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USCCB Urges HHS Compromise on Contraceptive Mandate Case

USCCB General Counsel

Comments from U.S. Conference of Catholic Bishops officials to the Department of Health and Human Services stressed that a compromise could effectively be reached in the Affordable Care Act's contraceptive requirement. The Sept. 9 comments, in response to the government's request for input on a proposal mandating contraceptive coverage, echoed the Supreme Court's May 16 order in *Zubik v. Burwell* — the combined lawsuit of the Little Sisters of the Poor, Priests for Life and several other religious groups that said providing contraception coverage to employees through

“Once again, we urge the administration in the strongest possible terms to do its part to end this well.”

their insurance plans violated their religious beliefs. The Supreme Court sent the cases back to the lower courts saying religious employers and the government should be “afforded an opportunity to arrive at an approach going forward that accommodates petitioners’ religious exercise while at the same time ensuring that women covered by petitioners’ health plans receive full and equal health coverage, including contraceptive coverage.” For this accommodation to happen, the USCCB comments stressed that “any government-mandated contraceptive coverage must be truly independent of petitioners and their plans,” meaning the coverage should be offered by a separate communication and with a different policy, enrollment process, insurance card and payment source. The comments, signed by members of the USCCB’s general counsel, also said such coverage should not be automatic in order to protect the conscience rights of people with religious objections to contraception, sterilization and abortifacient coverage. The comments follow.

On behalf of the U.S. Conference of Catholic Bishops, we respectfully submit the following comments on the above-captioned request for information by the departments of Treasury, Labor and Health and Human Services. 81 Fed. Reg. 47741 (July 22, 2016).

This latest round of rulemaking presents an opportunity for the administration to achieve its asserted interest in broader con-

continued on page 258



contents

257	USCCB Urges HHS Compromise on Contraceptive Mandate Case <i>by U.S. Conference of Catholic Bishops General Counsel</i>
262	Confinement Is Not the Same Thing as Exclusion <i>by Cardinal Vincent Nichols</i>
266	Mercy Alone Is Credible: Pope Francis and the Continental Mission in the Americas <i>by Archbishop José H. Gomez</i>
269	The Urgency of Lay Leadership in Political Life <i>by Cardinal Donald W. Wuerl</i>
272	Datebook
272	On File

Sept. 22, 2016
Volume 46
Number 17