

My dear friends in Christ,

The Archdiocese of Boston and all religious denominations in Massachusetts are facing a major challenge. Senate Bill 1074 "An Act Relative to Charities in Massachusetts", if passed, will greatly burden all churches, including the Catholic Church and all of the parishes of the Archdiocese.

The proposed bill would place religious organizations under the oversight provisions of the Massachusetts Public Charities Law, which empowers the Attorney General to investigate the use of charitable funds. Depending on the results of any investigation the Attorney General, with court approval, could overrule a church or parish decision concerning the allocation of their resources. Additionally, each year every religious entity, including all parishes, would have to register with the Attorney General's office in order to take up any collections. All parishes and churches would have to indicate their intent to solicit funds, the purpose of the solicitation, and then provide the Attorney General's office the results of the solicitation. A requirement that churches and religious organizations register their charitable activity with the government is inconsistent with our Nation's and our Commonwealth's constitutional guarantees of religious freedom.

Senate 1074's sponsors and proponents are candid about having filed this bill in response to their disagreement with the Archdiocese's decisions concerning parish closings and finances. They want to use legislation as a means of exercising control over the affairs of the Archdiocese and its parishes. This is not the role of government. This proposed legislation would violate religious freedom not so much because it would require religious entities to file some forms, but because it would do so for the purpose of having government take sides in a religious dispute. The United States Supreme Court has determined that government may not "lend its power to one or the other side in controversies over religious authority and dogma." This bill would entangle government in the internal workings of every religion.

Senate 1074 is currently scheduled for debate in the Massachusetts House of Representatives on Wednesday, January 25, 2006. **We need your help to defeat this bill. Please email, telephone or write to your local representatives and senators and ask each of them to oppose Senate 1074.** Explain to your lawmakers your concerns about the possibility of a law being enacted because of some people being in disagreement with decisions made by the Catholic Church. If at all possible, parish representatives should personally speak with local legislators by inviting them to your church or meeting with them at their local office. The enclosed "Talking Points" will be helpful as you urge your legislators to vote "NO" on Senate 1074. For the good of the Archdiocese and our parishes we must act now. Following your meeting or contact with local legislators, please complete the enclosed "Legislative Report Form" and fax it to the Massachusetts Catholic Conference at 617-367-2767, or send it by mail to: Massachusetts Catholic Conference, 150 Staniford Street, Suite 5, Boston, MA 02114.

Thank you for all that you do on behalf of the Church and your parish, and in particular thank you for your efforts to defeat Senate 1074. This bill runs counter to the deepest traditions of our American freedoms and will do great harm to all churches. As the people of the Catholic Church, and with respect for people of all faiths, we must not allow this bill to be enacted.

Archbishop of Boston

January, 2006

Senate 1074, An Act Relative to Charities – Talking Points

- Senate Bill 1074, “An Act Relative to Charities,” would strip religious protections from the Commonwealth’s laws governing financial reporting by public charities. The bill would subject churches and other religious institutions to reporting requirements and to the Attorney General’s oversight, supervision, and even reversal of internal religious decisions. Senate 1074 threatens the constitutional balance between church and state.
- The bill is opposed not only by the Roman Catholic bishops, but also by an extraordinarily broad range of groups including the Mass. Council of Churches (representing 17 Protestant denominations), the Black Ministerial Alliance, the Islamic Council of New England, the Mass. Assoc. of Temple and Synagogue Administrators, the Synagogue Council of Massachusetts, the Union of Reform Judaism-Northeast Council, the United Synagogue of Conservative Judaism-N.Eng. Region, the Mass. Family Institute, the Christian Science Church, the Salvation Army and the Anti-Defamation League.
- Religious organizations would be required each year to register with the Attorney General’s office indicating the intention to solicit funds, the purpose and the results. Solicitation of funds by a religion is part of its core mission and ministry. It should not be subject to government regulation.
- The bill would eliminate religious organizations’ exemption from filing as a corporation with the Secretary of the Commonwealth, while leaving that exemption in place for charitable hospitals, tax-exempt libraries, and non-profit colleges. This provision highlights the fact that S.1074 is not so much about fairness and equal treatment of religion but rather is directed at selectively imposing secular requirements on religion and churches.
- It is not the role of government to take sides on internal religious discussions about which parish to close or which ministry to fund. This bill would subject those decisions to reversal by the Attorney General, whose office is charged with investigating public charities.
- Religion is the only non-profit category that enjoys constitutional protection, not because of its charitable work, as important as that is, but because of its essential role in nurturing the spiritual well-being of citizens. The bill’s sponsors demean the importance of faith when they refer to a parish as “my local charity.” This bill seeks to equate religion with secular charities, and by inviting state regulation of churches, crosses the constitutional line guaranteeing that government will not dominate religion or interfere with the free exercise of religion.