

## **Coalition Against Religious Discrimination**

### **Religious Freedom Talking Points on the HHS Waiver to South Carolina**

#### **Denouncing the Trump Administration's Foster Care and Adoption License to Discriminate Waiver**

- 120 religious and allied organizations signed a letter to HHS Secretary Azar denouncing the Trump administration's policy allowing South Carolina's taxpayer-funded foster care agencies to discriminate based on religion, leaving vulnerable kids to suffer the consequences.
- We urge Secretary Azar to reverse this discriminatory policy, which harms children and families and violates our nation's fundamental protections for religious freedom.
- The government should never fund religious discrimination, especially when it is vulnerable children who will pay the price.

#### **The Impact on Children and Families**

- Children in foster care have been entrusted to the state for care, stability, and safety. Adoption and foster care agencies that accept government funds to serve these children have a duty to act in the best interests of each child.
- Using a religious litmus test to reject qualified and caring parents who want to foster and adopt makes it even harder for these children to find a loving home by reducing the number of qualified prospective parents who are able to open their homes to these children.
- We cannot allow the religious beliefs of a government-funded agency to override the best interest of our most vulnerable children.
- In addition, the exemption clearly harms potential parents who are rejected from the government program. No qualified parent should be denied the opportunity to provide a loving home to children in need because they are the "wrong" religion.

#### **Misuse of RFRA**

- This decision grossly misinterprets the Religious Freedom Restoration Act (RFRA), by placing a religious test on who can participate in a taxpayer-funded program.
  - For example, Miracle Hill Ministries, the agency whose policy led to the statewide exemption, made it clear a Jewish volunteer would not be eligible because she did not meet its religious requirements.
- RFRA was meant to be a shield to protect religious freedom, not a sword to sanction discrimination against others.
- This exemption turns the original promise of RFRA on its head—it uses RFRA to disqualify individuals from participating in government programs solely because of their religion.

#### **Real Religious Freedom**

- Religious freedom, which is a core American value, requires that those who perform government services must serve everyone, regardless of religion.
- Requiring taxpayer-funded foster care agencies to abide by nondiscrimination laws is not hostile to religion—turning away people seeking to participate in government-funded services because they fail a religious test is.