



FEDERAL LEGISLATIVE ACTION ALERT

Urge Congress to Enact the Conscience Protection Act!

Congress will decide soon (most likely during the week of March 19) whether to include the Conscience Protection Act in must-pass government funding legislation. The Conscience Protection Act (H.R. 644) has been included in appropriations legislation, H.R. 3354, Make America Secure and Prosperous Appropriations Act, 2018 which was approved by the House on September 14. The Senate is also encouraged to include it in must-pass, end-of-year FY '18 appropriations legislation. It was originally introduced in the House of Representatives by Reps. Diane Black (R-TN) and Jeff Fortenberry (R-NE) and in the Senate (S. 301) by Sen. James Lankford (R-OK). A list of co-sponsors of the House and Senate bills can be seen here ([H.R. 644](#)) and here ([S. 301](#)).

This much-needed, common-sense legislation will clarify federal law and ensure that those who provide health care and health coverage can do so without being forced by government to help destroy innocent unborn children. Please take a moment to let your representatives in Congress know that we expect them to protect our most cherished liberties.

On July 13, 2016, the House passed an identical bill of the same name (S. 304), but it was never enacted into law. Therefore, we must continue to advocate for conscience protection for those who choose *not* to participate in abortion and remain hopeful that with a change in the White House our efforts will meet with success this year.

Recommended Actions to take immediately:

- Send emails to your members of Congress through HumanLifeAction.org [here](#).
- Call your members in their local office.
- Attend a town hall meeting held by your members
- Share this alert by email, Facebook, and any other social media outlets. Stay connected for updates by following us @HumanLifeAction on Facebook, Twitter and Instagram
- Pray for the enactment of the Conscience Protection Act

Suggested Message to the House:

Please work to ensure that the Conscience Protection Act (H.R. 644) is enacted into law as part of the final FY 2018 funding bill. Please also communicate your support for the CPA to House leadership. Most doctors and nurses are unwilling to participate in abortions and should not be forced to choose between violating their consciences or being driven from the healing professions. It is wrong for government to force Americans to violate their deeply held convictions about respect for human life.

Suggested Message to the Senate:

Please work to ensure that the Conscience Protection Act (S. 301) is enacted into law as part of the final FY 2018 funding bill. Please also communicate your support for the CPA to Senate leadership. Most doctors and nurses are unwilling to participate in abortions and should not be forced to choose between violating their

consciences or being driven from the healing professions. It is wrong for government to force Americans to violate their deeply held convictions about respect for human life.

Background:

The Conscience Protection Act (CPA) will address the deficiencies that block effective enforcement of existing laws, most notably by establishing a private right of action allowing victims of discrimination to defend their own rights in court.

The need for clarification of federal law cannot be doubted. While existing federal laws already protect conscientious objection to abortion in theory, this protection has not proved effective in practice. These laws can only be enforced by complaint to the Office for Civil Rights at the Department of Health and Human Services (HHS), which—under the Obama administration—refused to fully enforce these laws.

For example, on June 21, 2016, the HHS Office for Civil Rights declared that the State of California may continue forcing all health plans under its jurisdiction to cover elective abortions—in violation of the plain text of the Weldon amendment. Violations of the Weldon amendment are also taking place in other states, such as New York, Oregon and Washington State.

Even HHS itself has discriminated against those who cannot in conscience facilitate abortions, as when in 2011 it implemented a new “strong preference” for grantees willing to refer human trafficking victims solely to health care providers who favor abortion. While the Weldon amendment to the annual Labor/HHS appropriation bill has forbidden such governmental discrimination since 2004, state officials have violated that amendment with impunity and claimed that any effort to enforce it would be subject to legal challenge.

Due to the difficulty in getting legislation like the CPA through the Senate, efforts are focused on getting the CPA attached to must-pass appropriations legislation. On July 19, 2017, the House Appropriations Committee approved the Fiscal Year 2018 Labor, Health, and Human Services Appropriations bill, which included the language of the Conscience Protection Act. On September 14, 2017, the Conscience Protection Act (H.R. 644) was included in omnibus appropriations legislation, H.R. 3354, Make America Secure and Prosperous Appropriations Act, 2018 which was approved by the House. The Senate should be urged to include the CPA in the final FY 2018 funding bill jointly approved by House and Senate.

On January 18, 2018, the U.S. Department of Health and Human Services (HHS) Office for Civil Rights created a new Division on Conscience and Religious Freedom dedicated to protecting conscience rights and religious freedom. The next day, in his address to the March for Life, President Trump proposed a new regulation to enforce 25 existing conscience laws to protect Americans involved in HHS-funded programs. While both actions are welcome news, neither diminishes the need for the Conscience Protection Act because a future President can dissolve the new division and rescind the regulation. Permanent legislative relief is essential through enactment of the CPA.