

# THE HERITAGE FOUNDATION'S HEALTH DEPARTMENT:

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*How an Increasingly Radical Right Wing Think  
Tank Is Controlling HHS — to the Detriment of  
Reproductive Health and Other Human Rights*

**EQUITY**

**FORWARD**

# Introduction

The Heritage Foundation brands itself as a think tank of establishment conservatives; as policy experts in the fields of economics and national security who align with the traditional Republican Party. This branding is a façade, as Heritage regularly spouts hateful ideas that are detrimental to LGBTQ individuals, women, people of color and low-income workers.

Scrutiny of The Heritage Foundation's glossed-over extremism is needed now more than ever: while the think tank has enjoyed considerable respect in Washington, D.C. political circles and influenced conservative administrations for decades, [its impact](#) on the White House has grown under the Trump administration. Heritage has established a direct pipeline of Heritage alumni working within the administration; symbiotic policy has materialized, as well.<sup>1</sup>

Heritage's influence on the executive branch in particular is epitomized by Trump's [Department of Health and Human Services](#) (HHS). This report will spotlight the extremist policy positions Heritage holds, its influence over HHS, and, importantly, how this influence is detrimental to Americans' reproductive rights, human rights and access to health care.

The report will look first and foremost at The Heritage Foundation as an institution — and the significant resources it dedicates to discriminatory policy proposals. It will look at the broader network of individuals associated with Heritage in Washington, and how members of that network who are currently working in the Trump administration may serve as back channels for Heritage to influence policy. The report will identify individuals who previously worked at Heritage — or have direct ties to the organization — and now work at HHS. It will then analyze the HHS office with the highest density of Heritage alums, the [Office for Civil Rights](#) (OCR). Finally, it will look at how closely HHS policy mirrors Heritage policy recommendations and the impact that influence has in the following areas: "conscience protection" and access to quality health care; birth control; LGBTQ discrimination; lifesaving research that uses fetal tissue; and the family separation crisis and abortion rights of migrant teens in government care.

# Who The Heritage Foundation Really Is: Extremism Just Below the Surface

The level of influence that American think tanks yield in federal government is no secret. These policy research groups in the nation's capitol have been referred to as [“governments in waiting.”](#)<sup>2</sup> They are considered [“an important part of the Washington establishment.”](#)<sup>3</sup> Yet these think tanks, which scholars such as Anthony M. Bertelli and Jeffrey B. Wenger agree have proliferated governance, have [“subjective”](#) policy implications that are [“intertwined with the normative ideas that these organizations represent.”](#)<sup>4</sup>

This is where The Heritage Foundation comes in. While it is by no means the only powerful institution of its type in Washington, and certainly influential think tanks exist along the political spectrum, Heritage has demonstrated an adverse level of influence over Republican policymakers [for decades](#) — largely without much attention to its most extreme discriminatory policy positions.<sup>5</sup> As Molly Ball of the Atlantic [writes](#), “The story of the conservative movement that has come to dominate the Republican Party over the last four decades is inextricably intertwined with the story of The Heritage Foundation. In that time, it became more than just another think tank. It came to occupy a place of special privilege — a quasi-official arm of GOP administrations and Congresses; a sponsor of scholarship and supplier of legislation; a policy base for the party when out of power.”<sup>6</sup> And in large part, the rest of Washington has treated it as such. Heritage is regularly normalized by media outlets as a group with legitimate expertise: within weeks of drafting this report, Heritage fellows had been interviewed by [The Hill](#)<sup>7</sup> and [CNBC](#)<sup>8</sup> on economic growth, and by [NBC News](#) [on foreign policy.](#)<sup>9</sup>

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But these policy areas do not comprise or characterize the majority of the think tank's work. Heritage dedicates significant energy to extremist policy recommendations that hinder access to abortion and birth control and discriminate against LGBTQ individuals. A cursory glance at its website, however, suggests otherwise. Of Heritage's sixteen overarching [policy buckets](#), ranging from Economy to Government Spending to National Security, just two suggest work on the themes of reproductive and LGBTQ rights. If a reader knew what to look for, they might conclude that these issues fall under its Culture (the subcategories of which are listed as Gender, Life, Marriage and Family, Religious Liberty) and/or Health Care (the subcategories of which are listed as Health Care Reform, Medicaid, Medicare, Public Health) policy buckets, but would otherwise have to rely on a search function.<sup>10</sup>

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So we did just that. A [search](#) on Heritage's website for “abortion” on January 30, 2019<sup>11</sup> yielded 825 results, tagged to categories ranging from “Life” to “Courts.”<sup>12</sup>

A [search](#) for “contraception” yielded 279 results filed under “Religious Liberty” and “Gender,” among other issue areas.<sup>13</sup>

These searches yielded content that in many cases — far from delivering so-called “conservative” policy recommendations solely of limited regulations and government — actively celebrate barriers to health care and civil rights for vulnerable populations. One recent Heritage [commentary](#) entitled “Good News for Americans Who Object to Obamacare’s Contraception Mandate” reads:

**“Those who cherish religious liberty can celebrate a major victory this week. On Wednesday, the Department of Health and Human Services published final rules that provide much-needed relief from one of Obamacare’s most egregious assaults on rights of conscience and religious liberty: the mandate that nearly all health insurance plans cover abortion-inducing drugs and contraception.”<sup>14</sup>**

