

Congress of the United States
Washington, DC 20515

February 13, 2019

Honorable Alex M. Azar II
Department of Health and Human Services
200 Independence Ave S.W.
Washington, D.C. 20201

Dear Secretary Azar,

We write to you to express our strong opposition to a waiver your Department granted to South Carolina from nondiscrimination requirements for its state-contracted child welfare agencies. Under this waiver, Miracle Hill Ministries – and other South Carolina faith-based state-contracted foster care agencies – will be permitted to continue to turn away foster and adoptive parents who do not share the agency’s specific Christian beliefs. This harmful decision allows federally-funded child welfare agencies in South Carolina to discriminate on the basis of religion – an egregious violation of the very principles our nation and our child welfare system were founded upon.

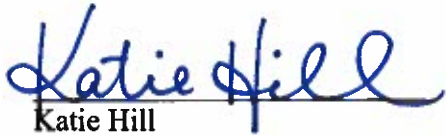
This waiver wrongly uses the Religious Freedom Restoration Act (RFRA) as a justification to bypass nondiscrimination protections that apply to volunteers and parents in the foster care and adoption system. This means that taxpayer-funded child welfare agencies could discriminate against foster parents based on their religious beliefs, ignoring the best interests of our most vulnerable children and exacerbating the shortage of qualified foster parents. This misinterpretation of the original intent of RFRA violates the U.S. Constitution by allowing religion to be used to harm others. It represents a drastic departure from long-standing federal protections that have applied to partnerships between the government and faith-based providers for decades.

Allowing child placing agencies to ignore federal nondiscrimination requirements undermines the primary rule of child welfare: that the best interests of children come first. Permitting these agencies to use a religious litmus test to turn away qualified adoptive and foster parents reduces the number of loving families available to the over 4,000 children in South Carolina’s foster care system and the more than 400,000 children in foster care nationwide. Many of those children live in group homes, are separated from siblings, or age out of foster care without ever becoming part of a family because of the shortage of foster and adoptive families to care for them. With nearly one in five foster youth identifying as LGBTQ, this puts LGBTQ children particularly at risk. When diverse foster and adoptive families are turned away, these youth are harmed by not finding accepting, affirming families who will love them for who they are and respect their identities. This reprehensible decision demonstrates that extremists within the Trump administration value a narrow set of religious beliefs over the need to find loving, stable homes for children currently in state care.

We are writing to express our strong condemnation of this waiver because it will deny children the safe, loving, and happy families they deserve and turn away qualified potential parents. We

strongly urge you to stop this despicable taxpayer-funded discrimination and uphold the essential nondiscrimination protections that ensure that every child has a loving home.

Sincerely,



Katie Hill
Member of Congress



Sean Patrick Maloney
Member of Congress



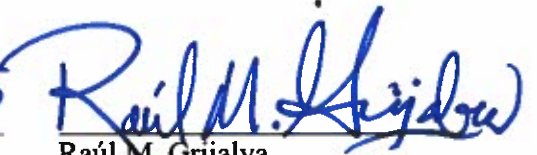
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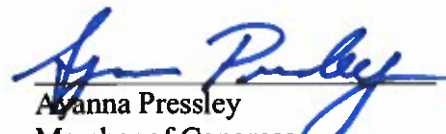
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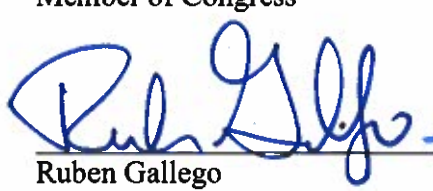


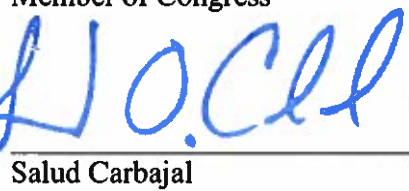
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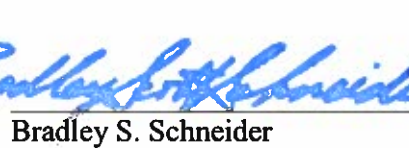

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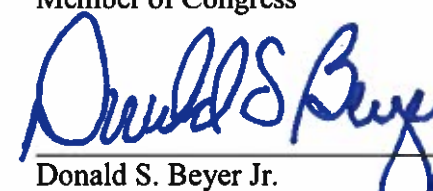

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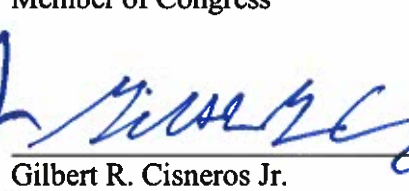

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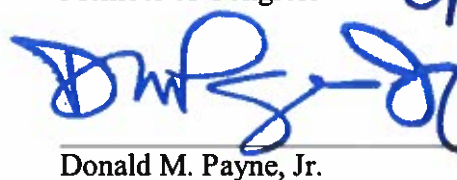

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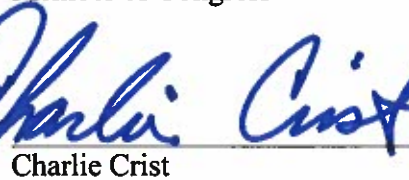

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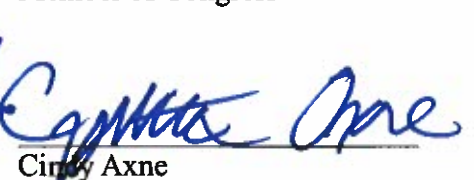

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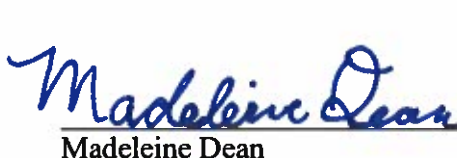

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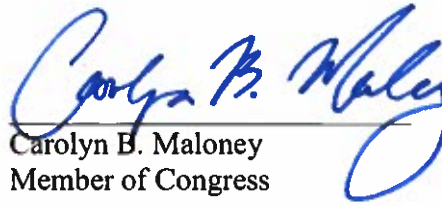
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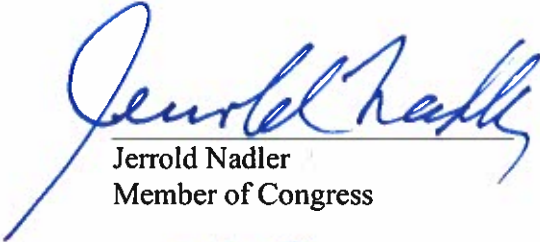
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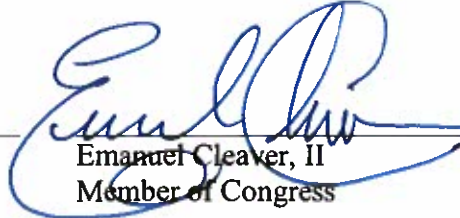
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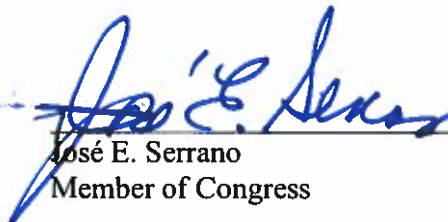
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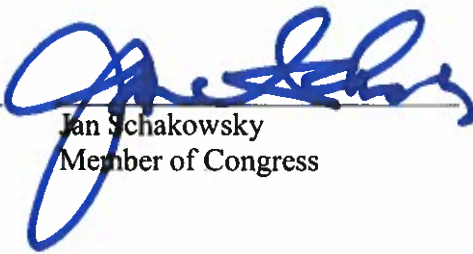
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