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# How the Trump Administration Has Harmed Faith Communities

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# Contents

- 1 Introduction and summary**
- 3 A politicized and mismanaged coronavirus response**
- 5 The undermining of religious freedom**
- 9 No support for religious communities fleeing persecution**
- 10 The advancement of Christian nationalism to cover for harmful policies**
- 13 The undermining of democratic norms**
- 15 The loss of billions of dollars in funding for faith-based nonprofits**
- 17 Conclusion**
- 18 About the authors and acknowledgments**
- 19 Endnotes**

# Introduction and summary

There is a commonly held but misleading perception in U.S. public discourse that the Trump administration's policies have been largely favorable to faith communities. This is based on the administration's narrow understanding of religion and public policy—one that privileges the concerns of a select group of conservative white Christians, mostly evangelical, who by no means represent all of America's faithful. Rather, this subset has a narrow focus on policies that discriminate against LGBTQ people and stigmatize reproductive health services, including abortion, presenting a very skewed representation of religious Americans' public policy concerns. While the Trump administration purports to help this narrow band of religious Americans, the reality is that many of its policies have harmed all religious communities—particularly religious minorities.

To understand the needs and concerns of all American faith communities, it is important to first understand the religious diversity of the nation. While 3 in 4 Americans identify with a religious tradition, only 15 percent identify as white evangelicals, according to the 2019 American Values Atlas Survey.<sup>1</sup> Yet this small proportion of the population tends to garner a disproportionate share of attention concerning religion in the public discourse on national politics. Their concerns certainly dominate how the Trump administration's impact on faith communities is perceived at large.

Public opinion polling reveals that even the so-called benefits of the Trump administration to those select faith groups crusading against reproductive and LGBTQ rights are rejected by majorities within faith communities other than white evangelicals. According to the Public Religion Research Institute (PRRI), majorities of white mainline Protestants and Black Protestants say abortion should be legal in most or all cases, as well as a plurality of Catholics.<sup>2</sup> The vast majority of U.S. women of faith have used or currently use birth control.<sup>3</sup> The PRRI also found that majorities of all major religious groups in the United States support government-backed health insurance programs covering contraceptives and supporting nondiscrimination protections for the LGBTQ community.<sup>4</sup>

Much less attention is paid to the Trump administration's manifold attacks on the rights and safety of faith communities. The administration has systematically targeted religious freedom both at home and abroad, including through its marquee policy

priority of instituting a Muslim ban. The administration has also presided over a nation with an alarming uptick in anti-Semitic and Islamophobic hate crimes, and its policies have contributed to a climate conducive to white nationalism. The administration has turned America's back on religious minorities in China and refugees fleeing religious persecution around the world.

Since it took office, the administration has weaponized a narrow set of conservative Christian beliefs in order to harm others. This type of religious nationalism was on display when President Donald Trump and senior members of his administration had peaceful protesters and clergy tear-gassed outside the White House in order to stage a photo-op outside St. John's Episcopal Church. It interprets religious freedom as a license to discriminate against non-Christians, LGBTQ people, and people seeking out reproductive health care. Furthermore, it does not reflect the religious values of a majority of people of faith, whose faiths call them to love, not harm, their fellow human beings.

Faith communities of all types have been harmed by the administration's attacks on the health and economic well-being of the American people. The chaotic and mismanaged response to the COVID-19 pandemic has been especially harmful for faith communities, as the administration has tacitly encouraged them to continue large in-person worship gatherings despite the risks and despite public health guidance. But the attacks on faith communities started long before the pandemic, with the administration cutting social services administered by many faith-based community organizations and instituting corporate tax cuts that harmed small nonprofits, including houses of worship.

The attacks on faith communities documented in this report should call into question the often repeated idea that even if the Trump administration's policies have harmed many communities in the United States, they have benefited religious groups. Precision is necessary to couple the administration's outreach to conservative Christians with a fuller understanding of how its policies have harmed all religious communities, especially religious minorities.

