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# THE CONSERVATIVE ATTACK ON CONTRACEPTIVE COVERAGE

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**BRIDGE  
PROJECT**

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# INTRODUCTION

Today, the Supreme Court will hear a new challenge to the Affordable Care Act's contraceptive coverage requirement. Two companies are arguing that obligating businesses to provide insurance plans that cover contraceptive services free of charge intrudes on their owners' religious rights. A victory for the companies could open the door for any private for-profit employer to interfere with its employees' health care on the basis of the employers' personal beliefs.

In this case, the plaintiffs are challenging commonsense public policy. The costs associated with birth control interfere with women's ability to use it consistently and effectively, leading to higher numbers of unintended pregnancies. That leads to more abortions and negative outcomes for mothers, babies, and families who do go through with an unplanned birth. Allowing women to plan their pregnancies yields healthier babies, more stable families, and better economic and social outlooks for women. There's also evidence that covering contraceptives saves insurance companies, employers, and taxpayers money; one study suggested that unintended pregnancies cost taxpayers \$11 billion each year.

Yet leading conservative politicians and right-wing groups insist on slapping a scarlet letter on contraceptive care, painting this sound health care policy as a question of religious intrusion. According to Rep. Steve King (R-IA), for example, "preventing babies from being born is not medicine." And Sen. Marco Rubio (R-FL) insists that the controversy over women's access to contraception "is not about women's rights or contraception, this is about the religious liberties that our country has always cherished." However, these Republican critics are out-of-step with the mainstream. Polling shows that 99 percent of women – including most Catholic women – have used birth control, and most women approve of the contraceptive coverage rule.

A look at some of the groups supporting the plaintiffs reveals their real priority: advancing a conservative culture war. Some of the parties weighing in against the mandate – the Family Research Council and the American Center for Law and Justice – are among the country's most viciously anti-gay advocates. The Becket Fund for Religious Liberty, which represents one of the plaintiffs, has board members with ties to right-wing interest groups and extreme views on Muslims and gay rights. The Susan B. Anthony List's biggest issue is ending abortion, but it maintains a remarkably hostile attitude to family planning, with president Marjorie Dannenfelser betraying her extreme beliefs by pitting "religious freedom" against the "ideology of reproductive health care." Phyllis Schlafly, who leads Eagle Forum, believes that "the feminist movement is the most destructive element in our society." Groups like the American Civil Rights Union, the Pacific Legal Foundation, and Judicial Watch keep a more measured tone, but work through the legal system to further right-wing policies and legal interpretations.

# THE LATEST CONTROVERSY OVER BIRTH CONTROL

## The Supreme Court Is Hearing Challenges To Obamacare's Contraceptive Coverage Rules

**The Supreme Court Will Hear Two Cases Challenging The Affordable Care Act's Contraceptive Coverage Requirements On Religious Freedom Grounds.** According to USA Today, "The Supreme Court added a new legal challenge Tuesday to the legislative and political battles raging over President Obama's embattled health care law. The justices agreed to consider whether for-profit corporations whose owners oppose abortion on religious grounds must abide by the law's mandate that health insurance policies include free coverage of government-approved forms of contraception. [...] The cases were filed by Hobby Lobby, a chain of more than 500 arts-and-crafts stores with about 13,000 full-time employees, and Conestoga Wood Specialties, a Lancaster, Pa., woodworking business run by a Mennonite family." [USA Today, [11/26/13](#)]

- **Lower Courts Disagreed Over Whether Companies Enjoy The Same Rights To Religious Freedom That Individuals Do.** According to the New York Times, "The law presents companies with difficult choices, Hobby Lobby told the justices. Failing to offer comprehensive coverage could subject it to fines of \$1.3 million a day, it said, while dropping insurance coverage for its employees entirely could lead to fines of \$26 million a year. The Tenth Circuit ruled that Hobby Lobby was a 'person' under the Religious Freedom Restoration Act of 1993, and that its religious beliefs had been compromised without good reason. [...] In July, the United States Court of Appeals for the Third Circuit, in Philadelphia, ruled against the Conestoga Wood Specialties Corporation, which makes wood cabinets and is owned by a Mennonite family that had similar objections to the law. The Third Circuit concluded that 'for-profit, secular corporations cannot engage in religious exercise.' [...] The Third Circuit rejected an analogy to the Supreme Court's 2010 decision in Citizens United, which ruled that corporations have a First Amendment right to free speech. Though the First Amendment also protects the free exercise of religion, Judge Robert E. Cowen wrote for the majority of a divided three-judge panel, 'it does not automatically follow that all clauses of the First Amendment must be interpreted identically.' But a five-judge majority of an eight-judge panel of the Tenth Circuit, in the Hobby Lobby case, said that 'the First Amendment logic of Citizens United' extended to religious freedom. 'We see no reason the Supreme Court would recognize constitutional protection for a corporation's political expression but not its religious expression,' Judge Timothy M. Tymkovich wrote for the majority." [New York Times, [11/26/13](#)]

**The ACA Already Contains A Compromise So That Religious Institutions And Affiliated Non-Profits Don't Have To Pay For Contraceptive Coverage In Their Employees' Health Care Plans.** According to the Huffington Post, "The Obama administration announced the final rules under the Affordable Care Act on Friday requiring most employer health insurance plans to cover employees' contraception without a copay. [...] The rule, which goes into effect Jan. 1, 2014,

for religious non-profits, completely exempts houses of worship and makes accommodations for many religiously affiliated schools, hospitals and charities. Under the accommodation, religious non-profits can avoid having to pay for contraception directly by having the third-party insurance provider foot the bill for that specific coverage.” [Huffington Post, [6/28/13](#)]

**The Hobby Lobby And Conestoga Cases Deal With Whether Any Private, For-Profit Company, Rather Than Only Those With Explicit Religious Affiliations, Can Opt Out On Religious Grounds.** According to the National Journal, “Hobby Lobby, Conestoga, and other for-profit businesses are subject to the mandate penalty because the organizations are not religiously affiliated. If the owners do not include contraception coverage in their employee insurance plans, they will face penalty fines. [...] The business owners say the mandate to provide contraception coverage violates their religious freedom. They argue that corporations can hold religious beliefs and liberties that extend from those of the owners. [...] A win for Hobby Lobby and Conestoga would open the contraception requirement up to far more opposition, essentially allowing any business owner to refuse to provide birth control coverage on the grounds of religious freedom.” [National Journal, [1/27/14](#)]

**A Decision In Favor Of Hobby Lobby And Conestoga “Would Mean Women’s Access To Contraceptives Would Be Dependent On The Religious Views Of The Owners Of Her Employer.”** According to the Kaiser Family Foundation, “If the Supreme Court finds that for-profit secular corporations have religious rights or the business owners’ religious rights are burdened by a regulation imposed on the business, the implications of this ruling will likely affect contraceptive coverage for many women, and also go far beyond contraceptive coverage. They could affect employer requirements regarding employees’ health insurance benefits as well as the scope of employee protections against discrimination. A decision in favor of the corporation would mean women’s access to contraceptives would be dependent on the religious views of the owners of her employer. In the health care context, employers could ask for other exemptions based on their religious beliefs. Some business owners may have religious beliefs that conflict with blood transfusions, vaccinations, infertility treatments, psychiatry treatment and drugs, and health insurance all together.” [Kaiser Family Foundation, [12/9/13](#)]

## **The Case For Contraceptive Coverage**

### **High Cost Of Birth Control Affects Individuals’ Contraceptive Use**

**A Third Of Women Have Struggled To Afford Birth Control.** According to a survey commissioned by Planned Parenthood Action Fund and conducted by Hart Research Associates, “In addition, the survey found that access to affordable birth control is a serious issue. The survey reports that one in three women voters (34 percent) have struggled with the cost of prescription birth control at some point in their lives. For young adult women, who are most likely to experience an unintended pregnancy, more than half (55 percent) experienced a time when they could not afford to use birth control consistently. The survey, conducted by Hart Research Associates and commissioned by Planned Parenthood Action Fund, found overwhelming and widespread public support for national policies that would provide prescription birth control approved by the U.S.

Food and Drug Administration (FDA) at no cost to all women with health insurance.”  
[PlannedParenthood.org, [10/12/10](#)]

**Even With Private Insurance, Cost-Sharing Forces Many Women Pay A Significant Portion Of Their Contraceptive Costs.** According to the Center for American Progress, “Although three-quarters of American women of childbearing age have private insurance, they still have had to pay a significant portion of contraceptive costs on their own. [...] A recent study shows that women with private insurance paid about 50 percent of the total costs for oral contraceptives, even though the typical out-of-pocket cost of noncontraceptive drugs is only 33 percent. [...] In some cases oral contraceptives approach 29 percent of out-of-pocket spending on health care for women with private insurance.” [Center for American Progress, [2/15/12](#)]

**Studies Indicate That Even “Seemingly Small Cost- Sharing Requirements Can Dramatically Reduce Preventive Health Care Use.”** According to the Guttmacher Institute, “Yet, cost-sharing poses a significant problem even for women who are insured. A 2010 study found that women with private insurance that covers prescription drugs paid 53% of the cost of their oral contraceptives, amounting to \$14 per pack on average. What they would pay for a full year’s worth of pills amounts to 29% of their annual out-of-pocket expenditures for all health services. Numerous studies have demonstrated that even seemingly small cost-sharing requirements can dramatically reduce preventive health care use, particularly among lower-income Americans.” [Guttmacher Institute, [Winter 2011](#)]

**“Cost-Prohibitive” Nature Of Contraceptives Promotes Imperfect Use.** According to the Center for American Progress, “High costs have forced many women to stop or delay using their preferred method, while others have chosen to depend on less effective methods that are the most affordable. [...] Surveys show that nearly one in four women with household incomes of less than \$75,000 have put off a doctor’s visit for birth control to save money in the past year. [...] Twenty-nine percent of women report that they have tried to save money by using their method inconsistently. [...] More than half of young adult women say they have not used their method as directed because it was cost-prohibitive. [Center for American Progress, [2/15/12](#)]

**Women Who Don’t Use Birth Control Or Who Use It Inconsistently Account For 95 Percent Of Unintended Pregnancies.** According to the Guttmacher Institute, “Among the 43 million women at risk of an unintended pregnancy in 2002, 6% did not use a method all year, 10% had a gap in use of at least one month and 19% reported inconsistent use (e.g., skipped pills). This behavior has clear consequences: The one-third of women who do not use a method or who use one inconsistently account for 95% of unintended pregnancies. Although there are myriad reasons behind these distressing statistics, cost is one important barrier. [...] A national survey from 2004 found that one-third of women using reversible contraception would switch methods if they did not have to worry about cost; these women were twice as likely as others to rely on lower-cost, less effective methods. According to another recent study of 10,000 women in the St. Louis area, when offered the choice of any contraceptive method at no cost, two-thirds chose long-acting methods—a level far higher than in the general population. Findings like this help explain why rates of unintended pregnancies are far higher among poor and low-income women than among their higher-income counterparts. [...] And according to three recent studies, lack of insurance is significantly associated with reduced use of prescription contraceptives.” [Guttmacher Institute, [Winter 2011](#)]

**Rates Of Unintended Pregnancy Are Increasing Among Poor Women Even As They Decrease Among More Affluent Women.** According to the Guttmacher Institute, “A new analysis from the Guttmacher Institute shows that following a considerable decline between 1981 and 1994, the overall U.S. unintended pregnancy rate has remained essentially flat—about 5% of U.S. women have an unintended pregnancy every year. However, the rate has increased dramatically among poor women, while among higher-income women it has continued to decrease substantially, according to 'Unintended Pregnancy in the United States: Incidence and Disparities, 2006,' by Lawrence B. Finer and Mia R. Zolna. [...] Unintended pregnancy rates are elevated not only among poor and low-income women, but also among women aged 18–24, cohabiting women and minority women. It is important to note, however, that poor women have high unintended pregnancy rates nearly across the board, regardless of their education, race and ethnicity, marital status or age. [...] Higher-income women, white women, college graduates and married women have relatively low unintended pregnancy rates (as low as 17 per 1,000 among higher-income white women—one-third the national rate of 52 per 1,000), suggesting that women who have better access to reproductive health services, have achieved their educational goals or are in relationships that support a desired pregnancy are more likely than other women to achieve planned pregnancies and avoid those they do not want.” [Guttmacher Institute, [8/24/11](#)]

### **Affordable Contraceptives Are Good For Women, Children, And Families**

**Contraceptive Coverage Requirement Is Based On Institute Of Medicine’s Findings That Unintended Pregnancies Are Associated With Negative Outcomes For Babies, Mothers, And Families.** According to Slate, “Before we get to those, a brief recap of why contraception coverage matters. The Department of Health and Human Services decided to include contraception as part of comprehensive preventive health care for women—and thus a service employers must cover under the Affordable Care Act—based on recommendations by the Institute of Medicine. The IOM looked at the outcomes associated with getting pregnant unintentionally and found connections to delayed prenatal care, premature delivery, low birth weight, maternal depression, and family violence. Getting pregnant without intending to also can prevent a woman from getting a degree or a job she aspires to. Birth control, in other words, helps women in wide-ranging ways. It’s pretty simple, really: Women are better off when they get to choose if and when to have babies. When birth control is part of the health insurance package, as opposed to an expense a woman foots on her own, her health literally benefits.” [Slate, [3/11/14](#)]

**Guttmacher: Using Contraceptives To Help Plan Pregnancies Has “Substantial Benefits For The Health And Well-Being Of Women, Infants, Families And Society.”** According to the Guttmacher Institute, “An extensive body of research shows that contraceptive use helps women avoid unintended pregnancy and improve birth spacing, resulting in substantial benefits for the health and well-being of women, infants, families and society. The evidence strongly suggests that coverage without cost-sharing of contraceptive counseling and the provision of all methods approved by the Food and Drug Administration, as specified by the guidelines, is a low-cost or even cost-saving means of helping women overcome financial barriers to choosing a contraceptive method they will be able to use consistently and effectively. That may be particularly important with respect to long-acting, reversible methods (such as the IUD and the implant), which are extremely effective and cost-effective in the long run, but have high up-front costs.” [Guttmacher.org, [Summer 2011](#), citations removed]



