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ACLU Asks Federal Court to File “Friend of the Court” Brief in Support of Obama Administration’s Contraception Mandate

Washington, D.C. (October 23, 2013) — The American Civil Liberties Union (ACLU), which bills itself as the “nation’s guardian of liberty,” filed a motion in D.C. federal court on Monday, asking that the court grant it permission to submit a “friend of the court” brief in favor of the recently announced regulations enforcing the Obamacare contraceptive services mandate against religious organizations. In the case at issue, Priests for Life, a New York-based Catholic organization, its National Director, Father Frank Pavone, and two Priests for Life employees, including Dr. Alveda King, the niece of civil rights leader Martin Luther King, Jr., have challenged the contraception mandate, which requires certain non-exempt religious employers to provide insurance plans that promote and facilitate the use of contraceptives, abortifacients, and related services.

Even though two of the plaintiffs in the case, including Dr. King, are women, the ACLU is arguing that forcing religious organizations to abide by the mandate – even in violation of their sincerely held religious beliefs – would promote gender equality and prevent discrimination against female employees. The ACLU motion, which purports to argue for “gender equality,” does not explain why women who have religious objections to the Obamacare contraception mandate are not deserving of the First Amendment’s religious liberty protections.

The American Freedom Law Center (AFLC), a national nonprofit Judeo-Christian law firm, which is representing the plaintiffs, filed an opposition late yesterday to the ACLU’s motion, arguing that it is facially deficient and meritless, in part because the ACLU seeks to intercede on behalf of the Obama administration, which, through the Department of Justice and its army of lawyers, has already mounted a vigorous defense of the mandate. In addition, AFLC pointed out that ACLU’s notorious pro-abortion and anti-Christian bias would serve no purpose in the case’s adjudication.

David Yerushalmi, AFLC Co-Founder and Senior Counsel, commented: “The ACLU has a longstanding history of filing *amicus* briefs to further its political agenda and fundraising objectives. Here, the ACLU seeks to rehash the same incoherent arguments already posited by the Department of Justice in the nearly 100 pages of briefing. Indeed, the ACLU’s arguments are a pale version of the government’s brief, but with the literary angst of a political lobbyist flexing its strong bias in favor of the contraception mandate. In effect, the ACLU brief is little more than a ‘me too’ underscored by a ‘we really mean it!’”

Robert Muike, AFLC Co-Founder and Senior Counsel, commented: “This is not the first time the ACLU has engaged in the abusive practice of filing – or seeking to file – redundant and overly partisan briefs. Indeed, it is rather ironic that a so-called ‘guardian of liberty’ elevates its political ideology above the Constitution. Here, the ACLU is siding with Obama and his attack on the First Amendment in order to support its secular, liberal objectives, which ultimately promote the culture of death.”

Fr. Frank Pavone commented: “I’m not surprised by the ACLU’s attempt here to line up against Priests for Life. This is yet another example of how far removed from ‘civil liberties’ that organization has become. Whether their *amicus* brief is accepted or not, they are on the losing side of this case, which is all about preserving liberty.”

The case, *Priests for Life, et al. v. the Department of Health and Human Services, et al.*, is pending in the U.S. District Court for the District of Columbia.

The ***American Freedom Law Center*** is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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