As this report details, the Trump administration has:

- Politicized and mismanaged its response to the COVID-19 pandemic
- Undermined religious freedom
- Turned its back on religious communities fleeing persecution in their home countries
- Advanced Christian nationalism to cover for harmful policies
- Undermined many democratic norms, including the separation of church and state
- Caused faith-based nonprofits to lose billions of dollars in funding

# A politicized and mismanaged coronavirus response

The deadly coronavirus has devastated populations around the world, with the United States accounting to date for more than one-quarter of the world's cases despite constituting only 4.25 percent of the world's population.<sup>5</sup> The Trump administration's chaotic and mismanaged response to the coronavirus crisis has cost more than 200,000 Americans their lives as of September 17, 2020.<sup>6</sup> It has been especially harmful to faith communities.

The administration has repeatedly suggested to faith communities that they need not adhere to public health guidance—going so far as to claim that houses of worship would be reopening by Easter,<sup>7</sup> despite experts not pointing to this as a safe date. Following this, reports indicated the White House refused to allow the Centers for Disease Control and Prevention (CDC) to release guidance for safe in-person activities because such guidance would allegedly infringe upon the “religious freedom” of houses of worship. When the CDC finally released the guidance, it omitted advice for houses of worship.<sup>8</sup> Eventually, the administration decided to post guidance for houses of worship but released it in a severely limited form;<sup>9</sup> a particularly egregious omission was any reference to singing, despite substantial evidence that congregational singing is a “superspreader” event liable to lead to high transmission of the coronavirus.<sup>10</sup> On June 28, 2020, Vice President Mike Pence visited a Dallas megachurch, even as the number of cases surged in Texas. This was dangerous for all in attendance given that at least five members of the choir and orchestra at the church tested positive for the coronavirus earlier that month, according to BuzzFeed News. The choir performed without masks.<sup>11</sup>

Many faith communities have transitioned to online services or other highly modified in-person activities in order to protect their congregants and communities during the deadly pandemic.<sup>12</sup> Yet the Trump administration has continued to push the conspiratorial notion that public health orders are a greater threat to religious freedom than the pandemic is a threat to the lives and well-being of faith communities. At the end of May 2020, Trump declared houses of worship essential and threatened to override governors who did not reopen them. Despite this, the authority of the president to enforce reopenings remains limited.<sup>13</sup>

Throughout its response, the administration has not prioritized the health of faith communities yet claimed to be acting to protect their liberty. In April 2020, U.S. Attorney General William Barr told faith leaders on a call that he was concerned about the religious freedom implications of COVID-19-related restrictions.<sup>14</sup> Barr also directed the U.S. Department of Justice to formally review and challenge state public health orders, particularly those limiting religious gatherings.<sup>15</sup> State and local officials who chose to order temporary restrictions of gatherings at houses of worship only did so while also mandating similar orders in schools, restaurants, and all other institutions where coronavirus transmission seemed likely. The suggestion that religious freedom is at stake generated the false notion that houses of worship were being singled out; if anything, as the Center for American Progress' analysis showed, most states included specific exemptions for houses of worship to continue in-person gatherings, despite the enormous public health risk.<sup>16</sup> Furthermore, the U.S. Supreme Court recently denied a California church's challenge to the state's public health order that alleged the order violated its religious freedom, noting the compelling government interest in saving lives.<sup>17</sup>

In a concurring opinion in *South Bay United Pentecostal Church, et al. v. Gavin Newsom, Governor of California, et al.*, Chief Justice John Roberts wrote:

*The precise question of when restrictions on particular social activities should be lifted during the pandemic is a dynamic and fact-intensive matter subject to reasonable disagreement. . . . Where those broad limits are not exceeded, they should not be subject to second-guessing by an 'unelected federal judiciary,' which lacks the background, competence, and expertise to assess public health and is not accountable to the people.*

A second church's challenge, this time in Nevada, was also rejected by the Supreme Court.<sup>18</sup> Both the California and Nevada cases were decided 5-4. The court has recently made several rulings<sup>19</sup> that expand the nation's historic understanding of religious freedom so drastically that it would be difficult to imagine the court would dismiss the churches' claims if they had any grounds whatsoever. Indeed, some of these rulings allow far-reaching exemptions for religious institutions from other laws and regulations—exemptions that provide a license to discriminate. Yet in these cases, the court could not find any justification for exemptions from coronavirus-related restrictions.