**Using Contraceptives Helps Women Avoid Unintended Pregnancies, Which Leads To Fewer Abortions.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "The effectiveness of contraceptive use for individual women and couples translates into lower rates of unintended pregnancy and subsequent abortion among the broader population. Cross-country comparisons provide some evidence for this relationship: Unintended pregnancy in the United States is higher than in other developed countries, and contraceptive use is lower. [...] International comparisons also provide evidence that contraceptive use reduces women's recourse to abortion. [...] Trends in unintended pregnancy rates in the United States provide further evidence of the effectiveness of contraceptive use. The proportion using contraceptives among unmarried women at risk of unintended pregnancy increased from 80% in 1982 to 86% in 2002; this increase was accompanied by a decline in unmarried women's unintended pregnancy and abortion rates over the same period, with the abortion rate for unmarried women falling from 50 per 1,000 women in 1981 to 34 per 1,000 in 2000." [Guttmacher Institute testimony, [1/12/11](#), citations removed]

**In 2006, Publicly Funded Contraception Helped Avoid Almost 2 Million Unintended Pregnancies And Over 800,000 Abortions.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "More than nine million clients received publicly funded contraceptive services in 2006, and that national effort helped women avoid 1.94 million unintended pregnancies, including 810,000 abortions. By facilitating access to a more effective mix of contraceptive methods, publicly funded family planning centers enable their clients to have 78% fewer unintended pregnancies than are expected among similar women who do not use or do not have access to these services. Indeed, in the absence of this public effort, levels of unintended pregnancy and abortion would be nearly two-thirds higher among U.S. women overall and close to twice as high among poor women." [Guttmacher Institute testimony, [1/12/11](#), citations removed]

**Increased Contraceptive Use Is Responsible For Most Of The Decline In Adolescent Pregnancy.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "Similarly, increased contraceptive use led to a decline in the risk of pregnancy among adolescents. One study found that from 1991 to 2003, contraceptive use improved among sexually active U.S. high school students, with an increase in the proportion reporting condom use at last sex (from 38% to 58%), and declines in the proportions using withdrawal (from 19% to 11%) and no method (18% to 12%); these adolescents' risk of pregnancy declined 21% over the 12 years. Another study found that increased contraceptive use was responsible for 77% of the sharp decline in pregnancy among 15–17-year-olds between 1995 and 2002 (decreased sexual activity was responsible for the other 23%); and increased contraceptive use was responsible for all of the decline in pregnancy among 18–19-year-olds." [Guttmacher Institute testimony, [1/12/11](#), citations removed]

**Contraceptives Let Women Space Out Pregnancies, Which Means Children Will Be Born Healthier.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "The most direct, positive effects of helping women and couples plan the number and timing of their pregnancies and births are those related to improving birth outcomes. Short birth intervals have been linked with numerous negative perinatal outcomes. U.S. and international studies have found a causal link between the interpregnancy interval (the time between a birth and a subsequent pregnancy) and three major measures of birth



outcomes: low birth weight, preterm birth and small size for gestational age. For this reason, contraceptive use to help women achieve optimal spacing is important to help them improve their infants' health." [Guttmacher Institute testimony, [1/12/11](#), citations removed]

### **Marriages And Relationships Are More Likely To Dissolve After Unintended**

**Pregnancies.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "There is also some evidence that unintended pregnancy has significant negative effects on relationship stability. Both marriages and cohabitations are more likely to dissolve after an unintended first birth than after an intended first birth, even after controlling for a range of sociodemographic variables. Moreover, mothers and fathers who have an unplanned birth report less happiness and more conflict in their relationship and more depressive symptoms for the mother, compared with similar women and men who have a planned birth. Unintendedness of the pregnancy by the father, in particular, is associated with greater relationship conflict and has very slight (though statistically significant) negative effects on children's attachment security and mental proficiency." [Guttmacher Institute testimony, [1/12/11](#), citations removed]

**Access To The Pill Improved Social And Economic Outlooks For Women.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "The advent of the pill allowed women greater freedom in career decisions in two main ways. The first is that having a reliable form of contraception allowed women to invest in higher education and a career with far less risk of an unplanned pregnancy. Secondly, the pill led to an increase in the age at first marriage across the total population; as a result, a woman could pursue a career or education before marrying while facing less of a risk that she would be unable to find a desirable husband later." [Guttmacher Institute testimony, [1/12/11](#)]

**There May Be Links Between Unintended Pregnancy And Child Abuse, Maternal Depression.** According to testimony the Guttmacher Institute provided to the Institute of Medicine's Committee on Preventive Services for Women, "Moreover, although evidence is limited, several studies from the United States, Europe and Japan suggest an association between unintended pregnancy and subsequent child abuse. There is also some evidence of an association between unintended pregnancy and maternal depression and anxiety, although the strength of this finding is limited by poor study design." [Guttmacher Institute testimony, [1/12/11](#)]

### **Contraceptive Coverage Lowers Costs For Insurers And Public Health Systems**

**After Congress Mandated Contraceptive Coverage For Federal Employees, Premiums Did Not Increase Because Health Care Costs Did Not Go Up.** According to the Department of Health and Human Services, "Evidence from well-documented prior expansions of contraceptive coverage indicates that the cost to issuers of including coverage for all FDA-approved contraceptive methods in insurance offered to an employed population is zero. In 1999, Congress required the health plans in the Federal Employees Health Benefits (FEHB) program to cover the full range of FDA-approved contraceptive methods. The FEHB program is the largest employer-sponsored health benefits program in the United States, and at the time, it covered approximately 9 million Federal Employees, retirees and their family members and included approximately 300 health

plans. The premiums for 1999 had already been set when the legislation passed, so the Office of Personnel Management (OPM), which administers the FEHB program, provided for a reconciliation process. However, there was no need to adjust premium levels because there was no cost increase as a result of providing coverage of contraceptive services.” [HHS.gov, [February 2012](#)]

**The *Direct* Costs Of Providing Contraceptive Coverage Adds Less Than 0.5 Percent To Premiums.** According to the Department of Health and Human Services: “The direct costs of providing contraception as part of a health insurance plan are very low and do not add more than approximately 0.5% to the premium costs per adult enrollee. Studies from three actuarial firms, Buck Consultants, PriceWaterhouseCoopers (PwC), and the Actuarial Research Corporation (ARC) have estimated the direct costs of providing contraception coverage. In 1998, Buck Consultants estimated that the direct cost of providing contraceptive benefits averaged \$21 per enrollee per year. PwC actuaries completed an analysis using more recent, 2003 data from MedStat for the National Business Group on Health, and determined that a broader range of services (contraceptive services, plus lab and counseling services) would cost approximately \$41 per year. The most recent actuarial analysis, completed by the Actuarial Research Corporation in July 2011, using data from 2010, estimated a cost of about \$26 per year per enrolled female.” [HHS.gov, [February 2010](#), citations removed]

**Taking Into Account The Medical And Indirect Costs Of Unintended Pregnancies, Contraceptive Coverage Saves Employers Almost \$100 Per Year Per Employee.** According to the Department of Health and Human Services, “When medical costs associated with unintended pregnancies are taken into account, including costs of prenatal care, pregnancy complications, and deliveries, the net effect on premiums is close to zero. One study author concluded, ‘The message is simple: regardless of payment mechanism or contraceptive method, contraception saves money.’ When indirect costs such as time away from work and productivity loss are considered, they further reduce the total cost to an employer. Global Health Outcomes developed a model that incorporates costs of contraception, costs of unintended pregnancy, and indirect costs. They find that it saves employers \$97 per year per employee to offer a comprehensive contraceptive benefit. Similarly, the PwC actuaries state that after all effects are taken into account, providing contraceptive services is ‘cost-saving.’” [HHS.gov, [February 2010](#), citations removed]

**Study Estimated It Costs Employers Up To 17 Percent More To *Not* Provide Contraceptive Coverage.** According to the Guttmacher Institute, “Moreover, a 2000 study by the National Business Group on Health, a membership group for large employers to address their health policy concerns, estimated that it costs employers 15–17% more to not provide contraceptive coverage in their health plans than to provide such coverage, after accounting for both the direct medical costs of pregnancy and indirect costs such as employee absence and reduced productivity. Mercer, the employee benefits consulting firm, reached a similar conclusion. And a more recent National Business Group on Health report, drawing on actuarial estimates by PricewaterhouseCoopers, concluded that even if contraception were exempted from cost-sharing, the savings from its coverage would exceed the costs.” [Guttmacher Institute, [Winter 2011](#)]

**Every Public Dollar Spent On Contraception Saves Almost Four Times That Much On Medicaid Expenses For Unintended Pregnancies.** According to the Guttmacher Institute, “Yet, although the costs of contraception can be daunting for individual women, insurance coverage of contraceptive services and supplies—both public and private—actually saves money. Guttmacher

Institute research finds that every public dollar invested in contraception saves \$3.74 in short-term Medicaid expenditures for care related to births from unintended pregnancies. In total, services provided at publicly funded family planning centers saved \$5.1 billion in 2008. (Significantly, these savings do not account for any of the broader health, social or economic benefits to women and families from contraceptive services and supplies and the ability to time, space and prepare for pregnancies.)” [Guttmacher Institute, [Winter 2011](#)]

**Unintended Pregnancies Cost Taxpayers An Estimated \$11 Billion Per Year.** According to the Guttmacher Institute, “Two new studies taking different methodological approaches arrive at the same conclusion: Unintended pregnancy costs U.S. taxpayers roughly \$11 billion each year. Both estimates are conservative in that they are limited to public insurance costs for pregnancy and first-year infant care, and both studies conclude that the potential public savings from reducing unintended pregnancy in the United States would be huge.” [Guttmacher Institute, [5/19/11](#)]

# CONSERVATIVE LAWMAKERS ARE OUTSIDE THE MAINSTREAM ON CONTRACEPTION

## Americans Support The Contraceptive Rule

**Most Americans Think That Employers Should Be Required To Offer Birth Control And Other Contraceptives In Their Health Plans Regardless Of Religious Objections.** According to an NBC News/Wall Street Journal poll, “Fifty-three percent [of Americans] say employers should not be exempt from the requirement that their health plans offer birth control and other contraceptives even if they have religious objections, while 41 percent say they should be exempt. [...] The NBC/WSJ poll was conducted March 5-9 of 1,000 adults (including 300 cellphone-only respondents), and it has a margin of error of plus-minus 3.1% percentage points.” [NBCNews.com, [3/19/14](#)]

**65 Percent Of Women Aged 18-49 Think That Employers Should Be Required To Cover Birth Control In Health Plans.** According to an NBC News/Wall Street Journal poll, “Some 65% of women voters between the ages of 18 and 49, 61% of voters in the Northeast, and 72% of voters who identified themselves as Democrats said they believed employers should not be exempt from covering prescription birth control.” [Wall Street Journal, [3/12/14](#)]

**As Of 2012, Most Americans Thought That Publicly Held Corporations And Religiously Affiliated Hospitals Should Have To Offer Health Plans That Cover Contraception.**

According to the Public Religion Research Institute, “Roughly 6-in-10 Americans say that publicly held corporations (62%) and religiously affiliated hospitals (57%) should be required to provide employees with health care plans that cover contraception. [...] Interviews were conducted among a random sample of 1,007 adults 18 years of age or older in the continental United States (300

respondents were interviewed on a cell phone). The margin of error for the survey is +/- 3.5 percentage points at the 95% level of confidence.” [PublicReligion.org, [3/15/12](#)]

**CDC: “Virtually All Women” In The U.S. Have Used Contraceptives.** According to the Centers for Disease Control and Prevention, Virtually all women of reproductive age in 2006–2010 who had ever had sexual intercourse have used at least one contraceptive method at some point in their lifetime (99%, or 53 million women aged 15–44), including 88% who have used a highly effective, reversible method such as birth control pills, an injectable method, a contraceptive patch, or an intrauterine device.” [Centers for Disease Control and Prevention, [2/14/13](#), citations removed]

- **Nearly All Catholic And Protestant American Women Have Used Birth Control.** There is a substantial body of research on the association of religious affiliation with contraceptive use. [...] Religious affiliation is classified into four broad groups: 1) no religious affiliation, 2) Catholic, 3) Baptist and fundamentalist Protestant denominations, and 4) other Protestant denominations. The diverse group of other religious affiliations is not shown separately, but is included in the total. In each of the groups shown, 99% of women aged 15–44 who have ever had sexual intercourse have ever used a contraceptive method. Specifically, 98.6% of Catholic women, 99.4% of women with no religious affiliation, 99.4% of women affiliated with a Baptist or fundamentalist Protestant denomination, and 99.5% of women affiliated with other Protestant denominations had ever used a method. The percentage of Catholic women who had ever used a condom with a male partner was 89%, compared with 94.6%–96.6% of the Protestant groups. About 22% of Catholic women had ever used a periodic abstinence method, compared with 18%–19% of the other groups. And about 76% of Catholic women had ever used the pill, compared with 86% of the Protestant groups.” [Centers for Disease Control and Prevention, [2/14/13](#), citations removed]
- **Three-Quarters Of Catholics Think The Church Should Allow Birth Control.** According to Pew Research, “The latest national survey by the Pew Research Center, conducted March 13-17 among 1,501 adults (including 325 Catholics), also finds that majorities of Catholics want the church to change some of its teachings and policies. Three-quarters of Catholics (76%), for example, say the church should allow Catholics to use birth control.” [PewResearch.org, [3/18/13](#)]

## **Despite Public Support, Conservative Lawmakers Continue To Attack The Contraceptive Rule**

**Most Senate Republicans Voted To Advance A Measure To Let Employers Opt Out Of Contraceptive Coverage Mandate.** According to The Hill, “The Senate voted 51-48 Thursday to kill a controversial amendment to weaken the Obama administration’s policy requiring employers to provide birth control to their employees. The Senate voted to table the measure from Sen. Roy Blunt (R-Mo.), which would have let any employers opt out of healthcare coverage mandates that violate their religious or moral beliefs. Three Democrats voted with Republicans against tabling the amendment: Sens. Joe Manchin (W.Va.), Bob Casey Jr. (Pa.) and Ben Nelson (Neb.). Casey and

