

Reclaiming Religious Freedom:

An Inside Look At Recent Actions By The Executive Branch

2017 - 2020



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Our Founders understood that no right is more fundamental to a peaceful, prosperous, and virtuous society than the right to follow one's religious convictions.

President Donald J. Trump



2017
JAN

Nominating the first of two U.S. Supreme Court Justices, both staunch defenders of religious liberty.

MAY
NOTABLE ACTION

Executive Order Promoting Free Speech and Religious Liberty.

- Designed to advance religious freedom across all federal executive agencies.
- Ensures that religious organizations can freely exercise their right to support candidates and causes consistent with their faith and values.
- Ensures people of faith and faith-based organizations are not forced to comply with Affordable Care Act contraceptive mandate violating their sincerely-held beliefs.

SEP U.S. Solicitor General submits friend-of-the-court brief at the Supreme Court.

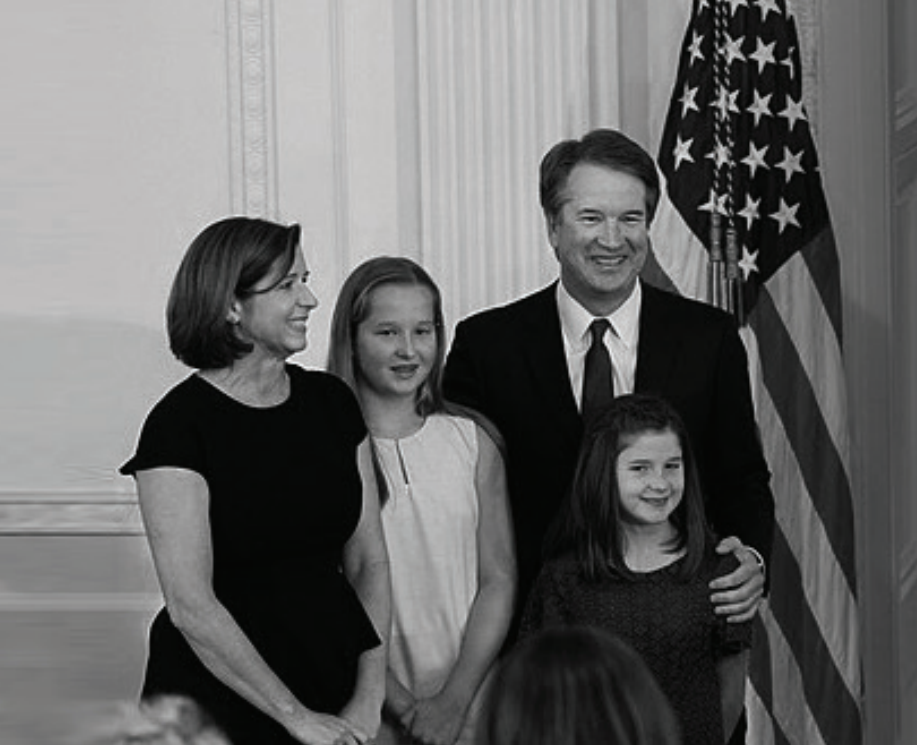
- Supported Colorado cake artist, Jack Phillips, and his First Amendment rights.
- Creating custom art is a form of free expression protected by the Constitution.

OCT Setting the U.S. Dept. of Justice (DOJ) in motion to protect religious freedom.

- The DOJ issued twenty principles of religious liberty to guide the Administration's litigation strategy in cases related to religious freedom.

DEC Confirmation of Judge James Ho to Fifth Circuit Court of Appeals.

- Judge Ho is a former volunteer network attorney with First Liberty Institute.
- He devoted countless hours and represented clients pro-bono in some of the most important religious liberty cases in the last decade.



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A judge must be independent and must interpret the law, not make the law. A judge must interpret statutes as written. And a judge must interpret the Constitution as written, informed by history and tradition and precedent.

Supreme Court Justice Brett Kavanaugh

2018
JAN

Updating FEMA Policies for Houses of Worship to Receive Federal Aid

- Reversing Obama administration's policy denying disaster aid to houses of worship, allowing them to receive crucial aid in times of crisis.

U.S. Dept. of Health and Human Services announced major policy changes to protect religious freedom.

- Formed a new Conscience and Religious Freedom Division to enforce existing laws protecting people of faith and faith-based providers in the healthcare industry.

U.S. Dept. of Justice (DOJ) files brief to defend Archdiocese of Washington's religious liberty.

- Supported the Archdiocese in its effort to have religious ads on public transportation.

MAY

Executive Order Establishing the White House Faith and Opportunity Initiative.

- Helps religious organizations have a voice in the federal government and provide recommendations to the Administration's policy agenda on faith-based community programs.

JUNE

U.S. Dept. of Justice instituted Place to Worship Initiative.

- Focused on protecting the ability of religious institutions to build, expand, buy or rent facilities.

JUL

The U.S. DOJ announces the formation of the Religious Liberty Task Force.

- The Task Force helps the DOJ coordinate its work on religious liberty litigation and policy.

OCT

Confirmation of Justice Brett Kavanaugh to the U.S. Supreme Court.

- Justice Kavanaugh is a judge committed to interpreting the Constitution according to its original text.
- His judicial record shows that he's a strong protector of religious liberty and the First Amendment.
- Early in his career, Justice Kavanaugh volunteered his time to work on a religious liberty case at the U.S. Supreme Court alongside Kelly Shackelford, First Liberty Institute's President, CEO and Chief Counsel.



