

From: Bill Dempsey <billdempsey@sycamoretrust.org>
Subject: Abortifacient/contraceptive mandate
Date: December 3, 2017 at 4:17:01 PM EST
To: "Jenkins Rev. John I." <jjenkins@nd.edu>, Corr Marianne <gencoun@nd.edu>

Dear Father Jenkins and Ms. Corr:

I have a simple question prompted by the CNA article "Notre Dame Allows Third-Party Coverage of Contraception in Health Plans" (<http://tinyurl.com/y8auaxb2>):

Has Notre Dame "revoke[d] its use of the accommodation process" as provided by federal regulations (CFR 137.131)?

The university has announced its prior legal steps and the litigation is ended, so I assume there will be no objection to providing this information. It is of obvious interest to alumni, faculty, students and others and does not touch upon privacy issues.

I assume the answer is that the university has not revoked, since that makes sense of Meritain's and Aetna's actions. That's what we'll conclude unless we hear to the contrary by next Thursday.

Very truly,

Bill Dempsey



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From: William Dempsey <whdempsey@earthlink.net>
Subject: Mandate settlement
Date: January 12, 2018 at 4:03:53 PM EST
To: Corr Marianne <gencoun@nd.edu>
Cc: "Jenkins Rev. John I." <jjenkins@nd.edu>

Dear Ms. Corr:

I assume it is bootless to ask to see the terms of the settlement agreement between Notre Dame and the Government that ended the mandate litigation, but I ask anyway against the possibility I am wrong. If I am right, then, unless you tell me otherwise, I will assume it is substantially the same as other settlements in that it accords Notre Dame what it sought, namely, an exemption. And since Notre Dame has elected instead to continue under the accommodation — a matter of record you have not disputed — neither would you dispute, I'm sure, that Meritain and Aetna continue to be obliged to provide the abortifacient and contraceptive coverage.

I write principally to see if you are prepared to release the agreement, but also to give you once again an opportunity to comment. I am confident of the accuracy of the basic facts I've set out above, but you might have some observations you would like to offer on the general subject. We are always willing to print whatever the administration gives us.

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