



United States Conference of Catholic Bishops

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July 19, 2022

U.S. House of Representatives
Washington, DC 20515

Dear Representative:

As chairmen of the Committees on Pro-Life Activities and Laity, Marriage, Family Life and Youth for the U.S. Conference of Catholic Bishops, we are writing on behalf of the committees we represent to express our concerns about H.R. 8373, the “Right to Contraception Act,” and H.R. 8404, the “Respect for Marriage Act.” We urge you to oppose them when they are considered for a vote on the House floor.

It is not lost on us that these bills come in apparent response to the recent U.S. Supreme Court decision in *Dobbs v. Jackson Women’s Health Organization*, which returned to the people the right to protect preborn children and their mothers from abortion.

It is unfortunate that the House has not responded with a meaningful effort to help women in need with difficult pregnancies. Rather, the House is holding unnecessary votes to create statutory rights to contraception and same-sex civil marriage, which some claim are threatened by *Dobbs*, even though the Supreme Court’s majority was explicit in its *Dobbs* holding that the decision had no bearing on access to contraception, or on same-sex marriage.

As this effort must nonetheless be addressed, we have substantive concerns with these bills:

H.R. 8373 The “Right to Contraception Act”

The Catholic Church teaches that contraception diminishes respect for the dignity of the human person,¹ and multiple studies on different aspects of contraception demonstrate that it can be harmful to women’s health and well-being and does not lead to fewer abortions.² In addition to these inherent harms, the Right to Contraception Act, H.R. 8373, would dramatically alter the landscape of informed consent laws and conscience protections around contraception, including abortion-causing drugs:

- H.R. 8373 would render invalid informed consent laws, waiting periods, and other federal and state laws and regulations applicable to patients, including minors, with respect to sterilization and contraceptives, including emergency contraception and contraceptives that can cause early abortions.
- H.R. 8373 renders the Religious Freedom Restoration Act (RFRA) inapplicable as to those items and would invalidate conscience protections on the basis that they impede access to these products and procedures;

¹ Resources available here: <https://www.usccb.org/prolife/contraception#tab--church-documents-and-teachings>.

² <https://www.usccb.org/issues-and-action/human-life-and-dignity/contraception/fact-sheets/contraception-fact-sheets>.

- H.R. 8373 would likely require health plans to cover sterilization and contraceptives, including contraceptives that can cause early abortions (the language on "insurance" does not effectively carve that out, even if that was the intent, and in any event, not all health plans are insured plans);
- H.R. 8373 sweeps aside laws and regulations that would protect even very young minors as to the above, including as to information relating to these items and even if age-inappropriate.

These are extreme and dangerous policy changes, and members should oppose advancing H.R. 8373 for these reasons.

H.R. 8404, The “Respect for Marriage Act”

People who experience same-sex attraction should be treated with the same respect and compassion as anyone, on account of their human dignity, and never be subject to unjust discrimination. It was never discrimination, however, to simply maintain that an inherent aspect of the definition of marriage itself is the complementarity between the two sexes. Marriage as a lifelong, exclusive union of one man and one woman, and open to new life, is not just a religious ideal – it is, on the whole, what is best for society in a concrete sense, especially for children.

The health and socioeconomic benefits of stable family life with a mother and a father are well-established, as are the positive outcomes for children raised in such a home.³ This corresponds with Pope Francis’s recognizing children’s right to a mother and a father.⁴ Echoing this and responding to the *Obergefell v. Hodges* decision in 2015, the USCCB president at the time, Archbishop Kurtz, observed: “The law has a duty to support every child’s basic right to be raised, where possible, by his or her married mother and father in a stable home.” Same-sex civil marriage has further diminished that fulfillment of that right, both directly and indirectly as – like contraception – it disassociates marriage and sexual actions from the responsibilities of childbearing. This, in turn, reinforces existing negative dynamics in our society that have already done so much damage, such as with respect to fatherlessness.⁵ In addition, since marriage redefinition, governments continue to threaten the conscience and religious freedom of individuals such as wedding vendors, and entities such as foster care providers, who seek to serve their communities without being punished for their long-standing and well-founded beliefs.

The “Respect for Marriage Act,” would do the opposite of what its name implies, codifying a demand for states and the federal government to honor whatever may be deemed

³ See, specifically with regard to same-sex couples, D. Paul Sullins, *Invisible Victims: Delayed Onset Depression among Adults with Same-Sex Parents*, Depression Research and Treatment, Vol. 2016 (2016); D. Paul Sullins, *Emotional Problems among Children with Same-Sex Parents: Difference by Definition*, British Journal of Education, Society and Behavioural Science, Vol. 7 No. 2, 99-120 (2015); Mark Regnerus, *How different are the adult children of parents who have same-sex relationships? Findings from the New Family Structures Study*, Social Science Research, Vol. 41 No. 4, 752-770 (2012).

⁴ Pope Francis, colloquium on “The Complementarity of Man and Woman”, Rome, 17 Nov. 2014; Pope Francis, Address to International Catholic Child Bureau (BICE), 11 Apr. 2014.

⁵ See generally Helen M. Alvaré, “Putting Children’s Interests First in U.S. Family Law and Policy,” Cambridge University Press, 2018.

“marriage” by any other state. In the case of the latter, in section 4 of the bill, there is a question whether it would even be limited to two persons. We therefore must ask you to vote no on this measure as well.

Thank you for giving us the opportunity to articulate our concerns in light of the teachings of the Catholic Church. We pray for you as we all work toward a more just society where families are well supported and empowered to welcome all children.

Sincerely,

A handwritten signature in black ink, starting with a cross symbol and the name "Salvatore J. Cordileone".

Most Rev. Salvatore J. Cordileone
Archbishop of San Francisco
Chairman, Committee on Laity, Marriage,
Family Life and Youth

A handwritten signature in blue ink, starting with a cross symbol and the name "William E. Lori".

Most Rev. William E. Lori
Archbishop of Baltimore
Chairman, Committee on Pro-Life
Activities