Congress of the United States
Washington, DC 20515

February 6, 2012

Secretary Kathleen Sebelius
United States Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

As pro-life Members of Congress, we are writing to voice our strong opposition to your final decision on the rule for mandatory contraceptive, sterilization, and abortifacients coverage in the individual and group health insurance market. This mandate will force religious-affiliated organizations that offer health insurance to cover contraceptives, sterilizations, and abortifacients, even if it is a clear violation of their conscience rights.

During the public comment period, HHS received over 200,000 comments on the rule with many citing that the narrow scope of the religious exemption issued on August 1, 2011, would only apply to places of worship. Countless other religious-affiliated organizations, such as schools, hospitals and even religious charities, are not protected under this exemption. Furthermore, although the new decision grants religious-affiliated organizations a one-year extension in order to comply with the mandate, this extension only delays the inevitable violation of conscience. In reference to the extension, Cardinal-designate Timothy Dolan, president of the U.S. Conference of Catholic Bishops, stated, "In effect, the President is saying we have a year to figure out how to violate our consciences."

HHS's latest decision to mandate contraceptive, sterilization, and abortifacients coverage is an unprecedented overreach by the federal government that infringes upon rights guaranteed by the First Amendment. This decision also will violate the conscience rights of those who, for moral or religious reasons, oppose abortion. The reason is, as you know, the rule mandates coverage for FDA approved drugs and devices that can function as abortifacients, including certain IUDs and drugs such as Plan B and Ella.

As pro-life Members of Congress, we urge you to reconsider the final rule as it applies to any employer or individual that opposes coverage of such services based on moral or religious reasons. In your response to this letter, we request that you provide us specific details on the process followed in the reading and evaluating of the public comments submitted. Additionally, in light of the concerns mentioned, we respectfully request that you suspend the final rule until you can ensure that both employers and individuals are afforded their constitutionally protected conscience rights.

Sincerely,

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