

July 11, 2016

Dear Representative:

On behalf of Americans United for Life Action (AUL Action), the legal architects of the pro-life movement, I urge you to enact H.R. 4828, the *Conscience Protection Act of 2016*. The bill addresses loopholes in current federal conscience protection laws. The bill creates greater safeguards against the coercion federal conscience laws seek to prevent and provides more assurance of redress for victims of illegal discrimination.

Federal laws purport to protect the freedom to practice medicine without participating in abortion and the freedom not to pay for abortion or provide abortion coverage. These conscience-protecting laws have been approved by Congresses and Presidents of both parties for decades. However, the lack of appropriate remedies hampers the effectiveness of these laws and invites violations, resulting in the erosion of their critical protections.

Nurses like Cathy DeCarlo should never be forced to participate in a late-term abortion. The clear harm she suffered from forced abortion participation was only compounded by having to wait for years for the HHS Office of Civil Rights to potentially take up her cause. Uncertainty of enforcement can discourage victims from pursuing vindication of their rights, as well as weaken incentives to follow the law. The decision by HHS in June to decline to take any action against California's illegal abortion coverage mandate—a clear violation of the Weldon amendment—further highlights the growing seriousness of the problem.

Coercive and discriminatory efforts against pro-life Americans are increasing. Earlier this year, New York's Department of Financial Services mandated all health insurers in the state to require small group employers to cover abortions in their plans. Recently in Washington, the Skagit County Superior Court ruled that public hospitals that provide maternity care must also provide abortions.

By providing a private right of action, H.R. 4828 more effectively deters coercion and ensures that protection of the fundamental right to provide care for patients without being required to participate in life-destroying and unethical activities does not hinge on the agenda of the current or a future Administration.

Meaningful conscience protections avoid added stress on an already over-taxed healthcare system. Doctors, nurses, and other healthcare providers who are already in short supply, especially in rural parts of the country, should not be forced to choose between conscience and career. Nor should and competent young men and women with a commitment to protecting life be barred or discouraged from entering these vital professions.



Protecting freedom of conscience does not ban any procedure or prescription and does not mandate any particular belief or morality. Freedom of conscience simply provides American men and women one of the guarantees that this country was built upon: the right to be free from coercion. Protecting conscience helps ensure providers enter and remain in the healthcare professions, helping to meet the rising demand for quality healthcare.

AUL Action places a high priority on the *Conscience Protection Act of 2016* and will score in favor of any vote on H.R. 4828.

Sincerely,



Clarke D. Forsythe  
Acting President and Senior Counsel  
Americans United for Life Action