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FOR IMMEDIATE RELEASE: January 18, 2018

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New HHS Division Distorts Religious Freedom to Justify Discrimination, Privilege Conservative Religion

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BRIDGEPORT, CT—Today, the Department of Health and Human Services (HHS) announced a new "Conscience and Religious Freedom Division" within its Office for Civil Rights (OCR). The division will oversee enforcement of federal laws that allow medical providers to refuse to provide care based on religious objections. In response to this announcement, the Religious Institute issues the following statement:

"Religious freedom is an ideal that is central to American democracy, and one that we cherish as people of faith. But religious freedom means the freedom to practice one's faith, not the permission to deny other people their rights or impose our beliefs on others.

The creation of the Conscience and Religious Freedom division of the HHS Office for Civil Rights is part of an ongoing campaign by this administration to twist the idea of religious freedom to justify discrimination against transgender people, women seeking reproductive health care, and same-sex couples.

This action erroneously advances the idea that providing contraception or abortion care to a woman or medical care to a transgender person is a threat to religious freedom, when in fact it is not. Medical providers are simply being asked to treat women and transgender people with the same dignity and worth as everyone else in public life.

Not only does the creation of this new division threaten the rights and dignity of women and lesbian, gay, bisexual, transgender, and queer (LGBTQ) people, it also obscures actual threats to religious freedom. Especially in the current climate of Christian supremacy, the religious freedom of Muslims, Sikhs, Jews, Native Americans, and other religious minorities legitimately needs safeguarding.

Furthermore, the launch of this new division uses the force of the government to privilege one set of conservative religious beliefs, enshrining them into law. We know, however, that millions of people of faith are opposed to discrimination against women seeking reproductive health care and LGBTQ people because of—not in spite of—our faith, and our belief in justice, dignity, and equal treatment for all.

Ultimately, the creation of this new division is not about protecting providers from conscience violations. Existing law already has provisions that allow providers to put their religious beliefs before patient care. This new division is about enshrining one set of religious beliefs into law, undermining the rights, health, and bodily autonomy of women and LGBTQ people.

The purpose of the Office of Health and Human Services is to improve the health, safety, and well-being of Americans. It is neither charged with nor qualified to adjudicate religious claims and theological conflicts. Sadly, today, HHS waded into those waters. This theological malpractice will have deadly consequences, putting religious beliefs over patients' needs and harming individuals' health and dignity.

This harm will be felt most acutely by the poor and those who live on the margins of our society: those people for whom we, as people of faith, are called to care. As such, we decry this new division of the Office of Civil Rights at the Department of Health and Human Services in the strongest terms. We pray earnestly for a day when injustice and religious bigotry is rooted out from the halls of government. And we commit to striving toward such a future."

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The Religious Institute is a multifaith organization offering prophetic, moral leadership on sexual, gender, and reproductive justice in faith communities and society. More than 8,500 religious leaders and people of faith are part of the Religious Institute's network.