

# HARRIS AND TRUMP ON RELIGIOUS LIBERTY

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## **Harris' Religious Liberty Record**

On February 14, 2021, Biden signed an executive order reestablishing the White House Office of Faith-Based and Neighborhood Partnerships. The Biden-Harris administration claims that this office is intended to promote partnerships between the White House and religious and secular organizations to better serve people in need. These accomplishments fall into eight categories: safeguarding the right to practice faith without fear and other aspects of religious freedom; expanding opportunity; responding to disasters; helping Americans with mental health and substance use problems and preventing suicide; improving maternal and child health and addressing hunger and nutrition; welcoming refugees, including Ukrainians and Afghan allies, and new Americans; protecting the environment; and promoting protection and recovery from COVID-19.

### **Safeguarding the right to practice faith without fear and other aspects of religious freedom**

- In response to the war between Israel and Hamas, the Biden-Harris administration has undertaken several programs to protect Jewish and Muslim communities in the United States.
- The Biden-Harris administration hosted the first-ever White House United We Stand Summit on countering hate-motivated violence. Although the summit briefly included discussions about attacks on houses of worship, its focus was more on discrimination against minorities and LGBT individuals.
- Biden announced the establishment of a new interagency

policy committee (IPC), led by Domestic Policy Council and National Security Council staff, to increase and better coordinate efforts to counter antisemitism, Islamophobia, and related forms of discrimination and bias in our country. As its first order of business, the President directed the IPC to develop a national strategy to counter antisemitism. Second Gentleman of the United States Douglas Emhoff, Ambassador Susan Rice, Mayor Keisha Lance Bottoms, and Ambassador Deborah Lipstadt held a roundtable meeting with diverse Jewish stakeholders on the alarming spike in antisemitism in the United States.

- Through the Protecting Places of Worship Interagency Policy Committee (IPC), the Biden-Harris administration coordinated efforts to support the safety and security of places of worship. On the tenth anniversary of the attack on the Sikh Temple in Oak Creek, Wisconsin, the IPC announced an initial set of steps to protect places of worship and congregants, and IPC leaders participated in memorial events at the Sikh Temple. Under the IPC's leadership, products such as the Threats Against Houses of Worship Highlight the Importance of Religious Community Outreach were updated, the first Protecting Places of Worship Week of Action was held, and a network promoting peer-to-peer learning for faith leaders launched.
- In Fiscal Year 2022, the Biden-Harris Administration implemented a nearly 40% increase in funding – from \$180 million to \$250 million – in the Department of Homeland Security's (DHS) Nonprofit Security Grant Program (NSGP), which provides support for increasing the physical security of nonprofit organizations, including houses of worship and other religious affiliated entities. In his Fiscal Year 2023 budget proposal, President Biden called for \$360 million for this program. The omnibus spending package for fiscal year 2023 funded this program at \$304 million. Ultimately,

the administration provided technical assistance to more than 10,000 faith-based and community leaders on taking action to protect places of worship, including by providing information on the Non-Profit Security Grant Program and sharing the Mitigating Attacks on Places of Worship publication. This included “diverse faith leaders” and provided protection to Tribal Nations and their citizens, including the President’s designation of the Camp Hale – Continental Divide National Monument, the Bears Ears and Grand Staircase Escalante National Monuments, and an interagency Sacred Sites Memorandum of Understanding Protected places sacred that creates a framework through which agencies can better protect Tribal sacred sites.

- The Biden-Harris administration reestablished the Faith-Based Security Advisory Council, which offers advice and recommendations to the DHS Secretary on matters related to protecting houses of worship, preparedness, and enhanced coordination with the faith community.
- The Biden-Harris administration advanced new rules which it claimed protected the religious liberty protections for beneficiaries of federally funded social services, such as job training and job search assistance, academic enrichment opportunities, and housing services. The new rules require federal grantees that administer social service programs with the federal government to adhere to new regulations. In reality, this created new burdens for faith-based providers and reversed key reforms by the Trump administration that made it easier for faith-based providers to compete for federal grants.
- The Biden-Harris administration held listening sessions with Muslim, Jewish, and other faith-based, civil rights, and educational organizations on concerns related to anti-Semitism, Islamophobia, and related forms of discrimination and bias. Additionally, the administration promoted a new Fact Sheet: Protecting Students from Discrimination Based on Shared Ancestry or

Ethnic Characteristics, which describes ways this protection covers students who are or are perceived to be Jewish, Christian, Muslim, Sikh, Hindu, Buddhist, or of another religious group. Further, the administration hosted a webinar on how pre-K-12 schools can prevent and address bullying against students because of their actual or perceived religious affiliation.

### **Expanding opportunity**

- The Biden-Harris Administration launched the Thriving Communities Program, a program aimed at ensuring that disadvantaged communities have the technical tools and organizational capacity to compete for federal aid and deliver quality infrastructure projects that enable neighborhoods to thrive. As part of this program, direct support is provided to governmental, non-profit, philanthropic, neighborhood and faith-based organizations to collectively plan for, design, and deliver community-driven transportation projects.
- The Biden-Harris administration partnered with faith and community leaders to enroll people in eligible households in the Affordable Connectivity Program (ACP). The ACP helps ensure that eligible households can afford the high-speed internet and devices such as computers, smart phones and tablets.
- The Biden-Harris administration fostered partnerships among businesses, community-based organizations, and faith leaders through roundtables in all 50 states to promote job creation, economic growth, and equity at the local level. Lists of Department of Commerce programs and services relevant to communities' needs were shared at these roundtables, including information on small business loans, export promotion assistance, climate resilience support, and increased community access to data and technology.
- The Biden-Harris administration met with over 150 faith-

based and community organizations seeking to partner with USAID.

