

BISHOPS FIND HHS REVISIONS FLAWED

The March 20 statement by the United States Conference of Catholic Bishops (made by general counsel Anthony Picarello and associate general counsel Michael F. Moses) on the HHS revisions is the most definitive assessment to date. Though they concede that “the definition of an exempt ‘religious employer’ has been revised to eliminate some of the intrusive and constitutionally improper government inquiries into religious teaching and beliefs that were inherent in an earlier definition,” the changes are still

inadequate. Even the Obama administration admits that its definition of a “religious employer” excludes many organizations that are widely understood as such.

Individual business owners also don’t receive the relief they seek from the mandate. Moreover, the terms of what qualifies as an “accommodation” lack clarity, thus creating unnecessary confusion. Most important, the HHS mandate as currently written represents “an unprecedented (and now sustained) violation of religious liberty by the federal government.” In other words, despite some movement on the part of the administration, most Catholic entities are still vulnerable to the HHS edict. The only way to truly resolve this issue is for the administration to withdraw the mandate. Surely it could accommodate women seeking services that the Catholic Church sees as morally objectionable with a tax credit, or by some other means. What it does not have to do is burden religious institutions.