

**A Message from Bishop Cordileone
To the Clergy, Religious and Lay Faithful of the Diocese of Oakland
February 10, 2012**

The backlash provoked by the recent announcement of the U.S. Department of Health and Human Services mandating all employers to provide insurance coverage for prescription contraceptives and sterilization is an encouraging sign that our nation's collective conscience is still around. People of all political and religious persuasions rightly understood this as an attack on our God-given and constitutionally-protected right to religious freedom, and the recent reaction of the Administration gives us hope that this right can still be protected when we join together to voice our common concern. Its willingness to reopen the discussion is a helpful start to reaching a resolution, although the details of any such revision will still have to be studied and evaluated as they are made known.

The possibility of such a resolution notwithstanding, I wish now to add my own voice of protest to those of over 160 of my brother bishops and to many other people of good will all across the political spectrum. Some people have asked why I have not done so sooner. I hope to make that clear with this statement.

The new federal mandate does allow an exemption for religious organizations, but it gives the most restrictive definition possible. To qualify as a "religious organization," the organization must (1) employ primarily people of its own faith, (2) serve primarily people of its own faith, and (3) have as its primary purpose the inculcation of religious values.

What many may not know is that the requirements of the HHS mandate are almost identical to a state law we have had in California for over ten years now. In fact, the 2004 decision of the State Supreme Court in the lawsuit challenging the law, *Catholic Charities of Sacramento vs. Superior Court of the State of California*, established quite explicitly that it is for the state, and not the Church, to decide for us who is and is not Catholic and what constitutes the "inculcation of religious values." Now the federal government has stepped way beyond the boundaries of its authority by deeply breaching the wall of separation between Church and state.

While our dioceses as such and our Catholic schools qualify as religious organizations even with this most narrow of definitions, the real problem lies with our institutions that are committed to serving all people in need regardless of their faith or lack thereof, especially our Catholic hospitals, institutions of higher education, and Catholic Charities agencies. Only very recently was it brought to my attention that, in order to continue serving the poor as only they can, our Catholic Charities of the East Bay made some accommodations in the insurance coverage it offers its employees. I judged that I could not issue my own statement in good conscience without first gathering information and assessing the situation, and then begin to take steps to correct it. That is exactly what I have been doing these last several days. I have now had an initial discussion with the

leadership of CCEB, and will continue working with them to make the necessary adjustments. I pledge to do whatever may be possible to enable CCEB to continue its good work in a way that fully respects our moral principles, but it is quite possible that we will not be able to do so without making some changes to allow for increased expense for employee compensation.

There are those who would say that, if our social service agencies are going to accept government funding, then they must do the government's bidding. However, the government's bidding is not to invade the sanctuary of peoples' consciences. The role of the government is to "establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty." In this, faith-based organizations are the most helpful – and should be the most welcome – partners with government agencies, for they accomplish more with fewer resources in serving the poor, the sick and the marginalized, thus contributing to the promotion of justice and the common good. Here in the Diocese of Oakland we can be rightfully proud of all that our Catholic Charities and Catholic schools accomplish in showing the face of the compassionate Christ to those in great need. When we are pushed out of our ministry of serving the needy by not being allowed to do so with reasonable protections of our conscience, everyone loses.

I therefore call on all of you, our good people in the Diocese of Oakland, to write to your congressional representatives and urge them to pass legislation to reverse this mandate. I also ask you to contact President Obama and encourage him to continue to be open to putting into place robust protections of religious liberty for faith-based health, educational and social service organizations. The contact information to do this may be found on the Diocese home page at www.oakdiocese.org

There is one more thing I ask you to do. Our beloved nation has reached a critical point in finding its moral compass; we need God's help now more than ever. As we are now about to begin the holy season of Lent, I ask you to join me in offering your Lenten prayer and fasting in supplication to God. Please especially take fasting seriously this Lent; offer up your fasting both as a means for imploring God once again to grace this great land with His blessing and as a form of bodily penance in reparation for our sins, especially sins of negligence and omission. May God grant us the grace to truly "turn away from sin and be faithful to the Gospel," for the general welfare of our nation and the salvation of our souls.