Manchin are both up for reelection this year. Sen. Olympia Snowe (Maine), who announced Tuesday she will retire at the end of this year, was the only Republican to vote in favor of tabling the amendment.” [The Hill, [3/1/12](#)]

### **House GOP Added “Conscience Clause” To Government Funding Bill Delaying**

**Contraceptive Mandate.** According to the Huffington Post, “House Republicans included a so-called ‘conscience clause’ in the government funding bill in a plan they approved early Sunday. [...] The measure would allow employers and insurers to opt out of providing health care services that they find morally or religiously objectionable. The addition reignites the debate over a portion of the health care reform law that requires most insurers to cover women's preventative health care, including contraception.” [Huffington Post, [9/28/13](#)]

- **Conscience Clause Provision Was Added During Negotiations Just Two Days Before Government Shutdown.** According to Politico, “House Republicans forced through a short-term government funding bill that delays Obamacare and permanently repeals a tax on medical devices, setting up their most dramatic face-off ever with President Barack Obama and Senate Democrats. The vote to delay Obamacare was 231-192, with two Republicans voting against the bill, while two Democrats supported it. [...] The chamber further adopted a ‘conscience clause’ that postpones until 2015 an Obamacare requirement that employers cover birth control as part of their health-insurance packages. Their funding resolution keeps government open until Dec. 15 at a level of \$986 billion. Passage of the funding bill late Saturday night, following several hours of acrimonious debate the House, sets the stage for two days of political drama over whether the federal government will actually shut down on Oct. 1. Obama and Senate Majority Leader Harry Reid (D-Nev.) have already warned that the GOP proposal is unacceptable.” [Politico, [9/28/13](#)]
- **Rep. Steve King On Birth Control Mandate: “Preventing Babies From Being Born Is Not Medicine.”** According to remarks Rep. Steve King (R-IA) gave on the House Floor, “Contraceptives now will become part of, by edict of the federal government, a component of everybody’s health insurance policy under ObamaCare. [...] Preventing babies from being born is not medicine. That’s not constructive to our culture and our civilization. If we let our birth rate down below the replacement rate, we are a dying civilization.” [Rep. Steve King House Floor Remarks via YouTube.com, [8/1/11](#)]

**Sen. Ted Cruz: “This Is An Administration That Is Telling Christian Companies Like Hobby Lobby...That They Must Provide Abortifacients Or Pay Millions Of Dollars In Government Fines.”** According to a transcript of speech Sen. Ted Cruz (R-TX) gave at the Values Voter Summit in Washington, D.C., via The Raw Story, “This is an administration that is telling Christian companies like Hobby Lobby, is telling the Little Sisters of the Poor that they must provide abortifacients or pay millions of dollars in government fines.” [Sen. Ted Cruz Values Voter Summit Speech via RawStory.com, [10/11/13](#)]

**Sen. Rand Paul Stated That The Employer Birth Control Mandate Is “Infringing On People’s Religious Liberty And Their Ability To Decide What Products To Buy In The Marketplace.”** According to an interview Rep. Rand Paul (R-KY) gave on Fox News, “If you force the employer to buy this insurance, they’re actually paying for something they find morally objectionable. But this has nothing to do with contraception. I have no objection to contraception,



but I do have an objection to infringing on people's religious liberty and their ability to decide what products to buy in the marketplace." [Fox News via Mediaite.com, [2/15/12](#)]

- **Sen. Rand Paul On Birth Control Mandate: "This Has Nothing To Do With Contraception."** According to an interview Rep. Rand Paul gave on Fox News, "If you force the employer to buy this insurance, they're actually paying for something they find morally objectionable. But this has nothing to do with contraception. I have no objection to contraception, but I do have an objection to infringing on people's religious liberty and their ability to decide what products to buy in the marketplace." [Fox News via Mediaite.com, [2/15/12](#)]

**Sen. Marco Rubio On Employer Birth Control Mandate: "This Is Not About Women's Rights Or Contraception, This Is About The Religious Liberties."** According to a transcript of Fox News' On the Record with Greta Van Susteren, "MARCO RUBIO: This is not about women's rights or contraception, this is about the religious liberties that our country has always cherished. And if you say that the federal government has the power to force religions to do things the religions think is wrong, I mean, you've really crossed the line from -- that we don't want to cross." [Fox News, On the Record with Greta Van Susteren, [2/8/12](#)]

## CONTRACEPTIVE CHALLENGE IS BACKED BY EXTREME RIGHT-WING GROUPS

### Becket Fund For Religious Liberty

**The Becket Fund Is Representing Hobby Lobby In Its Contraceptive Challenge.** According to Bloomberg, "The justices will hear the Hobby Lobby case alongside a similar dispute involving Conestoga Wood Specialties, a woodworking business owned by a Mennonite family. The companies' lawsuits are among at least 47 filed by for-profit businesses opposed to the contraception requirement, according to the Becket Fund for Religious Liberty, which represents Hobby Lobby." [Bloomberg, [3/20/14](#)]

- **The Becket Fund Is Involved In Several Challenges To The Contraceptive Mandate.** According to the Village Voice, "Today's demo boosts several of Becket's new lawsuits against the mandate. Those suits? Belmont Abbey College v. Sebelius, Ave Maria University v. Sebelius, EWTN v. Sebelius, and Colorado Christian University v. Sebelius. These filings represent a steep shift in course for Becket, which has long been known as a pro-bono legal powerhouse working quietly in defense of liberty. In the past, Becket would wait for the right cases, such as a Buddhist temple's fight with a zoning board or Sikhs' right to wear



turbans in school. But some, like Jon Ward, say the group's recent move evidences new willingness to jump head first into the burgeoning culture wars.” [Village Voice, [3/23/12](#)]

- **Becket Fund Lawyer: Obama DOJ “Trying To Bully Nuns Into Violating Their Religious Beliefs.”** According a press release from the Becket Fund, “Unfortunately, the federal government has started the new year the same way that it ended the old one: trying to bully nuns into violating their religious beliefs. The government demands that the Little Sisters of the Poor sign a permission slip for abortion drugs and contraceptives, or pay of millions in fines. The Sisters believe that doing that violates their faith, and that they shouldn’t be forced to divert funds from the elderly poor they serve to the IRS.” [Becket Fund, [1/3/14](#)]

**Becket Fund Is “A Small, Nonprofit Law Firm Known For Defending Religious Liberty Cases For People Of Many Faiths.”** According to the Huffington Post, “For 17 years, The Becket Fund has been a small, nonprofit law firm known for defending religious liberty cases for people of many faiths. It has fought for the right of Buddhists in Connecticut to build a temple, despite opposition from the local zoning board. It has defended the right of Sikh boys in France to wear turbans to school. And its founder, Kevin Hasson, a Catholic, spoke out in defense of Rep. Keith Ellison's (D-Minn.) right to be sworn in as a member of Congress using a Koran in 2006.” [Huffington Post, [3/10/12](#)]

**Becket Fund “Has Gotten More Aggressive In The Face Of What It Views As A Hostility To Religious Freedom Under The Obama Administration.”** According to the Huffington Post, “But The Becket Fund's willingness to wade in to the high-stakes debate comes in part from new leadership. Hasson, a former Justice Department attorney under President Ronald Reagan who has suffered from Parkinson's disease for more than a decade, stepped down from his leadership post almost one year ago. A somewhat unlikely replacement took over: William P. Mumma, a Wall Street banker who runs the New York trading desk for Mitsubishi UFJ Securities USA. Since Mumma took over last May, he has infused The Becket Fund with a new sense of energy and urgency, expanding the organization and increasing its fundraising. [...] [Becket Fund executive director Kristina] Arriaga said Becket has gotten more aggressive in the face of what it views as a hostility to religious freedom under the Obama administration. The fight with Obama over whether to force religious institutions to offer contraception, including the morning after pill, in health insurance plans has put this tension under a very bright spotlight.” [Huffington Post, [3/10/12](#)]

#### **Family Research Council Senior Fellow Ken Blackwell Sits On Becket Fund Board.**

According to the Becket Fund’s board of directors page, “J. Kenneth Blackwell has a distinguished record of achievement as a finance executive, entrepreneur, diplomat, educator, and independent corporate director. He was elected in 1994 as Ohio’s Treasurer of State and subsequently twice as Secretary of State. Mr. Blackwell served as U.S. Ambassador to the United Nations Human Rights Commission. He is a Senior Fellow for Family Empowerment at the Family Research Council and the Ronald Reagan Distinguished Fellow for Public Policy at the Buckeye Institute in Columbus, Ohio. Mr. Blackwell is a columnist for the New York Sun, a contributing editor and columnist for Townhall.com, and a public affairs commentator for the Salem Radio Network.” [Becket Fund, accessed [3/19/14](#)]

- **Blackwell Called Proposed Mosque In Manhattan A “Sedition Center.”** According to an article Blackwell wrote for Patriot Post, “Fourth, stop construction of the Ground Zero Mosque. Americans have been told endlessly that ‘of course they have a *right* to build it there; it’s just not appropriate.’ This is not a matter of etiquette, of playing well with others, of making nice in all our diversity. This is a matter of national security. Imam Rauf has been seeking funding for this mosque throughout the Middle East. He’s in league with some of the most repressive and brutal regimes on earth. It makes no sense to fight a war on terrorism abroad while allowing Islamists to do a victory dance at Ground Zero. Just because Imam Rauf is soft-spoken doesn’t mean he’s ‘moderate.’ What he says in his soft-spoken voice is that the U.S. had it coming. He threatens us in our own country, saying it would not be good for America’s national security to deny him permission to build on that site. We’ve seen this act before. Marlon Brando did it better as the Godfather. ‘It could be very *unhealthy* for you not to give us what we want,’ said that ‘capo di tutti capi.’ Let’s say NO to threats, NO to Islamists, and NO to building any more sedition centers.” [Patriot Post, [10/20/10](#)]
- **Blackwell Called Attorney General Eric Holder A “Leading Dhimmicrat” Who “Clears The Path For Shariah Law.”** According to an article Blackwell wrote for Patriot Post, “What’s a dhimmicrat, you say? It’s not the same thing as a democrat. A dhimmicrat is a person who, while not Muslim himself, nonetheless clears the path for shariah law to be adopted and incorporated into otherwise free nations. ... Eric Holder is a leading dhimmicrat in government today. Our Attorney General has yet to rule out a civilian trial in Manhattan for Khalid Sheikh Muhammad, the mastermind of the 9/11 attacks. Khalid Sheikh Muhammad boasted of how he beheaded Wall Street Journal reporter Danny Pearl. A more loathsome human being it would be hard to imagine. But Eric Holder is giving Khalid Sheikh Muhammad all the rights accorded to American citizens accused of mass murder. Why?” [Patriot Post, [5/31/10](#)]
- **Blackwell: President Obama “Seems To Believe In A Christless Christianity.”** According to an article Blackwell wrote for Patriot Post, “President Obama attended the National Prayer Breakfast in Washington this week. His own denomination—the United Church of Christ—has been teasingly described as ‘Unitarians considering Christ.’ I don’t know how much he is considering Jesus, but he sure is quiet about it if he is. Even among Christians, the President seems to believe in a Christless Christianity. ... The President ventured deeper into theological confusion in his Cairo Address. He referred to ‘the Holy Koran.’ He described the Mideast as the region ‘where Islam was first revealed.’ Muslims are certainly free to believe these things. But Christians cannot regard the sacred books of any other religion as holy or revealed. If they do, they are denying their own faith.” [Patriot Post, [2/8/10](#)]

#### **Sean Fieler Sits On The Becket Fund Board And Is Involved With Several Other**

**Conservative Groups.** According to the Becket Fund’s Board of Directors page, “Sean Fieler is President of Equinox Partners, LP. He is Chairman of the American Principles Project, Chairman of the Chiaroscuro Foundation, and a member of the Board of the Witherspoon Institute, the Manhattan Institute, the Catholic Finance Association, and the Dominican Foundation. Mr. Fieler graduated from Williams College in 1995 with a degree in Political Economy and was the 1994 recipient of the Branson Memorial Scholarship.” [Becket Fund, accessed [3/19/14](#)]

- Fieler Funds Conservative Effort To Promote Social Issues Within Republican Party.** According to Bloomberg, “New York hedge-fund manager Sean Fieler is financing a new political group bent on coaxing religiously-minded voters who oppose abortion rights and gay marriage back into politics. Those activists -- and their money -- have been sidelined since a Republican Party civil war between the small-government Tea Party movement and business interests erupted last year after some U.S. House members dismissed the economic impact of a default on the federal government’s debt. [...] Fieler, co-founder of Equinox Partners LP, gave the super-PAC almost all of its \$394,207 last year, according to a Federal Election Commission report filed Jan. 31. ‘Donors want to win, and nobody has really yet made the case to donors that these are winning issues,’ Fieler said of abortion rights, same-sex marriage and religious values. ‘What Republicans are being told is to ignore social issues and that’s the path to victory, when that’s actually false. We’re in the midst of an evolution for donors in the party.’” [Bloomberg, [2/4/14](#)]
- Fieler: “Gay Relationships” Don’t “Lend Themselves To Monogamy, Stability, Health And Parenting In The Same Way Heterosexual Relationships Do.”** According to the New York Times, “David Blankenhorn, a traditional-marriage advocate and star witness in the Proposition 8 trial in California in 2010, shocked his allies with an Op-Ed article in The New York Times last June announcing that he was quitting the fight against same-sex marriage. ‘Instead of fighting gay marriage,’ Mr. Blankenhorn wrote, ‘I’d like to help build new coalitions bringing together gays who want to strengthen marriage with straight people who want to do the same.’ ... Sean Fieler, the president of Equinox Partners, a New York hedge fund, was Mr. Blankenhorn’s largest donor, until he quit the board. Mr. Fieler, whose average annual donation ‘ranged from \$200,000 to \$250,000,’ said that a pro-marriage movement could not so easily accept gay and lesbian allies, not if they were seeking marriage rights. ‘The problem with gay marriage and the position David has taken,’ Mr. Fieler said, ‘is it promotes a very harmful myth about the gay lifestyle. It suggests that gay relationships lend themselves to monogamy, stability, health and parenting in the same way heterosexual relationships do. That’s not true.’” [New York Times, [1/29/13](#)]
- Fieler Has Given More Than A Million Dollars To Opponents Of Same-Sex Marriage.** According to Reuters, “The fund-raising fall-off is a result of donor fatigue, the dramatic rise in public support for gay marriage and the softening of some major gay marriage opponents, including the Mormon Church, people involved with the campaigns say. Both individuals and institutions opposed to gay marriage say many are fearful of being associated with the cause. ‘On the New York cocktail party circuit, the intensity of anger over the marriage issue has made being pro-life easy,’ said Sean Fieler, who runs the New York City hedge fund Equinox Partners. Fieler has donated over \$1 million to gay marriage opponents such as the National Organization for Marriage.” [Reuters, [1/29/13](#)]

