



# ARCHDIOCESE OF WASHINGTON

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## **Same-Sex Marriage Legislation and the Implications for Catholic Charities March 1, 2010**

The Archdiocese of Washington has always been committed to upholding the sanctity of marriage and to caring for the poor in our city. Until this year, there was no conflict in carrying out these distinct obligations of our Catholic faith.

Then the District of Columbia City Council passed a law to legalize same-sex marriages in our nation's capital. The Archdiocese of Washington, legal experts, other faith groups and dozens of individuals opposed the bill for three main reasons: opposition to redefining marriage, the lack of adequate protection for religious liberties, and a belief that people should have the right to vote on an issue as serious as redefining marriage.

Yet, despite being called the *Religious Freedom and Civil Marriage Equality Amendment Act*, the final law included only very minimal protections for religious freedom that fell far short of what federal law and simple prudence require. The law is expected to go into effect in March 3, 2010.

Catholic Charities has been unwavering in its commitment to serve - despite some news reports that mistakenly claimed the agency had "threatened" to cease operations. The Catholic Church will never stop serving the poor and vulnerable in the Archdiocese of Washington. However, the new law is forcing the agency to make changes in order to continue to serve in a way that upholds our teaching on marriage and complies with civil law.

Although the law is not yet in effect, Catholic Charities already is facing the consequences of the legislation's inadequate protection for religious freedom. In December, Catholic Charities was told by the city that it no longer would be allowed to continue to provide foster care and publicly-funded adoption programs in the District of Columbia. This is because under the new law, the agency would be required to place children with same-sex married couples and to license the couples as adoptive and foster care families. That would violate the tenets of the Catholic faith and the federal Religious Freedom Restoration Act which recognizes the right of a religious organization to adhere to its religious beliefs in such matters.

The fact is Catholic Charities provides excellent service and is in compliance with all laws and regulations of the District of Columbia. The organization will resist any efforts that would prevent it from serving the poor.

What are these services? In the year that just ended, Catholic Charities provided directly and through contracts with the District of Columbia assistance to 68,000 people. These included emergency and transitional housing, hypothermia shelters, medical care, counseling, immigration and legal assistance, employment assistance and a host of other programs. For example, during the recent blizzards, Catholic Charities sheltered over 1,500 people every night.

While it is reasonable that the city would evaluate social service providers, such as Catholic Charities, on the quality and type of services given through city contracts, now the city is imposing an entirely new type of requirement that has nothing to do with the quality of service, but deals solely with an organization's internal operations.

Now, social service providers that extend benefits to the spouses of employees have been told they must include both opposite-sex and same-sex spouses as a condition of providing services through city contracts. There is no exemption for faith-based organizations. In other words, religious organizations such as Catholic Charities, as a condition for contracting with the city, would be required either to recognize the new definition of marriage and spouse or cease to provide benefits based on marital status.

The D.C. law, unlike similar laws elsewhere in the United States, does not provide for religious exemption and thus sets a precedent. Catholic Charities cannot appear to support either the new definition of marriage or the lack of provision for religious liberty.

After the legislation passed in December, a wide range of options from a moral, social justice, legal and catechetical perspective were carefully considered. Following much reflection and with three priorities in mind – to continue serving the poor, to remain true to our understanding of the purpose of marriage and to be able to provide as generous a benefit package as possible for the employees of Catholic Charities – a decision was made.

Catholic Charities will continue to honor the health coverage current employees have as of March 1, 2010. After that, all new employees, and any existing employees who want to change their health coverage, will be covered under a new benefits package. The new plan will provide the same level coverage for employees and their dependents, with one exception: spouses cannot be covered. This change is the direct result of not receiving an adequate exemption for religious organizations in the same-sex marriage legislation.

This approach allows Catholic Charities to continue to provide services to the 68,000 people now cared for, to comply with the city's new requirement and to remain faithful to our Catholic identity.