

Biden's Reversal of Trump's Religious Liberty Policies

Abortion

Reversal of Mexico City Policy ("Global Gag Rule")

- January 23, 2017 – President Trump issued an executive order that reinstated the Global Gag Rule on abortions. (also known as the "Mexico City Policy") This policy denies federal funding to international organizations that promote abortion. In March of 2019, the Trump further expanded the Mexico City policy to bar funding to foreign non-governmental organizations that promote abortion as a means of family planning.
- January 28, 2021 – Biden issued the "Memorandum on Protecting Women's Health at Home and Abroad." This memorandum revokes the Mexico City Policy.

Funding for abortion under Title X Program

- May 18, 2018 – President Trump proposed a change to Title X federal funding that would limit funding to any facility that uses abortion referrals as a method of family planning. In February of 2019, the Department of Health and Human Services (HHS) finalized the Title X rule, prohibiting the federal funding of organizations that use abortions as a means of family planning.
 - As part of this rule change, HHS awarded a federal grant to Obria group, a Catholic pro-life health care network, to assist in funding abortion counseling and low cost healthcare to low income families in California.
- January 28, 2021 – Biden instructed HHS to immediately move to consider rescinding the Trump administration rule blocking health care providers in the federally funded Title X family planning program from referring patients for abortions. This proposed rule change could have a major impact on federally funded faith based groups, like Obria, who have a conscience-based objection to abortion.

Re-funding of U.N. Population Fund

- April 3, 2017– The State Department under President Trump announced that it would be dropping funding for the U.N. Population Fund because the fund "supports, or participates in the management of, a programme of coercive abortion or involuntary sterilization."

- January 28, 2021 – President Biden ordered that the necessary steps be taken to resume funding to the United Nations Population Fund, which promotes family planning through abortion.

Reversal of the Geneva Declaration

- October 22, 2020 – President Trump, along with 34 other nations, signed the "Geneva Consensus Declaration," which, in part stated that "in no case should abortion be promoted as a method of family planning."
- January 28, 2021– Biden's "Memorandum on Protecting Women's Health at Home and Abroad" stated that the United States "shall withdraw co-sponsorship and signature from the Geneva Consensus Declaration and notify other co-sponsors and signatories to the Declaration and other appropriate parties of the United States' withdrawal."

Funding for Planned Parenthood in Covid relief bills

- April 30, 2020 – The Trump administration announced that no federal funding for COVID-19 relief would be allocated to Planned Parenthood. A senior administration official said "President Trump is committed to ensuring Paycheck Protection Program money is used for saving jobs at small businesses, not getting the government into the business of funding abortion."
- March 11, 2021 – As part of Biden's American Rescue Plan Act, there was no language that reflects the longstanding, bi-partisan consensus policy to prohibit taxpayer dollars from funding abortions domestically and internationally. In addition, the bill earmarked over \$50 million to be set aside for Title X family planning programs—including Planned Parenthood—directly contradicting President Trump's promise to deny funding to the abortion giant.

Reinstating fetal tissue research

- July 26, 2019 – The National Institutes of Health (NIH) issued new guidelines that restricted federal funding and grants for scientists that use human fetal tissue; and in August 2020, the Human Fetal Research Ethics Advisory Board of the NIH announced the withholding of federal funding of 13 fetal tissue research projects.
- April 16, 2021 – Under Biden, NIH removed Trump administration funding restrictions on human fetal tissue research.

Failure to include Hyde Amendment protections in federal budget

- Throughout his 4 years in office, President Trump proposed budgets that included the Hyde Amendment. The amendment prohibits the usage of federal funds to pay for abortions. [Previous presidents have also included the amendment in their budgets.]
- May 28, 2021 – President Biden released his budget proposal for FY2022 with no Hyde Amendment language. Biden has also emphatically supported the removal of the Hyde Amendment on several occasions.

Abortion coverage in Obamacare

- December 2019 – The Department of Health and Human Services (HHS) announced a new rule that would require insurers under Obamacare to distinguish between abortion services and other services when billing for health insurance. The rule went into effect in January 2020.
- June 28, 2021—HHS under Biden issued a notice that would rescind the Trump-era rule regarding abortion funding and coverage under the Affordable Care Act. The new proposal could potentially force participants to pay for abortion procedures, even if it goes against their consciously held beliefs.

Rescinding of Title X Gag Rule

- In May of 2018, President Trump proposed a change to Title X federal funding that would limit funding to any facility that uses abortion referrals as a method of family planning. Under this rule, clinics could no longer refer patients for abortions if they were being funded under the program. [In February 2019, the Trump administration implemented the Title X gag rule.]
- October 4, 2021—The Biden Administration announced the rescinding of President Trump's Title X gag rule. The removal of the rule means that these federally funded clinics can provide abortion as an option for "family planning." The decision was another major step Biden has taken to allow for unrestricted access to taxpayer funded abortion.

