



Testimony of Natalie L. Decker, Legal Counsel
House Bill 15-1037
House Education Committee
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My name is Natalie L. Decker. I am an attorney and legal counsel with Alliance Defending Freedom, an alliance-building non-profit legal organization with offices around the world and right here in Colorado. I am a graduate of the University of Colorado and have spent many years as a student and later as an instructor there. I have actively practiced law in Colorado since 1997.

Alliance Defending Freedom's University Project focuses on protecting the constitutional rights of students, faculty, and staff at public universities. Alliance Defending Freedom has advised and represented hundreds of students and student groups at public colleges and universities across the country involving a variety of situations, including many in which colleges have punished student groups for choosing leaders based on shared beliefs. Several of those student groups have been at public universities here in Colorado.

A few years ago Alliance Defending Freedom assisted a religious student group at CU-Boulder that was investigated by the administration and threatened with expulsion because it wanted to select leaders who shared the group's religious beliefs. It took months of negotiating with campus administrators to ensure the group could remain on campus. Had House Bill 1037 been the law of Colorado, the student group would not have had this problem.

House Bill 15- 1037 will protect the right of religious students to come together for a common cause and select their leaders based on shared beliefs and faith by prohibiting public universities from denying religious student groups benefits that are provided to non-religious student groups solely on the bases that the religious student group requires its leaders to adhere to the group's sincerely held religious beliefs or standards of conduct. As the United States Supreme Court has said repeatedly, public universities are the "marketplaces of ideas."¹

¹ *Healy v. James*, 408 U.S. 169, 188 (1972).

Student groups play an important role in that marketplace and are often the highlight of a truly diverse student body. There are a variety of student groups that students encounter while in college-- some that advocate for important social causes, some that promote social activities on campus, and some that bring together students with common interests, values or beliefs.

However, religious student groups play a unique role on college campuses. They provide a home away from home for many students, somewhere they can go to deepen their faith or discover a new one. Protecting these religious student groups and their decisions to select leaders who will clearly teach the views of the organization promotes the “marketplace of ideas” and a diverse campus, and is simply common sense.

House Bill 1037 protects the ability of student groups to select leaders who will sustain their groups’ messages and thereby add to the diversity of thought and belief on campuses. In fact, other non-religious student groups are already permitted to select leaders based on shared beliefs. We would never think that an environmental student group should be led by someone who is not an environmentalist, or that the College Democrats should be led by a conservative Republican. But religious student groups are being singled out by public university non-discrimination policies and not allowed to exercise their First Amendment religious liberty, while environmental groups or political groups can exercise their First Amendment freedom of speech and association.

For example, when Hillel, a Jewish student group, requires student leaders who teach the Torah to be Jewish, it assures the group that its message will be consistent and clear on campus. This type of selectivity is not invidious discrimination—rather, it simply ensures that the group can continue to share the message it was founded to support.

House Bill 1037 does not exclude any student from joining or participating in a religious group, nor does it give any such student groups the right to exclude any student from attending or membership in such groups. The bill simply protects the right of student groups to *choose its own leaders*.

Regardless, there is no constitutional rule that requires all students be permitted to join all student groups. Nor is there any constitutional rule that requires all students be

permitted to be a *leader* in any student group. In fact, many states have passed laws similar to House Bill 1037, including Arizona, Idaho, North Carolina, Ohio, Oklahoma, Tennessee and Virginia.² None of these laws have, to our knowledge, even been challenged, let alone held to be unconstitutional. Each of these states passed their bills in response to problems experienced by religious student groups in their state. Colorado students have experienced the same problems.

One goal of our Nation's system of higher education is to teach future leaders how to function in our diverse society. By enabling student groups to preserve their beliefs and select leaders who share in those beliefs, House Bill 1037 sends a positive message to students—that they can learn to coexist with people who they disagree with. It will protect students of faith and assure that Colorado's public universities are “marketplaces of ideas” where religious student groups are equally welcome on campus.

The committee should approve this measure. Thank you.

² See, e.g., Ariz. Rev. Stat. § 15-1863; Idaho Code § 33-107D; N.C. Gen. Stat. §§ 115D-20.2; 116-40.12 (2015); Ohio Rev. Code § 3345.023; Okla. Stat. tit. 70, § 2119.1 (2015); Tenn. Code Ann. § 49-7-156; Va. Code Ann. § 23-9.2:12.