[More than fifty-five million women](#) have access to birth control without a copay thanks to the Affordable Care Act’s contraceptive mandate.<sup>15</sup> The HHS rule that the Heritage commentary references would allow employers to deny their employees coverage of birth control on religious or moral grounds. The rules were [blocked by a federal judge](#) citing the extensive harm they would cause to Americans — hours before going into effect in January 2019.<sup>16</sup>

Heritage’s anti-birth control positions align with the organization’s overt efforts to preserve traditional gender roles and patriarchal family structures. On February 15, 2019 Heritage hosted a Conservative Women’s Network [event](#) entitled “Lean In to Love: Why Women Should Put Relationships First (Lessons from Literature and Experience).”<sup>17</sup>

LGBTQ people are a direct threat to the heteronormative status quo Heritage aims to protect. Another commentary focusing on “Religious Liberty” [applauded an HHS decision](#) to allow a faith-based foster

care agency to deny service to non-Christian and LGBTQ families. Miracle Hill receives government funding, and per HHS’ recent [exemption](#), will be able to continue operating while denying LGBTQ and non-Christians participation in its foster care program.<sup>18</sup>

Heritage also consistently supports legalized discrimination on the basis of gender and sexual orientation. It has repudiated legislation that seeks to prohibit discrimination against LGBTQ people — such as the [Equality Act](#), which would amend “the Civil Rights Act of 1964 to include sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation in places of public accommodation.”<sup>19</sup> Heritage dismisses these so-called “SOGI (Sexual Orientation and Gender Identity) laws” as attacks on [“reasonable actions”](#) — like denying a young transgender student the right to comfortably use the bathroom at school. In a report entitled [“Sexual Orientation and Gender Identity \(SOGI\) Laws Are Not Fairness for All,”](#) Senior Research Fellow Ryan Anderson ignores the realities of systemic discrimination that LGBTQ people face in the United States — writing that the true victims are anti-LGBTQ people:

**“In the United States of America, people who identify as LGBT are free to live as they want. But SOGI laws... are not about freedom — they are about coercion. SOGI laws are about forcing all Americans to embrace — and live out — certain beliefs about human sexuality... Heritage Foundation experts have long opposed the expansion of antidiscrimination laws to elevate ‘sexual orientation’ and ‘gender identity’ as protected classes. Where enacted, SOGI laws are frequently used as swords to persecute people with unpopular beliefs, rather than as shields to protect people from unjust discrimination.”<sup>20</sup>**

Anderson went on to host a Heritage event in March 2018 entitled [“The Medical Harms of Hormonal and Surgical Interventions for Gender Dysphoric Children.”](#) He opened the panel — which was stacked with anti-transgender extremists — by invalidating and belittling the trans lived experience. Anderson stated, “We

shouldn't be convincing children who believe they are the opposite sex to undergo transitions... Most who believe they are trans end up identifying as their biological sex in the end." He went on to falsely claim that gender transitions increase suicide attempts.<sup>21</sup>

## The Heritage Foundation and the Family Research Council: Mirror Images of Hate

As demonstrated by Figure 1 (next page) Heritage's policy positions are not dissimilar from those of peer organizations like the [Family Research Council](#) (FRC) that have earned [hate group designation from the Southern Poverty Law Center](#).<sup>22</sup> For this reason, the growing influence that Heritage has over Trump's health department, which is charged with providing health care access and determining who is worthy of care, is alarming.

## The Heritage Foundation and the Right

Journalists and watchdog organizations are just beginning to acknowledge Heritage's hateful policy positions on gender, LGBTQ rights and reproductive health care, as well as the group's increasingly close relationship with the White House. For example, [news outlets](#)<sup>24</sup> have reported the influence that Heritage has on [Trump's judicial and executive branch nominees](#);<sup>25</sup> additionally, the group's "Inequality of the Equality Act" panel [caused waves](#)<sup>26</sup> based on its anti-trans sentiment.

As Ball [writes](#), Heritage was once responsible for recommending a mandate that individuals buy health care insurance; by 2013, it was using its action arm to spend half a million dollars on ads targeting 100 Republican members of Congress should they not support Heritage's position of defunding Obamacare.<sup>27</sup> This same action arm is [now fueling a campaign to force a vote in Congress on the so-called "Born-Alive Abortion Survivors Protection Act."](#)<sup>28</sup> As Heritage has become more extreme over the years, it has also grown more powerful — ruffling the feathers of those very establishment conservatives with which it was so closely associated when the think tank was founded. Heritage [sponsored the Republican Study Committee's annual retreat](#)<sup>29</sup> (and was the only outside group allowed there) until the organization was [banned in 2013](#) over a disagreement on legislation.<sup>30</sup> Mickey Edwards, a 1973 founding trustee of Heritage, [told Ball](#) that the group's evolution "makes it look like just another hack Tea Party kind of group," and that "respect for their [policy] work has been greatly diminished as a result."<sup>31</sup>

In June 2018, the New York Times ran a feature story on Heritage called ["How One Conservative Think Tank Is Stocking Trump's Government."](#)<sup>32</sup> Jonathan Mahler [writes](#):

