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10TH LEGISLATIVE DISTRICT

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Harrisburg

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**Committees:**

Commerce  
Game & Fisheries  
Health  
Insurance

March 27, 2019

The Honorable Lynn Johnson  
Assistant Secretary  
Administration for Children and Families  
U.S. Department of Health and Human Services  
330 C Street, SW  
Washington, D.C. 20201

**Re: *Support for Religious Liberties in Title IV-E Funded Programs***

Assistant Secretary Johnson:

We write today on behalf of our home state of Pennsylvania, where we have the pleasure of serving in the General Assembly. As legislators, we have all had the opportunity to work with and observe several religious adoption and foster care agencies. Across our state, families are built and sustained by similar agencies and the tremendous work they do. We agree that religious agencies have been the backbone of the adoption and foster services for decades.

These vitally-important agencies are now facing unconstitutional discrimination for refusing to abandon their sincere religious beliefs. Unfortunately, HHS regulations are being used by the current administration in Pennsylvania to force Catholic and other faith-based adoption and foster agencies to choose between maintaining and living out their religious beliefs and participating in a federal Title IV-E program, the Pennsylvania SWAN (Statewide Adoption and Permanency Network) program.

We understand that these recent HHS regulations require a foster agency or adoption agency to avoid any discrimination based on religion or sexual orientation or gender identity. We would like to echo and add a unified voice to the pleas which several Catholic and other faith-based agencies have recently submitted, requesting relief from Federal regulations which are being unconstitutionally imposed upon these essential faith-based adoption and foster care providers.

Recently, HHS granted an exemption request made by South Carolina Governor McMaster on behalf of faith-based organizations in his state operating under South Carolina's Title IV-E Foster Care Program. That exemption request evidences President Trump's commitment to the stated policy that "[w]e will always protect our country's proud tradition of faith-based

adoption,” and that his “administration is working to ensure that faith-based adoption agencies are able to help vulnerable children find their forever families while following their deeply held beliefs.”

With reliance upon the President’s intent to protect faith-based adoption and foster agencies and likewise upon HHS’s recent assistance to South Carolina, we are in full support of your granting the relief from the expanded nondiscrimination regulations requested by the Pennsylvania Catholic Charities and other faith-based agencies. Without appropriate relief, these vital agencies will be forced to either abandon either their religious beliefs or be forced to abandon their ministry to children in crisis. The loss to Pennsylvania’s children and families will be catastrophic. For the sake of the children, and for the sake of all faith-based organizations, we respectfully ask that you not make that choice necessary, and that you find it appropriate to grant the requested relief.

For these reasons, we would like to formally request that you grant an individual exemption from the nondiscrimination requirements imposed upon the Pennsylvania religious adoption and foster agencies. Thank you.

Cc: Mathew Baker  
Regional Director of  
Dept. of Health & Human Services



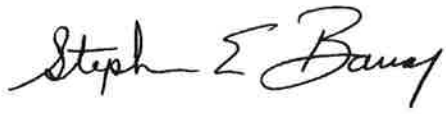
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Speaker of the House Mike Turzai



Majority Leader Bryan Cutler



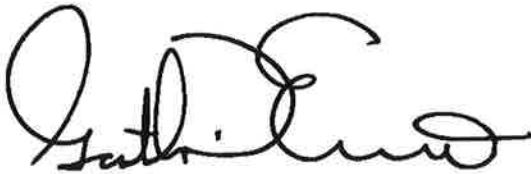
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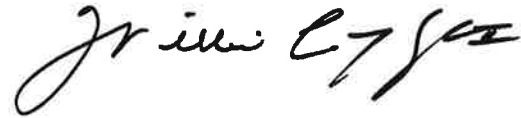
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