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An Open Letter to President Obama
May 20, 2012

On January 20, 2012 Kathleen Sebelius, Secretary of the Department of Health and Human Services, declared that, “Nonprofit employers who, based on religious beliefs, do not currently provide contraceptive coverage in their insurance plan, will be provided an additional year...to comply with the new law [requiring that such coverage be provided] ... This additional year will allow these organizations more time and flexibility to adapt to this new rule.”

It is manifestly an affront to the American conception of religious liberty and to the first amendment of the United States Constitution to demand that citizens “adapt” to a violation of conscience. As if in recognition of this fact, you issued what you called an “accommodation” on February 10th. Unfortunately, this new final decision did nothing to change your demand that Catholics and other religious groups violate their consciences. Your new requirement aims to offer a range of free contraceptive services, including sterilization and abortifacients, to all women no matter where they work. As president, you have decided to require that insurance companies pay for these services and insist that this change frees the employer from any moral culpability.

It is obvious, however, that the employee only qualifies for these services because the employer has signed her up and paid her premiums. If the employer stops such payments the health insurance company will discontinue these services. It is false to claim that these services will be totally unconnected with the employer when the employer pays for the policy that provides access to these services.

The United States Conference of Catholic Bishops points out that “where the employee and insurer agree to add the objectionable coverage, that coverage is still provided as a part of the objecting employer’s plan.” Putting it simply, when the employer pays, the contraceptive services are provided; when the employer stops paying, the contraceptive services are discontinued. Clearly there is a causal link between the employer’s payment and the provision of services.

With Archbishop Chaput we decry this mandate as “coercive and deeply troubling in its implications for the rights of conscience.” With the United States Conference of Catholic Bishops we call on the Department of Health and Human Services “to rescind the mandate of these objectionable services.” We insist that there is room in this great nation for the Catholic citizen. Our Faith calls us to do more than worship in common on Sunday. We must also heed the commands to feed the poor, tend the sick, and instruct the ignorant. That is why there is such a rich tradition of Catholic action in founding and supporting charities, hospitals, and schools. If this mandate stands it will not only make it impossible for us to provide insurance for our faculty and staff but would make it very difficult for us to continue this great tradition without violating our religious beliefs.

It is opposed to the spirit of American religious tolerance and to the letter of the Constitution to demand that citizens choose between their civic and religious obligations. It puts people of Faith in an untenable position. When forced to choose, we will say, as Peter and John did to the rulers and elders in *Acts 4*, “Whether it is right in the sight of God to listen to you rather than God, you must judge.”

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