"Heritage and Trump were uniquely positioned to help each other. Much like Trump's, Heritage's constituency is equal parts donor class and populist base. Its \$80 million annual budget depends on six-figure donations from rich Republicans like Rebekah Mercer, whose family foundation has reportedly given Heritage \$500,000 a year since 2013. But it also relies on a network of 500,000 small donors, Heritage "members" whom it bombards with millions of pieces of direct mail every year. The Heritage Foundation is a marketing company, a branding agency — it sells its own Heritage neckties, embroidered with miniature versions of its Liberty Bell logo — and a policy shop rolled into one. But above all, Heritage is a networking group. It has spent decades fashioning itself into the hub of a constellation of conservative

Figure 1. Policy Position Comparison Between The Heritage Foundation and the Family Research Council

	The Heritage Foundation	Family Research Council
<div>ANTI-ABORTION</div>	<p><b><i>Heritage Is Opposed to a Women's Right to Obtain an Abortion and Works to Undermine Access to Reproductive Healthcare</i></b></p> <p>"Since <i>Roe v. Wade</i> and <i>Doe v. Bolton</i> effectively legalized abortion on demand, more than 58 million children have been denied the right to life. For over forty years the pro-life community has worked to counter the devastating impact abortion has had on mothers, fathers, and their unborn babies, witnessing to the fundamental truth that from the moment of conception, a distinct human being with inherent worth and dignity has the right to life. With pro-life majorities in the House and Senate, and a President who has committed to defend innocent life, Congress has the opportunity of a generation. Passing key pro-life legislation should be among the highest priorities in the 115th Congress."</p>	<p><b><i>FRC Believes <i>Roe v. Wade</i> Was Wrongly Decided and Actively Works to Have the Decision Reversed</i></b></p> <p>"Few things touch on the sanctity of human life more than the practice of abortion. A pregnancy should not simply be 'terminated,' as if it were something impersonal and problematic and it cannot be without physical and emotional consequences. A child in the womb is a distinct, developing, wholly human being, and each time a mother decides or a father pressures to end such a life it is a profound tragedy. Abortion harms the mother as well, and deprives society of the gifts of the unborn... The <i>Roe v. Wade</i> decision of the U.S. Supreme Court, declaring abortion to be a constitutional 'right,' was without foundation in the text of the Constitution and thus was wrongly decided, and we look forward to the day when this grave error will be corrected."</p>
<div>OPPOSES ACA'S BIRTH CONTROL COVERAGE</div>	<p><b><i>Heritage Prioritizes Anti-Abortion Ideology and So-Called "Conscience Rights" Over Access to Health Care</i></b></p> <p>"The Department of Health and Human Services under President Obama decided to require insurance plans to cover abortion-inducing drugs, contraceptives, and sterilization. Commonly referred to as the 'HHS mandate' or 'contraception mandate,' that requirement conflicts with the beliefs of many employers, individuals, and religious organizations regarding the protection of unborn human life. They regard it as an intolerable burden. The Supreme Court has provided relief to closely held businesses and to certain religious institutions. But as long as the mandate is in place, many individuals and organizations still face a disturbing choice: Either violate their sincerely held religious or moral beliefs or pay steep fines and, perhaps, forgo offering or obtaining health insurance altogether. When President Trump took office, these people and those who sympathize with them hoped that he would make religious liberty great again... It's past time for the president to make good on his promise."</p>	<p><b><i>FRC Prioritizes Anti-Abortion Ideology and So-Called "Conscience Rights" Over Access to Health Care</i></b></p> <p>"FRC supports the right of health care professionals and organizations who have conscientious objections to reject participation in or cooperation with the delivery and marketing of abortion or abortifacients, sterilization, contraception, embryo-destroying research or treatments, or euthanasia. Neither the state nor professional licensing bodies can be permitted to impose treatment or referral mandates which violate this right of conscience."</p>

Figure 1. (continued) Policy Position Comparison Between The Heritage Foundation and the Family Research Council

	The Heritage Foundation	Family Research Council
<div>SUPPORTS ABSTINENCE-ONLY EDUCATION</div>	<p><b><i>Heritage Falsely Claims Abstinence Education Programs Are Effective</i></b></p> <p>“Teenage sexual activity is a major problem confronting the nation and has led to a rising incidence of sexually transmitted diseases (STDs), emotional and psychological injuries, and out-of-wedlock childbearing. Abstinence education programs for youth have been proven to be effective in reducing early sexual activity. Abstinence programs also can provide the foundation for personal responsibility and enduring marital commitment.”</p>	<p><b><i>FRC Endorses Abstinence Education Programs, Equates Consent-Based Sex Ed With Pornography</i></b></p> <p>“Despite a few naysayers, President Trump’s return to an emphasis on sexual risk avoidance education should be, and in many cases is, a welcome relief to students and parents... The answer to keeping the health of our nation’s youth at the forefront of our nation’s priorities is not increasingly graphic and pornographic sex ed classes.”</p>
<div>SUPPORTS LGBTQ DISCRIMINATION</div>	<p><b><i>Heritage Denies Reality Of LGBTQ Discrimination, Claims That Protections for LGBTQ Rights Are Forcing Others to “Embrace and Live Out” Homosexuality</i></b></p> <p>“In the United States of America, people who identify as LGBT are free to live as they want. But SOGI laws, including FFA, are not about freedom—they are about coercion. SOGI laws are about forcing all Americans to embrace—and live out—certain beliefs about human sexuality. They are not about protecting the freedom of people to live as LGBT, but about coercing everyone else to support, facilitate, and endorse such actions. This is one fundamental problem in equating coercive antidiscrimination laws with permissive religious freedom laws. And imposing a bad coercive policy on everyone while exempting select faith-based institutions is anything but fairness for all.”</p>	<p><b><i>FRC Denies Reality Of LGBTQ Discrimination, Says Gay Rights Are Invasive, Harmful and Not as Important As “Religious Liberty”</i></b></p> <p>“With increasing fervor, LGBT (lesbian, gay, bisexual, and transgender) activists are urging local, state, and federal governments to expand the protected categories under existing laws to bar ‘discrimination’—in areas such as employment, housing, and public accommodations—on the basis of ‘sexual orientation’ and ‘gender identity’ the special protections found in SOGI laws: 1) are not justified in principle; 2) are invasive and cause tangible harms; and 3) are coercive and cannot be reconciled with religious liberty.”</p>