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**HOW THEN SHALL WE LAWYERS LIVE?
By Michael J. Norton
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James Madison: “Conscience is the most sacred of all property.”

America has always recognized our conscience right not to be forced by the government to violate our religion. We have provided exemptions for individuals who could not fight in the military, work on certain days of the week, pledge allegiance to our flag, be involved in capital punishment, or be involved in abortions.

That is because our Founders placed the individual’s relationship with God above his obligation to the state. Self-evident truths were endowed to all by the Creator.

The first right mentioned in the First Amendment is religious freedom, which protects the right not to be compelled to act in violation of personally held moral convictions, including the right to refuse to participate in an abortion in violation of one’s conscience with respect to government actions. As the Supreme Court has said, if there is any fixed star in our constitutional constellation it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion. *West Virginia State Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943) (holding a statute requiring recitation of the pledge of allegiance unconstitutional).

The pivotal case in the Religion Clause court case is *Employment Division v. Smith*, 494 U.S. 872 (1990). In *Smith*, the U.S. Supreme Court ruled that any neutral and generally applicable law which impacts religion will nevertheless be upheld as constitutional.

Before *Smith*, the Supreme Court had held that, in order for a law to be upheld: (a) there must be a sincerely held religious belief negatively impacted or burdened by some government rule or regulation; (b) the government must have a compelling governmental interest for the restriction; and (c) the government must achieve its interest by the least restrictive means available. *Sherbert v. Verner*, 374 U.S. 398, 404 (1963) (plaintiff’s religious exercise was impermissibly burdened when plaintiff was forced to “choose between following the precepts of her religion [by resting, and not working, on her Sabbath] and forfeiting [unemployment benefits, on the one hand, and abandoning one of the precepts of her religion in order to accept work, on the other hand]”) and *Wisconsin v. Yoder*, 406 U.S. 205, 218 (1972) (members of the Amish religion were forced to select

between educating their children as their religion demanded and facing criminal prosecution, or sending their children to school in contravention of their religious beliefs). The Supreme Court's decision in *Smith* made it much more difficult to rely upon the Free Exercise clause to protect conscience rights. In *Smith*, the Court held that Congress could apply a law prohibiting the transportation of peyote even against Native American tribes that used the drugs in religious rituals. The Court reinterpreted its previous Free Exercise decisions and held that "neutral and generally applicable" laws would not normally violate the First Amendment, even if they impaired religious exercise in a given application. After *Smith*, Free Exercise claimants seeking exemption from a "neutral rule of general applicability" were entitled only to a rational basis review.

In *Smith*, the U.S. Supreme Court virtually eliminated the requirement that the government justify burdens on religious exercise if the burdens were imposed by laws neutral toward religion. *Smith* held that, under the First Amendment, "the right of free exercise does not relieve an individual of the obligation to comply with a valid and neutral law of general applicability." Congress intended RFRA "to restore the compelling interest test as set forth in *Sherbert v. Verner*, 374 U.S. 398 (1963) and *Wisconsin v. Yoder*, 406 U.S. 205 (1972) and to guarantee its application in all cases where free exercise of religion is substantially burdened." 42 U.S.C. § 2000bb(b)(1). So-called "neutral" laws are those that do not directly mention or target religion, such as: employment non-discrimination laws, accommodation laws, professional licensing laws, abortion-producing drug mandates, zoning laws, etc.

RFRA defines the "exercise of religion" broadly as "any exercise of religion, whether or not compelled by, or central to, a system of religious belief." 42 U.S.C. § 2000bb-2(4); 42 U.S.C. § 2000cc-5

Thus, after *Smith*, a law would be upheld, if it was: (a) generally applicable, *i.e.*, applied to everyone; and (b) neutral in its application, *i.e.*, applied to everyone the same. After *Smith*, the only time a law would be struck down as in violation of the Religion Clauses is if the law specifically targeted religion for discriminatory treatment or if the violation of religious liberty is combined with a violation of another right, usually a violation of a free speech right.

Because laws "neutral" toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise, Congress, concluding that governments should not burden religious exercise without compelling justification, responded to the Supreme Court's *Smith* decision by passing the Religious Freedom Restoration Act. The bill, passed in 1993, was signed into law by President Clinton.

