



MEMORANDUM

TO: Sherrette Funn, OS/OCIO-PRA Reports Clearance Officer

THROUGH: Darius Taylor, HHS/OCIO-PRA Report Clearance Officer

FROM: Harold Henderson, Deputy Executive Officer

SUBJECT: Non-Substantial Change Request 0945-0002 (Civil Rights Discrimination Complaint Form)

DATE: December, 7, 2017

The U.S. Department Health and Human Services (HHS), Office for Civil Rights (OCR) requests that OMB approve a modification to our Civil Rights Discrimination Complaint Form. The purpose of this modification is to clarify: (a) the available longstanding existing basis of discrimination that a complainant may assert under federal law, and (b) the longstanding legal authorities under which OCR is currently enforcing federal conscience and religious freedom laws.

This OCR request for a non-substantial change to its Civil Rights Discrimination Complaint form *by itself* will not substantially increase the burden hours on a complainant or on HHS. Rather the request clarifies the already existing legal authority upon which a complainant may base their complaint and OCR may enforce the law.

This request modifies the OCR Civil Rights Discrimination Complaint form as currently approved and will remain in compliance with the Paperwork Reduction Act. First, the request adds the word "conscience" next to the currently existing word "religion" in the section of the Complaint Form allowing the complainant to select the basis of discrimination. Second, the modification request adds certain longstanding conscience and religious freedom nondiscrimination laws to the bottom paragraph of the Complaint Form explaining OCR's legal authority and complaint process. The modification would add the following laws to that paragraph: Section 1553 of the Patient Protection and Affordable Care Act, the Church Amendment, the Coats-Snowe Amendment, and the Weldon Amendment. OCR has been enforcing these laws for years and in some cases decades.

Please provide us with the Notice of Action upon OMB approval. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Harold Henderson", is written over a horizontal line.

Harold Henderson