## **Funding**

**The Lynde And Harry Bradley Foundation Has Given \$920,000 To The Becket Fund Between 2000 And 2012.** According to tax records, the Lynde and Harry Bradley Foundation gave \$920,000 to the Becket Fund for Religious Liberty between 2000 and 2012. [IRS Form 990, 2000-2012]

**Lynn & Foster Friess Family Foundation Gave \$550,000 To The Becket Fund Between 2002 And 2004.** According to tax records, the Lynn & Foster Friess Family Foundation gave \$550,000 to the Becket Fund for Religious Liberty between 2002 and 2004. [IRS Form 990, 2002-2004]

**The Chiaroscuro Foundation Gave \$437,219 To The Becket Foundation Between 2007 And 2012.** According to tax records, the Chiaroscuro Foundation gave \$437,219 to the Becket Fund for Religious Liberty between 2007 and 2012. [IRS Form 990, 2007-2012]

- **Becket Board Member Sean Fieler Is Chairman Of the Chiaroscuro Foundation.** According to the Becket Fund, “Sean Fieler is President of Equinox Partners, LP. He is Chairman of the American Principles Project, Chairman of the Chiaroscuro Foundation, and a member of the Board of the Witherspoon Institute, the Manhattan Institute, the Catholic Finance Association, and the Dominican Foundation.” [Becket Fund, accessed [3/19/14](#)]

**The William H. Donner Foundation Gave \$390,949 To The Becket Fund Between 2001 And 2012.** According to tax records, the William H. Donner Foundation gave \$390,949 to the Becket Fund for Religious Liberty between 2001 and 2012. [IRS Form 990, 2001-2012]

**The Castle Rock Foundation Gave \$380,000 To The Becket Fund Between 2003 And 2010.** According to tax records, the Castle Rock Foundation gave \$380,000 to the Becket Fund for Religious Liberty between 2003 and 2010. [IRS Form 990, 2003-2010]

**The Randolph Foundation Gave \$313,000 To The Becket Fund Between 2003 And 2008.** According to tax records, the Randolph Foundation gave \$313,000 to the Becket Fund for Religious Liberty between 2003 and 2008. [IRS Form 990, 2003-2008]

## Judicial Watch

**Judicial Watch Filed An Amicus Brief In Support Of Hobby Lobby.** According to a press release from Judicial Watch, “Judicial Watch announced today that it has filed an amicus curiae brief with the United States Supreme Court in support of a religious liberty challenge by the retail chain Hobby Lobby to the Obamacare ‘contraceptive mandate’ (Kathleen Sebelius, Secretary of Health and Human Services, et al. v. Hobby Lobby Stores, Inc., et al. (No.13-354).” [Judicial Watch Press Release, [1/30/14](#)]

- **The Judicial Watch Amicus Brief Alleges That The Contraceptive Mandate Is An “Unprecedented Grab For Power.”** According to a press release from Judicial Watch, “The Judicial Watch amicus maintains that the contraceptive mandate violates provisions of the 1993 Religious Freedom Restoration Act, which, in accordance with the First Amendment protection of the free exercise of religion, prohibits the federal government from substantially burdening religious exercise without compelling justification. Terming the Department of Health & Human Services (HHS) mandate an ‘unprecedented grab for power,’ the Judicial Watch amicus brief argues: ‘The challenged regulation ... is not simply the consequence of poor political choices; it

is the product of a dangerous entanglement of Congress and an Executive agency that ultimately tramples on religious liberties.” [Judicial Watch Press Release, [1/30/14](#)]

**Judicial Watch Was Founded In 1994 And Involved Itself In A Number Of Lawsuits And Political Scandals.** According to The Nation, “Some background: [Larry] Klayman started Judicial Watch in 1994 and became famous--in a cable TV sort of way--by filing what seemed like thousands of lawsuits against Clintonites. [...] Klayman also represented the Miami relatives of Elián González in a lawsuit against the Justice Department, and he involved himself in the Florida recount mess. In recent years he expanded his hit list. Judicial Watch joined the Sierra Club in suing Vice President Cheney for records of Cheney's energy task force, and it launched a lawsuit against Cheney and Halliburton for alleged accounting fraud (a federal court dismissed the case). But Klayman also stuck to his bread and butter, representing Gennifer Flowers, who filed a suit claiming Hillary Clinton had tried to destroy her, and supporting a businessman charged with stock and bank fraud who claimed he secretly made illegal campaign contributions to Hillary Clinton.” [Nation, [3/10/04](#)]

- **Judicial Watch Was Among The Richard Mellon Scaife-Funded Organizations That “Pursued Clinton And His Administration Relentlessly.”** According to the Washington Post, “Scaife has funded other Clinton efforts as well: Two zealous and resourceful (and rival) public interest law firms that have pursued Clinton and his administration relentlessly, the Landmark Legal Foundation and Judicial Watch, have received more than \$4 million from Scaife. Judicial Watch, which is aggressively suing several branches of the government and has questioned numerous White House officials under oath, has received \$1.35 million from Scaife sources in the last two years, a large fraction of its budget.” [Washington Post, [5/2/99](#)]

**Judicial Watch Filed Amicus Briefs On Behalf Of Laws Or Legal Cases Attacking Marriage Equality, Immigration, Voting Rights, And Health Care.** According to the Judicial Watch website's docket, the group filed briefs supporting California's Prop 8, opposing DREAM Act-style state legislation, supporting Arizona's anti-immigrant SB 1070, supporting a voter ID law, and opposing the Affordable Care Act. [JudicialWatch.org, accessed [1/29/14](#)]

**Judicial Watch Has Filed Over 950 Open Records Requests And Over 90 Lawsuits Against the Obama Administration Through The Group's “National Obama Accountability Project.”** According to the Judicial Watch website, “The National Obama Accountability Project was initiated by Judicial Watch to hold Barack Obama and his administration accountable to the American people for misconduct and violations of the law. [...] Initialize over 950 open record requests and filing over 90 lawsuits to protect the people's right to know about what the Obama administration is up to. [...] President Barack Obama's administration has failed to comply with Judicial Watch's lawful open records requests and is contesting a Judicial Watch lawsuit arguing for the release of documents that will help determine what, if any, legal authority exists for the government bailout of major financial institutions. ” [JudicialWatch.org, accessed [1/29/14](#)]

**Judicial Watch Has Gone After Hillary Clinton With Lawsuits, Including One Which Argued That She Was “Constitutionally Ineligible” To Serve As Secretary Of State.**

According to the Associated Press, “A conservative watchdog group filed a lawsuit Thursday arguing that Hillary Rodham Clinton cannot legally serve as secretary of state, even though she was sworn in last week. The suit is based on an obscure section of the Constitution on compensation for public officials, the emoluments clause. The clause says no member of Congress can be appointed to



a government post if that job's pay was increased during the lawmaker's current term. [...]The group says that Hillary Clinton is 'constitutionally ineligible' to be secretary of state until 2013, when her second Senate term would expire. She resigned from the Senate to take the Cabinet post.” [Associated Press, [1/30/09](#)]

**Judicial Watch Is Against The Employer Mandate, The Individual Mandate, And The Entire Obamacare Law.** According to the Judicial Watch website, “We obviously object to the employer mandate, the individual mandate, and the entire Obamacare law, but we understand that, under the U.S. Constitution, the law can only be changed by legislation passed by Congress and signed by the president. President Obama evidently wants to delay at least some of the ill effects of his health care scheme until after the 2014 congressional elections. But politics do not trump the Constitution or the rule of law.” [JudicialWatch.org, accessed [3/19/14](#)]

**Judicial Watch: “The Nation’s Largest Catholic Healthcare Providers Have Sold Their Collective Souls To The Devil” By “Negotiating Behind The Scenes With The Administration To Support And Promote Obamacare.”** According to the Judicial Watch website, “It appears that that the nation’s largest Catholic healthcare providers have sold their collective souls to the devil, negotiating behind the scenes with the administration to support and promote Obamacare—despite its contraceptive mandate—in exchange for money. Judicial Watch has obtained records from the Department of Health and Human Services (HHS) that show ardent support for Obamacare in propaganda produced by the Catholic Health Association followed by HHS ‘navigator grants’ to affiliated groups—Via Christi Health System and Ascension Health—promoting the president’s disastrous healthcare law. The discovery of this controversial arrangement comes as major Catholic institutions, such as the University of Notre Dame as well as dozens of Catholic dioceses, sue the administration over the contraceptive mandate. One of the documents obtained by JW is a fawning letter from the president of Via Christi, Kevin Conlin, to then HHS Secretary Kathleen Sebelius confirming his support for Obamacare.” [JudicialWatch.org, [12/16/13](#)]

**Judicial Watch Claims To Be A “Non-Partisan Public Interest Group” But Notes It Is “Honored To Support The Independent Tea Party Movement.”** According to a Judicial Watch press release, “Judicial Watch, the non-partisan public interest group that investigates and prosecutes government corruption, announced today that it will serve as a major sponsor for the upcoming National Tea Party Convention to be held February 4-6, 2010, at the Opryland Hotel in Nashville, Tennessee. [...] ‘We’re proud to stand with other Americans who respect the U.S. Constitution, the rule of law, and the need to limit the size and scope of the federal government,” said Judicial Watch President Tom Fitton. ‘Most Americans, especially the Tea Party movement, understand that big government leads to big corruption. So as the Obama administration inflates the size of government to unprecedented and dangerous levels – Americans’ concern about corruption is rightly increasing. As a group that has taken on both Republican and Democratic corruption, Judicial Watch is honored to support the independent Tea Party movement.” [Judicial Watch Press Release, [1/22/10](#)]

## **Funding**

**The Sarah Scaife Foundation Has Contributed More Than \$4.7 Million To Judicial Watch.** According to the Sarah Scaife Foundation’s 990 tax forms, the Sarah Scaife Foundation has given \$4,715,000 to Judicial Watch since 1998. [Sarah Scaife Foundation Forms 990, 1998-2012]



**The Carthage Foundation Has Contributed More Than \$4.6 Million To Judicial Watch.**

According to the Carthage Foundation's 990 tax forms, the Carthage Foundation has given \$4,675,000 to Judicial Watch since 1997. [Carthage Foundation Forms 990, 1997-2008]

**DonorsTrust Has Contributed \$34,900 To Judicial Watch.** According to DonorsTrust's 990 tax forms, DonorsTrust has given \$34,900 to Judicial Watch since 2007. [DonorsTrust Forms 990, 2007-2012]

## **American Center For Law & Justice (ACLJ)**

**The ACLJ Filed An Amicus Brief In Support Of Hobby Lobby.** According to the ACLJ website, "The American Center for Law and Justice (ACLJ), a pro-life legal organization that focuses on constitutional law, today filed an amicus brief urging the U.S. Supreme Court to reject the ObamaCare HHS Mandate because it violates federal law and the U.S Constitution – putting religious civil liberties at risk. The amicus brief, filed on behalf of several businesses and owners challenging the mandate as well as more than 90,000 Americans, supports the arguments opposing the Mandate in *Sebelius v. Hobby Lobby* and *Conestoga Wood v. Sebelius* – two cases now before the high court." [ACLJ.org, [1/28/14](http://aclj.org/1/28/14)]

- **ACLJ Has Filed Seven Legal Challenges Against The Mandate On Behalf Of For-Profit Companies And Claimed To Have Secured Preliminary Relief For Each Of Them.**

According to the ACLJ website, "Today, as announced here, the ACLJ filed a friend of the court brief with the U.S. Supreme Court in the two HHS Mandate cases the Court agreed to review last November: *Hobby Lobby* and *Conestoga Wood*. Almost two years ago, the ACLJ was the first group to file suit on behalf of a for-profit business against the Mandate. Since that time, the ACLJ has filed six other Mandate challenges and there are now over 45 for-profit cases pending in courts across the country. In each of our cases, we've been able to secure preliminary relief for our clients." [ACLJ.org, [1/28/14](http://aclj.org/1/28/14)]

**ACLJ Was Established In 1990 With A Mission "To Protect Religious And Constitutional Freedoms."**

According to the ACLJ website, "Founded in 1990 with the mandate to protect religious and constitutional freedoms, the American Center for Law and Justice (ACLJ) engages legal, legislative, and cultural issues by implementing an effective strategy of advocacy, education, and litigation that includes representing clients before the Supreme Court of the United States and international tribunals around the globe." [ACLJ.org, accessed [1/30/14](http://aclj.org/1/30/14)]

- **ACLJ Litigates In State And Federal Courts Across The Country And Files Amicus Briefs.** According to the ACLJ website, "The American Center for Law and Justice (ACLJ) litigates in state and federal courts across the nation, with a specific focus on the Supreme Court of the United States. [...] We file amicus briefs before the Court on behalf of Members of Congress and hundreds of thousands of American citizens each year. Our amicus briefs have been cited in numerous Supreme Court and lower court opinions as our practice continues to shape and influence the legal landscape on behalf of the values and principles held by our members." [ACLJ.org, accessed [1/31/14](http://aclj.org/1/31/14)]