Rather, the religious freedom arguments brought to the fore by this administration have led these faith communities to place their concerns not in the seriousness of the coronavirus threat but in the misguided belief that elected officials would have an interest in shutting down their houses of worship. The administration's irresponsible approach has encouraged these faith communities to place their members and surrounding populations at high risk of contracting a deadly virus.

# The undermining of religious freedom

Defending the right to practice one's religion, free from fear, is of grave importance to everyone who cares about the nation's long-standing commitment to true religious freedom. Yet the Trump administration has consistently undermined the rights of religious minorities.

One of the administration's first acts upon assuming office in 2017 was attempting to implement the Muslim ban that Trump promised as he campaigned for the presidency. Executive order 13769 blocked entry of people from Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen, for at least 90 days, in addition to other provisions curtailing refugee admissions. In response, thousands of Americans rushed to airports across the country to stage protests. Five federal judges soon ruled in defense of religious freedom, temporarily blocking the Muslim ban.<sup>20</sup> On March 6, 2017, the Trump administration issued a revised Muslim ban 2.0—executive order 13780—that was also blocked by federal judges.<sup>21</sup> On September 24, 2017, the Trump administration released Muslim ban 3.0—presidential proclamation 9645—which made more changes to the ban.<sup>22</sup> While this version was blocked in federal court and by the 9th Circuit Court of Appeals, the Supreme Court took up the case and allowed the ban to go into partial effect during its review.<sup>23</sup>

The Supreme Court's 5-4 ruling on the Muslim ban case on June 28, 2018,<sup>24</sup> was a political victory for the Trump administration and one of the most egregious attacks on religious freedom in modern American history. Justice Sonia Sotomayor's searing dissent, joined by Justice Ruth Bader Ginsburg, stated the obvious facts of the case:<sup>25</sup>

*Taking all the relevant evidence together, a reasonable observer would conclude that the Proclamation was driven primarily by anti-Muslim animus, rather than by the Government's asserted national-security justifications. Even before being sworn into office, then-candidate Trump stated that "Islam hates us," ... warned that "[w]e're having problems with the Muslims, and we're having problems with Muslims coming into the country," ... promised to enact a "total and complete shutdown of Muslims entering the United States," ... and instructed one of his advisers to find a "lega[l]" way to enact a Muslim ban.*

*Moreover, despite several opportunities to do so, President Trump has never disavowed any of his prior statements about Islam. Instead, he has continued to make remarks that a reasonable observer would view as an unrelenting attack on the Muslim religion and its followers. Given President Trump's failure to correct the reasonable perception of his apparent hostility toward the Islamic faith, it is unsurprising that the President's lawyers have, at every step in the lower courts, failed in their attempts to launder the Proclamation of its discriminatory taint.*

The three attempts to enact the Muslim ban and defend them in court coincided with an unsurprising rise in anti-Muslim incidents in the United States.<sup>26</sup> The nonpartisan Institute for Social Policy and Understanding found that fear of and discrimination against Muslims is on the rise.<sup>27</sup> The president, through official government channels, has promoted Islamophobic content on multiple occasions, including on November 29, 2017, when he retweeted three anti-Islamic videos posted by far-right British politician Jayda Fransen, and on January 13, 2020, when he retweeted a doctored image of House Speaker Nancy Pelosi (D-CA) wearing a hijab and Sen. Chuck Schumer (D-NY) wearing a turban.<sup>28</sup> The Trump administration has also nominated and hired many senior officials who have made explicitly Islamophobic comments in the past, including:

- U.S. Agency for International Development (USAID) religious freedom adviser Mark Kevin Lloyd reportedly called Islam a “barbaric cult” and said it’s “violent in its doctrine and practice.”<sup>29</sup> A spokesperson for USAID said the “barbaric cult” comment was “in reference to radical Islam, not Islam,” but offered no other explanation for the other Islamophobic comments.<sup>30</sup>
- Former Deputy Assistant to the President Sebastian Gorka outrageously claimed that 98 percent of terrorists are Muslims.<sup>31</sup>
- Former U.S. Department of Homeland Security official Katharine Gorka falsely claimed that “constitutions based on Islam ... codify the ... principles of inequality and oppression.”<sup>32</sup>
- U.S. Secretary of State Mike Pompeo claimed, “The threat to America is from people who deeply believe that Islam is the way and the light and the only answer.”<sup>33</sup>
- Former national security adviser John Bolton chaired the board of the Gatestone Institute, which promotes false anti-Muslim news.<sup>34</sup>
- Former White House chief strategist Steve Bannon said, “Islam is not a religion of peace. Islam is a religion of submission.”<sup>35</sup>

