

## ITEST Resource:

### Resources for Religious Exemption from COVID Vaccine Mandates – Conscientious Objection

Since the beginning of August, I have been contacted by scores of conscientious Catholics seeking assistance as they contemplate their responses to the COVID vaccine mandates. In twenty-eight years as a bioethicist, never before has a single issue brought so many diverse people to my door seeking help. Most of these individuals are professionals - physicians, professors, nurses, medical technicians, military officers, government workers, or students who share the challenge of discerning how to remain true to Faith and conscience while facing a novel compulsory obligation. Numerous clergy have also contacted me - some who themselves are personally faced with the difficult decisions presented by these mandates, and others who seek resources to better assist the growing number of individuals turning to them for pastoral care regarding this subject. I have compiled a set of considerations and resources that may be of use for those who are submitting petitions for religious exemption from mandated COVID vaccination. These are merely a set of resources and are not to be presumed to be legal advice.

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#### A. Templates

1. (a) The NCBC - National Catholic Bioethics Center offers this excellent COVID vaccine exemption letter template: <https://www.ncbcenter.org/ncbc-news/vaccineletter> Additionally, the NCBC resources include a Vaccine Mandate Statement (b) <https://www.ncbcenter.org/ncbc-news/vaccinemandatestatement> and (c) Vaccine exemption resource document:

<https://static1.squarespace.com/static/5e3ada1a6a2e8d6a131d1dcd/t/60f85922ae6a2d324b74741e/1626888482625/NCBC+Vaccine+Exemption+Resource+updated.pdf>

2. The Colorado Conference of Bishops also offers a downloadable template form in English and Spanish for members of the Colorado Diocese. This document serves as an excellent example for individuals seeking to draft their own letters.

<https://cocatholicconference.org/template-for-religious-exemption-from-covid-19-vaccines/>

3. The Personhood Alliance is a solid organization with great resources. Here is a link to their resources and template.

<https://personhood.org/media/press-releases/personhood-alliance-offers-religious-exemption-form-for-covid-vaccines/>

4. Though not a template, the South Dakota Conference of Catholic Bishops issued a letter in support of the primacy of conscience for those who are seeking religious exemption from mandatory injections.

[https://sd catholicconference.org/wp-content/uploads/2021/08/SDCC-Stmt\\_Aug10-2021-.pdf](https://sd catholicconference.org/wp-content/uploads/2021/08/SDCC-Stmt_Aug10-2021-.pdf)

5. Gab resources - ready to use religious exemption templates - not specifically Catholic:

[https://news.gab.com/2021/07/29/important-download-covid-vaccine-religious-exemption-documents-here/?fbclid=IwAR3gn\\_g0K1v7itjP2OlcKHs3nt\\_i3pkeOrKtLLIAYEuodI8ljaxtNur-spE](https://news.gab.com/2021/07/29/important-download-covid-vaccine-religious-exemption-documents-here/?fbclid=IwAR3gn_g0K1v7itjP2OlcKHs3nt_i3pkeOrKtLLIAYEuodI8ljaxtNur-spE)

6. The Christian ministry Liberty Counsel is a charitable organization providing substantial resources and legal support for those fighting vaccine mandates on religious grounds. Among their resources are templates: <https://lc.org/exempt>

7. The Healthy American Website offers a variety of resources for those navigating vaccine mandates. Some of these resources are behind paywalls, but many – including letter templates- can be accessed free of charge. <https://www.thehealthyamerican.org>.

## **B. Some considerations for those who are writing requests for religious exemption from the COVID injection mandates:**

1. The specific language in your petition must indicate a long-standing, deeply held, personal religious belief. Word your petition carefully; refrain from comments or claims that are political or philosophical in nature. This is not the occasion to dispute the science nor make accusations. Rather, stick to the narrow subject of your **deeply held personal religious beliefs**, and explain how taking this injection violates those beliefs in principle. Repeatedly ground your position on specific religious principles including the inviolability of your conscience.

2. Vague claims like: "God made me free; it's my body; it's my choice," are not sufficient. This is your opportunity to articulate and defend the truth of your belief. Be specific; demonstrate the validity of your position by clearly citing the religious principles on which it is founded. One approach may be to cite the Ten Commandments. For example, "The 5th Commandment prohibits one from being reckless or taking risks with his or her health and life. I have a unique and complicated medical history. Weighing the risks and benefits of this vaccine, **according to my conscience and religious beliefs**, I believe that taking this injection would violate the 5th Commandment." or "The First Commandment prohibits idolatry, and I believe that while health is important and science and technology are gifts, God alone can command me. Taking this vaccine under command from my employer would violate my conscience and the 1st Commandment." Support for this stance can be found in the Catechism of the Catholic Church (CCC) 2289: "If morality requires respect for the life of the body, it does not make it an absolute value. It rejects a neo-pagan notion that tends to promote the cult of the body." A physician may state, "I have taken the Hippocratic Oath, and modifying it as a Christian, I have sworn before God 'at the very least to do no harm.' I believe in my conscience that taking this vaccine may indeed cause harm- physical harm, harm to my soul, and also potentially give scandal. Therefore, believing it would violate the Second Commandment, I must refrain from taking it." There are many sincere approaches here to base a petition on grounds of violating the Ten Commandments; these are but a few feasible examples.