- The Biden-Harris Administration conducted capacity-building and grant-writing trainings for faith-based and neighborhood organizations in cities such Tallahassee, Florida; Atlanta, Georgia; and Detroit, Michigan.

## **Responding to disasters**

- Following the shootings at Tops supermarket in East Buffalo and Robb Elementary School in Uvalde, Texas, Biden-Harris staffers worked with local faith and neighborhood leaders on responding to needs and developed guides to relevant federal resources for these leaders. Some of the assistance provided included offering over 1,000 residents access to resources such as school supplies, nutritious food, mental and behavioral health resources, assistance for substance use disorders, and COVID-19 vaccinations. Likewise, the Biden-Harris administration's faith-based office claims it provided assistance, including the Resource Guide for LGBTQ+ Organizations and Service Providers, following the shooting at Club Q in Colorado Springs. Additionally, they provided a fact sheet with resources for Asian-American, Native Hawaiian, and Pacific Islanders communities in the aftermath of mass violence, including the despicable attacks in Monterey Park and Half Moon Bay, California.
- Biden-Harris administration provided training for faith and community leaders on preventing human trafficking in disasters and updated the Faith-Based Community Leaders Awareness Guide in English and Spanish.

## **Helping people struggling with mental health and substance use problems and preventing suicide**

- The Biden-Harris administration provided training to 45,000 faith and community leaders on the 988 Suicide

and Crisis Lifeline and on emergency mental health services, created a Youth Mental Health Toolkit, developed and shared a PSA featuring African American clergy, and updated the Practical Toolkit for Preventing Drug Overdose and Supporting Recovery in Faith and Community Settings and translated the toolkit into Spanish.

- The Biden-Harris administration hosted fourteen suicide prevention webinars for faith-based and community organizations that focused on the Department of Veterans Affairs S.A.V.E. training.
- The Biden-Harris Administration offered technical assistance during Mental Health Awareness Month to thousands of faith and community leaders from rural and underserved communities on the resources available to address behavioral health, farm stress, and prevent suicide.

### **Improving maternal and child health and addressing hunger and nutrition**

- The Biden-Harris administration held three regional events in Philadelphia, Houston, and New York City to highlight ways faith and community leaders can get involved in addressing concerns about maternal and child health.
- The Biden-Harris administration hosted a series of webinars on workplace protections for new and expecting mothers. Workers, worker advocates, employers, and other stakeholders were provided with information on federal laws that protect pregnant workers from discrimination, provide time off for the birth or adoption of a child, and ensure nursing workers can take breaks to pump breast milk while at work.
- The Biden-Harris administration included community and faith-based organizations in the first White House Conference on Hunger, Nutrition, and Health in over 50

years and in the development and implementation of the National Strategy on Hunger, Nutrition, and Health.

- The Biden-Harris administration moved to make kosher and halal foods more available to nutrition assistance customers, including by engaging with faith institutions, food banks, and other external stakeholders.

### **Welcoming refugees, including Ukrainians and Afghan allies, and new Americans**

- The Biden-Harris administration supported the launch of the Welcome Corps by connecting faith and community leaders with this new service opportunity for Americans to welcome refugees. Together, sponsor groups welcome refugee newcomers by securing and preparing initial housing, greeting refugee newcomers at the airport, enrolling children in school, and helping adults find employment.
- In coordination with Operation Allies Welcome, the Biden-Harris administration continued a webinar series for faith and neighborhood organizations on supporting the resettlement of Afghan allies in the United States.
- The Biden-Harris administration partnered with community and faith leaders in support of Uniting for Ukraine, an innovative approach to provide a safe and orderly process for displaced Ukrainians who have been impacted by Russia's invasion of Ukraine to come to the United States with the support of a sponsor. Also, Biden sent Easter greetings to Ukrainian American Christians, giving thanks for the extraordinary unity and resolve we are seeing around the world in support of Ukrainians and promising to continue to stand with the people of a free and democratic Ukraine.
- The Biden-Harris administration connected leaders of secular and religious nonprofit organizations with the Task Force on New Americans, a body that coordinates the

federal government's efforts to ensure that lawfully present immigrants, including refugees, receive the support they need.

## **Protecting the environment**

- On August 13, 2024, the Biden-Harris White House hosted a meeting of more than a dozen faith leaders to discuss how faith-based organizations can benefit from and support the administration's climate agenda. Officials highlighted that houses of worship are eligible to use Direct Pay, a provision of the Inflation Reduction Act that helps tax-exempt entities use federal clean energy tax incentives by issuing payments in equal value to tax credits. This is to encourage nonprofits to proactively pursue clean energy projects.
- The Biden-Harris administration made it easier and more efficient for congregations to reduce pollution, including by launching a new webpage featuring 18 EPA programs with tools and resources for congregations, updating the ENERGY STAR Action Workbook for Congregations, and facilitating webinars with nonprofit partners on Inflation Reduction Act-funded grants through the Efficiency Materials Pilot Program for Nonprofits.
- The Biden-Harris administration convened over 400 faith and community leaders to foster dialogue and partnerships on climate smart agriculture, climate smart commodities, and ways to help historically underserved communities.

## **Promoting protection and recovery from COVID-19**

- As part of a "Year of Action" working with civil society on COVID-19 response efforts, USAID awarded \$1.5 million in technical support and capacity-strengthening services to three USAID Missions to implement activities that engage and strengthen the capacity of local faith-based



and community organizations to assist in COVID-19 response.

