

**Priest Council Minutes
Archdiocesan Pastoral Center
January 18, 2017 at 10:00 a.m.**

Present: Cardinal Donald W. Wuerl; Most Rev. Barry C. Knestout; Rev. Msgr. Michael M. Fisher; Rev. Roy E. Campbell; Rev. Alain M. Colliou; Rev. Msgr. Donald S. Essex; Rev. David M. Fitz-Patrick; Rev. Scott R. Hahn; Rev. Mark D. Knestout; Rev. Kevin J. Regan; Rev. Lawrence C. Swink; Rev. Msgr. Eddie L. Tolentino; Rev. Tam X. Tran; Rev. Msgr. Peter J. Vaghi; Rev. Moises Villalta, O.F.M. Cap., Rev. Msgr. James D. Watkins; Rev. Lawrence A. Young

Absent: Most Rev. Mario E. Dorsonville; Rev. Frederick J. Close; Rev. William E. Foley; Rev. LeRoy J. Fangmeyer; Rev. W. Paul Hill; Rev. Raymond H. Moore; Rev. Raymond F. Schmidt; Rev. Walter J. Tappe

Opening Prayer and Remarks:

Cardinal Wuerl chose for reflection the day's reading from the Letter to the Hebrews, with its emphasis on the priesthood of Jesus and his being the fulfilment of everything that was anticipated, and to offer an acceptable sacrifice to atone for sin. Priests can be merciful because they recognize the need for God's mercy, for themselves and their people, standing as representatives of the people before God.

Approval of Minutes

The minutes of the December 9, 2016 meeting were approved without corrections.

The Light is ON for You 2017

Dr. Susan Timoney, Secretary for Pastoral Ministry and Social Concerns (PMSC), gave a presentation concerning *The Light is ON for You* initiative for 2017, which is in its 11th year and involves collaboration between the Secretariat for PMSC, the Secretariat for Communications, and the Department of Catechesis. Reminding people of the gift of the Sacrament of Confession, this initiative takes place in a cultural context in which 75% of all Catholics and 39% of weekly Mass goers do not go to Confession, according to the Center for Applied Research in the Apostolate (CARA).

The DC Metro system has continued its ban on "issue-oriented" advertisements, and this circumstance, together with a pattern indicating that parishes desire more flexibility for Confession times, so also the Archdiocesan Synod recommends "[t]hat the Sacrament of Confession be made widely available to accommodate the needs of the people and the availability of priests" (Worship Recommendation 4). With these factors in mind, *The Light is ON for You* will continue to provide a standard time and place for weekly confession. However, pastors and deans should consider exploring taking into account patterns of people's participation in the Sacrament of Confession. It is recommended that *The Light is ON for You* 2017 consist of: making Confession more available at events during the Lenten season (Stations of the Cross, Lenten speaker series, Daily Mass, school events, etc.), offering more times for Confession across deaneries (advertised

through updated ADW app, Digital Media promotion that is “geo-specific,” and radio spots), and developing catechetical materials focused on the healing nature of Confession and Reconciliation. These materials would consist of print, digital, and video content that will address common misconceptions about Confession, feature testimony (from a variety of voices) of positive experiences of Confession, include multilingual “how-to” guides and examen cards for going to Confession, and issue a soft challenge to make the commitment to go to Confession at least once a year.

In the discussion that followed, it was remarked that we are widening the scope of what has been done in the past by allowing more time flexibility and location availability, promoting the evangelizing aspect of Confession, but that the advantage of publicizing a consistent place and time for Confession should not be lost. There was affirmation concerning linking Confession to events and to Sunday Mass, with the observation that the drive to Confession is often the hardest part. It was recommended that the three main promotional tools of *The Light is ON for You* this year, reflecting the evangelization aspect, will be an increased radio presence, a website that provides Confession times and locations in various localities, and to ensure that the continued New Evangelization invitation cards will be distributed to parishes (e.g. Ash Wednesday) for parishioners to then offer to friends and family. It was agreed that the production of the invitation card will be the next step, and that the invitation card template will be given to the Priest Council Executive Committee for final approval.

