



Written by [Raven Clabough](#) on July 16, 2014

Democrats Push Bill to Undermine Supreme Court Hobby Lobby Ruling

Retaliating against the U.S. Supreme Court's ruling in favor of the Hobby Lobby, Democratic senators are pushing a new bill nicknamed "Not My Boss's Business Act." The intent of the bill is to restore the contraceptive mandate under the Affordable Care Act despite the Supreme Court's finding that business owners should not have to compromise their own religious beliefs to adhere to a policy set forth by the federal government.



The New American's Dave Bohon reported on the Supreme Court's 5-4 decision on June 30:

The ruling came in favor of two family-held companies — Hobby Lobby, owned by the Green family, and Conestoga Wood Specialties, owned by the Hahn family — both of whom had said that the mandate would represent an unacceptable moral obstacle to their businesses. Both companies faced millions of dollars in fines for refusing to make available abortion-inducing contraceptive drugs to their employees. Hobby Lobby and another company owned by the Greens faced as much as \$1.3 million in fines for CEO David Green's resolute refusal to bow to the mandate. "This legal challenge has always remained about one thing and one thing only," said Green when his company first filed suit to stop the mandate — "the right of our family businesses to live out our sincere and deeply held religious convictions as guaranteed by the law and the Constitution."

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The majority opinion cited the Religious Freedom Restoration Act asserting that the federal Department of Health and Human Services cannot force owners of Christian-based businesses to violate their convictions to adhere to the mandate.

"In holding that the HHS mandate is unlawful, we reject HHS's argument that the owners of the companies forfeited all RFRA protection when they decided to organize their businesses as corporations rather than sole proprietorships or general partnerships," wrote Justice Alito for the majority in the two cases. "The plain terms of RFRA make it perfectly clear that Congress did not discriminate in this way against men and women who wish to run their businesses as for-profit corporations in the manner required by their religious beliefs."

Unwilling to accept the Supreme Court's findings, Democrats have announced the "Protect Women's Health from Corporate Interference Act" to ensure that "no CEO or corporation can come between people and their guaranteed access to healthcare."

Democratic Senators Patty Murray and Mark Udall have nicknamed the bill the "Not My Boss's Business Act," which is actually titled the "Protect Women's Health from Corporate Interference Act." They are supported by Democrats from both chambers of Congress as well as women's rights groups. "We are here to ensure that no CEO or corporation can come between people and their guaranteed access to healthcare," Murray, of Washington state, said, speaking at the Capitol. "I hope Republicans



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will join us to revoke this court-issued license to discriminate and return the right of Americans to make their own decision about their own health care and their own bodies.”

[A PDF](#) summarizing the bill’s purpose at Senator Murray’s website states, “Contraception is a core preventative service for women, coverage of which was guaranteed by the Affordable Care Act. Yet, this June the Supreme Court held in *Burwell v. Hobby Lobby* and *Conestoga Wood v. Burwell*, that some corporations can get out of complying with the Affordable Care Act’s contraceptive coverage requirement if they have religious beliefs against birth control.”

The bill will prevent employers from refusing to cover any health coverage, to include contraceptive coverage, that is guaranteed to employees and dependents under federal law. It would state that all federal laws prohibit employers from refusing to comply with the ACA requirement, and the bill would only permit houses of worship and religious non-profits to benefit from an exemption from the contraceptive coverage requirement.

The PDF at Murray’s website referenced above cites Justice Ruth Bader Ginsburg in her dissent: “In this decision of startling breadth ... the exemption sought by Hobby Lobby and Conestoga ... would deny legions of women who do not hold their employer’s beliefs access to contraceptive coverage that the ACA would otherwise secure.”

Democrats are hoping to make the Supreme Court ruling a hot-button issue in the midterm elections and believe it may sway voters. ABC News reports, “With their control of the Senate in jeopardy, Democrats are trying to energize and awaken liberal voters who tend to sit out congressional elections.”

Senate Majority Leader Harry Reid stating that any of those who do not support the bill will be “treated unfavorably come November with the elections.”

Thirty-five Democratic senators have signed onto the legislation.

Senator Barbara Boxer of California called the Supreme Court’s decision an “outrage” at a news conference last week and announced her support for the bill. “The court’s majority has decided that corporations are entitled to more rights than individual Americans,” Boxer said, calling the majority’s ruling “ideological” and “political.”

Implementing fear tactics in an effort to arouse public support, Democrats claim that they fear that the Supreme Court ruling may set a precedent that would allow employers to deny other types of health coverage based on religious beliefs. “If bosses can deny birth control, they can deny vaccines, HIV treatment or other basic health services for employees or their dependents,” Murray said.

Udall adds that women should not be forced to have to ask for a “permission slip” to gain access to birth control. Yahoo notes that Udall is currently facing a tough reelection bid and has been an outspoken critic of his Republican opponent’s voting record on birth control and abortion.

In the U.S. of Representatives, Democratic Rep. Diana DeGette of Colorado indicated she will be introducing a companion bill. Sixty members of the House have already agreed to cosponsor the bill.

Of course, the Democrats’ bill is in direct violation of the First Amendment, which says, in part: “Congress shall *make no law* respecting an establishment of religion, or prohibiting the free exercise thereof.” (Emphasis added.) Congress is not allowed to make any law that restricts someones exercise of their religious beliefs. Period.

Republicans are accusing the Democrats of merely staging the vote as a political stunt.



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Senate Minority Leader Mitch McConnell of Kentucky asserts that the Dems are simply trying to hold a “show vote” to prepare for the midterm elections. “We’d have a better chance of working our way through the bills that we need to pass if we cut out the show votes and didn’t eat up time trying to score points for the fall election,” McConnell said.



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