and Rep. Jeff Fortenberry have introduced the “Health Care Conscience Rights Act” (H.R. 940). Similar legislation was included in the House version of last year’s Labor, Health and Human Services Appropriations bill, to protect religious freedom in health care and health care coverage. However, it was not included in the final continuing resolution that passed. We urge you to include H.R. 940 in upcoming must-pass legislation, to restore respect for conscience in health care.

Respectfully,

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Jayd Henricks, Director, Office of
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