HHS Non-Discrimination Regulation

Chancellor Kim Viti Fiorentino gave a presentation concerning the Nondiscrimination Mandate issued by the U.S. Department of Health & Human Services (HHS). This mandate, formally titled “the Nondiscrimination in Health Programs and Activities rule” (NHPA), is an administrative rule issued in final form by the Obama administration on May 18, 2016. It implements Section 1557 of the Affordable Care Act (ACA), which is the ACA’s nondiscrimination provision.

Section 1557 prohibits discrimination by any “health programs or activities” that receive federal funding, by incorporating four federal nondiscrimination statutes. Most of the prohibited bases (e.g. race, age, disability) are uncontroversial; however, in incorporating Title IX’s prohibition on discrimination on the basis of sex, the Nondiscrimination Mandate goes further than Title IX by explicitly defining “sex” to include (among other things) “*gender identity*.” In short, the Nondiscrimination Mandate forbids an entity that receives HHS funds from “discriminating” on the basis of gender identity, and HHS expressly declined to import Title IX’s religious exemption into this rule.

The Nondiscrimination Mandate’s direct impact is limited to entities that receive funding from HHS (e.g. payments for services made under Medicaid), and it impacts covered entities in two distinct ways: health services and health coverage. Regarding health services, covered entities must provide equal access to programs and activities without discriminating on the basis of *gender identity*. This means, for example, a man who wishes to have gender reassignment treatments must have access to all such programs and services. Regarding health coverage, a covered entity, in the health insurance it provides to its own employees, must provide insurance coverage for health services

related to, among other things, gender transition. This aspect of the Nondiscrimination Mandate is most impactful to our affiliated entities who receive HHS funding.

It is impossible to know with certainty how the Trump administration will approach the Nondiscrimination Mandate. However, President-elect Trump said during the campaign that, if elected, he would rescind this rule. Because this particular provision was enacted through the notice-and-comment rulemaking process, the President cannot unilaterally rescind it, but he could initiate another round of rulemaking and/or stay enforcement of this regulation. The archdiocesan legal team expects to see some relief from this rule in some form from the Trump administration, but in the meantime, more immediate “eleventh-hour” relief has been provided by the judiciary in the form of an injunction issued on December 31, 2016, the day before the mandate was set to take effect as to the health coverage aspect.

A federal district court in Texas issued a nationwide injunction in a case called *Franciscan Alliance v. Burwell*. Specifically, the court barred the government from enforcing the prohibition on discrimination on the basis of “gender identity,” although other aspects of the rule that were not challenged will remain in place. The court ruled that HHS exceeded its legal authority in enacting the rule’s expansive definition of sex discrimination, because by encompassing gender identity within the scope of sex discrimination—and by refusing to include a religious exemption—it went far beyond the scope of Title IX itself (the statute it was supposed to be incorporating) and violated the Religious Freedom Restoration Act. As a result of this judicial decision, the Nondiscrimination Mandate no longer poses an immediate threat, and the archdiocesan legal team will continue to monitor the legal process – from the Executive, Legislative, and Judicial perspective.

In the discussion that followed that followed, Chancellor Fiorentino clarified that the ruling of the federal district court in Texas has nationwide applicability because the court found the mandate’s discrimination prohibition to be “facially invalid.” These legal issues are a reflection of the conflict between our present culture’s widespread mentality concerning “individual rights” and the inclusion of service activities without regard to formerly available exceptions for exercise of “freedom of religion.”

Information Technology Security

Following an introduction from Mr. Eric Simontis, Chief Financial Officer, a presentation was given by Mr. Will Potter, Chief Information Officer, concerning Information Technology Security. Viruses, including ransomware, hacking, and security-related disruption of operations, are very real threats to the archdiocese and several instances have already occurred. Much has been done at the Central Pastoral Administration (CPA) to help better protect internal archdiocesan computer assets and data. However, security is a dynamic situation, with the adversaries constantly varying the ways they attack.

As security is everyone’s business, the key to success in combating these threats is user education, and our focus has turned toward this. We are a high-profile archdiocese, with 139 parishes and over 90 schools and affiliated corporations. As a result, we have many

potential points of failure. Several of our parishes' computers have already been affected by ransomware and other viruses, and we know of dioceses that have had to pay the ransom to unlock their infected files. To date, these threats have been dealt with, resulting in only minimal disruptions. As a result of the disruptions to date, we have strengthened our backup and restore capabilities and have significantly increased our cyber liability insurance coverage. The latter includes the benefit of the insurance provider's ability to work with the parishes and schools in the case of a breach or virus. The Office of Information Technology (IT) has taken a multi-level approach to these threats and is sharing our knowledge and best practices outside of the CPA.