- **ACLJ Is Owned By Christian Advocates Serving Evangelism (CASE).** According to the ACLJ website, “American Center for Law and Justice is a d/b/a for Christian Advocates Serving Evangelism, Inc., a tax-exempt, not-for-profit, religious corporation as defined under Section 501(c)(3) of the Internal Revenue Code, specifically dedicated to the ideal that religious freedom and freedom of speech are inalienable, God-given rights.” [ACLJ.org, accessed [1/31/14](#)]

**ACLJ Has An Anti-Gay Rights, Anti-Abortion, Anti-Immigration Agenda.** According to the Southern Poverty Law Center, “[The ACLJ] has also worked in Kenya to criminalize gay sex. Political Research Associates, a liberal group that analyzes the far right, has described it as ‘the key organization involved in ensuring African constitutions and laws criminalize homosexuality.’ The ACLJ also dabbles in other issues. According to its website, it opposes reproductive rights and ‘ObamaCare’; supports Arizona’s draconian anti-immigrant S.B. 1070 law (most of which has been struck down by the Supreme Court) and government promotion of religion in schools and elsewhere; and campaigns against Islamic Shariah law and the Park51 Islamic center in New York City.” [Southern Poverty Law Center, [July 2013](#)]

**The ACLJ Office In Kenya “Lobbied To Eliminate An Exemption Allowing An Abortion When A Women's Life Is At Risk.”** According to Mother Jones, “[Jay] Sekulow and his son Jordan opened affiliated offices of the ACLJ in Africa to lobby politicians to ‘take the Christian's views into consideration as they draft legislation and policies,’ according to ACLJ's website. [...] Another ACLJ office in Kenya lobbied to eliminate an exemption allowing an abortion when a women's life is at risk.” [Mother Jones, [11/2/12](#)]

**ACLJ Office In Zimbabwe Worked To Make Sure Homosexuality Remained Illegal.** According to Mother Jones, “ACLJ's Zimbabwe office has pushed an agenda that backs outlawing same-sex marriage and making sure that homosexuality ‘remain[s] a criminal activity.’ (Zimbabwe had outlawed homosexuality in 2006.) Zimbabwean president Robert Mugabe is among the most ruthless dictators in the world—but in 2010 ACLJ-Zimbabwe's chairman, pastor Alex Chisango, led Mugabe and others in prayer to kick off Zimbabwe's constitutional reform drive. ACLJ wanted to ensure that, whatever else changed in the country's constitution, homosexuality remained illegal and same-sex marriage was banned.” [Mother Jones, [11/2/12](#)]

**The ACLJ “Helped Draft” The Defense Of Marriage Act (DOMA) And The Group’s Executive Director Testified Before The House For Its Passage.** According to a post written by ACLJ Executive Director Jay Sekulow on the ACLJ website, “There were also concerns among many that the same-sex marriage proponents would be successful in having declared the Defense of Marriage Act (DOMA) unconstitutional. Our office helped draft DOMA and I even testified before the United States House of Representatives for its passage almost ten years ago.” [ACLJ.org, [8/1/06](#)]

**The ACLJ Campaigned For Zimbabwe’s 2010 Constitutional Ban On Abortion, Same-Sex Marriage And Retaining The Country’s Laws Criminalizing Sodomy And Homosexual Acts.** According to the University of Southern California’s Religious Dispatches magazine, “[Vicky] Mpofu [...] is the executive director of the African Centre for Law and Justice, a branch of the American Center for Law and Justice [...] Backed by the ACLJ, Mpofu has been traveling Zimbabwe to rally religious support for the EFZ’s constitutional proposals. [...] The EFZ/ACLJ pamphlet also calls for constitutional prohibitions on both abortion, by defining life as ‘beginning at

conception,’ and on attempts to reform the country’s laws criminalizing homosexuality. It calls for defining marriage ‘as being between a man and a woman’ and for ‘any and all definitions of a family or marriages or relationships or legal unions that seek to include or permit same-sex unions to be prohibited,’ as well as for ‘sexual relations between partners of the same-sex, bestiality, and other perversions to remain a criminal activity.’” [ReligionDispatches.org, [8/1/10](#)]

**ACLJ Successfully Argued A 2003 Supreme Court Case Protecting Anti-Abortion Protesters Who Damaged Abortion Clinic Property And Were Involved With Physical Assaults Against Extortion Charges.** According to the Sun Sentinel, “The Supreme Court ruled Wednesday that a network of anti-abortion protesters that shut down abortion clinics nationwide through sit-ins and human blockades during the 1980s and '90s could not be punished under the same federal laws used to fight organized crime. [...] By a vote of 8 to 1, the justices ruled that abortion rights supporters could not use the federal Racketeer-Influenced and Corrupt Organizations Act to sue the Pro-Life Action Network, Operation Rescue and their leaders for their campaign against clinics [...] The protests included some illegal conduct, such as physical assaults and damage to clinic property, but shutting off access to the clinics did not meet the legal definition of extortion, one of the offenses that must be alleged to support a RICO claim, Chief Justice William Rehnquist wrote in the opinion for the court. [...] ‘The decision removes a cloud that has been hanging over the pro-life movement for 15 years,’ said Jay Sekulow, chief counsel of the American Center for Law and Justice, which represented Operation Rescue.” [Sun Sentinel, [2/27/03](#)]

## **Funding**

**ACLJ’s Parent Organization, Christian Advocates Serving Evangelism, Has Contributed More Than \$64.6 Million To ACLJ.** According to the Christian Advocates Serving Evangelism’s 990 tax forms, Christian Advocates Serving Evangelism has given \$64,653,749 to the American Center For Law and Justice since 2007. [Christian Advocates Serving Evangelism IRS Forms 990, [2007-2010](#)]

**The Robert S. And Star Pepper Foundation Has Contributed \$55,000 To The American Center For Law And Justice.** According to the Robert S. And Star Pepper Foundation’s 990s, the Robert S. And Star Pepper Foundation has contributed \$55,000 to the ACLJ since 2004. [Robert S. And Star Pepper Foundation Forms 990 2004-2012]

## **Family Research Council**

**The Family Research Council Submitted An Amicus Brief In The Hobby Lobby And Conestoga Cases Opposing HHS.** According to a press release from the Family Research Council, “Family Research Council (FRC) has submitted an amicus brief to the U.S. Supreme Court in the Hobby Lobby and Conestoga Wood cases opposing U.S. Department of Health and Human Services (HHS) Secretary Kathleen Sebelius. The cases involve the HHS mandate that requires businesses run by religious owners to pay for abortion-causing drugs, sterilizations and contraception for their employees, regardless of the owners' religious beliefs.” [Family Research Council Press Release, [1/29/14](#)]

- **Family Research Council: Contraceptive Requirement Is “Fundamentally Anti-Religious, Anti-Conscience And Anti-Life.”** According to a statement from the Family Research Council, “Today the Obama administration made another attempt at placating the millions of Americans who have moral and religious objections to being forced to cover or pay for contraceptive services. This mandate, issued in August, includes drugs that work after conception to destroy life rather than prevent it. The January 20th decision to grant a one year delay and add a referral requirement showed that the administration had no intention of providing conscience protections but wanted to defuse the political problem. [...] Family Research Council President Tony Perkins had the following to say: ‘This revised HHS mandate does nothing to change the fundamentally anti-religious, anti-conscience and anti-life contraceptive mandate. It rather only creates some paperwork gimmicks that don't change the fact that religious employers who object to coverage of these services will now have to drop health insurance altogether to maintain their conscience and face severe penalties for doing so.’” [Family Research Council via PRNewswire, [2/10/12](#)]

**FRC’s Mission Is “To Advance Faith, Family And Freedom In Public Policy And The Culture From A Christian Worldview.”** According to the Family Research Council’s website, “Family Research Council's mission is to advance faith, family and freedom in public policy and the culture from a Christian worldview.” [FRC.org, Viewed [3/19/14](#)]

- **The Family Research Council Has Been Designated A Hate Group By The Southern Poverty Law Center.** According to the Southern Poverty Law Center, “Based on the foregoing and other evidence, the Southern Poverty Law Center (SPLC) last year began listing the FRC and the AFA as hate groups. The listings, as was said at the time, were based on the groups’ use of known falsehoods to attack and demonize members of the LGBT community — not, as some have gratuitously claimed, because the groups are Christian, or because they oppose same-sex marriage, or because they believe the Bible describes homosexuality as a sin.” [Southern Poverty Law Center, [October 2011](#)]

**SPLC: Family Research Council “Bills Itself As ‘The Leading Voice For The Family In Our Nation’s Halls Of Power’ But Its Real Specialty Is Defaming Gays And Lesbians.”**

According to the Southern Poverty Law Center, “The Family Research Council (FRC) bills itself as ‘the leading voice for the family in our nation’s halls of power,’ but its real specialty is defaming gays and lesbians. The FRC often makes false claims about the LGBT community based on discredited research and junk science. The intention is to denigrate LGBT people in its battles against same-sex marriage, hate crimes laws, anti-bullying programs and the repeal of the military’s ‘Don’t Ask, Don’t Tell’ policy. To make the case that the LGBT community is a threat to American society, the FRC employs a number of ‘policy experts’ whose ‘research’ has allowed the FRC to be extremely active politically in shaping public debate. Its research fellows and leaders often testify before Congress and appear in the mainstream media. It also works at the grassroots level, conducting outreach to pastors in an effort to ‘transform the culture.’” [Southern Poverty Law Center, Viewed [3/19/14](#)]

- **FRC: There Is A “Disturbing Connection” Between “Gay Lifestyle” And Pedophilia.** According to the Family Research Council’s “Issue Analysis” page on “Homosexuality and Child Sexual Abuse,” “Many parents have become concerned that children may be molested, encouraged to become sexually active, or even ‘recruited’ into adopting a homosexual identity and lifestyle. Gay activists dismiss such concerns—in part, by

strenuously insisting that there is no connection between homosexuality and the sexual abuse of children. However, despite efforts by homosexual activists to distance the gay lifestyle from pedophilia, there remains a disturbing connection between the two. This is because, by definition, male homosexuals are sexually attracted to other males. While many homosexuals may not seek young sexual partners, the evidence indicates that disproportionate numbers of gay men seek adolescent males or boys as sexual partners.” [FRC.org, “Homosexuality and Child Sexual Abuse,” Viewed [3/24/14](#)]

- **FRC President Perkins Doubts His Kids Could Be Gay Because “We Are Teaching Them The Right Ways That They Are To Interact As Human Beings.”** In an interview on CNN, host Piers Morgan asked Tony Perkins, “What would you do if one of them came home and said, dad, I’m gay?” Perkins answered: “Well, we would have a conversation about it. I doubt that would happen with my children as we are teaching them the right ways that they are to interact as human beings, we’re not allowing them to be indoctrinated by the education system.” [CNN, *Piers Morgan Tonight*, [5/8/12](#)]
- **Perkins Labeled ENDA “The Crossdresser Protection Act.”** In a statement on August 10, 2010, Family Research Council president Tony Perkins said, “Speaker Nancy Pelosi may also force a lame-duck vote on the ‘Employment Non-Discrimination Act’ (ENDA), also known as the Crossdresser Protection Act. The legislation would take the bedroom into the workplace and unfairly compel employers to learn about their employees’ sexual lives.” [FRCAction.org, [8/10/10](#)]
- **FRC’s Sprigg Supported “Criminal Sanctions Against Homosexual Behavior.”** In a February 2010 interview with MSNBC’s Chris Matthews, Family Research Council Senior Fellow for Policy Studies Peter Sprigg said, “I think that the Supreme Court decision in *Lawrence v. Texas* which overturned the sodomy laws in this country was wrongly decided. I think there would be a place for criminal sanctions against homosexual behavior.” Asked if his statement meant “we should outlaw gay behavior,” Sprigg responded, “Yes.” [MSNBC, *Hardball*, 2/2/10]
- **FRC: “Counterfeit Marriage” Endangers Society Like “Permitting Unqualified Individuals To Fly Airplanes.”** According to a Family Research Council “Issue Brief” titled “Ten Facts About Counterfeit Marriage,” Discrimination occurs when someone is unjustly denied some benefit or opportunity. But it must first be demonstrated that such persons deserve to be treated equally regarding the point in question. For example, FAA and airline regulations rightly discriminate regarding who is allowed into the cockpit of an airplane. Those who are not trained pilots have no rightful claim to ‘discrimination’ because they are denied the opportunity to fly an airplane. Similarly, the accumulated wisdom of thousands of years of human history, as expressed in virtually all cultures, has defined marriage as between a man and a woman. Homosexual activists conveniently avoid the question of whether homosexual relationships merit being granted equality with marriage. Although not strictly comparable, radically altering the definition of marriage can also pose dangers to society in much the same way as permitting unqualified individuals to fly airplanes.” [FRC.org, “[Ten Facts About Counterfeit Marriage](#),” accessed 8/21/12]



**FRC: “Birth Control Is Not Only Optional, It’s Objectionable To Some People.”** According to FRC Action, “IS FERTILITY A ‘PRE-EXISTING CONDITION?’ Planned Parenthood certainly thinks so. That’s why the country’s biggest abortion provider is pushing to include free birth control as part of the new health care law. Making a change in the law would not only add billions more to the tab, but it would force Americans to pay for something they shouldn’t. Birth control is not only optional, it’s objectionable to some people.” [FRC Action, [10/28/10](#)]

**FRC: We Have “Actively Lobbied Against The Possibility Of Making Abortion A Preventive Service” Because Fertility “Shouldn’t Be Placed In The Same Category As Other Types Of Medical Care.”** According to an FRC Action “Washington Update,” “Despite what Planned Parenthood may believe, fertility (like pregnancy) isn’t a disease. It shouldn’t be placed in the same category as other basic types of medical care. FRC Action has actively lobbied against the possibility of making abortion a preventive service for women and will continue to do everything possible to ensure that this does not happen.” [FRC Action, [10/28/10](#)]

## **Funding**

**The James and Joan Lindsey Family Foundation Has Contributed Nearly \$2 Million To The Family Research Council.** According to the James and Joan Lindsey Family Foundation’s 990 tax forms, the Foundation has given \$1,977,000 to the Family Research Council since 2001. [James and Joan Lindsey Family Foundation’s IRS Forms 990, 2001-2012]

