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Truth will ultimately prevail where there is pains to bring it to light.
George Washington

The Supreme Court Upholds Obamacare

On Thursday, the Supreme Court [issued](#) one of the most pivotal rulings in decades. In a stunning 5-4 ruling, the Justices decided to uphold the majority of the Affordable Care Act (Obamacare). Chief Justice John Roberts sided with the four liberal Justices and wrote the majority opinion as well. In March, the Supreme Court heard an unprecedented three days of oral arguments about the constitutionality of the healthcare law in four different areas: the individual mandate, the severability issue, the applicability of the Anti-Injunction Act, and whether states could lose Medicaid funding for non-compliance with the healthcare law. Although the majority rejected the Administration's assertion that the Commerce Clause gave the legislative branch the power to enact the individual mandate, Justice Roberts held that the Obamacare penalties for non-compliance were [taxes](#). Since Congress does have the power to levy taxes, the law was upheld on that basis. Critics of the decision point to President Obama's unequivocal statement that the penalties were "absolutely not a tax increase." Justice Roberts [cautioned](#) that the Court was not determining the fairness of the tax in question. The Court did not need to address the severability issue or Anti-Injunction Act argument once the penalty was deemed to be a tax. The decision did address the Medicaid expansion that 26 states argued represents an unfunded mandate. States can lose a portion of new funding for failure to meet the healthcare law requirements, but the federal government is prohibited from withholding all of their funding. In his dissent, Justice Anthony Kennedy opined that "states must choose between expanding Medicaid or paying huge tax sums. . . for the sole benefit of expanding Medicaid in other states." Finally, this nuanced ruling did not alleviate the myriad of pro-life, religious liberty, and economic concerns. As many have noted, the 2700 page law directs the Secretary of Health and Human Services to write scores of new regulations. Senator Jim DeMint stated that the national takeover of the health care system is troubling and should present a "clear contrast" between the two Presidential candidates and their positions in the upcoming election. The Senator expressed optimism that Americans will be [galvanized](#) to become involved in politics and make their voices heard at the ballot box.

Public Comments on HHS Mandate

On June 19, the public comment [period](#) ended for the Health and Human Services preventive services mandate (commonly known as the contraceptive mandate). The mandate was a result of an Obamacare directive to provide preventive services to women with no cost sharing and no co-pay. The Institute of Medicine recommended to HHS that a number of services including contraception, abortifacients, and sterilization be included in employer's health plans. After the Department of Health and Human Services issued the preventive services mandate, religious and faith-based organizations were dismayed to learn that they would be forced to cover a number of morally objectionable services if they did not meet the exceedingly narrow HHS definition of a religious employer. After public outcry over the religious employer definition, the President announced a "fig leaf accommodation" that was intended to ameliorate the concerns about the four part litmus test that religious employers would be subjected to as

a result of the rule. The so-called accommodation shifted the burden to offer contraceptives, abortifacients, and sterilizations to third party administrators. Over 63,000 public comments were submitted to HHS in response to the Advanced Notice of Proposed Rulemaking issued in March of this year. The National Association of Third-Party Administrators, who would be forced to offer the “free” services, commented that the proposed accommodation was “not viable as a matter of law.” Opposition to the mandate [remains](#) strong as evidenced by the more than 40,000 negative comments made by the public. The AACCS Legislative Office submitted public comments delineating how this mandate infringes on our members’ religious liberty.

Christian Students Face Discrimination

The Alliance Defense Fund has filed suit on behalf of Florida Christian College students who were not allowed to participate in the Florida Resident Access Grant program. The students were informed that they were ineligible because Florida Christian had a “religious purpose.” Lawyers for the students [contend](#) that this prohibition is a violation of the Free Exercise clause of the First Amendment. The Free Exercise Clause states that there should be no penalty for the exercise of religion. The state attorneys have asked for a dismissal of this case. The Alliance Defense Fund will continue to appeal this case.

Districts Attempt to Limit Teacher-Student Digital Contact

News reports of inappropriate teacher-student contact are leading school districts to grapple with the difficult task of crafting guidelines that address this growing problem. Advances in technology allow teachers to remind students about assignments via text, form online study groups, utilize web-based applications to facilitate ease of grading and parental communication, etc. In Florida, the Hernando County School Board is set to vote on a teacher-student texting ban by July 31. Louisiana lawmakers approved a law that requires monitoring of all teacher-student electronic interaction through non-school issued devices. Finally, Minnesota school districts have issued guidelines that stress transparency and professionalism in teacher-student interactions.

Pro-life Groups Celebrate Groundbreaking Surgery Implications

When a prenatal visit revealed that their preborn daughter had oral teratoma (a benign tumor located in the mouth), the Gonzalez family was faced with a difficult decision. Their physician suggested that they abort their unborn daughter. The family rejected his advice and instead chose to pursue [surgery](#) in utero. Dr. Rueben Quintero and his staff at the University of Miami performed surgery on the unborn, 17-week-old child. Dr. Quintero invented some of the instruments used in the groundbreaking surgery. Lyna Gonzalez was born without complications and only bears a small scar which serves as a reminder of her ordeal. Monica Rafie, spokesman for a pro-life organization that provides support for parents given poor prenatal diagnoses, noted that “this is what happens when we allow ourselves to focus on the unborn baby as a patient and person—extraordinary, life-saving medical procedures.”

In Case You Missed It:

[Weekly Market Update](#) provided by Jeff Beach of the [AACCS Investment Team at Merrill Lynch](#)

[More Evidence of Anti-Conservative Bias in Education](#)

[Planned Parenthood Halts Plans for Michigan Abortion Facility](#)

[VIDEO: Education Chairman John Kline on Newsmakers](#)