The Religious Freedom Restoration Act ("RFRA"), originally applicable to both the federal government and state governments, restored the "compelling interest test" to a court's review of governmental actions impacting religion. RFRA forbids the government from "substantially burden[ing] a person's exercise of religion even if the burden results from a rule of general applicability" unless the government "demonstrates that the application of the burden to the person (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest." 42 U.S.C. § 2000bb-1(a), (b).

However, in *City of Boerne v. Flores*, 521 U.S. 507 (1997), the U. S. Supreme Court held that RFRA could not be applied to state laws. Thus, state religious freedom protections that were weakened by the Smith decision were not protected by the federal RFRA.

States are free to restore the religious freedoms once protected by the "compelling interest test." In fact, 16 states have enacted state RFRA's, either legislatively or by constitutional amendment, and 12 others have court decisions which effectively provide the same level of protection.

RELIGIOUS LIBERTY UNDER ASSAULT

Over the last century, our culture has so divorced God from public affairs that our leaders take the position that if He does exist it should be presumed that He does not. There is thus no longer any coherent basis for human rights, law, or religious freedom. For example, EEOC head Chai Feldblum says about the clash of religious liberty and sexual orientation that she cannot think of a circumstance where religious liberty should win. Cass Sunstein and other liberal law professors have openly suggested that there is no justification for exempting churches from nondiscrimination rules even as to their clergy – specifically that gender nondiscrimination rules should be applied to require the Catholic Church to hire female priests.

Individuals who affirm the sanctity of life have been under increasing threat by government to their liberty of conscience, including compelled provision of prescriptions for contraceptives, abortifacients, sterilization, or even abortions.

Conservative and Christian attorneys can and should have an enormous impact on the law. There is increasing concern with the absence of religious observance in public education, the inclusion of secularism and humanism in public education, the erosion of traditional sexual mores, and the availability of abortion.

The great life and death issues of our time – such as, abortion, infanticide, suicide, and euthanasia – all turn on the question of whether human life is intrinsically good or merely instrumentally good.

If life is intrinsically good, then all life has value and dignity and human beings ought not to be judged by what they can do, or how they feel, or what another judges their quality of life to be. Rather, such beliefs ought to be so self-evidently true and should therefore be morally inviolable.

In *A Christian Manifesto* by Francis Schaffer, written in response to the *Humanist Manifestos I and II*, Schaffer urged Christians to form a “co-belligerency” with like-minded Catholics, Mormons, and Jews to rescue the culture from the advance of postmodernism and its consequences for society. In 1981, Schaffer focused on lawyers when he asked, “Where were the Christian lawyers during the crucial shift from forty years ago to just a few years ago?”

And that, of course, where the **Federalist Society** comes in. The Federalist Society is an organization of conservatives and libertarians seeking reform of the current American legal system in accordance with a textualist or originalist interpretation of the U.S. Constitution. The Federalist Society began at Yale Law School, Harvard Law School, and the University of Chicago Law School in 1982 as a student organization that challenged what its members perceived as the orthodox American liberal ideology found in most law schools.

The Society asserts that it “is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be.”

That is also where **Alliance Defending Freedom** fits in. Recognizing the need for a strong, coordinated legal defense against growing attacks on religious freedom, more than 30 prominent Christian leaders launched Alliance Defending Freedom in 1994. Over the past 18 years, Alliance Defending Freedom has brought together thousands of Christian attorneys and like-minded organizations that work tirelessly to advocate for the right of people to freely live out their faith in America and around the world.

It serves to fund precedent setting First Amendment-religious liberties cases, to train attorneys to find and litigate such cases, and to coordinate strategy with other like-minded organizations in cases concerning issues of importance in religious freedom, sanctity of life, and family values. ADF’s ultimate purpose is to provide the legal resources to keep the doors open for the Spread of the Gospel. In other words, ADF and its member attorneys, including me, seek to advance the Gospel in the courts of America. That means, in Niebuhr’s context, that the attorneys associated with ADF are classically involved in seeking to transform culture, using the

tools available in culture, *i.e.*, the courts, to do so. I think Saint Paul, Augustine, Calvin, Jonathan Edwards, and maybe even Karl Barth would approve.

Alliance Defending Freedom and its allies have won 8 out of every 10 cases litigated to conclusion, including 38 precedent-setting victories at the United States Supreme Court and hundreds more in the lower courts.

