



October 29, 2009

Dear Representative,

On behalf of Americans United for Life Action (AUL Action), I write to express our deep concern over the life-related provisions in H.R. 3200, as reported out of the Energy and Commerce Committee, the Education and Labor Committee, and the Ways and Means Committee. Our concerns about the bill have only increased in light of reports that the Stupak-Pitts amendment to prohibit abortion funding will not be given a vote on the House Floor. **If the Stupak-Pitts amendment is not given a vote under the Rule governing Floor debate on H.R. 3200, AUL Action will oppose the Rule and record the roll call vote on the Rule in our annual scorecard. Furthermore, if the final language of H.R. 3200 does not adequately meet the concerns I discuss below, AUL Action will oppose final passage of H.R. 3200 and will record the roll call vote on final passage in our annual scorecard as well.**

H.R. 3200, as reported out of all three Committees of jurisdiction, fails to adequately prevent abortion coverage and funding. The versions reported out of the Education and Labor Committee and the Ways and Means Committee grant an administrative committee the discretion to mandate abortion coverage and funding, and fail to prohibit courts or administrative agencies from mandating abortion coverage and funding after the Bill becomes law.

During the Energy and Commerce Committee mark-up of H.R. 3200, the Committee accepted an amendment by Rep. Lois Capps that explicitly allows qualifying individuals to apply their affordability credits to private insurance plans that cover abortion. The Capps Amendment also permits the Secretary of the Department of Health and Human Services ("HHS") to offer coverage for abortions in the Public Option. Furthermore, if the Hyde Amendment, which lapses if not renewed yearly, is ever eliminated from HHS Appropriations, the Capps Amendment would mandate coverage of all abortions under the public plan. The Capps Amendment also requires that at least one private plan in every premium rating area must provide coverage for all abortions.

Members of all three House committees of jurisdiction offered amendments to prohibit federal funding of abortion. However, all of these amendments were defeated. Nearly 200 members of Congress, including nearly 40 Democrats, have asked the House Democratic Leadership to either include or allow a Floor vote on language that would explicitly exclude abortion funding. Of those members, 183 specifically asked the Rules Committee to allow a vote on the Stupak-Pitts amendment to prohibit abortion funding. Nonetheless, the Associated Press is reporting that "Democratic leaders won't let Stupak offer" the amendment. Again, AUL Action will oppose any Rule that does not allow a vote on the Stupak-Pitts Amendment.

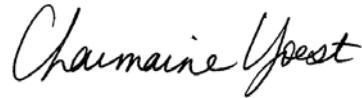
655 15th St. NW, Suite 410 | Washington, DC 20005 | 202-289-1478
310 S. Peoria St., Suite 500 | Chicago, IL 60607 | 312-568-4700
www.AUL.org

AUL Action also continues to have grave concerns over protection for the right of conscience in health care. Health care reform is the ideal vehicle for Congress to enact strong, statutory protection for the right of conscience for all Americans. We urge the House Leadership to include the Stupak-Pitts conscience language, added during the Energy and Commerce Committee mark-up, in the final version of H.R. 3200. The Stupak-Pitts Amendment mirrors existing law, i.e., the clear protections for those who oppose abortion provided through the Hyde/Weldon conscience amendment (which also must be added to an appropriations bill annually). The amendment prohibits federal, state, or local governments that receive funds under H.R. 3200 from subjecting any health care entity to discrimination “on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.” AUL Action will carefully examine any conscience language in the final version of H.R. 3200, and may oppose the final passage of H.R. 3200 if the conscience language is inadequate.

AUL Action also continues to have concerns over the expansion of Comparative Effectiveness Research (CER) in health care reform, and may oppose final passage of H.R. 3200 if it does not include language that sufficiently ensures that the results of CER will not be used to mandate or encourage the withdrawal or curtailment of effective life-sustaining treatment for the terminally ill, the chronically ill, or the permanently disabled.

Thank you for allowing me to share our views with you. We would be happy to provide more detailed information. I also encourage you to visit our website www.realhealthcarerespectslife.com which includes careful legal analyses of the life issues in health care reform.

Sincerely,

A handwritten signature in cursive script that reads "Charmaine Yoest".

Charmaine Yoest, Ph.D.
President & CEO