

# THE CHRISTIAN POST

## 207 Congress Members Defend Little Sisters of the Poor in Brief to Supreme Court

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Two hundred and seven members of Congress, including three Republican presidential candidates, sent a brief to the U.S. Supreme Court arguing that the Obamacare contraceptive mandate violates the religious liberties of the Little Sisters of the Poor and other Christian institutions.

The Supreme Court is set to hear a challenge in March to the Affordable Care Act mandate that requires under the consequence of crippling fines that religious non-profit organizations, Christian colleges and other institutions offer health insurance plans for their employees that provide abortion-inducing drugs

As the Little Sisters of the Poor, an order of Catholic nuns who serve the elderly, have been entrenched at the forefront of this legal battle to gain religious exemption from the mandate, the 10th Circuit Court ruled in July that the mandate does not violate the rights of the organizations because it provides an accommodation that circumvents the organizations to still provide the drugs of objection to their employees.

Should the Supreme Court choose not to protect the Little Sisters of the Poor from the mandate and accommodation clause, the organization would be forced to pay upwards of \$70 million in penalties for acting in accordance with their religious beliefs, according to the Becket Fund for Religious Liberty.

On Monday, 207 members of Congress signed onto an amicus brief defending the rights of religious organizations not to participate in health plans they believe violate their sincerely-held beliefs by explaining that the accommodation to the mandate still violates the religious protections guaranteed under the Religious Freedom Restoration Act.

"The Government's defense of its so-called 'accommodation' for religious nonprofits — an 'accommodation' that requires petitioners to take an action they believe to be morally wrong — cannot satisfy the strict demands of RFRA," the brief contends. "In questioning petitioners' assertion that the conduct compelled by HHS is morally wrong, the Government ignores the repeated commands of this Court."

The brief was signed predominantly by Republicans, as House Democrats Dan Lipinski (D-Ill.) and Collin Peterson (D-Minn.) were the only two Democrats to sign their names to the brief.

The brief was signed by Republican presidential candidates Sens. Ted Cruz, R-Texas, Marco Rubio, R-Fla. and Rand Paul, R-K.y., and also signed by former 2016 presidential candidate Sen. Lindsey Graham, R-S.C.

House Speaker Paul Ryan, R-Wis., Sen. James Lankford, R-Okla., the co-chair of the Congressional Prayer Caucus, and Sen. John McCain, the 2008 Republican nominee, also signed the brief.

"The ACA did not override RFRA. Indeed, even the ACA — which many of the amici voted against and oppose — did not countenance the infringement on petitioners' religious liberties in which the Secretary of Health and Human Services has engaged," the brief asserted. "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."

"For these reasons, RFRA requires that the petitioners, all of which are religious non-profits, be exempted from engaging in conduct they sincerely believe would be morally wrong and would violate the tenets of their faith," the brief continued.

Ryan invited the Little Sisters of the Poor to attend Barack Obama's State of the Union Address in Washington D.C. on Tuesday night and two of the nuns from the organization will be attending as his guests.

"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 brief from the Congress members is just one of many briefs that have been submitted to the Supreme Court in support of Little Sisters of the Poor.

Other briefs have been filed by the Cato Institute, the Southern Baptist's Ethics & Religious Liberty Commission, International Missions Board, Council for Christian Colleges and Universities and a group of nine law professors that includes Princeton's Robert George.