

June 12, 2019

Vote NO on Cole Amendment #1, Roby Amendment #9, and Marshall Amendment #96 to H.R. 2740, the minibuss appropriations bill.

Dear Representative:

On behalf of the American Civil Liberties Union (ACLU), we urge you to **vote NO on Cole Amendment #1, Roby Amendment #9, and Marshall Amendment #96** to H.R. 2740, the FY 2020 appropriations package the House will begin to debate this week. The ACLU will score votes on these amendments.



Washington Legislative
Office
915 15th Street, 6th
floor
Washington DC 20005
(202) 544-1681
aclu.org

Susan Herman
President

Anthony Romero
Executive Director

Ronald Newman
*National Political
Director*

Vote NO on Cole Amendment #1 (Division A)

This amendment would strike an important provision in the underlying bill that blocks implementation and enforcement of a dangerous and discriminatory final rule issued in May by the Trump administration's Department of Health and Human Services (HHS) to enable refusals of health care. The rule attempts to license discrimination by enabling health care institutions and workers to refuse to provide essential, even life-saving, medical care on the basis of religious or other objections, without regard to patients' needs. Specifically, the rule seeks to unlawfully and dramatically expand the ability of health care providers to use religious and other beliefs to withhold and obstruct access to health care, counseling, or medical information. Its sweeping terms are likely to embolden refusals to provide a range of health services. For example, under the policy, a hospital receptionist could refuse to schedule an appointment for a transgender patient seeking gender-affirming care and an orderly could refuse to transfer a patient to the operating room for an emergency abortion.

Instead of addressing the many serious forms of discrimination in health care, such as the fact that Black women are far more likely than white women to die during or after childbirth or the fact that LGBTQ patients are turned away by providers because of their sexual orientation or gender identity, this rule is

entirely devoted to giving institutions and providers license to refuse information and care, and putting religious doctrine and personal beliefs before patient care. Religious liberty is a fundamental right, but it does not mean the right to harm others, which the rule would do in multiple ways. The rule would disproportionately harm those communities who already face tremendous barriers accessing care, including all women, LGBTQ people, people who are uninsured and underinsured, and immigrant communities. Language in the underlying bill ensuring that this discriminatory rule does not take effect must be preserved.

Vote NO on Roby Amendment #9 (Division A)

This amendment would strike an important provision in the underlying bill that prohibits implementation of the Trump Administration's March 2019 final rule on the Title X family planning program. That harmful rule would eliminate Title X's longstanding requirement to provide nondirective pregnancy options counseling and directly interfere with conversations between health care professionals and their patients, allowing—and in some cases mandating—that providers withhold critical health information from their patients. It would force dedicated, highly qualified healthcare providers to either force prenatal referrals on patients and withhold referrals for abortion, or leave the Title X program, putting patients at risk of losing access to trusted providers that deliver essential, lifesaving, high-quality care. The provision in the underlying bill that the Roby amendment would strike would reinstate the prior regulation, which stops states from discriminating against qualified reproductive health care providers by excluding them from the Title X program because they offer non-Title X services with non-Title X dollars.

Four million patients rely on Title X for birth control, cancer screenings, STI testing and treatment, pregnancy testing and counseling, medically accurate information about family planning options, and other critical preventive care. More than half are people of color. Two-thirds have incomes at or below the federal poverty level, and nearly half are uninsured. For many, the providers they see through the Title X program are their primary source of health care. If the Trump administration's rule, which is currently enjoined, were to take effect, many of these patients would lose access to their trusted providers. The provision that the Roby amendment would strip would protect their access to care and allow the nearly 50 year old Title X program to continue as Congress originally intended.

Vote NO on Marshall Amendment #96 (Division D)

This amendment would strip out a provision in the underlying bill to end the dangerous global gag rule. The Trump administration implemented a vastly expanded version of the global gag rule in 2017. This policy cuts off U.S. support from nongovernmental organizations abroad if they provide information, referrals, or services for abortion, or if they engage in advocacy to promote changes to a

country's abortion laws or policies—even if they use their own, non-U.S. funds for these activities. This policy is devastating to global health as well as to free speech. It interferes with trusted provider-patient relationships by forcing providers to withhold information about legal health services from patients, and blocks funding to many experienced health care providers, forcing clinics to close and cutting off access to lifesaving health care, including contraception, HIV prevention and treatment, and maternal and child health care. Language in the underlying bill that would end this harmful policy must be preserved.

The ACLU urges a NO vote on all three amendments to H.R. 2740 listed above.

If you have questions or comments, please contact Senior Legislative Counsel Georgeanne Usova at gusova@aclu.org or (202) 675-2338, or Senior Legislative Representative Ian Thompson at ithompson@aclu.org or 202-715-0837.

Sincerely,



Ronald Newman
National Political Director



Georgeanne M. Usova
Senior Legislative Counsel



Ian S. Thompson
Senior Legislative Representative