**The Thirteen Foundation Has Contributed \$530,000 To The Family Research Council.** According to the Thirteen Foundation’s 990 tax forms, the Thirteen Foundation has given \$530,000 to the Family Research Council since 2011. [Thirteen Foundation Forms 990, 2011-2012]

**The Lynde and Harry Bradley Foundation Has Contributed \$405,000 To The Family Research Council.** According to the Lynde and Harry Bradley Foundation’s 990 tax forms, the Bradley Foundation has given \$405,000 to the Family Research Council since 1992. [Lynde and Harry Bradley Foundation IRS Forms 990, 1992-2012]

**Donors Capital Fund Has Contributed Nearly \$300,000 To The Family Research Council.** According to Donors Capital Fund’s 990 tax forms, Donors Capital Fund has given \$296,000 to the Family Research Council since 2009. [Donors Capital Fund IRS Forms 990, 2010-2011]

**The Lynn & Foster Friess Family Foundation Has Given \$50,000 To The Family Research Council.** According to the Lynn & Foster Friess Family Foundation’s 990s, the Friess Family Foundation has given \$50,000 to the Family Research Council since 2002. [Lynn & Foster Friess Family Foundation IRS Forms 990, 2002, 2010]

## **Susan B. Anthony List**

**Susan B. Anthony List Filed An Amicus Brief In The Contraceptive Cases Arguing Coverage Forces “Conscientiously Opposed Individuals And Organizations To Participate In Abortion.”** According to a brief of amici curiae filed by a group of individuals and organizations, including Susan B. Anthony List and its education and policy arm, the Charlotte Lozier Institute, in



the Hobby Lobby and Conestoga cases, “The federal law under challenge in this case (the ‘Mandate’) goes in precisely the opposite direction. By forcing conscientiously opposed individuals and organizations to participate in abortion, the Mandate transforms abortion culture wars into abortion conscience wars and ushers in a new and ‘troublesome era in the history of our Nation.’” [Brief of Amici Curiae of Women's Public Policy Groups, et al., Filed [1/28/14](#)]

- **SBA List: “Only Acceptable Outcome” Of Contraceptive Controversy “Is The Complete Repeal Of The HHS Mandate.”** According to a press release from Susan B. Anthony List, “Susan B. Anthony List (SBA List) President Marjorie Dannenfelser slammed the policy “updates” announced today to President Obama’s HHS abortion-drug mandate. ‘Once again, President Obama’s so-called ‘compromise’ is unacceptable – religious and moral freedom is not up for negotiation,’ said Dannenfelser. ‘There must be no religious ‘test’ by the government as to who, and what type of entities, are entitled to a conscience. We demand respect for non-religious entities such as the Susan B. Anthony List that recognize the taking of human life is the antithesis of health care. Government policy under our constitution, history and statutory law has recognized the right of citizens to be free from government compulsion of conscience on such fundamental matters. The only acceptable outcome is the complete repeal of the HHS mandate and the restoration of a thriving marketplace where Americans can choose health care coverage consistent with their beliefs.’” [SBA-List.org, [2/1/13](#)]

**Susan B. Anthony List’s Mission Is “Electing Candidates And Pursuing Policies That Will Reduce And Ultimately End Abortion.”** According to Susan. Anthony List’s website, “The Susan B. Anthony List, and its connected Political Action Committee, the SBA List Candidate Fund, are dedicated to electing candidates and pursuing policies that will reduce and ultimately end abortion. To that end, the SBA List will emphasize the election, education, promotion, and mobilization of pro-life women. The SBA List's Six Point Mission: 1. Elect pro-life women or pro-life men who oppose pro-abortion women to Congress through our SBA List Candidate Fund. 2. Educate voters on critical pro-life issues and on upcoming legislation. 3. Train and equip pro-life activists nationwide to run successful political and grassroots campaigns. 4. Promote positive responses in both traditional and new media to dispel the myths and distortions of the abortion lobby. 5. Advocate passage of pro-life legislation in Congress, directly with legislators and through mobilizing direct citizen lobbying. 6. Connect legislative and electoral consequences through our Votes Have Consequences Program.” [SBA-List.org, Viewed [1/31/14](#)]

**SBA List President Dannenfelser Suggested That “Contraception And Family Planning” Are Responsible For Increasing Number Of Abortions.** According to SBA List president Marjorie Dannenfelser’s remarks at the 2011 Faith and Freedom Conference, “We are being asked to fund the number one abortion provider in the nation, an organization that says that to reduce abortions we need to increase contraception more and more and more every year, when the track record shows that there’s an inverse relation. Every year that contraception and family planning increases, the abortion rate also increases in direct proportion – not inverse. This is an undeniable fact. It happens every year.” [Dannenfelser Remarks via Faith In Public Life, [6/8/11](#)]

**Dannenfelser: “To Lose The Connection Between Sex And Having Children Leads To Problems.”** According to SBA List president Marjorie Dannenfelser, in an interview at the 2011 Faith and Freedom Conference, “The argument has been you cut Planned Parenthood, you increase

the abortion rate, when in reality you increase all that exponentially and human behavior starts to change. [...] There are a lot of underlying reasons why there is that relationship. The bottom line is that to lose the connection between sex and having children leads to problems.” [Dannenfesler Remarks via Faith In Public Life, [6/8/11](#)]

**Dannenfesler Bemoaned “Ideology Of Reproductive Health Care.”** According to the Catholic News Agency, “[SBA List president Marjorie] Dannenfesler told CNA on Feb. 27 that although those who oppose the Obama administration’s contraception mandate have been depicted as oppressive to women’s interests, many women in America actually object to the federal rule. But those who support the rule have argued that women have a right to contraception without cost and have portrayed those who oppose it as being anti-woman. [...] ‘For years, ‘Who decides?’ was the favorite incantation from the feminist movement,’ she said. While the question dodges the central issue on the topic of abortion, she explained, it is relevant to the current debate. ‘Who decides’ which is more fundamental: religious freedom or an ideology of reproductive health care?’ she asked.” [Catholic News Agency, [2/28/12](#)]

**Dannenfesler: “Majority Of Women” Support Mandatory Transvaginal Ultrasound Bills Because “They Believe...More Information Is Better.”** When Chris Matthews questioned Dannenfesler about a bill in Virginia effectively requiring women to undergo transvaginal ultrasounds before obtaining an abortion, Dannenfesler stated, “Really, this is a matter of giving a woman more information that she needs to make a decision that’s fully informed. [...] The reason the majority of women in Virginia and across the country support this is that they believe in that vulnerable spot in a very difficult place, that more information is better. And making -- there are two decisions to make. One decision is a medical decision. One is about the very contentious, very difficult decision about what is actually happening in an abortion. And that ultrasound speaks to that. It’s science. It’s a scientific opinion backing up a medical reality. And a moral --” Dannenfesler was cut off before completing her sentence. [MSNBC’s Hardball, [2/22/12](#)]

**SBA List “Targeted Pro-Life Democrats For Defeat In The Midterm Elections Because It Didn’t Consider Them Sufficiently Anti-Abortion.”** According to Mother Jones, “In other words, she’s just about the last person you’d picture as a founder of the Susan B. Anthony List, an anti-abortion political group so hardline that it targeted pro-life Democrats for defeat in the midterm elections because it didn’t consider them sufficiently anti-abortion. [...] The group has supported only one sitting Democrat in Congress in recent years—Rep. Dan Lipinski of Illinois—and has formally endorsed only two Democratic candidates for a federal election since 2003. In 2010, the SBA List specifically targeted pro-life Democrats who had voted for the health care reform law, which foes claimed provided taxpayer funding for abortions. The group ran ads against 20 pro-life Dems, and claimed credit for defeating 15 of them. It was the first time the group had actively campaigned against anyone—let alone politicians who shared the group’s views on abortion.” [Mother Jones, [2/22/12](#)]

**SBA List Spent Over \$500,000 To Support Rick Santorum’s 2012 Presidential Campaign.** According to the Center for Responsive Politics, the Susan B. Anthony List 501(c)(4) spent \$512,403 in support of GOP primary candidate Rick Santorum in the 2012 election cycle. [Center for Responsive Politics, accessed [4/18/13](#); Center for Responsive Politics, accessed [4/18/13](#); Center for Responsive Politics, accessed [4/18/13](#)]

- **Santorum: Rape Victims Should “Make The Best Out Of A Bad Situation” And “Accept What God Has Given You.”** According to a transcript from CNN’s Piers Morgan Tonight, Rick Santorum stated, “Well, you can make the argument that if she doesn't have this baby, if she kills her child, that that, too, could ruin her life. And this is not an easy choice. I understand that. As horrible as the way that that son or daughter and son was created, it still is her child. And whether she has that child or doesn't, it will always be her child. And she will always know that. And so to embrace her and to love her and to support her and get her through this very difficult time, I've always, you know, I believe and I think the right approach is to accept this horribly created -- in the sense of rape -- but nevertheless a gift in a very broken way, the gift of human life, and accept what God has given to you. As you know, we have to, in lots of different aspects of our life. We have horrible things happen. I can't think of anything more horrible. But, nevertheless, we have to make the best out of a bad situation.” [CNN’s Piers Morgan Tonight, [1/20/12](#)]

**SBA List Defended Todd Akin Following His “Legitimate Rape” Comments.** According to the Washington Post, “Republican leadership has a not so-subtle-hint for Todd Akin: They would like the Missouri Senate candidate, who remarked that ‘legitimate rape’ rarely results in pregnancy, out of the race — and sooner rather than later. [...] Pro-life groups, however, have taken a decidedly different take. Both the Susan B. Anthony List and Family Research Council have stood by Akin. They don’t see him as a politician who has made a career ending gaffe. In their view, he’s a strong abortion right opponent who articulated a tenet of the pro-life movement: Abortion should be illegal in all situations, rape included. ‘Todd Akin ... has a record of voting to protect human life,’ said Susan B. Anthony List President Marjorie Dannenfelser, reaffirming her support in a statement. He ‘has been an excellent partner in the fight for the unborn.’” [Washington Post, [8/21/12](#)]

**SBA List Defended Richard Mourdock After He Said Pregnancy From Rape Is “Something God Intended To Happen.”** According to USA Today, “Asked whether abortion should be allowed in cases of rape or incest, Mourdock said during Tuesday's debate, ‘I struggled with it myself for a long time, but I came to realize that life is that gift from God. And, I think, even when life begins in that horrible situation of rape, that it is something that God intended to happen.’ [...] The Susan B. Anthony List, a conservative group that opposes abortion rights, restated its support for Mourdock and stressed its own ad campaign highlighting Donnelly's abortion record. ‘Richard Mourdock said that life is always a gift from God, and we couldn't agree more,’ said Marjorie Dannenfelser, president of the SBA List.” [USA Today, [10/24/12](#)]

- **SBA List Spent Nearly \$75,000 To Support Richard Mourdock’s 2012 Senate Campaign.** According to the Center for Responsive Politics, the Susan B. Anthony List 501(c)(4) spent at least \$50,644 against Democratic Indiana Senate candidate Joe Donnelly, Richard Mourdock’s opponent in the 2012 election. The affiliated Women Speak Out PAC spent at least another \$13,888 in the race, and the Susan B. Anthony list’s PAC donated \$10,000 directly to Mourdock. [Center for Responsive Politics, accessed [4/18/13](#); Center for Responsive Politics, accessed [4/18/13](#); Center for Responsive Politics, accessed [4/18/13](#)]

**SBA List Donated Over \$12,000 To Michele Bachmann’s 2012 Campaign.** According to the Center for Responsive Politics, Susan B. Anthony Lists’s PAC donated \$12,166 to Michele Bachmann’s 2012 House campaign. [Center for Responsive Politics, accessed [4/18/13](#)]

- **Michele Bachmann On The Term “Gay”:** “It's Part Of Satan, I Think, To Say This Is Gay. It's Anything But Gay.” According to The Atlantic Wire, “Michele Bachmann, whose fear of gay people is well-documented, has divulged in the past that she has a member of her family who is gay, adding that such a lifestyle is ‘not funny. It's a very sad life. It's part of Satan, I think, to say this is gay. It's anything but gay.’ She went on to say that, ‘because if you're involved in the gay and lesbian lifestyle, it's bondage. Personal bondage, personal despair, and personal enslavement. And that's why this is so dangerous.” [The Atlantic Wire, [7/16/11](#)]
- **Bachmann: If Gay Marriage Is Legalized “Little Children Will Be Forced To Learn That Homosexuality Is Normal, Natural, And Perhaps They Should Try It.”** According to the Center for American Progress Action Fund, on a radio show Bachmann stated, “This is an earthquake issue. This will change our state forever. Because the immediate consequence, if gay marriage goes through, is that K-12 little children will be forced to learn that homosexuality is normal, natural, and perhaps they should try it.” [Center for American Progress Action Fund, [3/3/11](#)]

## **Funding**

**The Center To Protect Patient Rights Has Contributed More Than \$1 Million To The Susan B. Anthony List.** According to the Center to Protect Patient Rights’ 990 tax forms, CPPR has given \$1,410,000 to the Susan B. Anthony List since 2010. [Center to Protect Patient Rights IRS Forms 990, 2010-2012]

**The Wellspring Committee Has Contributed More Than \$750,000 To The Susan B. Anthony List.** According to the Wellspring Committee’s 990 tax forms, the Wellspring Committee contributed \$753,278 to the Susan B. Anthony List in 2008. [Wellspring Committee IRS Form 990, 2008]

**American Action Network Has Contributed \$20,000 To The Susan B. Anthony List.** According to American Action Network’s 990 tax forms, AAN contributed \$20,000 to the Susan B. Anthony List in 2011. [American Action Network IRS Form 990, 2011]