Sources: Family Research Council and Heritage Foundation publications, accessed 2/21/19 <sup>23</sup>

individuals and organizations united by their opposition to government regulations — from taxes to gun control to environmental protections — and socially progressive causes like same-sex marriage.”<sup>33</sup>

Indeed, Heritage is not trying to hide its influence over the Trump administration. The “About Heritage” section of its website [boasts](#) a Sean Hannity quote: “No organization on earth is a better supplier of innovative, conservative ideas grounded in founding principles than Heritage.” Its “[Timeline of Successes](#)” states that 64 percent of Heritage’s “Mandate for Leadership” policy prescriptions were included in Trump’s 2018 budget, regulatory guidance under the administration or are under current consideration for action.<sup>34</sup>

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## Heritage’s Hate Finds A Home At Trump’s HHS

The Heritage Foundation was founded in 1973 after Republican congressional staffers Paul Weyrich and Ed Feulner grew frustrated with a report by the American

Enterprise Institute (AEI) being delivered to Congress days after a related funding project had failed to get enough votes. AEI reportedly “didn’t want to try and affect the outcome of the vote,” — hence the timing of the report. Weyrich and Feulner set out to create a “[different breed](#)” of think tank that would explicitly produce research to put conservative public policies into practice.<sup>35</sup> As University of Pennsylvania Professor James G. McGann [writes](#), The Heritage Foundation was the last model of institutions of its kind that emerged in the United States and “is characterized by the politicization of think tanks.”<sup>36</sup> McGann adds that as an advocacy-oriented think tank, with an array of accessible and concise policy books/positions (rather than solely academic papers), Heritage is “better able to influence policy and disseminate information among policymakers.”<sup>37</sup>

Lakoff writes of Heritage and its founding mission to impact policy: “[They] have done their job very well. People associated with them have written more books than the people on the left have, on all issues. The conservatives support their intellectuals. They create media opportunities. They have media studios down the hall in their institutes so that getting on TV is easy.”<sup>38</sup> Indeed, this year, McGann [ranked](#) Heritage as the American think tank with the most impact on public policy in 2018. McGann’s analysis measured the organization’s resources, its utilization by policy elites and the media, the number of policy proposals and ideas generated, and adoption of said ideas into policy to reach this assessment.<sup>39</sup>

This policy impact is reflected clearly in the nation’s health department under President Trump. HHS Secretary Alex Azar gave a speech at Heritage in July 2018 praising the organization: “Heritage has played a vital role in so many of the important public policy debates of the last several decades. Many administrations, including this one, have benefited from your work on public policies that reflect the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense.”<sup>40</sup> This cozy relationship is not limited to the funneling of many Heritage employees into the

administration; the think tank has come to serve as a safe haven of sorts for likeminded individuals from the administration. For instance, [Charmaine Yoest](#), a Family Research Council alumna who worked at HHS before moving to the White House in 2018,<sup>41</sup> has now [accepted a position at Heritage](#).<sup>42</sup> Heritage has also had historically close relationships with conservatives on the Hill: [Rebekah Armstrong](#), Secretary for Legislation (ASL) within the [Office of the Assistant Secretary of Health](#) (OASH), attended at least two Heritage Foundation-sponsored retreats as a House Republican Study Committee staffer with the purpose of “[interacting] and [discussing] pertinent policy details with outside leaders.” Her involvement demonstrates the broader reach of Heritage’s network across the conservative right in Washington.

The following six individuals are either Heritage alumni or have close ties to the organization and now work at HHS. They are charged with upholding programs meant to defend civil rights and access to health care — yet since January 2017 they have worked to do the opposite, prioritizing far-right ideology above the department’s mission. It is critical to note the individuals connected to Heritage within HHS and how they fit into a broader network in Washington, because these relationships between the think tank and the administration likely serve as back channels to influence policy.

