



Committee for Religious Liberty

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-3300 • FAX 202-541-3337

Most Reverend George V. Murry, S.J.
Bishop of Youngstown
Chairman

February 26, 2020

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairwoman Maloney and Ranking Member Jordan:

Greetings during this holy season of Lent. I write to you on behalf of the U.S. Conference of Catholic Bishops' (USCCB) Committee for Religious Liberty regarding the Committee on Oversight and Reform's hearing entitled, "The Administration's Religious Liberty Assault on LGBT Rights."

We understand that this hearing will review several rules issued and proposed by the Administration, and so I write to ensure you are aware of the bishops' Committee for Religious Liberty's strong support for many of these rules, outlined below, and to express our disappointment with the framing of this hearing, specifically its title's assertion that religious liberty is an "assault."

Regarding regulations related to religious liberty issued or proposed since 2018, the USCCB submitted the following comments:

- [Comments on Proposed DOE Equal Treatment Regulations](#) (February 2020)
- [Comments on Proposed Equal Treatment Regulations of Various Federal Agencies](#) (February 2020)
- [Comments on Proposed HHS Equal Treatment Regulations](#) (February 2020)
- [Comments on Proposed HHS Grants Regulation](#) (November 2019)
- [Comments on Proposed OFCCP Regulations Regarding the Religious Exemption in EO 11246](#) (September 2019)
- [Comments on Proposed HHS Regulations on Nondiscrimination in Federally Funded Health Programs and Activities](#) (August 2019)
- [Comments on Proposed HHS Conscience Regulations](#) (March 2018)

The fundamental point that underlies our comments on each of these rules is that the federal government should respect the religious beliefs of faith-based organizations and prevent government-sanctioned discrimination against people of faith. This is a foundational principle, rooted in the First Amendment, that should enjoy strong support from all Americans.

Frequently, religious organizations are valuable and accomplished partners in providing needed social services to vulnerable populations. To give one example, my brother Bishop Mario Dorsonville, Auxiliary Bishop of Washington and Chairman of the USCCB's Committee on Migration, is testifying tomorrow before a House Judiciary Subcommittee in support of the U.S. Refugee Program. He notes that the Migration and Refugee Services of the USCCB is historically the largest U.S. refugee resettlement

agency in the United States and, working in partnership with federal, state, and local governments, has resettled over one million of the three million refugees who have come to our country since 1975. This is to say nothing of the countless other direct supports that the Catholic Church and affiliated service entities provide in the areas of health care, education, social services, and international assistance.

The rules under discussion at the hearing, in part:

- Ensure that religious student groups at public institutions are eligible for the same rights, benefits, and privileges that a public institution affords to other student groups.
- Eliminate special and constitutionally-questionable regulatory burdens that had been placed on faith-based organizations that receive federal funds.
- Change a 2016 regulation that threatened to shut out faith-based social service providers, namely adoption and foster care agencies that respect a child's right to a mother and a father.
- Prevent health care providers from being forced to provide abortion or gender transition services under the Affordable Care Act, which in many cases would be contrary to providers' professional judgment or religious and moral convictions.
- Clarify existing conscience protections and religious exemptions under federal law.

We may disagree on specific applications of religious liberty claims or the impact of these regulations in particular, but I hope that the Committee does not intend to devalue or call into question this first freedom. So, I would like to understand why the Committee has chosen to frame the hearing in an adversarial way, as if respecting the dignity of Americans who identify as lesbian, gay, bisexual, or transgender (LGBT) must come at the expense of "religious liberty," or vice versa.

This framing is unfortunate for everyone, because it perpetuates the false idea that people of faith are *opponents of* or *impediments to* dignity for Americans who identify as LGBT, when actually we seek to serve and be *proponents of* dignity for every person, including all those who identify as LGBT, while maintaining our longstanding views about marriage and biological sex.

We ask the federal government and Congress to respect our faith and hope that religious organizations will be able to continue to partner with the federal government to aid families, refugees, and anyone in need. It is precisely our Catholic faith that compels us to do this work.

We understand that some Committee members may disagree with us on this point – saying that if we wish to partner with the federal government in the social safety net, that we must drop the "Catholic." As I think you can imagine, this is not an option, so we are faced with the difficult choice of whether to stay active in the safety net or to compromise on core beliefs. Nevertheless, the reality is that we are eager to promote dignity, respect, and care for every member of God's one human family.

Thank you for your consideration of our views, and may God bless you in your work.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Murry, S.J.", with a stylized flourish at the end.

Most Rev. George V. Murry, S.J.
Bishop of Youngstown
Chairman, Committee for Religious Liberty