



Office of the President

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Cardinal Timothy M. Dolan
Archbishop of New York
President

September 17, 2013
Year of Faith

My brother bishops,

I write at the request of our brother bishops on the USCCB Administrative Committee, who asked me to update you, as I have now grown accustomed to doing, on the tough and delicate matter of the HHS Mandate, and our ongoing response to it. You won't be surprised to hear that, at our meeting last week, we spent a great deal of time focused on this matter of major concern to us all.

I have to tell you first that we took the occasion to vent. The Catholic Church in America has long been a leader in providing affordable health care, and in advocating for policies that advance that goal. The bishops on a national level have been at it for almost one hundred years, and our heroic women and men religious have done so even longer. Yet, instead of spending our time, energy, and treasure on increasing access to health care, as we have done for many decades, we're now forced to spend those resources on determining how to respond to recently enacted government regulations that restrict and burden our religious freedom. Catholics--our parents and grandparents, religious sisters, brothers and priests--were among the first at the table to advance and provide health care, and now we are being burdened *because of the same Catholic values that compel us into these ministries!* All this in a country that puts religious liberty first on the list of its most cherished freedoms. As I've said before, this is a fight that we didn't ask for, and would rather not be in, but it's certainly one that we won't run from.

It might be helpful if we keep in mind our recent history on the HHS mandate and our efforts regarding it. Last February 1, the Administration announced its updated "accommodation." We immediately said that we needed time to analyze it, but that our initial read indicated that, regrettably, not much had changed, and our objections remained. Nonetheless, we took the administration at its word when it said it would consider our concerns, and after a detailed analysis, our Conference again submitted extensive comments, as invited to do by HHS.

On June 28, we got our answer: despite our grave concerns – concerns we share with believers of many other faiths, and with so many of the 400,000 others who commented on the rule – the "accommodation" was finalized with only minor changes. While the administration gave us a much-needed extra five months to determine how to respond, the final version of the mandate still suffers from the same three basic problems we have highlighted from the start: its narrow definition of "religious employer" reduces religious freedom to the freedom of worship by dividing our community between houses of worship and ministries of service; its second-class treatment of those great ministries—the so-called "accommodation"—leaves them without adequate relief; and its failure to offer any relief at all to for-profit businesses run by so many of our faithful in the pews.

As you know, we are continuing our efforts in Congress and in the courts, and we are confident that our rights under the Constitution and other laws protecting religious freedom will eventually be vindicated. While much remains uncertain, it is plain that the HHS Mandate lessens the ability of our ministries to give full-throated witness to our faith, a central mission of all Catholic apostolates.

At the Administrative Committee meeting, the members were unanimous in their resolve to continue our struggle against the HHS Mandate, and they asked me to convey that firm resolve to you. If there's any perception that our dedication to this fight is flagging, that's dead wrong.

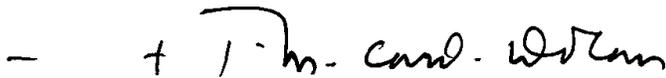
That perception may come in part from the *Catholic Health Association's* hurried acceptance of the accommodation, which was, I'm afraid, untimely and unhelpful. We highly value CHA's great expertise in their ministry of healing, but as they have been the first to say, they do not represent the Magisterium of the Church. Even in their document stating that they could live with the "accommodation" they remarked that we bishops, along with others, have wider concerns than they do.

We continue to follow the excellent process established at the meeting of the body of bishops in June, to develop avenues of response that would both preserve our strong unity and protect our consciences. Those efforts are proceeding apace, and as you know, include a careful legal and moral analysis of the final rule. We will then have another opportunity to discuss the rule at our November plenary assembly.

We are united in our resolve to continue to defend our right to live by our faith, and our duty to serve the poor, heal the sick, keep our apostolates strong and faithful, and insure our people. I remain grateful for your continued unity in response to this matter of deep concern to us all. I'll try my best to keep you posted.

With prayerful best wishes, I am,

Fraternally in Christ,

A handwritten signature in black ink that reads "Tim. Card. Dolan". The signature is written in a cursive style with a large initial 'T' and a distinct 'D'.

Timothy M. Cardinal Dolan
Archbishop of New York
President, United States Conference of Catholic Bishops