- Former national security adviser Michael Flynn tweeted, “Fear of Muslims is RATIONAL.”<sup>36</sup>
- Former U.S. Attorney General Jeff Sessions wrote in an official press release as a U.S. senator, “Once again we face a totalitarian threat to the free world. This time it’s from ideological and apocalyptic Islam.”<sup>37</sup>
- Ken Cuccinelli, the senior official performing the duties of the deputy secretary for the Department of Homeland Security, praised and shared an anti-Muslim speech by activist Brigitte Gabriel.<sup>38</sup>
- Stephen Miller, the White House senior adviser for policy, was instrumental in the administration’s Muslim ban policy<sup>39</sup> and has connections to the anti-Muslim David Horowitz Freedom Center.<sup>40</sup>
- U.S. Department of Defense official Anthony Tata said that Islam is the “most oppressive violent religion I know of” and claimed former President Barack Obama was a “terrorist leader.”<sup>41</sup>

Anti-Semitic incidents and rhetoric have also proliferated during the Trump administration. In August 2017, white nationalists held a now infamous rally called Unite the Right in Charlottesville, Virginia. As just one example of their anti-Semitic, racist, and nativist activities, protestors chanted, “Jews will not replace us!”<sup>42</sup> More than 33 people were injured in the violence that protestors incited, and counter-protestor Heather Heyer was killed. President Trump defended the protestors, saying that the group included “some very fine people.”<sup>43</sup>

Anti-Semitism also has repeatedly come from the administration itself. In July 2020, Trump appointed Sebastian Gorka, a former White House adviser, to the National Security Education Board. Gorka has close ties to a Hungarian neo-Nazi group.<sup>44</sup> Trump has also tweeted in support of a neo-Nazi-attended rally in January 2020<sup>45</sup> and called American Jews “disloyal” if they support the Democratic Party.<sup>46</sup>

According to an analysis of data compiled by the Anti-Defamation League (ADL), counties where Trump held a rally in 2016 saw a 226 percent increase in hate crimes over comparable counties that did not have rallies.<sup>47</sup> Jewish Americans have frequently been the target of white nationalist hate. Eleven were killed at the Tree of Life synagogue in Pittsburgh in October 2018, the largest mass killing of Jews in the United States.<sup>48</sup>

Another shooting at a synagogue in Poway, California, was linked to an anti-Semitic internet manifesto.<sup>49</sup> Earlier this year, the ADL reported more than 2,100 anti-Semitic incidents in the United States in 2019—a 12 percent jump from 2018 and the highest number since it began tracking hate crimes in 1979.<sup>50</sup>

The country's commitment to religious freedom and pluralism should be measured not by false appeals to persecution of members of its Christian majority but instead by the views of actual religious minorities. Public opinion data paint a dark picture of the experience of religious minorities before and during the Trump administration. According to data from the ADL, 63 percent of Jews say their communities are less safe than they were a decade ago and more than half of Jews in the last five years have experienced or witnessed an incident they believed to be connected to anti-Semitism.<sup>51</sup> In a 2017 survey, the Pew Research Center reported that 75 percent of Muslims say there is a lot of discrimination against them in the United States, and 68 percent say Donald Trump makes them feel worried.<sup>52</sup>

The Trump administration has also destroyed U.S. religious sites as collateral damage in its xenophobic agenda. The construction of President Trump's border wall in southern Arizona's Organ Pipe Cactus National Monument put sacred Indigenous sites at risk.<sup>53</sup> The monument contains ground that is sacred to the Tohono O'odham Nation; in total, there are at least one dozen Indigenous groups who have connections to lands in the monument. And in February 2020, parts of Monument Hill were blasted for the construction of the border wall. There is an ancient burial site of the Tohono O'odham Nation in Monument Hill, where members from opposing tribes were buried. Despite figures such as Rep. Raúl M. Grijalva (D-AZ) urging the Homeland Security Department to discuss these matters with the Tohono O'odham Nation, no meeting has occurred.<sup>54</sup>