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## Roger Severino



[Roger Severino](#) is director of HHS’ Office for Civil Rights. He is perhaps the most apt epitome of the Heritage-driven ideological takeover at Trump’s health department. Previously the director of the “religious liberty” program at The Heritage Foundation, he is an attorney primarily focused on defending those who claim their “religious liberty” has been violated for having to provide birth control, serve LGBTQ people and perform abortions. Severino has served as a direct liaison from Heritage to Trump since the 2016 election, having worked as a [policy implementation member of the transition team](#) just after leaving the think tank and prior to taking on his current role.<sup>43</sup> He also previously worked for [Becket](#), a conservative “religious liberty” law firm that fought extensively against the Affordable Care Act’s (ACA) birth control law, and is best-known for its victories in *Burwell v. Hobby Lobby* and *Little Sisters of the Poor v. Burwell*.<sup>44</sup>

Severino professionally disseminates his anti-abortion, homophobic views in the name of religious freedom. In 2018, the OCR director became one of the first government officials in [“recent memory”](#) to speak at a conference hosted by the National Right to Life, one of the country’s largest anti-abortion organizations. Severino told the assembled crowd, “Our president is fearless when it comes to life and conscience... We’re just getting started.”<sup>45</sup>

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While at The Heritage Foundation, Severino vehemently argued against funding for women’s health organizations, [writing](#): “Congress should not make Planned Parenthood eligible for a raise. Rather, it should bar Planned Parenthood and other abortion providers from health care funding up front and

redirect it to more comprehensive and life-affirming health care providers. Such a move would reflect the simple fact that Planned Parenthood has long since disqualified itself from taxpayer money because of its callous disregard for innocent human life.”<sup>46</sup> In 2016, he not only argued against Obamacare’s non-discrimination rule, but also advocated against transgender individuals seeking medical transitions and abortion: Severino [wrote](#) that “maleness and femaleness are biological realities to be respected and affirmed, not altered or treated as diseases” and that the protections threatened “freedom of conscience” of anti-abortion health care providers.<sup>47</sup> The same year, he [wrote](#) that same sex marriage was the beginning of the “radical left’s” agenda to “coerce everyone, including children, into pledging allegiance to a radical new gender ideology over and above their right to privacy, safety, and religious freedom.”<sup>48</sup>

This is the person at the helm of the federal office that is charged with enforcing anti-discrimination laws, health privacy laws and conscience laws.

## Maximos Nikitas



[Maximos Nikitas](#), a former Heritage Foundation intern, is a [Conscience and Religious Freedom](#) (CRF) analyst within the Office for Civil Rights. His short career has consisted of work at multiple

conservative think tanks for the Republican party and on the Hill. Nikitas worked at The Heritage Foundation as an intern in the summer of 2016 — during the same period of time as Severino.<sup>49</sup>

The Heritage Foundation’s [internship program](#), dubbed the Young Leaders Program (YLP),<sup>50</sup> is expansive: its [2018 cohort had roughly 75 interns](#).<sup>51</sup> As Emily Kopp writes for Roll Call, YLP is a successful stepping stone into positions within the federal government: “On-ramps to congressional staff positions for conservatives include talent development programs funded by The Heritage Foundation, the Charles Koch Institute, The Federalist Society, the Tax Foundation and the Mercatus Center.”<sup>52</sup> Kay Cole James, president of The Heritage

Foundation, recently announced the dedication of a new dormitory for its interns: as [Mahler writes](#), she “described the new intern dorm as an expansion of the think tank’s ‘base of operations’ against what she characterized as a ‘very determined and very well-resourced foe. They want to change America into something she was never intended to be. And they might succeed if we don’t fight every single day of our lives.’”<sup>53</sup> In addition to YLP, Heritage conducts extensive [outreach on college campuses](#): it has materials, newsletters and speaker requests specifically tailored to undergraduates available.<sup>54</sup>

This is no accident. As Professor George Lakoff of the University of California Berkeley writes, The Heritage Foundation was among a number of conservative institutions founded in response to the 1970 Powell Memo. The memo’s author, Lewis Powell — who would become a U.S. Supreme Court justice shortly thereafter — called upon conservatives to “keep the country’s best and brightest young people from becoming antibusiness. What we need to do, Powell said, is set up institutions within the universities and outside the universities. We have to do research, we have to write books, and we have to endow professorships to teach these people the right way to think.” And thus, in 1973, Heritage was born.<sup>55</sup> As Justin Talbot-Zorn, senior policy adviser at the Center for Economic and Policy Research, [remarked](#): “Conservatives got this message decades ago.”<sup>56</sup>

## Maya Noronha



[Maya Noronha](#) is special advisor within OCR. Also an alumna of The Heritage Foundation’s internship program, she worked as a legal intern at the think tank in 2011. Noronha is a lawyer

and anti-abortion, anti-birth control advocate. She was previously employed as the deputy director of the Republican Lawyers Association and a lobbyist at the anti-immigration group, [Federation for American Immigration Reform](#).<sup>57</sup> In addition to working at The Heritage Foundation, she has also worked on “conscience protection” laws for the anti-abortion

group, American Center for Law and Justice, as well as for Rep. Steve Stockman, whose campaign once [released](#) a bumper sticker reading, “If babies had guns they wouldn’t be aborted.”<sup>58</sup> Noronha’s work for Stockman included “coordinating [a] Congressional staff briefing with [the] Pro-Life Caucus regarding proposals to promote adoption and fatherhood.” She is a member of the Federalist Society and the John Carroll Society of the Archdiocese of Washington.<sup>59</sup>

Noronha is also a [member](#) of the anti-abortion and anti-birth control group Women Speak For Themselves,<sup>60</sup> which [promotes](#) the belief that “women are disadvantaged respecting dating and marriage, especially because of contraception and abortion.” The group was created in opposition to Obamacare’s requirement that employers cover birth control in health insurance plans.<sup>61</sup> It [encourages](#) members to demonstrate and create “high-quality content” (social media posts, letters to the editor, opinion pieces)<sup>62</sup> opposing [birth control](#) and the birth control requirement.<sup>63</sup> As a Georgetown student, Maya Noronha wrote an [article](#) arguing that abstinence-only education, as opposed to condom use, was the best way to fight AIDS.<sup>64</sup>