- The Biden-Harris administration connected faith and community-based organizations with two initiatives to promote academic recovery in the wake of the COVID-19 crisis: The National Partnership for Student Success (a public-private partnership with AmeriCorps and the Department of Education) to recruit, screen, train, support, and engage an additional 250,000 caring adults in roles serving as tutors, mentors, student success coaches, wraparound service coordinators, and post-secondary transition coaches; and the Engage Every Student Initiative, which is working to ensure that every student who wants a spot in a high-quality out-of-school-time program has one.
- In 2022, AmeriCorps invested in thousands of nonprofit, faith, and community-based organizations across the nation addressing COVID-19 pandemic response, economic opportunity, and environmental conservation, among other critical needs. This includes a \$580 million investment through the AmeriCorps State and National program, the largest investment in agency history supported by AmeriCorps' historic \$1 billion American Rescue Plan investment from the Biden-Harris Administration.

## **Trump's Religious Liberty Record**

During President Trump's term in office, he promoted many important faith-based initiatives. The following list highlights his major achievements on this front:

- January 23, 2017—President Trump reinstated and expanded the Mexico City Policy, which blocks funding for international organizations that perform or promote abortion. The new policy, known as Protecting Life in Global Health Assistance (PLGHA), covered \$8.8 billion in family planning and global health funds given to

organizations abroad that do not perform or promote abortion.

- February 22, 2017–Trump’s Department of Education (ED), in conjunction with the Department of Justice (DOJ), rescinded President Obama’s guidance that required public schools to allow students who identify as transgender to use the bathrooms and showers of their choice.
- May 4, 2017–President Trump signed an Executive Order promoting free speech and religious liberty (known as the “Religious Liberty Executive Order”). This order made religious liberty an administration priority and required all federal agencies to take action to protect it. The order also addressed conscience protections, forthcoming guidance from the DOJ, and religious liberty in the context of free speech.
- August 25, 2017–President Trump announced changes to the Obama administration’s Department of Defense (DoD) policy that had allowed military personnel to serve even if they openly self-identified as transgender. (A DOD study found the Obama administration’s policy to be detrimental to military readiness, lethality, and unit cohesion.)
- September 7, 2017–Trump’s DOJ filed an amicus brief with the Supreme Court defending the religious freedom rights of baker Jack Phillips in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*. This filing is representative of other DOJ actions in defense of religious freedom that took place throughout the Trump administration.
- October 6, 2017–Trump’s DOJ issued guidance and an implementing memo (as instructed by the Religious Liberty Executive Order) to all federal agencies explaining religious freedom law and how religious liberty must be protected. This guidance laid out a broad defense of religious liberty based on multiple statutes and provided each federal agency with

guidelines for protecting religious liberty.

- October 6, 2017—Trump’s Department of Health and Human Services (HHS) proposed two regulations to deal with the Obamacare “HHS contraceptive mandate” that had violated conscience and religious liberty for years. These new regulations exempted organizations with moral or religious objections to purchasing insurance that includes coverage of contraceptives and abortion-causing drugs and devices.
- January 16, 2018—The DOJ filed an amicus brief with the District Court of Appeals for the District of Columbia on behalf of the Archdiocese of Washington, D.C. The Archdiocese had wanted to promote a religious message during the Christmas holiday but had been denied advertising space within the District’s public transit system.
- January 18, 2018—The DOJ filed an amicus brief with the U.S. Supreme Court in *Espinoza v. Montana Department of Revenue* defending the First Amendment rights of parents and students who attend a religious school to participate in a private school scholarship program.
- January 18, 2018—HHS announced a new Conscience and Religious Freedom Division within its Office of Civil Rights (OCR). This new Division was established to enforce federal laws that protect conscience rights and religious freedom.
- January 19, 2018—HHS issued a new proposed regulation on conscience protections related to abortion. Specifically, the regulation proposed implementing 25 laws that protect pro-life healthcare entities against discrimination by federal agencies – or state or local governments receiving federal funds – due to their objections to participating in abortion, sterilization, and other morally objectionable procedures.
- January 19, 2018—The Center for Medicaid and CHIP Services (CMCS) rescinded an Obama administration letter that restricted states’ flexibility in removing

abortion providers from federal healthcare programs if they did not meet the state's qualification standards.

- January 24, 2018—Sam Brownback was confirmed as U.S. Ambassador-at-Large for International Religious Freedom. President Trump demonstrated the administration's commitment to the issue of religious freedom by choosing Brownback, someone with gravitas and experience in this area.
- March 23, 2018—The White House and the DoD issued a new policy allowing existing personnel to remain in the military while preventing those diagnosed with "gender dysphoria" or who had undergone gender transition surgery from joining the military. Those who were transgender and stable for 36 months were allowed to join so long as they served in accordance with their biological sex.
- April 26, 2018—Mike Pompeo was confirmed as Secretary of State. In choosing Pompeo for this position, President Trump chose someone who cared deeply about religious liberty and would make its advancement a priority.
- April 30, 2018—During a press conference with Nigeria's president, President Trump raised the issue of religious freedom and the killing of Christians in that country—bringing attention to an issue that other government officials had largely neglected.
- May 8, 2018—President Trump signed an Executive Order establishing a White House Faith and Opportunity Initiative. The order directed agencies that didn't already have a Center for Faith and Opportunity Initiatives to designate a Liaison for Faith and Opportunity Initiatives.
- May 11, 2018—The Federal Bureau of Prisons updated its Transgender Offender Manual to say that offenders' housing status was to be designated by biological sex and that gender identity would rarely be an appropriate way to designate offenders' housing.
- May 22, 2018—HHS issued a new proposed

regulation reversing the Title X family planning regulations implemented by President Clinton. The proposed regulation would restore the separation of abortion services from the federal Title X family planning program, which President Reagan first implemented. The proposed regulation would also ensure parents are more involved in minors' decisions to obtain services from Title X clinics.