3. The Church has long upheld the preeminence and sanctity of the human conscience. The *Catechism of the Catholic Church*, [specifically CCC sections 1776-1790] provides important documentation and grounding of the individual right to act in accord with his or her conscience. For example, Section 1782 states: "Man has the right to act in conscience and in freedom so as personally to make moral decisions. He must not be forced to act contrary to his conscience. Nor must he be prevented from acting according to his conscience, especially in religious matters." Likewise, Section 1790 teaches: "A human being must always obey the certain judgment of his conscience. If he were deliberately to act against it, he would condemn himself."

4. For many of us, the Sanctity of Life argument is a non-negotiable and a substantial component of our conscientious objection to receiving the COVID injections on religious grounds. The *Catechism of the Catholic Church* (CCC) 2270-2275 provides support. "Human life must be respected and protected absolutely from the moment of conception. From the first moment of its existence, a human being must

be recognized as having the rights of a person- among which is the inviolable right of every innocent being to life” (CCC 2270). There are numerous Magisterial documents, including *Dignitas Personae*, *Donum Vitae*, *Humanae Vitae*, and *Evangelium Vitae* that can be cited in support of this stance- these can be found full-text at the Vatican website: [https://www.vatican.va/offices/papal\\_docs\\_list.html](https://www.vatican.va/offices/papal_docs_list.html). For example, *Donum Vitae* (Section I.4) states: "To use human embryos or fetuses as an object or instrument of experimentation constitutes a crime against their dignity as human beings having a right to the respect due to the child already born and to every human person." The U.S. patents for both the Moderna product [mRNA-1273] (US Patent Number 10,583,203)<sup>i</sup> and Pfizer [BNT162b2] (US Patent Number 10,669,322)<sup>ii</sup> demonstrate that the HEK293 cell line derived from human kidney from an abortion was used in the research and development of these products.<sup>iii</sup> The Children of God for Life website provides substantial resources for defending a religious argument on the basis of the sanctity of human life, <https://cogforlife.org/catholic-exemptions/> and <https://cogforlife.org/guidance/>; their website also contains links to authoritative documents (U.S. Patents and scientific journal articles) verifying the use of abortion-tainted products in the research and development of these biological products.

A. On December 21, 2020, Pope Francis endorsed and promulgated a document by the Congregation for the Doctrine of the Faith (CDF) [Luis F. Cardinal Ladaria, S.I., Prefect, and Archbishop Giacomo Morandi, Secretary] entitled “Note on the Morality of Using Some Anti-Covid Vaccines,” [https://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20201221\\_nota-vaccini-anticovid\\_en.html](https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20201221_nota-vaccini-anticovid_en.html). As a result of the misinterpretation of this document, some of those who are conscientiously objecting to receiving the injections have heard the accusation from employers and superiors: “The Pope endorses the vaccine, therefore you have no moral ground to refuse it.” Such a claim is invalid. While the document does state that when considering the remote passive material cooperation with the evil of abortion, “the duty to avoid such passive material cooperation is not obligatory (§ 3);” the document also states, “In fact, the licit use of such vaccines does not and should not in any way imply that there is a moral endorsement of the use of cell lines proceeding from aborted fetuses (§ 4).” The document explicitly states: “At the same time, practical reason makes it evident **that vaccination is not, as a rule, a moral obligation and that, therefore it must be voluntary** {emphasis mine} (§ 5).” The same document notes in three separate sections (paragraph 3 Introduction, §3 and §6,) that the safety and efficacy of the vaccines is “ethically relevant and necessary.” In fact, the entire argument presented in Section 3 presumes both the safety and the efficacy of the vaccine as a prerequisite: “It must therefore be considered that, in such a case, all vaccines recognized as clinically safe and effective can be used in good conscience...” In December 2020, mere weeks after the FDA met and yielded Emergency Use Authorization (EUA) for the COVID vaccines, preliminary data promised a 99% efficacy rate and 100% protection against death from COVID; the safety and efficacy data at that time appeared remarkably high. Some scientists, like Peter Doshi, Associate Editor of the British Medical Journal (BMJ) urged caution, and questioned the data (Nov. 26, 2020, BMJ, <https://blogs.bmj.com/bmj/2020/11/26/peter-doshi-pfizer-and-modernas-95-effective-vaccines-lets-be-cautious-and-first-see-the-full-data/> ). Today, looking at data emerging from counties like Israel, Gibraltar, Scotland, Malta, and others where nearly 90% of the population is vaccinated and deadly COVID cases are still occurring, provides evidence that the efficacy data upon which the document relied may not have been as trustworthy as it appeared to be at the time. Likewise, current VAERS data, Yellow

