

# NEW RULES ON RELIGIOUS LIBERTY; DONOHUE WEIGHS IN

Public policy reforms governing religious liberty were recently proposed by the Trump administration. Federal rulemaking directives afford the public 30 days to comment on them after they are posted in the Federal Register. Bill Donohue submitted his statement in favor of the rules on January 21, five days after they were announced.

The Trump administration has provided a much-needed corrective to the draconian directives promulgated by the previous administration: the role of religious liberty under President Obama was diminished to such an extent that it all but neutered the free exercise of religion in public policy programs. Trump has reversed this condition, awarding religious liberty the kind of breathing room it deserves, both morally and legally.

If the rules are adopted, they would end the invidious practices of discriminating against religious institutions and associations that were instituted by the Obama administration. Any institution that does not treat religious institutions as the equal of secular institutions will be faced with the prospect of having federal funds terminated.

Religious autonomy is another feature of these reforms. For instance, the state cannot force religious associations to jettison their religious character as a condition of federal aid. Regrettably, this has been done, the effect of which has been to secularize these entities. What is the sense of having a religious institution if it cannot freely exercise its religious prerogatives?

Donohue limited his remarks to the Catholic League's formal statements objecting to the way the Obama administration

handled faith-based institutions. On several occasions, we protested rules that stymied the right of Catholic social service agencies that receive public monies to tailor their employment policies to meet Catholic objectives.

In his statement, Donohue asked, "Why is it considered discrimination for religious social service agencies to insist that their employees follow their doctrinal prerogatives, but it is not considered discrimination when the government tells them to cease and desist? The former is an example of the kinds of religious exercises that are central to the definition and identity of religious institutions; the latter is a discriminatory act that violates the First Amendment."

When it became clear that the Obama administration wanted to take the faith out of faith-based agencies, Donohue declared on June 24, 2011 that they should be shut down. They were doing more harm than good. On August 6, 2015, when it was clear that matters were deteriorating, Donohue reissued his call to close them down.

We hope the new rules pass and we can return to the days when religious institutions are not discriminated against and their autonomy is respected by government agencies. There can be no compromise on this issue.