Regarding protecting parishes and schools, key parish and school operational data has been removed from internal computers to more secure vendor computer centers [i.e. ParishSOFT ConnectNow products, Rediker (SIS), and CHRIS]. At the May bookkeeper meeting, and to a lesser extent at the August meeting, various topics were presented to all bookkeepers. These topics included Security and Virus Protection Awareness Training, a shared ADW CPA Password Policy, and expanding the cyber liability policy coverage level through Catholic Mutual with NAS. A September meeting with principals and school staff included the Security and Virus Protection Awareness Training. Other information shared with bookkeepers included best practice/market leader software for virus protection, recommendations for backup/restore software and procedures, recommendations on automated securing of data and computers, and the ways in which email has been made safe and secure. Additionally, they were given a recommendation concerning safe usage of the web and were notified how up-to-date anti-virus software is part of all standard ADW systems. They were also informed concerning strategies to improve the physical security of assets and a process for secure disposal of hardware.

Going forward, the IT team will work with other archdiocesan staff when there is a breach and will work with Catholic Mutual/NAS on a virus incident engagement process (i.e., filing a claim). We will continue further dissemination of the Security and Virus Protection Awareness Training, get pastors and staff up-to-speed on this training, and include this training in the orientation process. We will finalize the ADW Information Security Policy and update related IT policies. All the aforementioned items will be shared as resources to parishes and schools, and an IT component will be added to any Disaster Recovery Plan. The goal is to find a balance between risk, cost, and mitigation. Hardware protection will entail managing mobile and external storage devices (e.g. memory sticks) and replacing outdated and/or aging equipment. Software protection will entail ensuring that parishes are using updated virus protection software, following best practices for backing-up data, and staying current with all software patches and updates. Website protection will entail monitoring usage of the internet, using web content filtering software if needed, and using virus protection software that blocks harmful websites.

In terms of what all employees can do to contribute to secure technology, we ask that employees not open email attachments from strangers and watch out for email asking for your personal information. Keep passwords secure and change them at least every 90 days. Make sure you or your staff keep computers and software up to date, and back up computers on a regular basis. Finally, contact the IT Help Desk if you are not sure

whether an e-mail may be harmful or have any IT-related security concerns, and be vigilant.

In the discussion that followed, Mr. Potter stated that the operating system for computers should be at least on Windows 7 and that the CPA is in process of converting to Windows 10. He advised using passwords with variants, but which are not exactly the same. He clarified that ParishSoft centrally houses our data, that their security is good, and that we are guarding against disasters through storing data and security in “the cloud” as opposed to a local server.

Closing Remarks and Prayer

Cardinal Wuerl reminded the Council that on the Saturday following this meeting, all seminarians will be present for a program to reflect on *Amoris Laetitia*. The reflection booklet will be sent to all priests as a resource, and the Cardinal welcomes questions. Upcoming deanery meetings will be structured around the following topics: 1) Specific issues of interest to the priests of the deanery 2) How do you feel about where we are as a Church? 3) *Amoris Laetitia*.

A discussion arose concerning the transmission of the faith within our present culture. The Holy See has issued the first working draft from the Synod on Young People, the Faith and Vocational Discernment, to which feedback can be given. The transmission of the faith raises the issue of the relationship between revelation and pastoral care, between the call to perfection and the human condition. Cardinal Wuerl remarked that some priests, in their pastoral care, may choose to come down on the clarity of the law, while others emphasize pastoral accompaniment, and that pastoral care is going to look different for each individual. Noting that many people today have no idea why certain actions or behaviors are wrong, the Cardinal stated that pastoral care in this context needs to include more than a message of “You’re wrong and you need to repent,” and that priests help form conscience, but do not take the place of conscience.

It was agreed that the Priest Convocation would provide a good opportunity for talking about these issues, and the meeting was closed in prayer.

Next Meeting: February 16, 2017