- June 13, 2018—The DOJ announced the Place to Worship Initiative, designed to increase enforcement and public awareness of the Religious Land Use and Institutionalized Persons Act (RLUIPA). This federal law protects places of worship and other religious uses of property. Through this initiative, federal prosecutors would receive training about legal protections for houses of worship.
- July 24-26, 2018—The State Department held the first-ever Ministerial to Advance Religious Freedom. Political and civil society leaders from around the world gathered in Washington, D.C., for a three-day summit to discuss religious freedom issues and solutions. The Potomac Declaration, issued at the Ministerial, made a strong statement about the state of religious freedom around the globe and provided a plan of action for promoting global religious freedom. The United States also announced the International Religious Freedom Fund (to provide emergency assistance to victims of religiously motivated discrimination and abuse around the world) and the Genocide Recovery and Persecution Response Initiative (which has provided nearly \$373 million to help persecuted ethnic and religious minorities in northern Iraq restore their communities). The United States was among 25 countries that signed a statement condemning terrorism and the abuse of religious believers by non-state actors.
- July 30, 2018—The DOJ announced a Religious Liberty Task Force to fully implement religious liberty guidance and

policy across all components of the DOJ.

- August 1, 2018—The Trump administration sanctioned two Turkish officials over the detention of American pastor Andrew Brunson due to his Christian faith and ultimately resulted in Pastor Brunson's release.
- September 24, 2018—HHS terminated a \$15,900 contract with Advanced Bioscience Resources to procure fetal tissue from aborted babies for research. The termination of this contract led HHS to announce an audit of all acquisitions and research involving human fetal tissue to ensure consistency with statutes and regulations.
- November 7, 2018—HHS finalized two regulations to protect conscience and religious liberty from long-running problems with the Obamacare "HHS contraceptive mandate." These two final regulations exempted organizations with either a moral or religious objection to purchasing insurance with coverage of contraceptives and abortion-causing drugs and devices. The regulations took effect on January 14, 2019.
- November 9, 2018—HHS proposed a new regulation to address an abortion surcharge hidden in many plans purchased on the Obamacare exchange. This proposed regulation enforced the requirement that abortion surcharges are to be collected separately from other insurance premiums. This requirement was not closely followed under the Obama administration.
- December 26, 2018—The DOJ filed an amicus brief with the U.S. Supreme Court defending a publicly displayed cross-shaped veteran's memorial that had been challenged as a violation of the Establishment Clause.
- January 18, 2019—HHS issued a notice of violation to California for requiring pregnancy resource centers to post notices about how to obtain an abortion, in violation of the pro-life Weldon and Coates-Snowe Amendments.
- January 19, 2019—President Trump sent a letter to House

Speaker Nancy Pelosi in which he promised to veto any legislation that weakens current pro-life federal policies and laws. This letter was a message to the new Democrat majority in the House that longstanding pro-life protections like the Hyde Amendment and safeguards protecting the conscience rights of health care providers are not negotiable.

- February 22, 2019—HHS announced final rule changes governing the Title X family planning program. Consistent with federal law, these rule changes ensured that Title X clinics would be financially and physically separate from abortion facilities and would not refer patients for abortions. Since the implementation of the rule, Planned Parenthood and several pro-abortion states voluntarily decided to withdraw from the program rather than quit performing abortions or referring patients for abortions.
- March 8, 2019—U.S. Ambassador-at-Large for International Religious Freedom Sam Brownback criticized China's poor religious freedom record in a speech he delivered in Hong Kong.
- April 12, 2019—The Trump administration's policy on military service by those with gender dysphoria went into effect.
- May 2, 2019—HHS announced a final rule to expand the structure in which federal conscience laws are enforced. In 2011, President Obama issued a rule that enforced only three federal conscience provisions. The new regulation under President Trump covered 25 existing statutes, enforced by the new Conscience and Religious Freedom Division of HHS' OCR.
- May 5, 2019—At the World Health Assembly, the Trump administration issued a joint statement on behalf of the United States and eight other nations calling on other countries to join an effort to focus on women's health issues that unify rather than create dissension among members (like abortion and sexual and reproductive

health). This statement was the first action taken under the administration's new Protecting Life in Global Health Policy (PLGHP), which seeks to build a global coalition to promote women's health while also protecting unborn life and strengthening the family. This policy works in conjunction with the PLGHA program, which restricts funding for organizations abroad that perform or promote abortion.

- May 24, 2019—HHS proposed a new regulation clarifying that discrimination on the basis of sex in section 1557 of the Affordable Care Act was to be interpreted under the plain meaning of the word. Therefore, it does not include “gender identity” or “termination of pregnancy” as set forth by a 2016 Obama administration regulation. The HHS regulation would continue to enforce existing civil rights protections; however, it clarified that the federal government would not force physicians to participate in gender reassignment surgeries or abortions.
- June 5, 2019—After an extensive audit into fetal tissue research, the Trump administration announced a major change in the enforcement of research contracts. HHS would no longer conduct intramural (internal) research using tissue from aborted babies and greatly increase the ethics rules and safeguards governing extramural (external) fetal tissue research contracts. All new external contracts would be subject to a congressionally authorized ethics advisory board, making it much more difficult for fetal tissue research contracts to be awarded by the National Institute of Health.
- July 16-18, 2019—The State Department held the second Ministerial to Advance Religious Freedom. Secretary of State Mike Pompeo announced a new global initiative, the International Religious Freedom Alliance, meant to provide a way for like-minded countries to work together to advance religious freedom. Federal Communications Commission Chairman Ajit Pai gave



a compelling speech condemning the use of technology to track and control the lives of religious minorities. The United States was among 14 signatory countries on a statement of concern about technology and religious freedom; one of 34 countries that signed a statement of concern on counterterrorism as a pretext for the repression of religious freedom; one of 27 countries that signed a statement condemning blasphemy, apostasy, or other laws that restrict religious freedom; and one of 46 countries that signed a statement that called upon government officials to condemn attacks on places of worship and to work with religious communities to protect these places. At this event, the State Department and the U.S. Agency for International Development (USAID) also announced new religious freedom training programs for foreign service officers.