## **Eagle Forum**

**Eagle Forum Filed An Amicus Brief In Contraceptive Case Decrying “Ham-Fisted Attempt To Define Abortion As A Matter Of Federal Law.”** According to a brief of amici curiae filed by Eagle Forum Education & Legal Defense Fund in the Hobby Lobby and Conestoga cases, “The subsidy in question concerns drugs and devices that are abortifacients according to Plaintiffs, but contraceptives according to the Administration. Under the circumstances, *amicus* Eagle Forum respectfully submits that Plaintiffs’ right of conscience would trump the Administration’s attempt to compel them to violate their consciences, even if the Administration had the general authority to impose its mandates (which it does not). [...] With respect to the free exercise of religion, the Administration has no right to impose its orthodoxy on Plaintiffs, and its ham-fisted attempt to define abortion as a matter of federal law is wrong as a matter of federal law and basic reproductive

science.” [Brief of Amici Curiae of Eagle Forum Education & Legal Defense Fund, Inc., Filed [1/28/14](#)]

**Phyllis Schlafly Started Eagle Forum In 1972.** According to Phyllis Schlafly’s bio on EagleForum.org, “Phyllis Schlafly has been a national leader of the conservative movement since the publication of her best-selling 1964 book, *A Choice Not An Echo*. She has been a leader of the pro-family movement since 1972, when she started her national volunteer organization called Eagle Forum.” [EagleForum.org, Viewed [3/21/14](#)]

**In The 1970s, Schlafly Led A Successful Crusade Against Equal Rights Amendment.**

According to the New Yorker, “On October 12, 1971, the United States House of Representatives approved the Equal Rights Amendment by a vote of 354 to 23. Five months later, the same amendment was passed by the Senate by a margin very nearly as lopsided—84 to 8—at which point the E.R.A. was sent on to the states for ratification. Several legislatures vied to be the first to approve it. [...] Meanwhile, sitting in her living room in suburban St. Louis, Phyllis Schlafly had decided that the E.R.A. was a bad idea. Schlafly had no real organization to speak of, just a monthly newsletter that she mailed to a few thousand supporters, and it was there that she laid out her case against the amendment. [...] Exactly what seemed most ridiculous about Schlafly in the early seventies—her antiquarian views, her screwball logic, her God’s-on-our-side self-confidence—was by the end of the decade revealed to be her political strength. First the ratification process for the E.R.A. slowed, then it stalled out entirely. The last state to approve the amendment was Indiana, in January, 1977. Meanwhile, five states that had already voted to ratify rescinded their approval, a move of uncertain legal force but of ominous implications. [...] Schlafly served as the public face of STOP ERA and, just as significant, as the behind-the-scenes strategist. She organized ‘training conferences’ where she instructed her followers on how to hold press conferences, run phone banks, and infiltrate pro-E.R.A. organizations.” [New Yorker, [11/7/05](#)]

- **Eagle Forum: Equal Rights Amendment Had A “Hidden Agenda Of Tax-Funded Abortions And Same-Sex Marriages.”** According to Eagle Forum’s website, “Eagle Forum successfully led the ten-year battle to defeat the misnamed Equal Rights Amendment with its hidden agenda of tax-funded abortions and same-sex marriages.” [EagleForum.com, Viewed [3/20/14](#)]

**Eagle Forum: We Expose “Radical Feminists,” Oppose Marriage Equality, And “Honor The Fulltime Homemaker.”** According to Eagle Forum’s website, “Eagle Forum exposes the radical feminists[.] We support constitutional amendments and federal and state legislation to protect the institution of marriage and the equally important roles of father and mother. We honor the fulltime homemaker and her rights in joint income tax returns. We oppose the feminist goals of stereotyping men as a constant danger to women, while at the same time pushing women into military combat against foreign enemies.” [EagleForum.com, Viewed [3/20/14](#)]

**Schlafly: “The Feminist Movement Is The Most Destructive Element In Our Society.”** In an interview with PolicyMic’s Sagar Jethani, Phyllis Schlafly said, “The feminist movement is the most destructive element in our society. It has done nothing but damage. It has not done anything good for women, whatsoever. The worst part of it is the attitude that breeds in young women in making them think that they are the victims of the oppressive patriarchy. That is so false. If you wake up in



the morning thinking you're a victim, you're probably not going to be happy or accomplish anything.” [Phyllis Schlafly Statement via PolicyMic, [5/24/13](#)]

**Schlafly On Divorce: Radical Feminists “Think Men Are Not Necessary” And Would “Really Like To Get Rid Of Them.”** In an interview with PolicyMic’s Sagar Jethani, Phyllis Schlafly said, “Of course, radical feminists push for divorce. They think men are not necessary, and they'd really like to get rid of them. The easy divorce law should be called *unilateral divorce*: it means one spouse can break a contract, and get out of solemn promises made in public before witnesses without the consent of the other party — without any fault on the side of the other party. That is so contrary to American constitutional law. Our Constitution is supposed to uphold the sanctity of contracts, but it doesn't.” [Phyllis Schlafly Statement via PolicyMic, [5/24/13](#)]

**Eagle Forum Opposes “The Feminist Goal Of Federally Financed And Regulated Daycare.”** According to Eagle Forum’s website, “We oppose the feminist goal of federally financed and regulated daycare.” [EagleForum.com, Viewed [3/20/14](#)]

**Schlafly: Military Needs “Real Men,” “Not Girls Who Can’t Even Do Pull-Ups.”** According to Right Wing Watch, “Phyllis Schlafly has latched onto the news from December that the Marine Corps is delaying its toughened pull-up requirement for women, part of the preparation for allowing women to serve in combat roles. The delay does not mean that the Marines have lowered the strength standard for people going into combat, but don’t tell that to Schlafly. In her radio commentary on Friday, the Eagle Forum founder declared that ‘women in combat are a danger to themselves and also to the rest of the unit’ because ‘lowering our strength standards sends a message to the world that our military is not as strong as it used to be, and that it’s more important to appease the feminists than to ensure the strength of our forces.’ ‘Our enemies are tough, strong, vicious men ready to fight to the death, and we need real men to fight them, not girls who can’t even do pull-ups,’ she added.” [Right Wing Watch, [3/11/14](#)]

**Schlafly: Muslims Should Not “Be Let In This Country Unless They Renounce Polygamy” And Other “Illegal Practices Which They May Claim Are Part Of Their Religion.”** In an interview with PolicyMic’s Sagar Jethani, Phyllis Schlafly said, “We have accepted so many Muslims as legal immigrants in the last few years. I would like to know: are they required to renounce their beliefs and practices that violate our laws— specifically, polygamy? I do not think they should be let in this country unless they renounce polygamy. They have other practices that are offensive to women, practices that are illegal in this country. I don't think they ought to be let in unless they renounce their illegal practices which they may claim are part of their religion, but which we do not recognize and do not permit.” [Phyllis Schlafly Statement via PolicyMic, [5/24/13](#)]

**Eagle Forum: “Courses In Self-Esteem, Diversity, And Multiculturalism” Constitute “The Dumbing Down Of The Academic Curriculum.”** According to Eagle Forum’s website, “We oppose and deplore the dumbing down of the academic curriculum through fads such as Outcome-Based Education and courses in self-esteem, diversity, and multiculturalism.” [EagleForum.com, Viewed [3/20/14](#)]

**Eagle Forum Cites “Third World Diseases” As A Reason To Increase Border Security.** According to Eagle Forum’s website, “We support establishing English as our official language. We support immediate border security to stop the entry of illegal aliens, illegal drugs, women seeking to give birth to “anchor babies,” Third World diseases, criminal gangs, and potential terrorists. We



oppose all variations of amnesty and guest-worker visas. Our first task is to assimilate the millions of non-English-speaking foreignborn who are legal residents.” [EagleForum.com, Viewed [3/20/14](#)]

**Schlaflly: “Reinstate The House Committee On Un-American Activities.”** According to a column by Phyllis Schlaflly on WND, “The Boston bombing crime shows that comprehensive immigration reform should not be only a southern border problem or even just a problem of illegal aliens. It’s also a problem of foreigners who are admitted legally but should never have been admitted, and of others admitted legally on a visa but are not tracked to make sure they depart when their visitor’s time expires, as U.S. law requires. [...] What worries America-hating liberals and progressives is that we will wake up to the fact that our government is now importing refugees, Muslims, polygamists and other difficult-to-assimilate foreigners in unprecedented numbers. From a distance, rebels in Chechnya, Syria and Egypt might seem like freedom fighters, but they may be terrorists who have no desire to be American. It’s long overdue for Congress to have a series of hearings on the loopholes, broken promises and disobeyed laws involving both legal and illegal entry into the United States. It would be useful to reinstate the House Committee on Un-American Activities so we can have a look at those in our midst who may be jihadists, dupes of violent Muslim indoctrination, or (in old Communist lingo) fellow travelers or useful idiots.” [Phyllis Schlaflly Column via WND.com, [4/22/13](#)]

**Eagle Forum Blog: “Non-Whites, Non-Christians, And Non-Marrieds...See It As Being In Their Group Interests To Tear Down Traditional American Culture.”** According to the Eagle Forum’s blog, “America was founded by WASPs -- White Anglo-Saxon Protestants. They had nuclear families, attended church, and believed in the Protestant work ethic. Republicans are seen as believing in traditional American values. Democrats campaign largely by badmouthing traditional American values, and convincing various demographic groups that they are outside the Republican base, and hence better off voting Democrat. So non-whites, non-Christians, and non-marrieds vote Democrat out of group identifications. That is, they see it as being in their group interests to tear down traditional American culture. Democrats never persuade voters based on reason or logic. They gain voters by increasing government dependence and by promoting changes to immigration policy, family law, and schools that increase the population wanting to undermine Americanism.” [Eagle Forum Blog Post, [12/11/12](#)]

**Schlaflly On Food Stamps: “Nobody's Hungry In The United States.”** In an interview with PolicyMic’s Sagar Jethani, Phyllis Schlaflly said, “I grew up during the Great Depression, and didn't have any of these government handouts, and we grew up to be what was called the Greatest Generation. The idea of an enormous number of people getting food stamps? Nobody's hungry in the United States. I think we need to build more self-reliance. We need to build the nuclear family, in which the father is the provider and the mother is a mother.” [Phyllis Schlaflly Statement via PolicyMic, [5/24/13](#)]

**Schlaflly: Gay People “Are Demanding Is That We Respect Them As Being OK, And That's An Interference With Our Free Speech Rights.”** In an interview with PolicyMic’s Sagar Jethani, Phyllis Schlaflly said, “Now, we have no law that bans same-sex marriage. Any gay couple can get married— all they have to do is find a preacher or justice of the peace who will perform the ceremony. There's no law against that. What they are demanding is that we respect them as being OK, and that's an interference with our free speech rights. There's no obligation that we have to respect something we think is morally wrong.” [Phyllis Schlaflly Statement via PolicyMic, [5/24/13](#)]

**Schlafly: IRS Targeting Conservative Groups Was Worse Than Watergate Because “Watergate Was Just An Ordinary Little Break In To An Office.”** In an interview with PolicyMic’s Sagar Jethani, Phyllis Schlafly said, “Well, of course the IRS scandal is much worse than Watergate. Watergate was just an ordinary little break in to an office. The harassment by the IRS, particularly of those who use *Tea Party* or *Patriot* in their titles, is just a total outrage. These groups had every right to get their status approved in a couple of weeks. Instead, they were harassed for years.” [Phyllis Schlafly Statement via PolicyMic, [5/24/13](#)]

## **Funding**

**The Galbraith Foundation Has Contributed \$300,000 To The Eagle Forum.** According to the Galbraith Foundation’s 990 tax forms, the Galbraith Foundation contributed the Eagle Forum \$300,000 in 2012. [Galbraith Foundation Form 990, 2012]

**The Lynde And Harry Bradley Foundation Has Contributed \$ \$41,000 To The Eagle Forum.** According to the Lynde and Harry Bradley Foundation’s 990 tax forms, the Bradley Foundation has contributed \$41,000 to the Eagle Forum Education and Legal Defense Fund since 2002. [Lynde and Harry Bradley Foundation Forms 990, 2002-2007]

**PhRMA Has Contributed \$25,000 To The Eagle Forum.** According to the Pharmaceutical Research and Manufacturers of America’s 990 tax forms, PhRMA has given \$25,000 to the Eagle Forum since 2009. [PhRMA Form 990, 2009]

**The Bill and Berniece Grewcock Foundation Has Given \$95,000 To The Eagle Forum.** According to the Bill and Berniece Grewcock Foundation’s 990 tax forms, the Grewcock Foundation has given \$95,000 to the Eagle Forum Education and Legal Defense Fund since 1998. [Bill and Berniece Grewcock Forms 990, 1998-2007]

## **Pacific Legal Foundation (PLF)**

**Pacific Legal Foundation Joined An Amicus Brief In Support Of Hobby Lobby’s Challenge To Obamacare.** According to the amicus brief submitted by the Pacific Legal Foundation in the Hobby Lobby and Conestoga cases, “Pursuant to Supreme Court Rule 37.3(a), Pacific Legal Foundation (PLF), Reason Foundation (Reason), and Individual Rights Foundation (IRF) respectfully submit this brief amicus curiae in support of Hobby Lobby Stores, Inc., and Conestoga Wood Specialties Corporation.” [Brief of Amici Curiae of Pacific Legal Foundation, et al., Filed [1/23/14](#)]

**PLF And Other Conservative Public Interest Law Groups Were “Created As Mirror Images Of More Liberal Groups.”** According to the Washington Post, “The Scaife trusts and foundations were instrumental in launching the conservative public interest law movement. Like many of the institutions on the right, these were created as mirror images of more liberal groups -- the American Civil Liberties Union, the Natural Resources Defense Council and local activist law firms sponsored by the Legal Services Corp. Scaife's first grants in this area were made in 1974 to the Pacific Legal Foundation.” [Washington Post, [5/2/99](#)]

- **Richard Mellon Scaife Helped To Launch The Pacific Legal Foundation And “In Its Early Years Scaife Kept The PLF Alive.”** According to the Washington Post, “Scaife's first grants in this area were made in 1974 to the Pacific Legal Foundation. In its early years Scaife kept the PLF alive. Since the mid-'70s more than \$ 20 million in Scaife money has gone to the conservative public interest law movement "on behalf of a market-oriented economics system, traditional property rights and limited government," in the words of an internal memo written by a Scaife aide in December 1980.” [Washington Post, [5/2/99](#)]