Recent Religious Liberty Court Cases

HHS Abortion Pill Mandate Cases

Alliance Defending Freedom has been in the forefront of challenges, for both for profit businesses and religious non-profit organizations, of the Obama Administration's HHS Abortion Pill Mandate.

On June 30, the United States Supreme Court ruled, in *Conestoga Wood Specialties v. Burwell* and *Burwell v. Hobby Lobby Stores*, that the Hahn family (which operated Conestoga Wood Specialties) or the Green family (which operates Hobby Lobby and Mardel) could not be forced to include abortion drugs and devices in their employee health insurance plans. In other words, Americans do not surrender their freedom when they open a family business.

Fellowship of Catholic University Students (FOCUS) is just one of the religious non-profit organizations that Alliance Defending Freedom represents. FOCUS was founded in 1998 as an outreach to students at colleges and universities in North America and around the world. The organization's sincere religious beliefs forbid it from facilitating the provision of abortion-inducing drugs, contraception, or sterilization through the generous health insurance coverage it offers to its employees. FOCUS staff members voluntarily take an Oath of Fidelity to be faithful to Catholic teaching and promise "to always preserve communion with the Catholic Church."

Alliance Defending Freedom represents FOCUS in its lawsuit that challenges the Obama administration's abortion pill mandate, which forces employers, regardless of their religious or moral convictions, to provide insurance coverage for abortion-inducing drugs, sterilization, and contraception under threat of heavy penalties if the mandate's requirements aren't met.

On April 23, 2014, a federal court issued an order that halts enforcement of the Obama administration's abortion pill mandate against FOCUS.

Alliance Defending Freedom attorneys and allied attorneys are litigating numerous other similar lawsuits against the abortion-pill mandate across the country, including a case that was just decided in favor of our clients by the United States Supreme Court. These lawsuits represent a

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large cross-section of Protestants and Catholics, who object to the mandate. ADF's most recent summary of results in lawsuits against the HHS abortion-pill mandate is attached.

Newland v. Sebelius

Armstrong v. Sebelius

Briscoe v. Sebelius

Fellowship of Catholic University Students

James Dobson/Family Talk

Little Sisters of the Poor – in the 10th Circuit

The Lakewood Baker

Norton v. Hickenlooper

Qui Tam Cases

Samuel Adams: "Let us remember that if we suffer tamely a lawless attack on our liberty, we encourage it, and involve others in our doom. It is a very serious consideration, which should deeply impress our minds, that millions yet unborn may be the miserable sharers of this event."



THE OBAMA ADMINISTRATION'S ATTACKS ON RELIGION AND RELIGIOUS FREEDOM

DIRECT ATTACKS ON RELIGION AND RELIGIOUS FREEDOM BY THE OBAMA ADMINISTRATION

1. Issued a mandate under Obamacare requiring religious organizations to provide abortion-inducing drugs, sterilizations, and contraceptives free of charge to their employees in direct violation to the organization's beliefs, and also forced faith-based businesses to do so as well or face massive financial penalties.¹ After a public outcry, the administration announced an "accommodation" that requires insurance companies to pay for these services, even though the organizations/businesses are still paying the insurance premiums that will ultimately pay for these "free" drugs.²
2. Overturned Department of Health and Human Services (HHS) protections for health care workers, which protected them from being forced to participate in abortions and other activities that would violate their sincerely-held religious beliefs.³
3. Pledged to sign the Employment Non-Discrimination Act (ENDA) into law – interfering with the right for religious employers to choose their employees.⁴
4. Appointed radical homosexual activist Chai Feldblum to the position of commissioner on the Equal Employment Opportunity Commission (EEOC). Feldblum is on record saying: "...we should ... not tolerate private beliefs about sexual orientation and gender ... Protecting one group's identity may, at times, require that we burden others' belief liberty ... it is essential that we not privilege moral beliefs that are religiously based over other sincerely held, core, moral beliefs."⁵
5. Announced that the Attorney General will no longer defend the federal Defense of Marriage Act (DOMA), signed into law by President Clinton in 1996.⁶ He later announced his support for same-sex "marriage."⁷
6. Signed into law the so-called "Hate Crimes" law, which has been a precursor to the silencing of religiously-based speech regarding sexual behavior.⁸
7. Advocated for and repealed the military "Don't Ask, Don't Tell" policy with no religious liberty exceptions, resulting in serious religious liberty implications for military chaplains and all service members of faith.⁹
8. Modified Department of Housing and Urban Development (HUD) guidelines – forcing landlords to violate their conscience.¹⁰
9. Designated "religious public service" as the only public service that will not be counted as payment towards student loans.¹¹
10. Revoked a grant to the U.S. Conference of Catholic Bishops which had used the funds over a ten-year period to effectively combat human sex trafficking because of the bishops' objections to abortion.¹²
11. Repealed President Ronald Reagan's "Mexico City Policy," which denied federal funding to organizations that perform abortions overseas.¹³
12. Argued in *Hosanna-Tabor v. EEOC* that the government could interfere with the internal faith and mission of religious organizations and churches. The U.S. Supreme Court ruled 9-0 against this attempt to attack religious freedom.¹⁴
13. Changed "freedom of religion" to "freedom to worship," a lexicon shift that could limit religious freedom outside the four walls of the church.¹⁵

