United States Senate
WASHINGTON, DC 20510

June 15, 2017

The Honorable Tom Price, M.D.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Secretary Price:

We write to applaud the Department's recent draft proposal to protect the rights of conscience of those who, in accordance with their firmly-held beliefs, object to providing coverage for drugs that violate their conscience, like the week-after pill. The proposed rule, Coverage of Certain Preventive Services Under the Affordable Care Act, lifts the intrusive burden instituted during the implementation of Obamacare, effectively allowing those who have raised significant objections, both publicly and through the courts, to freely act according to their conscience. We urge you to finalize this regulation as soon as possible to provide these groups with immediate relief.

More than 100 organizations, including religious organizations, schools, and businesses, challenged this Obamacare mandate's restriction on their rights of conscience. Five times the Supreme Court upheld the rights of conscience against this intrusion from the Obama Administration, affirming that the mandate imposed an undue burden on religious liberty (*Burwell v. Hobby Lobby*). When the Court heard the case of religious non-profits, including the Little Sisters of the Poor – an order of Catholic women whose mission is to serve the elderly poor as they are called to by their faith – the case was unanimously remanded back to the lower courts with the instruction that the parties should find a workable solution for both the government and the religious objectors. This new proposed rule does just that, keeping in place the same alternatives that the Obama Administration admitted to the Supreme Court were available to facilitate access to contraceptive coverage, and doing so without forcing people like the Little Sisters of the Poor to violate their religious beliefs.

Mr. Secretary, with your leadership at the Department of Health and Human Services, today can be a bright day for our country with the immediate publication of this draft rule, which represents a workable solution that respects religious liberty. Religious freedom is a fundamental guarantee of the U.S. Constitution, and we are thankful that we are one step closer to ensuring Americans have the ability to live out that freedom.

Religious non-profits and charities are a crucial part of our nation's health care system, providing an important safety net for those in need. Charities like the Little Sisters of the Poor should not

be forced to choose between their sincerely-held beliefs and their ability to provide compassionate care for the elderly poor as they have done for 175 years. We are pleased to stand with them and urge the Department to publish and finalize the proposed rule. We look forward to working with you to continue taking steps to protect conscience rights in our health care system.

Sincerely,

STEVE DAINES
United States Senator

ROY BLUNT
United States Senator

JAMES LANKFORD
United States Senator

LUTHER STRANGE
United States Senator

JONI K. ERNST
United States Senator

JAMES E. RISCH
United States Senator

MIKE LEE
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TOM COTTON
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ROGER F. WICKER
United States Senator

TIM SCOTT
United States Senator

MICHAEL B. ENZI
United States Senator

JERRY MORAN
United States Senator

TED CRUZ
United States Senator

JAMES M. INHOFE
United States Senator

cc: The Honorable Steven Mnuchin, Secretary
Department of the Treasury

The Honorable Alexander Acosta, Secretary
Department of Labor

The Honorable John Koskinen, Commissioner
Internal Revenue Service