Card Data, EMA European Medicines Agency data, and emerging reports of myocarditis, clotting disorders, and pericarditis, provide at least grounds with which to argue that the premise of safety upon which arguments were based in December of 2020 might have been flawed.

5. Another strong argument can be derived from the Catechism (CCC) regarding the limits of scientific research - Sections 2292-2296. "Research or experimentation on the human being cannot legitimate acts that are in themselves contrary to the dignity of persons and the moral law.... Experimentation on human beings is not morally legitimate if it exposes the subject's life or physical and psychological integrity to disproportionate or avoidable risks. Experimentation on human beings does not conform to the dignity of the human person if it takes place without the informed consent of the subject... (CCC 2295)." A strong case (based on VAERS Data, Yellow Card Data, peer-reviewed journal articles, etc.) can be made that the currently available vaccine products constitute human experimentation which exposes the subject to disproportionate and avoidable risks and likewise, that truly informed consent is not able to be elicited.

6. Some scholars of the law recently seem to indicate that it is reasonable for an employee to request to "wait for an alternative version of the vaccine to become available" as a component of their petition. [See the first paragraph under "Exemption from Vaccine Mandate Based on Religious Beliefs." <https://www.natlawreview.com/.../eoc-updates-vaccine...> ] The John Paul II Medical Research Institute continues to work toward the production of a safe, ethical (abortion-free), and effective COVID vaccine: <https://www.jp2mri.org/>. It may be reasonable for those submitting requests for a religious exemption to state a desire to wait for this or other safe, ethical (abortion-free), effective COVID vaccine products.

(a) This chart by The Charlotte Lozier Institute demonstrates the landscape of those currently available products and vaccines in development with regard to taint from abortion. <https://lozierinstitute.org/update-covid-19-vaccine.../>; as does this chart from the Children of Life for God: <https://cogforlife.org/.../CovidCompareMorallmmoral.pdf>.

7. Paragraph 2 of the Wisconsin Catholic Conference of Bishops Statement includes a supporting statement regarding the sanctity of one's conscience. <https://www.wisconsinatholic.org/wp-content/uploads/2021/01/WI-Catholic-Bishops-Statement-on-COVID-Vaccines-1-13-2021.pdf>.

#### **Additional Resources:**

(1) The Catholic Medical Association of Catholic physicians and healthcare professionals issued a comprehensive statement in opposition of vaccine mandates without conscience and religious exemptions on July 28, 2021: <https://www.cathmed.org/catholic-medical-association-opposes-vaccine-mandates-without-conscience-and-religious-exemptions/> .

(2) Before drafting one's petition for religious exemption from a COVID vaccine mandate, it might be prudent to review the U.S. Labor Department documents regarding the law and guidelines governing religious discrimination in the workplace.

(a) U.S. Equal Employment Opportunity Commission, "What You Should Know About COVID and the ADA and Other EEO Laws," Updated May 28, 2021. <https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws>. Section K.2 states:

**“K.2. What are some examples of reasonable accommodations or modifications that employers may have to provide to employees who do not get vaccinated due to disability; religious beliefs, practices, or observance; or pregnancy? (5/28/21)**

An employee who does not get vaccinated due to a disability (covered by the ADA) or a sincerely held religious belief, practice, or observance (covered by Title VII) may be entitled to a reasonable accommodation that does not pose an undue hardship on the operation of the employer’s business. For example, as a reasonable accommodation, an unvaccinated employee entering the workplace might wear a face mask, work at a social distance from coworkers or non-employees, work a modified shift, get periodic tests for COVID-19, be given the opportunity to telework, or finally, accept a reassignment.

Employees who are not vaccinated because of pregnancy may be entitled (under Title VII) to adjustments to keep working if the employer makes modifications or exceptions for other employees. These modifications may be the same as the accommodations made for an employee based on disability or religion.”

