



Written by [Dave Bohon](#) on July 18, 2014

Failed Senate Bill Reveals Continuing Assault on Religious Liberty

While an attempt to reverse the U.S. Supreme Court's recent Hobby Lobby ruling failed to overcome a key preliminary vote in the U.S. Senate, the effort shed light on the continuing attack on religious liberty in America. The measure, introduced by Senate Democrats Patty Murray (Wash.) and Mark Udall (Colo.), would effectively have reversed the 5-4 late June ruling by the High Court that owners of closely held companies can cite religious convictions to opt out of the ObamaCare mandate requiring employers to provide free contraceptives — including those that can cause abortion — to their employees.



“After five justices decided ... that an employer's personal views can interfere with women's access to essential health services, we in Congress need to act quickly to right this wrong,” Senator Murray said by way of the bill's introduction. “This bicameral legislation will ensure that no CEO or corporation can come between people and their guaranteed access to health care, period.”

The “[Protect Women's Health From Corporate Interference Act](#)” would have required that all businesses owners — despite religious convictions to the contrary — make available abortion-causing contraceptives to their employees.

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“An employer that establishes or maintains a group health plan for its employees (and any covered dependents of such employees) shall not deny coverage of a specific health care item or service with respect to such employees (or dependents) where the coverage of such item or service is required under any provision of federal law or the regulations promulgated thereunder,” read the legislation. With language that may well have come from Planned Parenthood's marketing department, the bill declared that “in addition to providing health benefits for women, access to birth control has been directly connected to women's economic success and ability to participate in society equally. Women with access to birth control are more likely to have higher educational achievement and career achievement, and to be paid higher wages.”

On July 16 the bill's supporters failed 56-43 to get the 60 votes needed to cut off debate and move forward to final vote. But the fact that a majority of the Senate voted to move the bill forward prompted Christian and pro-life leaders to warn that religious freedoms are still under attack in America. “While the Senate rightfully rejected this unjust bill, today is a reminder of the need to stand vigilant in defense of our God-given freedoms against those who would seek to take them away,” said Casey Mattox of Alliance Defending Freedom. “Echoing our Founding Fathers, Ronald Reagan once said that ‘freedom is never more than one generation away from extinction.’ It has been 20 years — one generation — since Congress passed the Religious Freedom Restoration Act [RFRA], and many of its sponsors have already turned their backs on our first freedom. We can be thankful for now that not enough of them did.”



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One of those to aggressively reject the RFRA, signed into law in 1993 by President Bill Clinton, was the bill's lead Democratic House sponsor, Charles Schumer, now a liberal senator from New York. Following the Supreme Court's June 30 ruling in favor of Hobby Lobby and other family owned businesses, Schumer complained that the RFRA was meant to allow private citizens to "exercise their religious beliefs without government interference," but "was not intended to extend the same protection to for-profit corporations."

But Senator Orin Hatch (R-Utah), lead Senate sponsor of the RFRA, insisted in comments before the July 16 vote on the Democrat-inspired "Protect Women's Health From Corporate Interference Act," that the Hobby Lobby case "is exactly the kind of situation [RFRA] was enacted to address, the kind of situation that should require government to justify why and how it wants to interfere with the exercise of religion."

Hatch said before the vote killing the bill that the measure "would turn the clock back, requiring that federal laws and regulations ignore rather than respect religious freedom. This is the first time in American history that Congress will consider a bill intended to diminish the protection for the religious liberty of all Americans. It is part of a broader campaign to demonize religious freedom as the enemy, as an obstacle to certain political goals."

A number of religious leaders weighed in on the measure and on the number of senators who had voted against religious liberty. Russell Moore, president of the Southern Baptist Convention's Ethics & Religious Liberty Commission, said he was "shocked that this many votes could be cast in the United States Senate against basic religious liberty for persons in the marketplace." He added in a statement to [Baptist Press News](#) that "no one should be compelled to violate his or her deepest religious convictions as the cost of doing business. That religious freedom is this controversial shows us the work we have to do in calling our leaders to recognize that religious liberty is a natural right, not a government grant."

Similarly, Jayd Henricks, director of government relations for the U.S. Conference of Catholic Bishops, said that "while the outcome of today's vote is a relief, it is sobering to think that more than half the members of the U.S. Senate, sworn to uphold the laws and Constitution of the United States, would vote for a bill whose purpose is to reduce the religious freedom of their fellow Americans. We need more respect for religious freedom in our nation, not less."

Heather Gonzalez, a spokeswoman for the National Association of Evangelicals, noted that the RFRA, which was approved in 1993 by 97 U.S. Senators, "has never been amended" in the ensuing years, "and for good reason. It encapsulates a bedrock American principle — religious liberty is our first freedom embedded in the constitution and strengthened over more than two centuries of legislation, judicial decisions, and national experience."



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