In the past, Noronha has [argued](#) for prioritizing the preferences of health care providers who have religious or conscience-based objections to certain services over the needs of patients.<sup>65</sup> She has also claimed that it is “unjust for a patient’s desire for convenience to coerce a health care provider.”<sup>66</sup> Furthermore, Noronha thinks that abortion referrals make health care providers “complicit,” “de facto moral accomplice[s].”<sup>67</sup>

As a special advisor at the OCR, Noronha is in a position to make her narrow beliefs policy. During a 2018 visit with Catholic University law students, [she told them](#) that she was working on reforms that would codify her extreme views on “conscience” regulations into law.<sup>68</sup> In the same address, she told her audience that she is proof you do not have to “check your faith” when you enter the legal profession, but rather, let it guide your work.<sup>69</sup> Equity Forward has evidence Noronha has been working on “religious liberty” and “conscience

protection” policy at OCR; this report will expand on these themes — to which The Heritage Foundation commits substantial resources — in more depth below. And indeed, Noronha has maintained ties with The Heritage Foundation while working for the Trump administration. In 2017, she [tweeted](#) a photo of herself with the former chairman of Heritage’s legal center, Edwin Meese III.<sup>70</sup>

## **Laura Trueman**



[Laura Trueman](#) worked at Heritage as director of strategic operations for the Health Care and Entitlement teams from 2009 to 2015. She is now deputy director of HHS’ [Office of Intergovernmental and External Affairs](#).

The Office of Intergovernmental and External Affairs (IEA) serves as the link between HHS and the state, local, tribal and non-governmental entities served and affected by its programs, policies and initiatives. The office advises HHS on local perspectives, helps to coordinate and implement initiatives at the local level, facilitates communication between HHS and local entities and coordinates HHS’ ten regional offices. As Deputy Director of IEA, Trueman is in a position to influence the level of efficiency and priority with which HHS family planning and reproductive health programs, policies and initiatives are shaped, communicated and implemented.

This influence is concerning given Trueman’s anti-abortion views. She worked on the Reagan administration’s Adolescent Family Planning Program, which was created to serve as an anti-abortion, abstinence-focused alternative to the nation’s only family-planning program, Title X. Trueman has also worked as a healthcare lobbyist. After six years at Heritage, she left to serve as House Majority Whip Steve Scalise’s [policy advisor and liaison to conservative groups](#).<sup>71</sup> She is married to prominent anti-abortion attorney Patrick Trueman.

Laura Trueman wrote in a [Heritage commentary](#) that the “lack of sexual restraint and fidelity” is a greater “threat” to women than pay inequality.<sup>72</sup> She maintains an active Twitter presence, tweeting things like: “[60 million babies have been aborted since Roe v. Wade in 1973. Tragedy.](#)”<sup>73</sup> She has also stated approval for several anti-abortion extremists, including discredited anti-abortion zealot [David Daleiden](#),<sup>74</sup> of whom she [tweeted a photo](#) of receiving a Family Research Council award.<sup>75</sup> Trueman has [tweeted](#) about her support for so-called “conscience laws,” stating that no healthcare provider should have to “violate” their beliefs to perform abortions.<sup>76</sup>

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## Judy Stecker



[Judy Stecker](#) is the HHS assistant secretary for public affairs (ASPA). Stecker [joined HHS in April 2018](#). Over the course of her career — which has focused on communications, media and politics — she has worked for conservative, anti-abortion organizations including the American Enterprise Institute and The Heritage Foundation. Stecker worked at Heritage first as a consultant in 2007, then as a senior media associate from 2010 to 2012.<sup>77</sup>

As the ASPA, Stecker is the health department’s primary spokesperson. She represents and defends the agency-wide rollbacks and threats to reproductive health. While in her role, she has hindered transparency to the public and the press with respect to HHS policies, including the [child separation crisis](#).<sup>78</sup> In 2018, she is [on the record](#) as having dodged and refused to answer reporters’ questions on HHS’ role in the crisis.<sup>79</sup>

## Steven Wagner



[Steven Wagner](#) is the principal deputy assistant secretary and acting assistant secretary in HHS’ Administration for Children and Families (ACF). While not a Heritage alumnus, Wagner has attended at least one event at Heritage in his official ACF capacity and is married to a senior Heritage official. He has had a long career in Washington working on conservative causes, including helping to develop Newt Gingrich’s “[Contract with America](#)” which sought to preserve so-called traditional “family values” and led to legislation that decimated America’s social safety net. Wagner is a long-time Republican pollster who has focused on outreach to conservative religious groups. This is not his first tenure at HHS; during a previous stint at HHS, he suggested access to abortion allows sex-trafficking victims to return to trafficking more quickly. Wagner also said that HHS’ Office of Human Trafficking program was “founded with the understanding that it was ‘totally inappropriate’ to see abortion as a remedy to women in need.”<sup>80</sup>

In his role at HHS, Wagner oversees multiple program offices — including the [Office of Refugee Resettlement](#) (ORR), which is charged with caring for unaccompanied immigrant children and has made headlines for denying the rights of young women in its care to access full reproductive health care. The children that were separated from their families by the Trump administration are under Wagner’s purview, and Wagner is overseeing a historically large number of children in HHS care due to a [decision by his](#) deputy that led to guardians fearing deportation if they claim children from custody.<sup>81</sup>