- (b) U.S. Department of Labor OSHA Directive : DIR 2021-02 (CPL 02) “Inspection Procedures for the COVID-19 Emergency Temporary Standard, issued June 28, 2021, [https://www.osha.gov/sites/default/files/enforcement/directives/DIR\\_2021-02\\_CPL\\_02.pdf](https://www.osha.gov/sites/default/files/enforcement/directives/DIR_2021-02_CPL_02.pdf). This document specifically states on p. 40: “Employees may decline vaccination for a number of reasons, including underlying medical conditions or conscience-based objections (moral or religious). There is no requirement that employees who decline the vaccination sign a declination form.”
- (c) Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace <https://www.osha.gov/coronavirus/safework> , issued Jan 29, 2021: updated June 10, Aug 13 2021.
- (d) U.S. Department of Labor: Religious Discrimination and Accommodation: <https://www.dol.gov/agencies/oasam/civil-rights-center/internal/policies/religious-discrimination-accommodation>
- (e) OSHA Fact Sheet on Religious Discrimination issued 1/15/97. <https://www.eeoc.gov/laws/guidance/fact-sheet-religious-discrimination?fbclid=IwAR28p5L8UiqGNlxy0JrIb5dCj99GSocp97HHQivRvFHSr9bdo49iI8G004>
- (f) Those employed in healthcare may find the CDC’s National Healthcare Safety Network’s reporting rubrics of interest. “Measure Specification: NHSN COVID-19 Vaccination Coverage” Aug 2021 Update <https://www.cdc.gov/nhsn/pdfs/nqf/covid-vax-hcpccoverage-508.pdf>, main website: <https://www.cdc.gov/nhsn/hps/weekly-covid-vac/index.html>, and slide set: <https://www.cdc.gov/nhsn/pdfs/hps/covidvax/weekly-covid-reporting-508.pdf>.

(3) This article by Andrea Kirshenbaum in Law360 discusses some of the legal considerations for employers who hope to mandate the vaccine. <https://www.law360.com/articles/1312230/employers-should-plan-for-vaccine-religious-exemptions>.

(4) In March, I had the opportunity to interview Dr. Stacy Trasancos, of the Children of God for Life, for my Catholic Radio Podcast on WCAT Radio, *Inter Vitam et Mortem Between Life and Death: Interviews and Discussion with a Catholic Bioethicist*. In that interview, we discussed the ethical implications of the COVID Vaccines. The audio is available via Spreaker: <https://www.spreaker.com/episode/44037429>; it is also available as Episode #44 on my WCAT website: <https://wcatradio.com/ivm/?fbclid=IwAR3MxToUzbPhuuBLIw1cliSddHCZ9Ewot2o0omCIYm-O26Pit3kbrZo2GQc>. More information is available on the Dignitas Personae Institute for Nascent Human Life website: <https://dignitaspersonaeinstitute.org/in-the-news/>.

I hope these resources will be useful for those who are struggling with issues of conscience and vaccine mandates. These resources are meant to be a tool- a starting point- as you discern and perhaps as you prepare your own petition for religious exemption from mandatory COVID vaccination. Witnessing the sincere faith and depth of conscience of the many individuals who have contacted me for assistance regarding this challenging issue has been both humbling and edifying. Know that you are not alone. As a fundamental issue regarding the validity of conscientious objection and the sanctity of personal religious belief, this issue is critical to many. Be assured of my prayers for all who struggle to remain true to the dictates of their personal consciences while navigating these mandates.

*Hominum Vita Pro Sacra,*

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<sup>i</sup> Moderna U.S. Patent: <https://patft.uspto.gov/netacgi/nph-Parser?Sect1=PTO1&Sect2=HITOFF&d=PALL&p=1&u=%2Fnetahtml%2FPTO%2Fsrchnum.htm&r=1&f=G&l=50&s1=10,583,203.PN.&OS=PN/10,583,203&RS=PN/10,583,203>

<sup>ii</sup> Pfizer U.S. Patent: <https://patft.uspto.gov/netacgi/nph-Parser?Sect1=PTO1&Sect2=HITOFF&d=PALL&p=1&u=%2Fnetahtml%2FPTO%2Fsrchnum.htm&r=1&f=G&l=50&s1=10,669,322.PN.&OS=PN/10,669,322&RS=PN/10,669,322>

<sup>iii</sup> Background on the HEK293 cell line and the role of aborted fetal tissue in vaccine production can be found in this paper by the Dominican Theologian and physician, Fr Leon Pereira O.P., <https://files.constantcontact.com/e5550497001/da2105ad-6dcb-44a7-be1f-c009d45082cb.pdf> as well as on the Children of God for Life website: <https://cogforlife.org/per-c6-hek-293>