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207 Members of Congress File Brief Supporting Religious Liberty of Little Sisters of the Poor

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205 Republican and 2 Democratic members of Congress filed a friend-of-the-court brief Monday on behalf of the Little Sisters of the Poor in the Supreme Court case Zubik v. Burwell.

The case will decide whether the government can force the Little Sisters and other Christian organizations to cooperate with a federal mandate, issued under Obamacare, that requires almost all health care plans to cover abortion-inducing drugs and devices.

Sens. James Lankford (R-Okla.) and Orrin Hatch (R-Utah) and Reps. Diane Black (R-Tenn.) and Mike Kelly (R-Pa.) led the congressional effort to support the Little Sisters and other religious nonprofits in the case. Two House Democrats - Dan Lipinski (D-Ill.) and Collin Peterson (D-Minn.) - joined their Republican colleagues in signing the brief.

The amicus brief argues that there is a fundamental guarantee of religious freedom in the United States Constitution and the 1993 Religious Freedom Restoration Act, noting that “Despite RFRA’s command that the religious beliefs of all individuals and organizations be accorded the same deference, HHS has given the religious liberties of religious non-profits second-tier status.”

“It is hard to imagine what could possibly be more pure or worthwhile than the ministry of Little Sisters of the Poor and the other religious nonprofits represented in this case,” Black said in a statement Monday.

“We should be praising their work, not punishing it. Sadly, that is exactly what Obamacare’s coercive HHS mandate will do. The law sets up an impossible choice for these organizations: deny their deeply held beliefs and provide coverage for drugs they deem to be morally objectionable, or face crippling financial penalties from the federal government,” she said.

“With this amicus brief, my colleagues and I stand side by side with the Little Sisters of the Poor and all those whose First Amendment rights have been trampled under this president’s agenda,” Kelly emphasized. “I expect the Supreme Court to ultimately free these heroic nuns from the mandate’s oppressive penalties and allow them to continue serving a country where religious freedom is not just settled but celebrated.”

Lankford said that the bipartisan brief “articulates the great concern that many Americans have

about our First Amendment right of the free exercise of religion.”

“The case exposes the Obama administration’s focus on freedom of worship as our primary religious right, instead of our freedom of religion, which includes our everyday lives,” he added.

House Speaker Paul Ryan (R-Wis.) is among those who signed the brief and has invited the Little Sisters to attend President Obama’s State of the Union address Tuesday. Sister Loraine Marie Maguire, the organization's Mother Provincial, and Sister Constance Veit will be attending.

"The Little Sisters of the Poor care for the most vulnerable among us, and they should be free to practice their faith without the threat of government interference or intimidation," Ryan said in a statement. "The Sisters' stand in defense of religious liberty – one of our most fundamental rights – is nothing short of courageous, and it's my privilege to support their cause."

The friend-of-the-court brief is among many filed on behalf of the Little Sisters including briefs from the United States Conference of Catholic Bishops, Family Research Council, Orthodox Jewish Rabbis, the Family Research Council, the Cato Institute, and many more.

A diverse group of faith leaders released statements of support Monday through the Becket Fund for Religious Liberty, who filed the Sisters’ own brief.

“It’s easy to support religious freedom for the majority,” said Dr. Ossama Bahloul, imam of The Islamic Center of Murfreesboro. “But the test of America’s commitment to religious diversity and freedom comes when we show we’ll defend minorities and those with whom we do not fully agree.”

“We have great admiration for the Little Sisters who are standing up not just for themselves and the elderly poor they serve but for the rights of all people of faith, including Jews,” said Rabbi Mitchell Rocklin. “Their courage is an example to all of us.”

Maguire said that she and the other sisters "are overjoyed and deeply grateful for the diverse outpouring of support we have received from such a variety of people and groups."