# No support for religious communities fleeing persecution

The Trump administration has also turned its back on religious minorities around the world. It did not initially sanction Chinese officials for putting members of that nation's Uighur Muslim minority into concentration camps because such action would hurt the chances of a trade deal with China.<sup>55</sup> The president signed legislation approving sanctions only after former national security adviser John Bolton alleged in his book that Trump had encouraged Chinese President Xi Jinping to continue putting Muslims in concentration camps.<sup>56</sup> The Trump administration has also declined to criticize India's Hindu nationalist citizenship law that denied rights to Muslims. "I want to leave that to India," President Trump said, abdicating the U.S. commitment to international religious freedom.<sup>57</sup>

Additionally, the administration's attacks on America's refugee resettlement program harm religious minorities throughout the world who need protection in the United States. Despite having made specific promises to help Christians fleeing religious persecution,<sup>58</sup> the administration's refugee policies have led to a 90 percent decrease in Christian refugee admissions. According to a report from World Relief and Open Doors USA, "[F]ewer Christians from the 50 countries where Christians face the most persecution were admitted to the United States in President Trump's first three years in office combined than in 2016 alone."<sup>59</sup> National Association of Evangelicals President Walter Kim called the data "shocking."<sup>60</sup>

That drop reflects an overall decrease in U.S. resettlement of religious minorities. In the last year of the Obama administration, the United States resettled 31,500 religious minorities. In the 2019 fiscal year, under the Trump administration, the country resettled only around 9,000 religious minorities,<sup>61</sup> as the overall number of refugees arriving has dramatically decreased.<sup>62</sup> As the data show, Muslim religious minorities such as the Rohingya have also suffered. Christians accounted for 79 percent of refugees who came to the United States in the 2019 fiscal year.<sup>63</sup> Yet between fiscal years 2016 and 2019, the administration facilitated an 87 percent decrease in Muslim refugee admissions.<sup>64</sup> This is part of the administration's larger attack on Muslims coming to the United States.

According to an analysis by the International Rescue Committee, U.S. resettlement of religious minorities has fallen sharply since the beginning of the Trump administration.<sup>65</sup>

# The advancement of Christian nationalism to cover for harmful policies

The Trump administration has used religious nationalism to cover for policies that, far from reflecting many faith values, actually threaten the most vulnerable in society. In addition to serving as a cover, religious nationalism is a threat to the core American principle of the separation of church and state and risks the right of people of faith to freely exercise their faith in a pluralistic society. The nation's highest political office has offered a distorted interpretation of Christian and faith values, and faith communities have been on the front lines of confronting this threat. One prominent example was the launch of a Christians Against Christian Nationalism campaign in August 2019.<sup>66</sup>

The Trump administration has most explicitly advanced this agenda through the widespread use of harmful religious exemptions. These exemptions have allowed even for-profit institutions to discriminate against religious minorities, LGBTQ people, women, and others, if they cite a religious reason for doing so.<sup>67</sup> To date, the Trump administration has proposed or finalized more than 25 new regulations and five executive orders expanding religious exemptions and joined in litigation on numerous court cases to allow for the expansion of religious exemptions.

One of the groups harmed by these religious exemptions are people seeking reproductive health care. The U.S. Department of Health and Human Services (HHS) has issued two final rules that would allow employers to deny women insurance coverage for contraceptive services through religious and moral exemptions.<sup>68</sup> As of July 2020, the Supreme Court affirmed these rules, but litigation around the rules continues.<sup>69</sup> The administration has also attempted to attack reproductive health care through other avenues, such as establishing its so-called conscience protection rule. This rule would allow health care workers to opt out of providing reproductive care because of their religious beliefs. It was vacated by the courts in November 2019, and the case is headed to a Court of Appeals.<sup>70</sup> Additionally, the administration has removed evidence-based requirements, which previously applied to the nation's only domestic family planning program, in order to allow religiously affiliated centers to participate in the program; this rule has resulted in nearly half of the provider network capacity leaving the program.<sup>71</sup>