He is also married to Bridgett Wagner, who is vice president for policy promotion at Heritage. Bridgett Wagner has worked at Heritage for over 35 years. Equity Forward filed a public records request in November 2018 for HHS officials’ calendars and received a records response from the agency in January 2018 demonstrating that in October 2018, Steven Wagner attended a Heritage event in his official HHS

capacity (see Figure 2). Equity Forward, along with other accountability groups such as [American Oversight](#), have sought out similar records for other HHS employees and their contact with outside organizations to little avail.<sup>82</sup>

## In Focus: The Office for Civil Rights

[The Washington Post](#) reported that HHS' Office for Civil Rights (OCR) under Trump "has been greatly strengthening and expanding protections for health care providers who have religious- or conscience-based objections to procedures such as abortion." It went on to say that "the makeover appears radical, one that critics worry will jeopardize the care of pregnant women and transgender individuals, as well as others who could be denied certain procedures."

Due to the fact there are three Heritage alumni working in OCR, and due to the parallels between the work that the think tank and the civil rights office are undertaking, this report pays particular attention to OCR and its new conscience protection division. On January 17, 2018, [as reported by BuzzFeed News](#),<sup>83</sup> OCR announced its new conscience protection division, to "[protect](#)" health workers with "moral or religious objections to performing certain procedures, including things like abortions or sex reassignment surgery for transgender patients."<sup>84</sup> In reality, this division was created to allow health workers to discriminate against certain patients.

The creation of the [Conscience and Religious Freedom](#) (CRF) division should under no circumstances be viewed in isolation from Roger Severino and his former employer. Just months before Severino [stated](#) that these protections for discrimination were a priority for his office, [Heritage](#) released a report urging the administration to implement so-called "conscience protections."<sup>85</sup>

**The creation of the Conscience and Religious Freedom (CRF) division should under no circumstances be viewed in isolation from Roger Severino and his former employer.**

Equity Forward filed public records requests with HHS and received sequential records responses that indicate Severino and Noronha's direct participation in the launch of the CRF office (see Figures 3, 4, and 5 in the Appendix).

Shortly after the CRF division was successfully launched, Severino met with HHS Senior Counsel to the Secretary Paula Stannard, who has [actively worked to roll back the ACA's birth control mandate](#), demonstrating just how involved OCR has been across policy areas in HHS' purview (See Figure 6 in the Appendix).<sup>86</sup>

## Policy Impact

The following policy areas relating to reproductive health and human rights demonstrate the impact of Heritage's influence over the federal health department.

### "Conscience Protection" and Access to Quality Health Care

On January 18, 2019, OCR's Conscience and Religious Freedom division announced its [first enforcement action](#): the results of an independent investigation determining that California's Reproductive [FACT Act](#) — which would have required anti-abortion centers to post information about the state's public programs that provide low-cost or free birth control and abortion

**Figure 7.** Heritage and HHS on “Conscience Protection” and Access to Quality Health Care

	The Heritage Foundation	HHS
<p><b>“CONSCIENCE PROTECTION” AND ACCESS TO ACCURATE, QUALITY HEALTH CARE</b></p>	<p><b><i>Heritage Applauds Anti-Abortion Centers’ Ability to Influence Women’s Health Care Decisions With Biased Information That is Not Required to Be Medically Sound</i></b></p> <p>“Pro-life pregnancy centers are entities that provide support to women who are facing a difficult or unplanned pregnancy and seek to provide women with the support they need to give their children the gift of life... These centers are life affirming and often faith-based; they do not provide or refer for abortions... the law requires unlicensed centers that provide nonmedical services such as counseling, education, maternity clothes, and baby supplies to post extensive disclaimers in as many as 13 languages that they are not a licensed medical center. These notices must be posted on-site as well as online and in print and digital advertisements. The prominence and size of the disclaimer—in addition to being compelled speech—is so voluminous that it detracts from a pregnancy center’s primary message and is so extensive that advertisements are cost prohibitive.”</p>	<p><b><i>HHS Releases Unnecessary Enforcement Actions to Double Down on Its Support for Anti-Abortion Centers’ Ability to Influence Women’s Health Care Decisions</i></b></p> <p>“OCR’s Conscience and Religious Freedom Division, established last year, conducted an independent investigation and determined that the FACT Act violated the Weldon and Coats-Snowe Amendments by requiring “licensed covered facilities” to refer for abortion and violated the Weldon amendment by subjecting “unlicensed covered facilities” to discrimination by targeting them for burdensome and unnecessary notice requirements because they do not refer for or make arrangements for abortion.”sex ed classes.”</p>
<p>Sources: Heritage Foundation and HHS, accessed 3/4/19<sup>87</sup></p>		

services as well as notices stating whether they had earned a health care provider license or not<sup>88</sup> — violated the Weldon and Coats-Snowe Amendments.<sup>89</sup> Roger Severino celebrated the action, saying, “Our violation finding underscores not only that California must follow the Constitution, but that it also must respect federal conscience protection laws when it accepts federal funds.” The same day, HHS Secretary Azar gave a speech at extremist group Family Research Council’s March for Life event, stating:

