July 16, 2014

Re: Vote “YES” on Cloture on the Motion to Proceed to S. 2578, the Protect Women’s Health from Corporate Interference Act

Dear Senator:

Americans United for Separation of Church and State writes in support of the Protect Women’s Health from Corporate Interference Act (S. 2578). We supported the passage of the Religious Freedom Restoration Act (RFRA) twenty years ago, but believe that the Supreme Court grossly misinterpreted that law in *Burwell v. Hobby Lobby* when it ruled the Hobby Lobby and Conestoga Woods corporations can deny women important and government mandated healthcare coverage under the guise of religious freedom. Passage of the Protect Women’s Health from Corporate Interference Act is a significant step toward overturning the immediate effects of that case and ensuring that employees have access to healthcare services guaranteed under federal law. **Accordingly, we urge you to vote YES on cloture on the motion to proceed to S. 2578.**

Founded in 1947, Americans United is a nonpartisan educational organization dedicated to preserving the constitutional principle of church-state separation as the only way to ensure true religious freedom for all Americans. We fight to protect the right of individuals and religious communities to worship as they see fit without government interference, compulsion, support, or disparagement. We support the use of reasonable and appropriately tailored religious accommodations to ease burdens on the practice of religion in certain circumstances. Such accommodations, however, must not be applied more broadly than is necessary to protect religious freedom. Nor should religious exemptions be granted when, as is the case in *Hobby Lobby*, they would cause harm or deny rights to others.

In *Hobby Lobby*, the Supreme Court ruled that closely-held, for-profit corporations need not comply with federal laws and regulations that mandate insurance coverage of contraceptives so long as they assert that such coverage burdens their religion. We believe that the case was wrongly decided. It creates dangerous precedent and could have significant, negative consequences. The most immediate consequence, however, is that countless women will now be denied insurance coverage for contraception.

S. 2578 addresses that immediate problem. It would prohibit employers from denying their workers specific health benefits, including birth control, in so far as coverage is required by federal law and
In addition, the bill states that RFRA could not be used, as it was in *Hobby Lobby*, to undermine the law. In short, the Act would prohibit employers from discriminating against their women workers by denying them medical coverage in the name of religion. This bill would not only protect women’s access to birth control, but it would also protect employees against employers who might try to deny coverage for vaccines, mental health services, blood transfusions, or HIV treatment based on religious objections.

Religious freedom means that business owners have the right to make moral and medical decisions for themselves, but it does not mean they have the right to make these decisions for their workers. Accordingly, we ask you to protect religious freedom and women’s health by voting YES on cloture on the motion to proceed to S. 2578.

Sincerely,

Barry Lynn  
Executive Director

Maggie Garrett  
Legislative Director

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1 The bill would restore the contraception mandate to what it was before the *Hobby Lobby* decision. Accordingly, houses of worship would maintain their exemption and non-profit religious organizations would maintain their accommodation to the contraception mandate.