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Bishops take hard line toward contraception compromise

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Cardinal-designate Timothy M. Dolan of New York discusses the new birth control mandate on "CBS This Morning" on Thursday. (CNS photo/Jeff Neira, CBS)

Three days after President Barack Obama announced a revision to a controversial mandate regarding coverage of contraceptive services in health care plans, key leaders in the U.S. bishops? conference have indicated dissatisfaction with the compromise, taking a hard line and saying they will be satisfied only by a full rescission of the mandate.

After an initial statement from the U.S. bishops? conference Feb. 10 said officials were ?studying? the revised mandate, a second statement issued later that day solidified their position, saying that the mandate, even after Obama?s compromise, ?is unacceptable and must be corrected."

Speaking to Catholic News Service from Rome on Monday, where he is in anticipation of the Feb. 18 consistory, Cardinal-designate Timothy Dolan, the president of the bishops? conference, said the revision did nothing to soften the bishops? opposition.

"What [Obama] offered was next to nothing. There's no change, for instance, in these terribly restrictive mandates and this grossly restrictive definition of what constitutes a religious entity," Dolan told CNS. "The principle wasn't touched at all." (For more on Dolan?s statement today, see: **Dolan: Obama's revised HHS mandate won't solve problems** **[1]**)

Obama?s announcement of a revised mandate came after religious groups denounced the original version, saying it violated principles of religious liberty and would force employers of religiously affiliated institutions opposed to birth control -- including Catholic hospitals, charities and schools -- to violate their consciences.

Under the revised plan announced Friday, when an employer affiliated with a religious group declines to provide contraceptive coverage to employees, insurance companies will be required to offer the coverage to individuals who want it free of charge.

Obama said the new version of the mandate ensures religious institutions will not have to pay for contraceptive services or refer employees to organizations that provide such services.

In their second Feb. 10 statement, the U.S. bishops? conference said the decision to retain portions of the contraception mandate "is both unsupported in the law and remains a grave moral concern."

"The only complete solution to this religious liberty problem is for [the Department of Health and Human Services] to rescind the mandate of these objectionable services," the statement reads.

An internal letter to the U.S. bishops, first made public late Friday by Catholic blogger Rocco Palmo, gives background to how the bishops have viewed their continuing public stance against the contraceptive mandate.

Signed by Dolan and four leading bishops of the conference and addressed to ?Brother Bishops,? the letter said Obama?s compromise ?does not meet our standard of respecting the religious liberty and moral convictions of all stakeholders in the health coverage transaction.?

?We remain fully committed to the defense of our religious liberty and we strongly protest the violation of our freedom of religion that has not been addressed,? the letter reads, also indicating concern among the signers that the ?government is creating its own definitions of who is ?religious enough? for full protection? from government mandates.

During a talk Monday morning at an annual gathering of local church leaders in Washington, one official at the bishops? conference said that ?we have to go back to the beginning? regarding the mandate and Obama?s compromise.

"The best way to get out of this is to not get into it,? John Carr, executive director of the bishops' Department of Justice, Peace and Human Development, told attendees at the annual Catholic Social Ministry Gathering.

?We should not have the government deciding what's a ministry or not. We need the administration to revise it, we need the Congress to repeal it or we need the courts to stop it." (For more reporting of Carr?s statements, see: **USCCB official: Mandate still violates religious liberty** **[2]**)

Dolan, the archbishop of New York, took a less divisive tone Friday, when he published a letter he had written to be read at all Masses in his archdiocese Sunday. That letter called the compromise a ?welcome first step,? but warned parishioners to ?stay tuned, as we may need your help again.?

?Friday?s announcement that the federal government seems to have softened the mandates, and is open to working with us in further progress, is a welcome first step? Dolan wrote.

Outside the bishops? conference, a number of other Catholic groups have issued statements supporting Obama?s compromise.

In a brief statement Friday, the Association of Jesuit Colleges and Universities said, ?We commend the Obama Administration for its willingness to work with us on moving toward a solution, and we look forward to working out the details of these new regulations with the White House.?

Notre Dame president Rev. John Jenkins called the revision ?a welcome step toward recognizing the freedom of religious institutions? while applauding Obama?s willingness to meet the concerns.

?There remain a number of unclear and unresolved issues,? he said. ?And we look forward to joining the U.S. bishops and leaders from other religious institutions to work with the administration to resolve them.?

In two separate press releases, Catholics United, a liberal-leaning political advocacy group, urged U.S. bishops to act in good faith and work toward a compromise.

?The Catholic bishops and their allies in the Republican Party are increasingly isolated in their desire to rescind the Obama Administration's compromise regulation affecting contraception services and religious liberty,? said executive director James Salt.

?The bishop's blanket opposition appears the serve the interests of a political agenda, not the needs of the America people.?

Competing statements issued by Catholic Charities USA on Friday and Saturday seemed to echo the difference in tone between the U.S. bishops? conference?s first and second statements regarding the compromise.

Initially offering deep appreciation for the compromise Friday, the organization said it enabled them ?to not only continue to provide access to quality healthcare to its 70,000 employees and families across the country of many different faiths and backgrounds, but also [guarantee] the continued delivery of vital services to the more than 10 million people living in need across the country.?

By Saturday, the group had removed that statement from its website and issued a second, more reserved one.

?We are hopeful that this is a step in the right direction and are committed to continuing our work to ensure that our religious institutions will continue to be granted the freedom to remain faithful to our beliefs, while also being committed to providing access to quality healthcare for our 70,000 employees and their families across the country,? reads the second statement, attributed to Fr. Larry Snyder, president and CEO of Catholic Charities USA, who added they ?look forward to reviewing the final language? of the revised mandate.

Besides Dolan, two other U.S. bishops offered very different interpretations Monday of Obama?s compromise regarding the contraception mandate.

Writing in a letter to the Philadelphia Inquirer, Archbishop Charles Chaput of Philadelphia said the revision ?did not solve the problem.? He noted a good many Catholics voted for Obama last election and that because of this mandate and the revision, ?[m]any Catholics are confused and angry.?

?They should be,? he said.

Bishop Blase Cupich of Spokane, Wash., approached the subject with an emphasis on more dialogue. In a letter posted on the *America* magazine website Monday, he said Obama?s compromise ?provides us with an opportunity to resolve the present impasse.

?But, I believe that an even greater opportunity is before us, namely to have a deeper and on a more prolonged basis a fundamental dialogue about the role of religion in society in general and the nature of religious liberty, especially as it applies to faith-based charitable, health and social service ministries in the United States, in particular.?

[Contributing to this report were *NCR* Bertelsen intern Brian Roewe, and NCR staff writers Zoe Ryan and Joshua J. McElwee. Contributing from Washington and Rome were Dennis Sadowski and Francis X. Rocca of Catholic News Service.]

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