



## ADVANCING FAITH, FAMILY AND FREEDOM

July 8, 2016

Representative  
House of Representatives  
Washington, D.C. 20515

Dear Representative:

On behalf of the Family Research Council and the families we represent, I urge you to vote in favor of the *Conscience Protection Act of 2016* (S. 304, “CPA”) to enforce the federal conscience law known as the Hyde/Weldon Amendment, and give victims of government discrimination a private right of action to sue in court. FRC will score in favor of this bill.

The bill — originally introduced by Rep. John Fleming, M.D. (LA-4) as H.R. 4828 — provides conscience protections by simply adding enforcement to existing law. Congress has passed multiple laws over the past 35 years— including the Church Amendments, Coats/Snowe Amendment, and the Hyde/Weldon Amendment- to protect the conscience rights for pro-life healthcare entities. The Hyde/Weldon amendment, which has been part of annual Labor, Health and Human Services (LHHS) appropriations acts since 2004, prohibits federal agencies, and state and local governments receiving LHHS funds from discriminating against health care entities that decline to provide, refer for, pay for, or provide coverage of abortions. Hyde/Weldon defines a “health care entity” to include “a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.”

Passing CPA is especially necessary since the Department of Health and Human Services (HHS) has dragged its feet, and now in a letter on June 21, 2016 to several California churches, HHS chose not to enforce the Hyde/Weldon Amendment. HHS threw out complaints about California’s draconian 2014 abortion mandate that cancelled pro-life health plans in the state and forced churches that purchase health plans to cover abortion. HHS distorted and essentially rewrote Hyde/Weldon language to protect only those healthcare entities who object to abortion on “religious or moral grounds,” even though the statute itself makes no such exception. By reinterpreting Hyde/Weldon, HHS excluded from its government non-discrimination protections those secular health insurers which provided the pro-life health insurance plans to churches and their employees. As a result, even churches are now being forced to cover abortion on demand in their insurance plans. This kind of governmental discrimination cannot stand.

CPA would make the Hyde/Weldon Amendment permanent law, and add a private right of action to it, and the Church Amendments, which protect pro-life healthcare workers in federally funded healthcare programs. Therefore, someone facing discrimination for refusing to participate in, cover or perform abortions, like the churches in California, would be able to seek judicial relief. CPA provides commonsense protections to ensure that our federal tax dollars are not used to force pro-life healthcare workers and entities to participate in abortion against their consciences—either directly, or through state or local governments receiving federal funds.

We urge you to vote in favor of the *Conscience Protection Act of 2016* (S. 304) to restore respect for conscience in health care, and we will record your vote in Family Research Council’s scorecard.

Respectfully,

David Christensen  
Vice President for Government Affairs