The Trump administration has also launched a series of policy attacks on LGBTQ rights, directly harming LGBTQ people of faith, while often claiming to be protecting religious liberty. Most recently, the U.S. Department of Housing and Urban Development proposed a rule allowing shelters that receive federal funding to deny access to transgender and gender-nonconforming people, alleging that this is necessary for a shelter's religious beliefs.<sup>72</sup> The Justice Department supported a series of discriminatory policies, including arguing for a business's right to discriminate and arguing against employees fired for being gay, again suggesting religion as a premise for doing so.<sup>73</sup> Additionally, a new final rule from HHS undermines nondiscrimination protections under the Affordable Care Act and would allow LGBTQ people to be discriminated against and denied health care, as well as permit discrimination against people who have had an abortion.<sup>74</sup>

Ironically, one of the primary communities harmed by these religious exemptions are people of faith—the very individuals these religious exemptions purport to protect. For example, Miracle Hill, a federally funded evangelical foster care agency in South Carolina, openly discriminated against a Catholic prospective foster parent and a Jewish prospective foster parent on the basis of their religious affiliations. Both parents sued, and in January 2019, the Trump administration granted a waiver to the state of South Carolina to allow Miracle Hill to continue its discriminatory practices.<sup>75</sup> Religious nationalism, not religious freedom, informs the belief that a foster agency's right to discriminate in the name of religion is more worthy of protection than the right of Jewish and Catholic mothers to adopt children.

The rise of religious nationalism equates social conservatism with religion at large, leading to the incorrect conclusion that only socially conservative views are in need of religious freedom protections. All religious Americans' rights are at risk when the right to religious freedom, and the need to protect it, are interpreted as applying only to socially conservative aims.

Religious nationalism also seeks to deflect or silence the concerns of the vast majority of Christians who do not share these conservative views. In November 2019, President Trump appointed televangelist Paula White as an adviser to the White House Faith and Opportunity Initiative. White accused Christians who did not support Trump's policies of going "against the plan of God."<sup>76</sup> Additionally, at the National Prayer Breakfast in February 2020, Trump used the occasion to attack his political opponents and only explicitly mentioned supporting Christians.<sup>77</sup>

The Trump administration also utilized the country's growing religious nationalist movement, which it has actively fostered,<sup>78</sup> to condemn the Black Lives Matter protests. Between threatening to use the military against protesters and claiming to be a “law and order” president<sup>79</sup>—a term with a racist precedent<sup>80</sup>—Trump showed a lack of regard for the struggles and demands for justice for Black Americans. During one of the protests in Washington, D.C., a fire spread from an adjacent building into St. John's Church. Trump responded by tweeting “YOU DON'T BURN CHURCHES IN AMERICA!”<sup>81</sup> And on June 1, 2020, the Trump administration ordered peaceful protesters to be struck with flash grenades and tear gas so he could hold a photo-op in front of St. John's Church.<sup>82</sup> None of the church officials were notified in advance, and the church's rector was also tear-gassed in the process, eliciting anger and disbelief from the church's Episcopal bishop.<sup>83</sup> The following day, President Trump held another photo-op, this time in the shrine of Pope John Paul II, an act that the Catholic archbishop himself said “egregiously misused and manipulated” the shrine “in a fashion that violates our religious principles.”<sup>84</sup> The administration's actions were condemned by progressive and conservative Christian leaders alike as exploitations of their sacred symbols in order to justify an inappropriate use of force against civilians.<sup>85</sup>

Commentators have also drawn attention to the selective nature of the president's concerns for the destruction of churches. In 2019, a man intentionally burned down three Black churches in Louisiana.<sup>86</sup> Both Trump and Pence said nothing about the destruction of these churches; they did, however, make statements when Notre Dame, a church that is significant in Western European culture, was on fire in Paris.<sup>87</sup> Other houses of worship have also received little to no attention from the administration; for example, there was no presidential tweet just two months prior to the incident at St. John's Church, when a man set fire to a mosque in Missouri.<sup>88</sup> The administration only vocalizes its alleged concerns for houses of worship when it benefits its policy agenda. The concerns of Black Christians, faithful protestors in support of Black Lives Matter, and religious minorities do not align with this agenda, which fails to grant all Americans equal protection under the law.