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Religious freedom is embedded deeply in the American character. But it isn't exclusively an American idea...The UN Universal Declaration of Human Rights affirms religious freedom or belief as a universal right.

U.S. Secretary of State Mike Pompeo



2019

MAR

Executive Order on Improving Free Inquiry, Transparency and Accountability at Colleges and Universities.

- Encouraging an open intellectually engaging environment consistent with the principles found in the First Amendment.

APR

U.S. Department of Education (DOE) moves to ensure religious organizations are treated equally.

- Announced policy guidelines to give faith-based groups the same opportunity as secular groups, in accordance with the U.S. Supreme Court's decision in *Trinity Lutheran v. Comer*.

MAY

Office of Personnel Management finalized rule for federal employees to abstain from work for personal religious observance.

U.S. Dept. of Health and Human Services implements provisions to protect religious freedom for healthcare providers.

- New rules protect individuals and healthcare entities from being compelled to participate in activities that violate their religious beliefs or moral convictions.

JUL

U.S. Dept. of Veterans Affairs announces revised policies.

- New rules will permit religious literature, symbols and displays across facilities nationwide.

AUG

Updated U.S. Department of Labor regulations.

- Giving religious organizations better and fairer treatment in contracts with the federal government.

SEP



NOTABLE ACTION

The first American president to host a United Nations event on religious freedom.

- Historic international event calling on all nations and business leaders to help bring an end to religious persecution and stop crimes against people of faith.

U.S. Dept. of Justice submits important statement of interest condemning anti-Semitism in Airmont, NY.

Vice President Mike Pence spoke to thousands of veterans at The American Legion's 101st Annual National Convention.

- Assured veterans that, in addition to taking care of their healthcare needs, the current administration would meet their spiritual needs.

DEC

Executive Order on Combating Anti-Semitism.

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The DOJ will continue to ensure that religious freedom remains protected if any state or local government, in their response to COVID-19, singles out, targets, or discriminates against any house of worship for special restrictions.

U.S. Attorney General William Barr



2020

JAN

The President hosted students and people of faith in the Oval Office of the White House.

- President and Chief Counsel, Kelly Shackelford, along with First Liberty clients Hannah Allen and Coach Joe Kennedy participate in special religious freedom ceremony.

Administration announced policy actions to protect religious freedom for all Americans.

- U.S. Dept. of Education issued updated guidelines on prayer and religious expression in public schools.
- Ensures religious organizations and their secular counterparts are treated equally across 9 different executive agencies.

Revised U.S. Dept. of Veterans Affairs guidelines to further protect veterans' religious freedom.

- New rules will help put faith-based groups on an equal footing when contracting with the federal government to provide critical services for veterans.

The Office of Management and Budget issued a memorandum stating that religious organizations can compete for federal assistance on the same basis as other organizations.

- Cautioned that state Blaine Amendments not be used by states to justify discriminating against religious organizations competing federally funded grants.

FEB

U.S. Dept. of State announces the International Religious Freedom Alliance

- A multinational gathering of more than two dozen countries who will collaborate to pursue religious tolerance and end religious persecution.

U.S. Dept. of Justice files lawsuit against the village of Walthill, NE, for restrictions on non-denominational Christian church trying to build a place of worship.

2020

A P R

Small Business Administration clarifies faith-based organizations are eligible to receive federal aid in the COVID-19 relief bill (CARES Act).

U.S. Dept. of Homeland Security includes clergy as essential support in its COVID-19 response plan.



U.S. Dept. of Justice and Attorney General William Barr issued memorandum directing U.S. attorneys to monitor possible unconstitutional orders during COVID-19.

M A Y

Multiple executive agencies continue to issue guidance to ensure religious organizations can compete for federal funding on equal footing.

- Agencies include: U.S. Dept. of Commerce, Education, Justice, Labor, State, the Environmental Protection Agency, and the Social Security Administration, among others.

J U N E



Executive Order on Advancing International Religious Freedom

- Recognizes religious freedom as both "a moral and national security imperative," directing the Secretary of State to develop a plan to prioritize international religious freedom in implementing U.S. foreign policy.

J U L Y

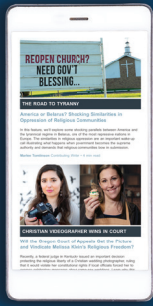
U.S. Dept. of Housing and Urban Development published a proposed modification to protect faith-based homeless shelters.

- Allows faith-based facilities to operate and provide services in accordance with their beliefs.

A U G

U.S. Dept. of Education issued guidance to protect religious liberty of students and faith-based organizations.

- Prevents states from using discriminatory "Blaine Amendments" to deny religious orgs. contracts or grants.



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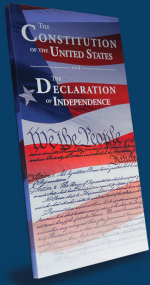
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Assembled by First Liberty attorneys and our expert legal team, these resources will help you take a stand when your religious freedom is threatened. Whether at school, at your workplace, at your church, or even in the military, our protection kits will explain in detail exactly how far your right to live out your faith truly extends.

<https://FirstLiberty.org/free-protection-kits>



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Our founders expected "We the People" to be the first guardians of our own liberty. And with our free pocket Constitution—which also includes the Declaration of Independence—you'll always be equipped with the ultimate answer to anyone who dares to question your liberty.

<https://firstliberty.org/constitution>

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First Liberty conducts research and provides analysis on the effects of policy actions on religious liberty. This publication is intended to be used for informational, educational and reference purposes only.



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