14. Ordered the removal of a monogram symbolizing Jesus before speaking at Georgetown University. ¹⁶
15. Refused to host the National Day of Prayer at the White House. ¹⁷
16. Nominated three pro-abortion ambassadors to the Vatican, which rejected all three. ¹⁸
17. Omitted, on at least three occasions, the mention of the Creator in the Declaration of Independence. ¹⁹
18. Misquoted the national motto, "In God We Trust," saying it was "E pluribus Unum." ²⁰
19. Neglected to fill the position of religious freedom ambassador for almost two years. Finally relented after public and congressional pressure. ²¹
20. Opposed inclusion of President Franklin Roosevelt's "D-Day Prayer" as part of the World War II Memorial, saying it would "dilute" the memorial. ²²
21. Declined to make any religious references in his annual Thanksgiving speech. ²³
22. Promoted the demands of the homosexual agenda over the religious beliefs of other nations, calling those beliefs an "obstacle" to homosexual "rights." ²⁴
23. Ignored a U.S. Supreme Court decision ordering the Mojave World War I cross memorial to be re-erected. ²⁵
24. Disputed the granting of asylum to a German homeschooling family who had taken refuge in the United States to escape Germany's mandatory public education laws, stating that Germany's law "fails to violate the family's fundamental rights." If sent back to Germany, the parents face huge fines, criminal penalties, and the possible loss of custody of their five children. ²⁶
25. Became the first sitting president to address a Planned Parenthood conference, telling the abortion giant, "Thank you, Planned Parenthood. God bless you." ²⁷
26. After the Food and Drug Administration approved the over-the-counter sale of the Plan B abortion pill to 15 year old girls, President Obama said he was "comfortable" with the decision. ²⁸
27. Issued new Department of Justice workplace guidelines entitled "LGBT Inclusion at Work: The 7 Habits of Highly Effective Managers" which require that DOJ employees affirm homosexual behavior and state that "silence" means "disapproval." These guidelines could threaten future advancement for those who do not express "support" for those who engage in homosexual behavior. ²⁹
28. Approved the over-the-counter sale of the abortion-inducing "Plan B morning after pill" for girls of any age, pleasing abortion advocates who claimed it was a victory for "reproductive justice" while invading and undermining parental rights. ³⁰
29. Announced that he "strongly objected" to an amendment protecting religious freedom and freedom of conscience for members of the military. Rep. John Fleming (R-LA), the author of the amendment said, "*This administration is aggressively hostile towards religious beliefs that it deems to be politically incorrect.*" ³¹
30. After being introduced by two third-grade girls asked their lesbian "moms" be allowed to "marry," the President said: "...if we are truly created equal, then surely the love we commit to one another must be equal as well." ³²
31. Speaking at Belfast, Ireland's Waterfront Hall to 2,000 young people at the G8 Summit, President Obama attacked Catholic and Protestant schools, saying: "*If towns remain divided – if Catholics have their schools and buildings and Protestants have theirs, if we can't see ourselves in one another and fear or resentment are allowed to harden – that too encourages division and discourages cooperation.*" ³³ American Catholics for Religious Freedom responded: "*Secular progressives like President Obama ignore the truth that faith-based education is a component of the religious freedom guaranteed by the Constitution.*" ³⁴
32. In remarks to "Gays and Lesbians in Foreign Affairs Agencies," Secretary of State John Kerry said, "*And the fact is that we have an administration... that I am proud to say no longer defends the constitutionality of DOMA.*" He added that supporting the demands of the homosexual agenda "*isn't an aberration... This isn't some step out of the mainstream. It's actually the mainstream is out of step of what ought to be the mainstream.*" ³⁵
33. Awarded the highest medal that can be given to a civilian, the Presidential Medal of Freedom, to militant feminist Gloria Steinem, who proudly wore a T-shirt stating, "*I Had an Abortion*" as part of a Planned Parenthood advertising campaign. ³⁶