# The undermining of democratic norms

The Trump administration has undermined democratic norms and violated ethics laws that many religious groups have championed. People of faith depend on democratic norms for freedom of religion and often for protections of their identities. With safeguards under attack, the actions of the administration extend far beyond partisan differences, threatening many of the core institutions of the democratic system and leaving people of faith in an increasingly precarious position.

One of the Trump administration's first priorities, announced at the National Prayer Breakfast in February 2017, was to "destroy" the Johnson Amendment,<sup>89</sup> despite polling indicating that the overwhelming majority of religious leaders want it to stay in place.<sup>90</sup> The Johnson Amendment, adopted in 1954 without controversy, prohibits 501(c)(3) nonprofit organizations from endorsing political candidates. Many religious leaders naturally prefer this prohibition as a means of protecting their houses of worship from interference from partisan politics.<sup>91</sup> Yet the president signed an executive order that purports to promote free speech and religious liberty on May 4, 2017, a predominantly symbolic effort with limited legal force, since overturning the part of the U.S. tax code<sup>92</sup> involved in the Johnson Amendment would require an act of Congress. Despite this, President Trump started claiming that "we got rid" of the Johnson Amendment.<sup>93</sup>

Meanwhile, the administration has further eroded the separation of church and state by pushing for more taxpayer funding for private religious schools<sup>94</sup> and lifting important restrictions on religious organizations. One notable example was the issuance of not one, but nine, new regulations in January and February 2020 that undermine the separation of church and state. The White House alleged that the intent of this effort was to ensure that "religious organizations can compete on a level playing field for funding,"<sup>95</sup> but it in fact allows religious organizations competing for federal funds to opt out of requirements other social service organizations are obligated to follow.<sup>96</sup> The Trump administration also fought hard to say that any state that offers school vouchers must include religious schools in its voucher program,<sup>97</sup> culminating in the Supreme Court case *Espinoza v. Montana Department of Revenue*. On June 30, 2020,

the court ruled 5-4 in favor of this agenda, with the five conservative justices forming the majority.<sup>98</sup> The ruling was a clear violation of the nation’s long-standing principle of the separation of church and state, compelling taxpayers to support religious schools within traditions they do not follow.

There have been various avenues through which President Trump has weakened other democratic norms supported by faith communities. For example, he has sought to undermine the credibility of the press through claims of “fake news.”<sup>99</sup> In January, the White House granted TruNews, a far-right religious site, press credentials—even after its founder called impeachment a “Jew coup.”<sup>100</sup>

In December 2019, President Trump was impeached in the U.S. House of Representatives for abuse of power and obstruction of Congress, with evidence confirming that he withheld military aid from Ukraine, using the power of the presidency for his political gain.<sup>101</sup> Many religious leaders supported the impeachment of the president.<sup>102</sup> Still, with votes largely along party lines, Trump was acquitted by the U.S. Senate. Sen. Mitt Romney (R-UT) was a notable exception, repeatedly citing his Mormon faith in a speech on the Senate floor as the reason he made the politically risky decision to vote in favor of impeachment.<sup>103</sup> At the National Prayer Breakfast, Trump attacked Romney’s faith convictions and similarly spoke out against House Speaker Pelosi, who invoked her Catholic faith during the proceedings.<sup>104</sup>

The administration has also threatened the right to free assembly, which faith communities rely upon for worship and other communal activities. As referenced earlier in the context of the Black Lives Matter protests, the Trump administration has attempted to limit the right to peacefully protest, an important activity for many faith communities, even proposing to limit the ability to protest near the White House and National Mall.

