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Kentucky's Catholic Bishops Urge Government to Honor the Constitution; U.S. Health and Human Services Department Decision Tramples on Right to Free Exercise of Religion

The Catholic Conference of Kentucky joins our fellow bishops and other religious leaders in expressing our deep concern about the recent decision of the U. S. Department of Health and Human Services to require that almost all employers, *including Catholic employers*, will be *forced* to offer their employees' health coverage that includes sterilization, abortion-inducing drugs, and contraception. Almost all health insurers will be *forced* to include those "services" in the health policies they write. And almost all individuals will be *forced* to buy that coverage as a part of their policies.

In so ruling, the Administration has cast aside the First Amendment to the Constitution of the United States, denying to Catholics our nation's first and most fundamental freedom, that of religious liberty. And as a result, unless the rule is overturned, some Catholic employers will be compelled either to violate their consciences or to drop health coverage for their employees (and suffer the penalties for doing so). The Administration's sole concession was to give these institutions one year to comply.

Nearly 50 years ago, when the U. S. Bishops attending the Vatican Council took part in writing and promulgating the Council's *Declaration on Religious Freedom*, they would hardly have imagined that these words would be describing our current situation:

The further fact is that forms of government still exist under which, even though freedom of religious worship receives constitutional recognition, the powers of government are engaged in the effort to deter citizens from the profession of religion and to make life very difficult and dangerous for religious communities (DRF, p. 15, 1965).

It saddens us that the Administration is making life difficult for Catholics and other believers by infringing on their right to the free exercise of religion.

One way the exercise of religion – religious liberty – takes concrete form is in institutions established by people of faith to help members of society. Whether it is education, health care, social charities, worship or another activity, each activity is an expression of faith. Each one has a unique quality flowing from that basis of faith. To deny that underpinning of faith is to change the very character of the institution and of the service it provides. This ruling by HHS denies this underpinning of faith. It ignores the diverse ways through which faith is expressed. It forces people to act against their free, conscious decisions made in the light of faith.

We call upon the Administration to rescind this order, thereby recognizing the right established by the Constitution and in conformity with the teaching found in the *Declaration on Religious Freedom*:

Government therefore ought indeed to take account of the religious life of the citizenry and show it favor, since the function of government is to make provision for the common welfare. However, it would clearly transgress the limits set to its power, were it to presume to command or inhibit acts that are religious (DRF, p. 3, 1965).

In addition, we urge Congress to enact legislation that would reverse the Administration's decision and end this assault on our religious liberty now and in the future.

In closing we ask the Catholic community of Kentucky to join together in prayer and fasting that wisdom and justice will prevail, and religious liberty will be restored. Further, we urge you to visit www.usccb.org/conscience, for more information on this issue and to learn how you can contact our members of Congress and ask them to vote for legislation that would reverse this decision.

Most Reverend Joseph E. Kurtz, D.D. Archbishop of Louisville	Most Reverend Roger. J. Foys, D.D. Bishop of Covington	Most Reverend Ronald W. Gainer, D.D. Bishop of Lexington	Most Reverend William F. Medley, D.D. Bishop of Owensboro	Reverend Patrick Delahanty Executive Director
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