

# Rally for Religious Freedom -- Washington, DC -- Thursday, May 8, 2014

US Court of Appeals for the DC Circuit

333 Constitution Ave., NW Washington, DC 20001

*Why is there a Rally for Religious Freedom on Thursday, May 8 at the Court of Appeals?*

-- On Thursday, May 8, 2014, starting at 9:30am, the first oral arguments on the appellate level *on the merits* of a case for religious non-profit groups against the HHS Mandate will be heard. Just as the recent *Hobby Lobby* case was heard at the Supreme Court, representing the arguments of *businesses* against the mandate, so now the case of *Priests for Life* will be heard, representing the arguments of *religious non-profit organizations* against the mandate. As Robert Muisse, Senior Counsel for the American Freedom Law Center ([www.aflc.us](http://www.aflc.us)), has stated, "***This case with Priests for Life is the lead case for the non-profit religious organizations challenging the mandate similar to how Hobby Lobby is the lead case for the for-profit companies challenging the HHS mandate.***"

The Rally will be held to pray and learn about what is at stake, just as similar rallies were held both at the Supreme Court and in cities all across the nation since the mandate was issued at the beginning of 2012.

*How is this case different from Hobby Lobby? Isn't it the same HHS mandate?*

-- The HHS mandate applies differently to businesses, to Churches, and to religious non-profit entities. In the *Hobby Lobby* case, the government is arguing as a threshold issue that the business, as a corporation, does not have rights of religious freedom. In the case of religious non-profit organizations, the government recognizes that they do have rights of religious freedom, but is claiming that those rights have been protected by the "accommodation" that the government has offered them in regard to the HHS mandate. The religious non-profits, like Priests for Life, are claiming that the accommodation is still a violation of their faith.

-- Another difference is that while *Hobby Lobby* is only raising an objection to the *abortion-inducing drugs* covered by the mandate, Priests for Life is objecting to coverage of both the abortion-inducing drugs and the contraceptives.

*But aren't Churches exempt from the mandate?*

-- Churches, *strictly speaking*, are indeed exempt from the mandate, which is why the District Court in New York, for instance, dismissed the complaint of the Archdiocese of New York in regard to its Churches, stating that those Churches, as such, were already exempt.

But *religious organizations*, like Priests for Life, **are not** Churches, and therefore **do not have** an exemption. Rather, they have an "accommodation," which requires, among other things, that they fill out a form stating that they object to the mandate and then provide a copy of this form

to their insurance carrier. Once that is done, the insurance carrier must then provide the objectionable contraceptive coverage to the religious organization's employees. If Priests for Life refuses to authorize such coverage, which it does, it will face crippling fines of \$100 per employee per day.

The reason this is objectionable is that it still directly involves the non-profit entity in the government's plan to expand free access to these objectionable "services." By signing the form, the non-profit is in fact authorizing and cooperating in the process by which the employees end up getting coverage for the immoral practices. The organization, in other words, becomes the necessary "gateway" to the immoral coverage. And that is contrary to the requirements of Christian morality.

*So does this mean that even if Hobby Lobby wins at the Supreme Court, the mandate may still be in effect for other groups?*

-- Yes, that's exactly what it means. Theoretically, the Court could rule that the for-profit corporations *do* have religious freedom rights just like the non-profit corporations and that those rights are violated by the mandate. But that could still leave in place the same problem that the non-profit corporations face now, namely, being offered an "accommodation" that is not available to the for-profit corporations and that is really not an accommodation at all. That is why it is equally important for the religious groups like Priests for Life to win their lawsuits.

*Why aren't the religious, non-profit cases already at the Supreme Court like the cases for the businesses are?*

-- Remember, the HHS mandate went into effect for the businesses *before* it went into effect for the religious non-profits like Priests for Life. The government gave the religious groups an extra year to prepare for the mandate. So when Priests for Life, as *the fourth group* to introduce a lawsuit against the HHS mandate, did so back in February of 2012, it was told, as were most of the other religious groups, that it was too early to challenge the mandate, because more adaptations and modifications to the regulations were forthcoming. When the final version of the mandate's regulations did come out in the summer of 2013, they were clearly unacceptable to the religious groups, and therefore Priests for Life and many others re-filed their lawsuits. Only now are these cases beginning to be heard at the appellate level, and the Priests for Life case is the first to come to oral arguments, on the merits of the case, at that level.

*Is Priests for Life the only group being represented at the May 8 oral arguments?*

-- Just like the Court heard the cases of *Hobby Lobby* and *Conestoga Wood* together, so in this case the Court is hearing the *Priests for Life* case and, in addition to it, that of the *Archdiocese of Washington, D.C.* (whose case also includes as plaintiffs *The Catholic University of America, Thomas Aquinas College*, and several other entities). The two cases were consolidated by the Court, and Priests for Life is the lead party.

*What else is distinctive about the Priests for Life case?*

-- The attorneys at the American Freedom Law Center pointed out that not only does Priests for Life object to the mandate, but the very **purpose** of the organization is to oppose the kinds of practices the mandate requires groups to cover. Therefore, the ministry is uniquely qualified to challenge the mandate; as the organization's petition to the Court states, ***"This challenge goes to the very core of Priests for Life's reason for existing as an organization."***

Also, the Priests for Life suit has been filed not only on behalf of the organization itself, but also, in their personal capacity, on behalf of its National Director, Father Frank Pavone; Executive Director, Janet Morana, and Director of African-American Outreach, Dr. Alveda King, niece of Martin Luther King, Jr.

*Do the Priests for Life employees support this lawsuit?*

-- Absolutely. When Priests for Life filed its initial lawsuit in February 2012, Fr. Frank released a video announcing to the office staff that Priests for Life would fight this unjust mandate. They applauded. The employees, consultants and pastoral team members include many married couples of child-bearing age, as well as single people. Every one of them agrees with the decision to challenge the mandate.

*What can we do to stand with Priests for Life and all the religious groups against the mandate?*

-- First, promote and, if possible, participate in the Rally on May 8 in front of the Court of Appeals in Washington, DC.

Second, promote awareness of this case on social networking using the hashtag #IStandWithPFL, and find updates and information to share with others on IStandWithPFL.com.

Finally, join in prayer each day for the overturning of the HHS mandate; you can find a set of prayers for this purpose at [www.PrayerCampaign.org](http://www.PrayerCampaign.org).

*What will Priests for Life do if the courts ultimately rule against them?*

-- Priests for Life will disobey the mandate, no matter what the consequences.