



PRESS RELEASE

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Federal Lawsuit Challenges New Obamacare Regulations Requiring Religious Organizations to Comply with Contraception Mandate

Washington, D.C. (August 19, 2013) — Today, the American Freedom Law Center (AFLC), a national, nonprofit Judeo-Christian law firm, filed a federal lawsuit challenging the recently announced regulations enforcing the Obamacare contraceptive services mandate against religious organizations. The lawsuit was filed in the U.S. District Court for the District of Columbia on behalf of Priests for Life, an international Catholic organization; Father Frank Pavone, the National Director of Priests for Life; Alveda King, the niece of civil rights leader Martin Luther King, Jr. and the Pastoral Associate and Director of African-American Outreach for Priests for Life; and Janet Morana, the Executive Director of Priests for Life. The lawsuit alleges that the new regulations violate the Constitution and the Religious Freedom Restoration Act by forcing religious organization to violate their sincerely held religious beliefs.

Father Pavone, a longtime pro-life champion and a plaintiff in the case, summed it up as follows: “As one of the first organizations to launch a lawsuit against this unjust mandate in February 2012, Priests for Life is more than ready to bring this battle to the next level with today’s new filing. I am more than confident of victory, not only because of the expertise of the American Freedom Law Center, but because we are fighting for what America itself stands for: freedom, and above all, life.”

On June 28 of this year, the Obama administration announced that it had issued its long-awaited, final rules on contraceptive coverage and religious organizations. These rules were published in the Federal Register on July 2 and became effective on August 1. Pursuant to these new regulations, religious organizations, including Priests for Life, will still be forced to provide their employees with contraception, sterilization, abortifacients, and related education and counseling as part of their health care plans. This mandate, which will allegedly require Priests

for Life's health insurance carrier to bear the cost of the contraceptive coverage, will take effect on January 1, 2014.

Robert Muisse, Co-Founder and Senior Counsel for AFLC, commented, "Despite his rhetoric about protecting the right of conscience, President Obama continues his war against religious liberty in order to promote his progressive, liberal agenda. Indeed, progressive liberals view pregnancy as a disease to be 'prevented' by contraception or 'cured' by abortion. However, by forcing religious organizations to participate in this culture of death agenda, the Obama administration is violating a core freedom enshrined in the Bill of Rights."

On February 10, 2012, President Obama announced that his administration intended to propose and finalize new regulations that would allegedly "accommodate" religious objections to the contraceptive services mandate. However, his administration refused to provide in these new regulations a broad religious employer exemption that would completely exempt organizations such as Priests for Life from the mandate. According to the administration, including such a broad exemption "would lead to more employees having to pay out of pocket for contraceptive services, thus making it less likely that they would use contraceptives, which would undermine the benefits [of requiring the coverage]. . . . Including these employers within the scope of the exemption would subject their employees to the religious views of the employer, limiting access to contraceptives, thereby inhibiting the use of contraceptive services and the benefits of preventive care."

Pursuant to the new regulations and its so-called "accommodation" for certain "eligible" religious organizations, the organization's health insurance carrier will be required to provide the contraceptive services directly to the organization's health care plan participants without shifting any of the costs to the religious employer. Consequently, because the religious employer purchased a health care plan for its employees—and for no other reason—the employees will have access to and coverage for the contraceptive services through the issuer of the plan.

As alleged in the lawsuit, under the new regulations, Priests for Life will still be forced to purchase a health care plan that provides contraceptive coverage directly to its plan participants and their beneficiaries, which is unacceptable to Priests for Life. Priests for Life's sincerely held religious beliefs prohibit it from promoting or supporting, directly or indirectly, contraception, sterilization, abortifacients, abortion, and related education and counseling, including providing a health care plan that provides access to or the means of acquiring such immoral services. Consequently, Priests for Life objects to being forced by the government to purchase a health

care plan that provides its employees with access to “medical” services which are prohibited by its religious convictions. This is true whether the immoral services are paid for directly, indirectly, or even not at all by Priests for Life. Contraception, sterilization, and abortifacients are immoral regardless of their cost.

David Yerushalmi, AFLC Co-Founder and Senior Counsel, commented: “As an orthodox Jew who objects to this mandate on religious and constitutional grounds, I can say with confidence that observant Jews are as opposed to Obama’s assault on religious liberty as are those in the Christian communities across the country. In this battle, we all stand as one, shoulder to shoulder, against the Obama administration’s latest assault on religious freedom.”

The lawsuit was filed against the U.S. Department of Health and Human Services and its Secretary, Kathleen Sebelius; the U.S. Department of the Treasury and its Secretary, Jacob Lew; and the U.S. Department of Labor and its Secretary, Thomas Perez. Each department has a role in enforcing the challenged mandate.

The *American Freedom Law Center* is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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