**PLF Director Of Litigation: Affordable Care Act Is “A Frankenstein Experiment” To “Take Over One-Third Of The Nation’s Economy” And Designed To “Conscript Us All” Into Single-Payer Health Care.** According to a blog post written by PLF director of litigation James Burling, “And if the government wants to take over one-third of the nation’s economy through a Frankenstein experiment called the Affordable Care Act and conscript us all into what is destined to become single-payer national health care, why should we doubt the wisdom of Congress – a Congress that surely would have read the bill before passing it only if it weren’t so busy trying to fix so many other societal ills while simultaneously raising funds for the next election cycle?” [Blog.PacificLegal.org, [2/26/14](#)]

**PLF Director Of Litigation On The Supreme Court Striking Down A Key Provision Of The Voting Rights Act: “I Think This Is A Tremendous Step In The Right Direction.”** In an interview on PBS NewsHour, Pacific Legal Foundation Director of Litigation James Burling stated, “I think this is a tremendous step in the right direction. I think that we are going to continue and we must continue to have protections for minority voters in this country, but we can do it in a much more nuanced way. We can do it in a way that reflects the fact that we are right now in 2013, no longer in 1965. Times have changed tremendously, and the law must change with the times.” [PBS NewsHour, [7/15/13](#)]

**Pacific Legal Foundation Attorney Co-Bylined Op-Ed Titled “Overturn Unconstitutional Voting Rights Act” With Center for Equal Opportunity President.** According to an op-ed by Pacific Legal Foundation Staff Attorney Joshua P. Thompson and Center for Equal Opportunity President Roger Clegg titled “Overturn unconstitutional Voting Rights Act,” “Section 5 was part of the original 1965 Voting Rights Act and at the time was necessary to safeguard the rights of black voters. Southern officials were very clever in keeping one step ahead of the Justice Department in changing laws and procedures in ways that kept blacks from voting. Section 5 solved this problem by saying that no changes could be made without getting ‘preclearance’ first from the federal government. So far so good, and early challenges to the act were rejected by the courts. Times have changed, however, but -- for political reasons alone -- Section 5 has not.” [Joshua Thompson/Roger Clegg Op-Ed, [11/14/12](#)]

**PLF President: We Succeeded “In Making Governmental Agencies Think Twice Before They Do Certain Things Because They Know They Are Going To Be In Our Cross Hairs”** According to E&E Publishing’s Greenwire, “[Pacific Legal Foundation president Robin] Rivett stakes out the position of a true believer, maintaining that not only has the overall picture not improved since PLF was founded, but it's gotten worse. ‘I think government has done what government does,’ he said. ‘It grows and it can become more oppressive, and I think it has become more oppressive over the years.’ Where PLF has been successful has been ‘in making governmental agencies think twice before they do certain things because they know they are going to be in our cross hairs,’ he added.” [Greenwire, [8/17/12](#)]

**PLF Attorney On California's Tuition Benefits For Undocumented Students: "California Is Not In Sync With The Federal Mandate Against Giving Brownie Points For Being An Illegal Immigrant."** According to the Los Angeles Times, "Illegal immigrants who graduated from state high schools can continue to receive lower, in-state tuition at California's public universities and colleges, the California Supreme Court decided unanimously Monday. [...] A lawyer for the conservative Pacific Legal Foundation, which sided with the challengers in the case, said the ruling failed to acknowledge 'clear tension between federal law and the state's special financial benefits for illegal immigrant students.' The case is expected to be appealed to the U.S. Supreme Court. 'California is not in sync with the federal mandate against giving Brownie points for being an illegal immigrant,' said Ralph Kasarda, an attorney with the foundation." [Los Angeles Times, [11/15/10](#)]

- **PLF Attorney: Upholding Law Was "Affirmative Action Gone Haywire" And Would "Encourage More Illegal Immigration."** According to a paper titled "Affirmative Action Gone Haywire: Why State Laws Granting College Tuition Preference To Illegal Aliens Are Preempted By Federal Law" by Pacific Legal Foundation staff attorney Ralph Kasarda, "Numerous policy reasons forcefully argue against offering in-state tuition to adult illegal aliens in order to subsidize their college education, including the added burden that must be borne by taxpayers and the likelihood that offering this benefit to illegal aliens will encourage more illegal immigration. State action to encourage and condone illegal immigration is contrary to federal laws that make it a crime to immigrate to the United States illegally, stay in the country illegally, and to hire illegal aliens. The end result is the weakening of the rule of law, particularly since illegal aliens must resort to the violation of other laws to secure employment such as identity theft, and offering false documents to their employers." [Ralph Kasarda Paper via BYU.edu, Viewed [3/20/14](#)]

**PLF Claims To Have "Filed More Briefs In More Courts On More Different Aspects" Of The Health Care Law "Than Anyone Else."** According to a blog post by PLF principal attorney Timothy Sandefur, "PLF is the most active organization in the U.S. opposing Obamacare, having filed more briefs in more courts on more different aspects of the litigation than anyone else." [Timothy Sandefur Blog Post – PacificLegal.org, [2/13/12](#)]

**PLF Filed Its Own Challenge To The Health Care Law Claiming "Its Taxes Were Illegally Constituted."** According to the Pacific Legal Foundation's website, "While there are still many lawsuits in play challenging aspects of Obamacare in the nation's courts, only one — the constitutional challenge by Pacific Legal Foundation, *Sissel v. U.S. Department of Health and Human Services*, goes to the very heart of Obamacare — its taxes were illegally constituted." [PacificLegal.org, accessed [1/21/14](#)]

- **40 House Republicans Filed An Amicus Brief In Support Of PLF's Challenge To Obamacare.** According to The Hill, "Forty House Republicans filed a brief last week in support of a legal challenge against ObamaCare that argues the law imposes billions of dollars in new taxes but did not originate in the House, as tax bills must under the Constitution. Rep. Trent Franks (R-Ariz.) spearheaded the effort by filing a "friend of the court" brief on Friday with the U.S. Court of Appeals for the D.C. Circuit. That brief argued that ObamaCare violated the Origination Clause of the Constitution, which holds that all bills for raising revenue 'shall originate in the House.'" [The Hill, [11/12/13](#)]

## **Funding**

**Dunn's Foundation For The Advancement Of Right Thinking Has Contributed \$3,713,000 To The Pacific Legal Foundation.** According to the Dunn's Foundation 990 tax forms, Dunn's Foundation for the Advancement of Right Thinking has given \$3,713,000 to the Pacific Legal Foundation since 2002. [Dunn's Foundation for the Advancement of Right Thinking IRS Forms 990, 2002-2013]

**Sarah Scaife Foundation Has Contributed \$3,605,000 To The Pacific Legal Foundation.** According to the Sarah Scaife Foundation's 990 tax forms 990, the Sarah Scaife Foundation has given \$3,605,000 to the Pacific Legal Foundation since 1985. [Sarah Scaife Foundation Forms 990, 1985-2012]

**Searle Freedom Trust Has Contributed \$835,000 To The Pacific Legal Foundation.** According to the Searle Freedom Trust's 990 tax forms, the Searle Freedom Trust has given \$835,000 to the Pacific Legal Foundation since 2006. [Searle Freedom Trust Forms 990, 2006-2012]

## **American Civil Rights Union (ACRU)**

**American Civil Rights Union Filed An Amicus Brief In Support Of Hobby Lobby's Challenge To The Affordable Care Act.** According to an amicus brief filed by the American Civil Rights Union filed in the Hobby Lobby case, "This case is of interest to the ACRU because we are concerned to protect the rights of all Americans to religious liberty regardless of political correctness." [Amicus Curiae Brief of the American Civil Rights Union, Filed [1/28/14](#)]

**ACRU Is "A Conservative Alternative To The ACLU."** According to the Washington Times, "Robert Carleson is the chairman and Peter Ferrara is the executive director of the American Civil Rights Union, a conservative alternative to the ACLU." [Washington Times, [1/2/02](#)]

**ACRU Senior Fellow: "Without 'Religious Directives,' All Sorts Of Procedures, Up To And Including Euthanasia, Can Become Requirements If A Hospital Wants To Stay In Business."** According to an op-ed for the Washington Times by ACRU senior fellow Robert Knight, "In the ACLU's brave new world, 'religious directives' must be subordinated to an all-powerful state. That's why the ACLU has no problem with Obamacare. Without 'religious directives,' all sorts of procedures, up to and including euthanasia, can become requirements if a hospital wants to stay in business. Once the government gets total control of our health care, we can dispense with those nettlesome matters of conscience that characterize a free country." [Robert Knight Op-Ed – Washington Times, [12/5/13](#)]

**ACRU Senior Fellow Decried Statute Preventing Parents From Forcing Gay Kids Into Anti-Gay Therapy.** According to an op-ed for the Washington Times by ACRU senior fellow Robert Knight, "California's statute, which the 9th U.S. Circuit Court of Appeals upheld last week, denies the right of parents to take children to licensed therapists to deal with unwanted same-sex desires. Parents are allowed only to enlist therapists who counsel children to be 'gay.' This is America, land



of the free? Isn't it the liberals who keep telling us to stop imposing our morality on them?" [Robert Knight Op-Ed– Washington Times, [1/31/14](#)]

**ACRU Senior Fellow: “As The Moral, Marriage-Based Culture Collapses, The Government Grows Bigger To Pick Up The Pieces.”** According to an op-ed for the Washington Times by ACRU senior fellow Robert Knight, “As the moral, marriage-based culture collapses, the government grows bigger to pick up the pieces. In such a culture, it’s easy for the president and his media allies to stoke the fires of envy and spread more dependency. It works even better when the people are stoned. Having softened us up with cultural rot, the left is driving for total political control, with little effective opposition.” [Robert Knight Op-Ed – Washington Times, [1/31/14](#)]

**ACRU On Voter Fraud: “Groups On The Left...Have Been Busy At Work For Years To Undermine America's Electoral Process.”** According to the ACRU’s Election Integrity Defense Project, “Over the last few years, we have seen a jump in the number of closely-decided elections - some so close that a fairly small number of illegally cast votes have denied victory to the true winner. How did we get here? Simple. Groups on the Left — ACORN and more recently the SEIU — have been busy at work for years to undermine America's electoral process. In the early 1990s, President Obama actually ran ACORN's Project Vote in Illinois. A newly-released Freedom of Information Act inquiry revealed that the political director of Project Vote has had high-level meetings with the Obama White House and Department of Justice officials. [...] The ACRU is taking action — we are advocating that states without ballot protections pass model language — quickly! And we have constructed this site as a non-partisan, one-stop shop about voting requirements and laws in every state, pending legislation, legal battles, news and commentary and suggestions for how you can help stop vote fraud.” [ProtectYourVote.us accessed [3/20/14](#)]

**ACRU General Counsel: “Stand Your Ground Laws Only Involve The Simple Logic Of Justice.”** According to an article ACRU general counsel Peter Ferrara wrote for the American Spectator, “The point of Stand Your Ground laws is to eliminate the duty to retreat when you are attacked in public. That has now been adopted as the law in half the states. Almost every state I believe has adopted the Castle Doctrine, which says you do not have the duty to retreat from your own home when attacked there. [...] Stand Your Ground laws only involve the simple logic of justice. The attacker does not have the legal or moral right to attack the victim. The victim has the moral and should have the legal right to remain where he is if he wants to do so. But the duty to retreat says the violent attacker has the legal authority to impose a legal obligation on the victim to flee the scene. That is not moral or just.” [Peter Ferrara Article – American Spectator, [4/18/12](#)]

**ACRU General Counsel: “The Term ‘Assault Weapon’ Is Just A PR Stunt That Fools The Gullible And Easily Deluded.”** According to an op-ed Peter Ferrara wrote for Forbes, “That is because the term ‘assault weapon’ is just a PR stunt that fools the gullible and easily deluded. It is defined in legislation by cosmetic features that frighten white bread suburbanites, but do not involve any functionality of any gun. We tried it, conservatives said it wouldn't work, and it didn't work. Yet, it is the liberal answer to the Sandy Hook Elementary School massacre in Newtown, Conn.” [Peter Ferrara Op-Ed – Forbes, [12/28/12](#)]

**ACRU Senior Fellow: The Term Reproductive Health “Is Liberal Speak For Abortion-On-Demand.”** According to an op-ed for Townhall by ACRU senior fellow Ken Blackwell, “Would it be even remotely logical that Barack Obama would not want to subsidize abortion? He has been 100% pro-abortion throughout his public life—even to the point of voting in the Illinois senate not

to protect infants born alive following failed abortions. Before he won a single caucus, a single primary, candidate Obama made the obligatory stop before the Planned Parenthood convention to pledge them his undying support. He assured them that ‘reproductive health’ would be an integral part of any health care plan he offered as president. We've all been at this long enough to know that ‘reproH’ is liberal-speak for abortion-on-demand.” [Ken Blackwell - Townhall.com, [7/17/10](#)]

## **Funding**

**The Carthage Foundation Has Contributed \$450,000 To The American Civil Rights Union.** According to the Carthage Foundation’s 990 tax forms, the Carthage Foundation has given \$450,000 to the American Civil Rights Union since 2002. [The Carthage Foundation IRS Forms 990, 2002-2007]

**Sarah Scaife Foundation Has Contributed \$250,000 To The American Civil Rights Union.** According to the Sarah Scaife Foundation’s 990s, the Sarah Scaife Foundation has given \$250,000 to the American Civil Rights Union since 1999. [Sarah Scaife Foundation IRS Forms 990, 1999-2001]

**William H. Donner Foundation Has Contributed \$70,000 To The American Civil Rights Union.** According to the William H. Donner Foundation’s 990 tax forms, the Donner Foundation has given \$70,000 to the American Civil Rights Union since 1999. [William H. Donner Foundation Forms 990, 1999-2003]

**Lynde And Harry Bradley Foundation Has Contributed \$60,000 To The American Civil Rights Union.** According to the Lynde and Harry Bradley Foundation’s 990 tax forms, the Bradley Foundation has given \$60,000 to the American Civil Rights Union since 2002. [Lynde And Harry Bradley Foundation Forms 990, 2002, 2007, 2012]