



Secretariat of Pro-Life Activities

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194

202-541-3070 • FAX 202-541-3054 • EMAIL PROLIFE@USCCB.ORG • WEB WWW.USCCB.ORG/PROLIFE

May 13, 2011

Dear Senator:

With the passage of the Patient Protection and Affordable Care Act (PPACA), our country took an important step toward ensuring access to health coverage for all Americans. However, as the U.S. Conference of Catholic Bishops has explained in past letters and analyses, the final Act approved last March was seriously flawed in its treatment of abortion, conscience rights, and fairness to immigrants (see www.usccb.org/healthcare). Efforts to ensure that our health care system truly serves the life, health and conscience of all will be a legislative goal of the Catholic bishops in the months to come.

By introducing the “Protect Life Act” (S. 877) this month, Senator Orrin Hatch (R-UT) and 31 other sponsors are making a significant contribution to this important task. An identical bill, H.R. 358, has been approved by the House Energy and Commerce Committee. This legislation will bring PPACA into line with policies on abortion and conscience rights that have long prevailed in other federal health programs.

I urge you to support and co-sponsor this important legislation, which will do the following:

(1) Ensure that all funds authorized or appropriated by PPACA are covered by the longstanding policy of the Hyde amendment, which prohibits funding abortions except in cases of life endangerment or rape/incest. PPACA currently appropriates billions of dollars in new funds for health services without limiting the use of these funds for elective abortions.

(2) Prevent federal funds from subsidizing health plans that cover abortions beyond the Hyde exceptions. The Protect Life Act will ensure that PPACA follows the policy that already governs Medicaid and Medicare, Children’s Health Insurance Program, Federal Employees Health Benefits Program, and other programs where federal funds combine with other funds to support health coverage. Like the Stupak amendment approved by the House late in 2009, this will not prevent anyone from purchasing a health plan covering abortions (or separate coverage for abortion itself) with nonfederal funds.

(3) Restore the conscience protections on abortion approved by the House in 2009 (sec. 259 of H.R. 3962 in the 111th Congress), modeled on the Weldon amendment that has been part of the annual Labor/HHS appropriations bills since 2004. This will ensure that federal, state and local governmental entities receiving federal funds under PPACA will not discriminate against health care providers who decline involvement in abortion.

(4) Close a loophole in the Act’s non-preemption clause on state laws (sec. 1303(c)(1) of PPACA). State laws restricting abortion or protecting conscience rights will not be preempted by PPACA, and states will not be allowed to override PPACA’s provisions ensuring that health plans without elective abortions are available in each state.

With PPACA enacted, the task of preventing the federal government from funding or promoting abortion can now be pursued in Congress with less distraction from other issues and agendas. Problems of abortion and conscience in the legislation can be addressed on their own merits, not greeted by false charges that any such effort is really an attack on health care reform. To support this legislation, members of Congress need not agree that these changes are necessary or sufficient to make the Act acceptable. They need only agree that the changes are worthwhile.

I therefore urge members of both parties who support rights of conscience and the policy of the Hyde amendment to support and co-sponsor the Protect Life Act. Please help give us a reformed health care system that respects the life, health and conscience of all.

Sincerely,

Cardinal Daniel DiNardo

Cardinal Daniel N. DiNardo
Chairman, Committee on Pro-Life Activities
United States Conference of Catholic Bishops