

EWTN Files New Lawsuit Taking on Obama HHS-Abortion Mandate

by Michelle Johnson | Washington, DC | LifeNews.com | 10/28/13

EWTN Global Catholic Network filed a new lawsuit October 28 in Federal Court against the Department of Health & Human Services, HHS Secretary Kathleen Sebelius, and other federal agencies seeking to stop the government from imposing the HHS contraception mandate as well as asking the court to find that it is unconstitutional. The State of Alabama, through its Attorney General Luther Strange, has joined EWTN as a co-plaintiff in the lawsuit.

"EWTN has no other option but to continue our legal challenge to the mandate," said EWTN Chairman and CEO Michael P. Warsaw. "The revised rules, published by the government in July, have done nothing to address the serious issues of conscience and religious freedom that EWTN has been raising since the mandate was first published last year. The government has decided that EWTN is apparently not religious enough to be exempt from the rule. It has still placed us in a situation where we are forced to offer contraception, sterilization, and abortion-inducing drugs as part of our employee health plan or to offer our employees and their families no insurance at all. Neither of these options is acceptable. The mission of EWTN is not negotiable."

EWTN's original lawsuit opposing the mandate was filed Feb. 9, 2012, but was dismissed by Federal Judge Sharon Lovelace Blackburn on March 25, 2013. In her order dismissing the original suit, Judge Blackburn noted that the government had promised to implement a new rule addressing the issues raised by EWTN. Blackburn's opinion stated that "common sense weighs in favor of withholding judicial review until new regulations are created and finalized. At that point, if EWTN still has objections, it may then file suit."

The Department of Health and Human Services issued a new set of rules on July 23, 2013 which Secretary Sebelius claimed addressed the concerns of EWTN and other similar organizations.

"When the government opened up a period for public comment earlier this year in advance of publishing its revised rules, EWTN submitted extensive remarks and an explanation of its moral objections to the mandate," Warsaw continued. "We sincerely hoped that our concerns would be addressed. Instead, the government ignored our comments entirely and pressed forward with a rule that changed nothing. We are in the same position today as we were when the mandate was first published.

"As an organization that was founded to uphold the teachings of the Catholic Church, we do not believe that contraception, voluntary sterilization, and abortion-inducing drugs constitute health care. We simply cannot facilitate these immoral practices," said Warsaw.

"Version 2.0 of the mandate is just as bad as version 1.0," said Lori Windham, Senior Counsel at the Becket Fund, which filed both the original and new lawsuits on EWTN's behalf. "It would still force the world's preeminent Catholic network to betray publicly the very teachings it was founded to promote, and which it promotes on a daily basis."

In 2012, shortly after the first EWTN lawsuit was filed, Alabama Attorney General Luther Strange petitioned the court to join the EWTN complaint. In this new lawsuit, the State of Alabama has joined EWTN as a co-plaintiff from the start.



Commenting on this new lawsuit, Attorney General Strange said, "I am proud to stand with EWTN to oppose this unconscionable mandate. ... The freedom of religion, and to believe as one sees fit, is our 'first freedom' under the United States Constitution. The people of Alabama have recognized the importance of this freedom and have enshrined it in their

Constitution as well. Alabama law does not allow anyone to be forced to offer a product that is against his or her religious beliefs or conscience."

"EWTN is extremely grateful to Attorney General Strange for his support on this important issue. The Attorney General clearly understands what is at stake here, not just for EWTN, but for all people who feel that government cannot take away the right to religious freedom," said Warsaw.

EWTN Global Catholic Network, in its 32nd year, is available in over 230 million television households in more than 140 countries and territories. With its direct broadcast satellite television and radio services, AM & FM radio networks, worldwide short-wave radio station, Internet website www.ewtn.com, electronic and print news services, and publishing arm, EWTN is the largest religious media network in the world.

The Becket Fund for Religious Liberty is a non-profit, public-interest law firm dedicated to protecting the free expression of all religious traditions. The Becket Fund has a 17-year history of defending religious liberty for people of all faiths. Its attorneys are recognized as experts in the field of church-state law, and they recently won a 9-0 victory against the federal government at the U.S. Supreme Court in *Hosanna-Tabor v. EEOC*.