- July 16, 2019—The State Department placed targeted sanctions on Burmese military officials for their human rights and religious freedom violations committed against the Rohingya Muslim population.
- July 18, 2019—Secretary of State Mike Pompeo and HHS Secretary Alex Azar issued a joint letter on international partnerships that called states to join a coalition of countries that seek to advocate against pro-abortion policies at the World Health Organization and the United Nations (UN).
- August, 2019—The DOJ filed amicus briefs with the U.S. Supreme Court in two important religious liberty cases, *G. & G.R. Harris Funeral Homes, Inc. v. Equal Employment Opportunity Commission* and *Bostock v. Clayton County/Altitude Express, Inc. v. Zarda*. Through these filings, the DOJ advanced a biologically binary definition of sex and those who operate accordingly, whether because of science or religious belief.
- August 15, 2019—The Department of Labor (DOL) proposed a new regulation clarifying the scope and application of religious exemptions for federal contractors. Under the

Obama administration, the scope of religious exemption at DOL was severely narrowed. The current DOL relied on the history of our nation's preservation of religious liberty, the First Amendment, and U.S. Supreme Court decisions to re-invigorate the exemption to its historical and constitutional parameters.

- August 28, 2019–The HHS OCR issued a notice of violation to the University of Vermont Medical Center for forcing a nurse to participate in an abortion despite a conscience objection. This marked the third time the HHS Religious Freedom Division under President Trump investigated a conscience complaint related to participating in or promoting abortion.
- September 10, 2019–The State Department placed targeted sanctions on Russian officials for their religious freedom violations and torture of Jehovah's Witnesses.
- September 23, 2019–President Trump hosted a meeting during the UN General Assembly and gave a speech solely on the topic of religious freedom. During the speech, he announced a U.S. policy initiative to protect places of worship, pledging an additional \$25 million in funding to protect religious sites and relics. President Trump also announced the United States would form a coalition within the business community to protect religious freedom. This was the first time a U.S. president hosted a meeting focused solely on religious freedom at the UN.
- September 24, 2019–President Trump discussed the need to protect religious freedom during his UN General Assembly speech. He also discussed China and Iran, two major violators of religious freedom.
- September 25, 2019–HHS Secretary Alex Azar delivered a statement at the UN General Assembly stating that there is no international right to abortion and that the United States does not support ambiguous terms like "sexual and reproductive health" in UN documents.
- October 7, 2019–The Department of

Commerce blacklisted 28 Chinese companies whose surveillance technology products are used to systematically oppress and control—and violate the religious freedom of—Uyghur Muslims in Xinjiang, China.

- October 11, 2019—Attorney General Barr delivered a striking defense of religious liberty at Notre Dame Law School. He noted, “[t]he imperative of protecting religious freedom was not just a nod in the direction of piety. It reflects the Framers’ belief that religion was indispensable to sustaining our free system of government.” He proceeded to remind the audience that religion gives us the “right rules to live by.” Barr highlighted the recent attacks on religious liberty and how the DOJ, under his leadership, fought back and protected religious liberty.
- November 14, 2019—The U.S. government led a statement on behalf of itself and 10 other countries at the Nairobi Summit, once again calling upon the international community to focus on areas of consensus instead of divisive issues like abortion and sexual and reproductive health.
- November 19, 2019—HHS issued a rule removing burdensome requirements that all grantees, including those that are faith-based, must accept same-sex marriages and profess gender identity as valid in order to be eligible to participate in grant programs. This included the adoption and foster care space, where these requirements had been used to shut down faith-based providers of foster care and adoption.
- November 27, 2019—President Trump signed the Hong Kong Human Rights and Democracy Act into law, affirming Hong Kong’s semi-autonomous status and protecting against Chinese government encroachment, which is a threat to Hong Kong’s religious freedom.
- December 19, 2019—The Treasury Department sanctioned two Iranian judges responsible for human rights violations. One of the judges was known to violate the rights of

Iran's Christian and Baha'i religious minority communities.

- December 20, 2019—The Center for Medicare & Medicaid Services (CMS) announced a final regulation to address the abortion surcharge hidden in many plans purchased on the Obamacare exchange. This final rule aligned federal regulations with section 1303 of the Affordable Care Act, ensuring that consumers knew their health care plan covered abortion and that funding for abortion was kept separate from all other covered services.
- January 16, 2020—HHS Secretary Alex Azar hosted 34 countries for a meeting on how to promote women's health and protect the lives of the unborn. This meeting followed an invitation sent by Secretary Azar and Secretary of State Mike Pompeo to 70 different countries inviting them to join a coalition to oppose international efforts to enshrine abortion as a human right.
- January 16, 2020—ED and the DOJ issued guidance on constitutionally protected prayer and religious expression in public elementary and secondary schools. This guidance ensured that prayer in schools is properly protected and not unconstitutionally prohibited or curtailed.
- January 16, 2020—The White House Office of Management and Budget (OMB) sent a memo to the heads of executive departments and agencies providing guidance on the administration's Religious Liberty Executive Order. This memo required the agencies to review the order and publish policies on how they will comply.
- January 17, 2020—Nine federal agencies (the Departments of Agriculture, Education, Homeland Security, Veterans Affairs, Justice, Labor, Health and Human Services, and Housing and Urban Development, along with the State Agency for International Development) proposed rules leveling the playing field for faith-based organizations wishing to participate in grant programs or become a

contractor. The rules eliminated two requirements placed on faith-based organizations that were not placed on secular organizations.

