

January 3, 2013

The Hon. Jay Rockefeller
The Hon. Joe Manchin, III
The Hon. Nick Rahall
The Hon. Shelley Moore Capito
The Hon. David McKinley

Dear WV Congressional Delegation:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

With that, the First Amendment to the Constitution of the United States guarantees every American – every West Virginian – the right to live, learn, and do business according to one’s faith. And yet, as of January 1, 2013, a company that does significant business within the State of West Virginia is being denied that right by the Federal Government.

With the implementation of the Affordable Care Act (ACA), Hobby Lobby is now forced to choose between two poison pills: violate their freedom of conscience and deeply held religious beliefs by funding abortion-inducing drugs as a part of their health care package to employees or pay crippling financial penalties for practicing their faith. Neither is acceptable.

Though some 2,000 corporations have been granted exemptions to the ACA by the United States Department of Health and Human Services, Hobby Lobby – and similar companies – have been denied an exemption. And, though the owners of Hobby Lobby have sought redress in the Federal court system, no relief has been afforded.

And yet, the owners of Hobby Lobby remain convicted. They will not violate their conscience to obey the ACA. As a reward for exercising their First Amendment freedoms, Hobby Lobby will be penalized daily, by some estimates, as much as \$1.3 *million per day*.

Today, the ACA is violating the right of a craft store to do business according to the faith of its owners. What is next? Can the Federal government compel coal operators to issue advertisements for their natural gas competitors? Will the Federal government compel the speech of teachers at private schools?

If a craft store is not entitled to do business according to the faith of its owners, who else will the government deny the right to live, learn, or do business according to their faith?

The purpose of my letter is to ask you to exercise every means at your disposal to protect the first freedom of Americans and the jobs of those West Virginians employed by Hobby Lobby.

I urge you to seek ways to legislatively correct this violation, join via friend-of-the-court briefs pending lawsuits that support the right of Hobby Lobby and others to do business according to the dictates of the faith of its owners, and – at a minimum – ask the President and his executive agencies to immediately release Hobby Lobby from the strictures of the ACA, while imposing greater religious liberty guarantees for both individuals and businesses within the Executive Regulations.

To the extent that the Family Policy Council of West Virginia may prove helpful to you in drafting such legislation, legal briefs, or correspondence, do not hesitate to contact us at 304-553-7616 or via email at info@familypolicywv.com.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeremiah G. Dys", with a stylized flourish extending to the right.

Jeremiah G. Dys, Esq.,
President and General Counsel.