Religious Liberty

Reversing religious exemptions for federal contractors

- December 8, 2020 – The Department of Labor finalized a rule that clarifies guidelines that provide religious exemptions for federal contractors. The

goal of this rule was to allow for a better and clearer understanding of the religious liberty rights and exemptions that contractors have.

- February 10, 2021 – The Department of Labor under Biden announced they planned to roll back the Trump era religious exemptions for faith-based federal contractors.

Disbanding Commission on Unalienable Rights

- July 8, 2019 – Trump's Secretary of State Mike Pompeo announced the creation of a commission on Unalienable Rights. The purpose of the commission was to emphasize the role of human rights and natural law both domestically and internationally.
- March 30, 2021 – Biden's Secretary of State Antony Blinken disbanded the "Commission on Unalienable Rights," because it overemphasized religious liberty. Instead, Blinken would rather treat religious liberty as a coequal right, diminishing its status freeing the State Department to promote LGBT and abortion rights.

Reversing Trump rule on single-sex housing shelters

- May 22, 2019 – Trump's Department of Housing and Urban Development (HUD) proposed the revision the Equal Access Rule that would give religious exemption to HUD grant recipients that choose to place transgender persons in housing based on their biological sex.
- April 22, 2021 – HUD under Biden announced changes to the Equal Access Rule, which would require participants in the Department's Office of Community Planning and Development programs to accommodate transgender persons based on their gender identity. This would compel Catholic shelters to house individuals of the opposite sex.

Dropping lawsuit against Vermont Medical Center

- December 16, 2019 – The Department of Justice issued a lawsuit against a Vermont Medical Center for forcing a nurse to assist in an abortion against her conscience-based beliefs.
- August 12, 2021 – Biden's Department of Justice dismissed the case against the Vermont Medical Center.

Endangering religious liberty of faith-based university groups

- January 16, 2020 – The Department of Education under Trump announced a proposed rule that would promote religious freedom by withholding federal grants from college campuses that do not allow for the equal treatment of faith-based groups and organizations. In addition, the Department also

announced updated guidelines that would protect students and teachers that wish to pray in elementary and secondary schools.

- August 19, 2021– Biden's Department of Education announced that it would be rescinding parts of Trump's rule. The potential changes could exclude Christian organizations that believe in Judeo-Christian values from being funded by their university.

Restriction of conscience protections under Religious Freedom Restoration Act

- May 4, 2017—President Trump signed an executive order that expands the number of organizations that are protected by the Religious Freedom Restoration Act (RFRA). The order allowed religiously affiliated non-profits, such as Catholic hospitals, to have religious protections under RFRA.
- November 18, 2021—In a leaked memo from Office of Civil Rights to the Department of Health and Human Services, the Biden Administration is seeking to roll-back Trump administration regulations that provide religious liberty as part of the Religious Freedom Restoration Act. Under the changes, Catholic hospitals would be required to perform gender transition surgeries as well as perform abortions. In addition, hospitals could no longer refuse to hire doctors that perform abortions.

Sex

Enforcement of *Bostock* Ruling

- In a January 8, 2021 memo during the final weeks of his Presidency, Trump's Department of Education issued a memo that defined "sex" as "biological sex" in Title IX Protections for Federally Funded Education Programs, going against the Supreme Court decision in *Bostock v. Clayton County*, which ruled that gender identity can be covered in workplace discrimination laws. The guidance would allow federally funded education programs to continue to enforce gender rules based on biological sex.
- January 23, 2021 – The Department of Justice announced that it would repeal the Trump administration memo that blocked the enforcement of the *Bostock* ruling in federal law. In addition, in an Executive Order, Biden requested all federal agencies and departments to implement the *Bostock* ruling into their Federal guidelines.

Reinstating federally funded transgender surgery for military

- August 25, 2017 – President Trump issued a directive that halted an Obama Administration rule that would have allowed for federally funded gender reassignment medical care for transgender military members.
- January 25, 2021 – Biden signed an order reversing Trump's decision regarding gender transitioning military personnel. Biden urged the Defense Department to create a process that would allow individuals to change sexes while serving. On March 31, 2021, the Department of Defense released a statement affirming Biden's executive order on transgender persons in the military stating that the Department will "provide a path for those in service for medical treatment, gender transition, and recognition in one's self-identified gender."

Redefining sex discrimination to include gender in Obamacare

- June 20, 2020 – Health and Human Services (HHS) finalized a change in an Obama administration rule that included "termination of pregnancy" in sex discrimination. The new rule would return the definition of sex to only include biological sex rather than gender identity.
- May 10, 2021 – HHS under Biden announced that it would reinstate an Obama-era rule that would remove exemptions for religious and Catholic hospitals that refused to provide transgender services and procedures that go against their religious beliefs. The rule interpreted "sex discrimination" under Section 1557 of the Affordable Care Act to include "gender identity." This is a major blow to the religious liberty rights of Catholic doctors and hospitals. It would force doctors and hospitals to provide sex reassignment surgeries, even if these surgeries go against their religious beliefs, as well as cover these surgeries and procedures in their insurance policies.