Finally, the Trump administration is openly targeting vote-by-mail efforts by making baseless claims of widespread voter fraud and attacking the U.S. Postal Service.<sup>105</sup> This is seen by many faith communities as an affront to their efforts. Faith communities are among those leading civic engagement efforts across the country, including through well-known programs such as Souls to the Polls.<sup>106</sup> The Voting Rights Act of 1965 itself was passed in response to pressure from religious organizations such as the Southern Christian Leadership Conference<sup>107</sup> and was partially drafted in the conference room at the Religious Action Center of Reform Judaism.<sup>108</sup>

# The loss of billions of dollars in funding for faith-based nonprofits

The Trump administration's tax plan formed the basis of the 2017 Tax Cuts and Jobs Act, which gave out nearly \$2 trillion in tax cuts weighed toward wealthy individuals and large corporations. Provisions of the bill negatively affected small nonprofits, including many houses of worship. The administration's tax law doubled the standard deduction, dramatically reducing the number of taxpayers who itemize and thereby removing the tax incentive for charitable giving for tens of millions of Americans. This will have a devastating impact on houses of worship and faith-based community and social services. Economists estimated that the financial impact on charitable giving would depress "charitable giving by \$13 billion to \$20 billion annually and eliminating 220,000 to 264,000 nonprofit jobs."<sup>109</sup> Seventy-three percent of all U.S. charitable giving goes to faith-based organizations.<sup>110</sup> Indeed, with more people ineligible for the tax breaks that encourage charitable donations, individual giving fell 3.4 percent in the year following the changes.<sup>111</sup>

The tax law also hurt religious groups by repealing the estate tax. A 2017 analysis from CAP estimated that charitable bequests specifically to religious groups would be the hardest hit by this move. CAP estimated that giving through wills to houses of worship and other faith-based charities would decline by \$2.5 billion in 2024.<sup>112</sup>

By substantially increasing federal deficits to dole out top-heavy tax cuts, the 2017 tax law also put the programs that serve low-income and vulnerable Americans at much greater risk. When the bill was proposed, Bishop Frank Dewane said on behalf of the U.S. Conference of Catholic Bishops: "The final bill creates a large deficit that ... will be used as a basis to cut programs that help the poor and vulnerable toward stability."<sup>113</sup> A 2019 study indicated that as of 2012, more than 40 percent of all houses of worship participate in food provision programs for low-income households. Studies also indicate that the majority of emergency food providers under federally funded programs such as the Temporary Emergency Food Assistance Program are faith based.<sup>114</sup> Yet the Trump administration's budgets have proposed to slash federal funding for many of these services,<sup>115</sup> preventing houses of worship

and other faith groups from fully serving their communities. The administration's claim that it is opening up new opportunities for faith-based organizations to receive federal funding rings hollow in light of the number of religious organizations that have lost grant funding due to cuts to social services. For example, 6 of the 9 non-profit organizations that partner with the government for refugee resettlement are faith based;<sup>116</sup> last year, several reported significant funding cuts due to the Trump administration's policies.<sup>117</sup>

# Conclusion

Any account of the Trump administration's policies and their impact on faith communities must not be limited to a narrow understanding of the political concerns of conservative Christians. Rather, it must encompass the needs and concerns of all religious Americans. The attacks on faith communities outlined in this report represent a threat to the Constitution's religious freedom protections and to policies that protect the most vulnerable members of society. Numerous administration policies have placed people of faith and their houses of worship at greater risk for hate crimes, religious persecution, and even disease, along with cutting support for social services. The Trump administration may have catered its policies to a narrow religious demographic, but its impact on religious communities at large is a different story.

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## About the authors

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The Center for American Progress is an independent, nonpartisan policy institute that is dedicated to improving the lives of all Americans, through bold, progressive ideas, as well as strong leadership and concerted action. Our aim is not just to change the conversation, but to change the country.

## Our Values

As progressives, we believe America should be a land of boundless opportunity, where people can climb the ladder of economic mobility. We believe we owe it to future generations to protect the planet and promote peace and shared global prosperity.

And we believe an effective government can earn the trust of the American people, champion the common good over narrow self-interest, and harness the strength of our diversity.

## Our Approach

We develop new policy ideas, challenge the media to cover the issues that truly matter, and shape the national debate. With policy teams in major issue areas, American Progress can think creatively at the cross-section of traditional boundaries to develop ideas for policymakers that lead to real change. By employing an extensive communications and outreach effort that we adapt to a rapidly changing media landscape, we move our ideas aggressively in the national policy debate.