- January 22, 2020—The Centers for Medicare & Medicaid Services at HHS approved a family planning waiver for Texas to implement a state-run Medicaid program that excludes abortion providers like Planned Parenthood. This made Texas the first state to receive Medicaid funding for a family planning program that did not include abortion providers.
- January 24, 2020—President Trump became the first sitting president to give remarks in person at the annual March for Life in Washington, D.C. In his address, he stated the eternal truth that every child is a sacred gift from God and reiterated his effort to defend the dignity and sanctity of every human life.
- January 24, 2020—HHS Secretary Alex Azar announced that HHS had issued a notice of violation to California for violating the federal Weldon Amendment. California's abortion coverage mandate deprived over 28,000 residents of health insurance plans that did not cover abortion. This marked the second time HHS issued a notice of violation to California for violating federal conscience laws and was the fourth enforcement action taken by the HHS OCR's Conscience and Religious Freedom Division.
- February, 2020—The Trump administration filled the role of Special Advisor to the President on International Religious Freedom within the National Security Council. This role was authorized by the International Religious Freedom Act of 1998 but had remained unfilled for over 20 years since that law's enactment. President Trump was the first president to dedicate a full-time staffer to this role and fill it on a permanent basis.
- February 4, 2020—During his State of the Union address, President Trump called on Congress to pass legislation that would ban late-term abortions. To highlight the need for this legislation, he invited special guest

Ellie Schneider, who was born at just 21 weeks gestation.

- February 5, 2020–Secretary of State Mike Pompeo launched the International Religious Freedom Alliance. The Alliance united government leaders from like-minded nations to strategize ways to promote religious freedom and protect religious minorities around the world.
- February 25, 2020–OMB issued a Statement of Administrative Policy strongly supporting two pro-life bills being voted on in the U.S. Senate: the Pain-Capable Unborn Child Protection Act and the Born-Alive Abortion Survivors Protection Act. Had Congress passed these bills, the president’s advisors would have recommended that he sign both into law.
- March 24, 2020–The DOJ filed a statement of interest in a case protecting biological women against biological men intruding on their sporting competitions. The statement made clear that athletic qualifications on the basis of “gender identity” were harmful to women’s sports.
- March 28, 2020–Amid the COVID-19 pandemic, the HHS OCR issued a strong statement reminding health care entities of their obligation to treat persons with disabilities with the same dignity and worth as everyone else.
- April 2, 2020–U.S. Ambassador-at-Large for International Religious Freedom Sam Brownback held a special briefing. He called upon China, North Korea, Iran, and Russia to release their prisoners of conscience in light of the contagious COVID-19. Many of these prisoners were imprisoned for their religious faith.
- April 3, 2020–The Small Business Administration (SBA) issued a FAQ document confirming that churches and religious nonprofits are eligible for assistance like the Paycheck Protection Program (PPP) in the COVID-19 relief legislation known as the CARES Act. These clarifying protections ensured organizations would not be discriminated against based on their religious

affiliation and would not have to give up their religious freedom in order to participate in these programs. In addition, the administration used an affiliation rule to ensure that large abortion providers like Planned Parenthood would not be eligible for COVID-19 relief in the CARES Act.

- April 14, 2020–DOJ filed a statement of interest protecting the religious liberty of churchgoers in Greenville, Mississippi. During the COVID-19 pandemic, the city of Greenville had banned all religious services, even those that were able to abide by social distancing standards with drive-in church services.
- April 17, 2020–The Department of Homeland Security included “clergy for essential support” in its list of personnel and entities deemed “essential” for purposes of responding to COVID-19. This designation allowed clergy and pastors more freedom to continue to operate and serve those around them in need.
- April 27, 2020–Attorney General William Barr directed federal prosecutors to monitor and, if necessary, take action to correct state and local policies that discriminate against religious institutions and believers while battling the COVID-19 pandemic.
- May 3, 2020–The DOJ filed a statement of interest supporting the religious freedom of Lighthouse Fellowship Church in Chincoteague Island, Virginia. After the church held a 16-person worship service on Palm Sunday (following strict social distancing protocols), a criminal citation and summons were issued against the pastor pursuant to Governor Ralph Northam’s executive order, which banned in-person religious services but allowed large gatherings for businesses like liquor stores and dry cleaners.
- May 12, 2020–HHS finalized a rule revising the AFCAR (Adoption and Foster Care Analysis and Reporting) system and their data collection processes by not asking

questions about the sexual orientation of the child, foster parent, adoptive parent, or legal guardian.

- May 15, 2020–The DOL issued guidance implementing the administration’s Religious Liberty Executive Order and DOJ religious liberty guidance. The DOL guidance also cited the OMB memo from earlier this year, which directed all grant-administering agencies to detail how they will protect religious liberty in the context of such grants and included specific action steps to ensure that religious liberty is protected.
- May 15, 2020–ED issued Title IX violation notices to Connecticut’s interscholastic sports governing body.
- May 18, 2020–USAID Acting Administrator John Barsa sent a letter to the UN Secretary-General advocating that the UN not push abortion during the COVID-19 crisis. Barsa noted that abortion is not an “essential service,” and there are many actual health needs at this time. Therefore, the United States, which stood with the international pro-life community under the Trump administration, did not look kindly on these efforts to promote abortion.
- May 19, 2020–ED issued a final rule on “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance” that eliminated the requirement that religious institutions submit a written statement to qualify for the Title IX religious exemption and expressly prohibited retaliation against individuals for exercising rights under Title IX.
- June 2, 2020–President Trump signed an Executive Order on Advancing International Religious Freedom, which recognized the promotion of international religious freedom as a moral and national security imperative for the United States.
- June 12, 2020–HHS finalized its regulation clarifying that discrimination on the basis of sex in section 1557 of the Affordable Care Act is to be interpreted under



the plain meaning of the word. Therefore, it did not include “gender identity” or “termination of pregnancy” as set forth by a 2016 Obama administration regulation. The HHS rule would continue to enforce existing civil rights protections; however, it made clear that the federal government would not force physicians to participate in gender reassignment surgeries or abortions.

