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February 14, 2012

RE: Senator Blunt's Respect for Rights of Conscience amendment

Dear Senator:

The National Right to Life Committee (NRLC), the nationwide federation of state right-to-life organizations, strongly supports Senator Blunt's amendment (No. 1520) to the pending transportation bill, and intends to include any roll call on the Blunt amendment in the NRLC scorecard of key pro-life issues for the 112<sup>th</sup> Congress.

The text of the amendment is taken directly from the Respect for Rights of Conscience Act (S. 1467). It would amend the Obama health care law ("ObamaCare") to prevent the imposition of regulatory mandates that violate the religious or moral convictions of those who purchase or provide health insurance.

When the health care legislation was pending in the Senate in 2009, [NRLC warned](#) that the "preventive health services" provision would empower the Secretary of Health and Human Services to mandate coverage of any medical service, including abortion, merely by adding the service to a fluid list. Predictably, the Administration has begun with a decree covering all FDA-approved birth control methods – a mandate that, unless overturned, will produce an irreconcilable conflict between conscience and the coercive force of government for many employers. But this is not a debate only about the specific parameters of the birth-control mandate. ***Exactly the same statutory authority could be used by the Secretary, next year or the year after that, to mandate that all health plans pay for elective abortion on demand.***

This concern is underscored by the rationale that the Administration offered last week as part of its so-called "accommodation," under which certain insurers will be directly required to offer coverage of birth control methods without copayments, while forbidden to charge anything extra for this option. The White

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House argued that the expanded use of birth control will save any health plan money, and therefore, nobody is really paying for it. The same twisted logic could be employed to justify the future abortion mandate: By ordering health plans to cover elective abortion, health plans would save the much higher costs of prenatal care, childbirth, and care for the baby.

(It is sometimes asserted that the ObamaCare law contains language prohibiting the federal government from mandating that health plans cover abortions. In reality, the law prevents the Secretary of HHS from including abortion in a list of federally mandated “essential health benefits,” but those provisions are entirely separate and distinct from the “preventive services” authority that the Administration has employed as the basis for the birth control mandate, and would employ for a future abortion mandate.)

The Blunt amendment goes to the heart of the problem by amending the ObamaCare law itself, to prevent provisions of the law from being used as a basis for regulatory mandates that violate the religious or moral convictions of those who purchase or provide health insurance. A vote against this amendment is, in effect, a vote to allow just such mandates. NRLC strongly urges your support for this vital pro-life amendment.

Respectfully,



Douglas Johnson  
Legislative Director



Susan T. Muskett, J.D.  
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