OTHER ATTACKS DURING THE OBAMA ADMINISTRATION

1. The Air Force Rapid Capabilities Office removed "God" from their patch after pressure from the Military Association of Atheists and Freethinkers. ³⁷

2. Walter Reed National Military Medical Center prohibited the use of religious items during visits. Officials reversed the policy after meeting with members of the Congressional Prayer Caucus.³⁸
3. The Air Force Academy rescinded support for Operation Christmas Child, a Christian charity that sends gifts to impoverished children from around the world, saying only Christian cadets could know about the program and their opportunity to participate.³⁹
4. The Air Force Chief of Staff ordered commanders to no longer tell Airmen of the Chaplain Corps program.⁴⁰
5. The Air Force stopped an ethics briefing that included Biblical and religious references – a brief that had been used for more than 20 years – after complaints from the Freedom from Religion Foundation.⁴¹
6. The Department of Veterans Affairs halted the mention of God at flag folding ceremonies at veterans' funerals. The department backed off after complaints.⁴²
7. Regional Directors for the National Labor Relations Board declared that St. Xavier University in Chicago, Manhattan College in New York, and Duquesne University in Pennsylvania, all Catholic institutions, were not “sufficiently religious” to be exempt from federal labor laws.⁴³
8. The EEOC ruled that Belmont Abbey College, a Catholic institution, engaged in “gender discrimination” because the college refused to pay for birth control as part of its employees’ health care plan.⁴⁴
9. The Pentagon hired Mikey Weinstein, head of the “Military Religious Freedom Foundation” as a consultant to the military on “religious tolerance.” Weinstein has compared Christian evangelism to “spiritual rape” and has called for the court-martial of chaplains who share the Gospel during spiritual consulting of American troops.⁴⁵

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³ “HHS Replaces ‘Conscience Rule’ for Health Workers,” Associated Press, February 18, 2011.

⁴ “Obama Administration Supports Inclusive ENDA in House Testimony,” National Gay and Lesbian Chamber of Commerce. <http://www.nglcc.org/BIZ/advocacy/endahousehearing>.

⁵ Chai R. Feldblum, “Moral Conflict and Liberty: Gay Rights and Religion,” *Brooklyn Law Review*, Vol. 72, No. 1, 2006, p.120.

⁶ “Obama Administration Will No Longer Defend DOMA,” *CBS News*, February 23, 2011.

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¹⁰ Kathleen Gilbert, “Feds: Housing Programs Must Accept Transgender, Homosexual Applicants,” *LifeSiteNews.com*, January 31, 2012.

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²¹ Dan Gilgoff, “Obama Re-Appoints Religious Freedom Ambassador Amidst Controversy,” *CNN*, February 8, 2011.

²² Todd Starnes, “Obama Administration Opposes FDR Prayer at World War II Memorial,” *FoxNews.com*, November 4, 2011.

²³ Joel Siegel, “Obama Leaves God Out of Thanksgiving Speech, Riles Critics,” *ABCNews.com*, November 25, 2011.

²⁴ “Hillary Clinton Declares ‘Gay Rights are Human Rights,’” *BBC.com*, December 7, 2011.

²⁵ “Veterans Sue Obama Over 76 Year Old War Memorial: VFW Wants Obama to Restore Mojave Desert Cross,” *PRNewswire.com*, January 11, 2011.

²⁶ Mary Jackson, “Christian Homeschoolers Losing Deportation Fight,” *World*, February 13, 2013.

²⁷ “President Obama Becomes First Sitting President to Address Planned Parenthood,” April 26, 2013, See <http://www.plannedparenthood.org/about-us/newsroom/press-releases/obamas-historic-speech-41247.htm>.

²⁸ Abby Phillip, “Obama Backs ‘Plan B’ Pill for Teen Girls,” *ABCNews.com*, May 2, 2013.

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