- June 19, 2020—The DOJ filed a statement of interest defending the constitutionality of Idaho’s Fairness in Women’s Sports Act. The Fairness in Women’s Sports Act ensures that only biologically female athletes are permitted to compete in female sports. By restricting biologically male athletes from participating, female athletes have a fair shot when competing.
- June 24, 2020—President Trump issued an Executive Order to strengthen America’s foster care and adoption system. Among other things, this action sought to increase partnerships with faith-based organizations to care for children and preserve families.
- June 29, 2020—The White House released a statement condemning the U.S. Supreme Court ruling in *June Medical Services v. Russo*. This ruling concluded that requiring individuals who perform abortions to have admitting privileges at hospitals is unconstitutional.
- June 30, 2020—The White House released a statement praising the U.S. Supreme Court ruling in *Espinoza v. Montana Department of Revenue*. This ruling was a victory for religious freedom, ensuring that religious schools are not discriminated against in state voucher programs.
- July 8, 2020—HHS Secretary Alex Azar issued a statement celebrating the U.S. Supreme Court ruling in *Little Sisters of the Poor v. Pennsylvania*. The ruling upheld the Trump administration’s expansion of religious freedom protections under the Affordable Care

Act's contraception mandate.

- July 9, 2020—The Treasury Department sanctioned four current or former Chinese government officials and one Chinese government entity for their abuses against the Uyghur Muslim minority in China.
- July 21, 2020—The HHS OCR resolved a religious discrimination complaint against the Prince George's Hospital Center of the University of Maryland Medical System (UMMS). Because of COVID-19 restrictions, the hospital denied a patient's request to have a Catholic priest visit the hospital to provide spiritual care. The OCR worked with the hospital system to revise their visitor's policy to allow religious visitations during the pandemic.
- July 31, 2020—The Treasury Department sanctioned a Chinese paramilitary organization in connection to their human rights abuses against Uyghur Muslims in China.
- August 5, 2020—Vice President Mike Pence gave a speech on the importance of protecting life and reaffirmed the administration's pro-life positions. He also became the first vice president to visit a pregnancy resource center. These centers are valuable lifelines that offer abortion-free services for women facing crisis pregnancies.
- August 7, 2020—ED issued guidance regarding the administration's Religious Freedom Executive Order, detailing how Department regulations protected the religious freedoms of institutions and individuals and the process by which both faith-based organizations and individuals could inform the Department of a burden or potential burden on religious exercise under the Religious Freedom Restoration Act (RFRA).
- August 17, 2020—The State Department, in coordination with other federal agencies, released a second review of the PLGHA Policy. This report reaffirmed the policy's effectiveness and that the U.S. government can both protect unborn life and promote better health outcomes

for women globally.

- August 18, 2020—The Human Fetal Tissue Research Ethics Advisory Board, which was convened as a part of President Trump's June 5, 2019, fetal tissue research policy, issued a report providing recommendations on the ethics of fetal tissue research proposals. The report recommended that HHS not fund 13 of the 14 proposals because of ethical concerns with how fetal tissue from aborted babies would be inappropriately used.
- August 20, 2020—The HHS OCR resolved a civil rights complaint against the state of Utah, helping the state amend its crisis standards of care (CSC) guidelines to prevent discrimination against the elderly and disabled when medical resources are scarce. This was the OCR's seventh resolution helping states create CSC plans that value the dignity of all human life.
- August 25, 2020—USAID released its updated Gender Equality and Women's Empowerment Policy with the purpose of "empowering women and girls to participate fully in and equally benefit from the development of their societies." The updated policy took into account the biological differences between males and females and recognized the importance of strengthening "families and communities" to achieve its goal.
- September 8, 2020—The DOJ filed an amicus brief with the Supreme Court of Indiana in support of the Catholic Archdiocese of Indianapolis' right protected by the First Amendment to "decide for itself who should personify its beliefs, inculcate its teachings, and instruct students at religious high schools affiliated with the Archdiocese."
- September 9, 2020—ED published a final rule on "Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities." This rule made clear that First Amendment rights are to be upheld on campuses. It provided colleges and universities controlled by religious organizations with guidance on

how to protect religious freedom in the context of Title IX. The rule also leveled the playing field for religious groups on campuses and upheld their right to assemble and free speech.

- September 14, 2020—The Trump administration proposed a new regulation to apply the PLGHA policy to contracts and subcontracts. This regulation would ensure that more foreign organizations must certify they will not perform or promote abortions in order to receive government aid. The Trump administration had identified a loophole in which foreign organizations performing or promoting abortions were still contracting with the United States for global health programs. This unprecedented expansion of PLGHA further solidified the administration's commitment to protecting life abroad.
- September 14, 2020—U.S. Customs and Border Protection (CBP) issued five withhold release orders on a number of Chinese companies in order to prevent products known to be made through forced labor by Uyghur Muslims from entering the United States.
- September 18, 2020—A resolution agreement was signed by Franklin Pierce University after the Department of Education looked into its policy allowing biological males to participate in sports programs for biological females and found that it violated Title IX.
- September 21, 2020—The DOJ filed a statement of interest in a case “challenging New Mexico’s more stringent COVID-19 capacity limits on private schools than public schools.” In doing so, the Trump administration supported parents’ right to select the school of their choice for their children.
- September 22, 2020—President Trump addressed the 75th session of the United Nations General Assembly. In this speech, the president highlighted his administration’s commitment to advancing religious liberty, protecting unborn children, and combating human trafficking.
- September 25, 2020—President Trump signed an Executive

Order that reinforced existing protections for children born prematurely, with disabilities, or in medical distress, including infants who survive abortion. This order, which clarified the enforcement of existing laws and prioritized medical screenings for vulnerable infants, was in response to Congress' inaction to pass meaningful legal protections for infants that survive abortion.

- September 30, 2020—Secretary of State Mike Pompeo spoke in Rome, Italy, at a Holy See Symposium on Advancing and Defending Religious Freedom through Diplomacy.
- October 2, 2020—The DOJ filed a statement of interest in federal court in support of Capitol Hill Baptist Church's lawsuit against Washington, D.C. Mayor Muriel Bowser "arguing the Constitution and federal law require the District of Columbia to accommodate Capitol Hill Baptist Church's effort to hold worship services outdoors, at least to the same extent the District of Columbia allows other forms of outdoor First Amendment activity, such as peaceful protests."
- October 20, 2020—The HHS OCR resolved two religious discrimination complaints involving hospital policies that restricted clergy access to patients during the COVID-19 pandemic. The first involved a Maryland hospital's policy that denied a new mother's request to have her son baptized because she had tested positive for COVID-19. The other case involved a Virginia hospital's policy that prohibited a Catholic priest from administering last rites to a COVID-positive patient who was in an end of life situation. Both policies were updated to ensure that religious freedom is not diminished at the expense of public health policies.
- October 22, 2020—HHS Secretary Alex Azar and Secretary of State Mike Pompeo hosted the Geneva Consensus Declaration signing ceremony. This declaration was a historic effort by the United States, Brazil, Egypt, Hungary, Indonesia, and Uganda to strengthen global

initiatives that promote women's health, preserve human life (including the unborn), strengthen the family, and protect national sovereignty.

- November 19, 2020—HHS and the DOJ collaborated to resolve a complaint that the Massachusetts Department of Children and Families (DCF) discriminated against a parent with intellectual disabilities. A mother with intellectual disabilities had to give up her two-day-old child, but then DCF denied her equal access to support and services to be able to reunite with her child. This was a historic action by HHS and the DOJ to ensure that those with disabilities are treated equally under federal law.
- December 9, 2020—The DOL finalized its rule clarifying the scope and application of religious exemptions for federal contractors.
- December 16, 2020—HHS followed through on enforcement action announced in January 2020 to disallow \$200 million in federal Medicaid funds from going to California due to its refusal to comply with federal law. California was given an opportunity to amend its mandate that all health insurers provide abortion coverage but refused to comply. HHS also referred the University of Vermont Medical Center for enforcement action after they unlawfully forced a nurse to participate in an elective abortion against her conscience.
- December 19, 2020—A final rule was published that leveled the playing field for faith-based organizations wishing to participate in grant programs or become a contractor. The rules eliminated two requirements placed on faith-based organizations that were not placed on secular organizations.
- December 29, 2020—President Trump issued a Proclamation on the 850th Anniversary of the Martyrdom of Saint Thomas Becket, honoring his fearless defense of religious liberty.

- On January 8, 2021—ED issued a memo responding to the U.S. Supreme Court's *Bostock* decision, affirming that sex is still to be determined biologically.
- January 11, 2021—HHS proposed a new federal regulation to strengthen safeguards against using aborted fetal tissue in research. This regulation formalized the policies that the administration issued in June 2019 to cut off federal funding of fetal tissue research and institute an ethics advisory board to review future fetal tissue research projects.
- January 12, 2021—HHS finalized its rule that removed burdensome requirements that had compelled all grantees (including faith-based ones) to accept same-sex marriages and profess gender identity as valid in order to be eligible to participate in grant programs. These requirements had been used to shut down faith-based providers of foster care and adoption.
- January 13, 2021—DOL Deputy Secretary Patrick Pizzella sent a letter to all governors and state workforce agencies ensuring and reiterating that religious organizations are eligible to participate in DOL programs on the same basis as any other organization.
- January 15, 2021—HHS proposed a new federal regulation to protect infants that survive abortion and ensure that any patient with a disability is not discriminated against in the provision of health care. This regulation formalized the Executive Order issued on September 25 to reinforce existing protections for children born prematurely, with disabilities, or in medical distress, including infants who survive abortion.
- January 17, 2021—DOJ issued a memo on the *Bostock* decision to clarify its limited application.
- January 18, 2021—President Trump declared January 22, 2021, to be National Sanctity of Human Life Day. He then issued this message for America: "Today, I call on the Congress to join me in protecting and defending the

dignity of every human life, including those not yet born. I call on the American people to continue to care for women in unexpected pregnancies and to support adoption and foster care in a more meaningful way so that every child can have a loving home. And finally, I ask every citizen of this great Nation to listen to the sound of silence caused by a generation lost to us, and then to raise their voices for all affected by abortion, both seen and unseen.”

- January 19, 2021–Secretary of State Mike Pompeo officially declared that China is committing genocide and crimes against humanity through its campaign of repression against Uyghur Muslims.

*At the end of his term, the Trump administration nominated and had confirmed 230 federal judges, including three U.S. Supreme Court justices and 55 federal appeals court judges. An overwhelming number of President Trump’s judicial nominees have been constitutional originalists, who will interpret the law as written rather than interpret it according to their personal policy preferences.*