**“Just this morning we at HHS announced that the state of California is in violation of the Weldon Amendment and the Coats-Snowe provision that prevents discrimination against health care providers who refuse to provide or refer for abortion services. That’s the first time in history that’s been done, enforcing those provisions... It’s really important, and it shows I think what we’re trying to do as a pro-life administration, a pro-life, pro-science team at HHS, is we’re really trying to protect two of the most important and fundamental freedoms we have. The first is the freedom of life and the second is of conscience, and we try to make sure that both of those are respected in everything that we do and in all of our programs.”<sup>90</sup>**

OCR’s action is particularly notable because the Supreme Court had already struck down the California law last June in [National Institute of Family and Life Advocates v. Becerra](#).<sup>91</sup> Fatima Goss Graves, president and CEO of the National Women’s Law Center, in June issued the following [statement](#) on the implications of the court’s decision:

**“Pregnant women deserve the truth. But today, the Supreme Court eliminated a critical law that protected women from anti-abortion counseling centers’ deception. Throughout the country, anti-abortion counseling centers provide false, misleading, or incomplete information, and frighten and coerce women to make certain decisions about their health care options. This deception endangers women’s health and future**

**fertility, and particularly burdens women of color and women struggling to make ends meet. It is devastating that today’s decision will make access to full reproductive health care more difficult. We will fight for the truth women in California and across the country are owed, and ensure they receive vital and accurate health information.”<sup>92</sup>**

Adam Sonfield, senior policy manager at the Guttmacher Institute, told Equity Forward in a February 2019 interview that the CRF office’s enforcement action was “strange” given that the policy in question had “already been struck down by the Supreme Court.” He continued, “I think the most notable thing about that was that they used it as an opportunity to redefine some key terms in existing law... They’re trying to argue that requiring a notice on a clinic’s wall that says the state government has resources to help you if you want to get a different service counts as a referral under the Weldon Amendment. And that is not how referral is defined in the medical context... or pretty much any other context I’ve ever seen.”<sup>93</sup>

OCR has not let up on this front since its California enforcement action; the office [investigated](#) a similar case in Hawaii. After Hawaii’s attorney general decided not to enforce Act 200 (similar to the FACT Act in California), Severino closed the investigation, [stating](#), “Although Hawaii should never have burdened the rights of nonprofits seeking to provide pregnant women life-affirming options, we commend Hawaii for committing to not enforcing Act 200’s notice provisions against anyone, in response to our investigation.” Severino continued, “OCR takes allegations of conscience violations seriously. We encourage other states to take a hard look at their own laws and make sure that they do not violate federal conscience and religious freedom statutes in health and human services.”<sup>94</sup>

Notably, Heritage has weighed in on this topic. In June 2018 it published a [piece](#) entitled “In a Win for Free Speech, Supreme Court Says California Can’t Force Pro-Life Centers to Promote Abortion.”<sup>95</sup> A different

**Figure 8.** Heritage and HHS on Birth Control

	The Heritage Foundation	HHS
<div data-bbox="89 289 326 390">BIRTH CONTROL</div> <div data-bbox="110 1003 496 1031">Sources: <a href="https://www.heritage.org">Heritage.org</a> and <a href="https://www.hhs.gov">HHS.gov</a><sup>97</sup></div>	<div data-bbox="396 241 909 380"><b><i>Heritage Has Consistently Opposed the ACA's Requirement for Insurance Coverage of Birth Control, Prioritizing the Beliefs of Employers Over Access to Health Care</i></b></div> <div data-bbox="396 390 927 716"> <p>"But as long as the mandate is in place, many individuals and organizations still face a disturbing choice: Either violate their sincerely held religious or moral beliefs or pay steep fines and, perhaps, forgo offering or obtaining health insurance altogether. When President Trump took office, these people and those who sympathize with them hoped that he would make religious liberty great again."</p> </div>	<div data-bbox="984 241 1495 380"><b><i>HHS Tried to Expand Exemptions For the ACA's Birth Control Requirement, Prioritizing the Beliefs of Employers Over Access to Health Care</i></b></div> <div data-bbox="984 390 1511 1014"> <p>"The first of two final rules provides an exemption from the contraceptive coverage mandate to entities and individuals that object to services covered by the mandate on the basis of sincerely held religious beliefs. Thus, entities that have sincerely held religious beliefs against providing contraceptive services (or services which they consider to be abortifacients) would be exempt from the mandate and no longer be required to provide such coverage... [The second rule] gives nonprofit organizations, small businesses, and individuals that have non-religious moral convictions opposing services covered by the contraceptive mandate protections that are similar to the religious final rule's protections for religious organizations and businesses."</p> </div>

[Heritage report](#) on the topic stated, "Pro-life pregnancy centers are entities that provide support to women who are facing a difficult or unplanned pregnancy and seek to provide women with the support they need to give their children the gift of life."<sup>96</sup>

## Birth Control

Another area where the "right to conscience" argument has come into play at HHS is access to birth control. Most recently, HHS' attacks on contraceptive access came in the form of [rule changes to the Title X family planning program, including a domestic gag rule barring clinicians from referring their patients to abortion services](#).<sup>98</sup> But for years a major focus of groups like Heritage has been insurance coverage requirements for birth control.

[Since 2012](#), the ACA has required health insurance plans to provide full coverage of all FDA approved birth control methods as part of preventative care coverage.<sup>99</sup> And since then, religious organizations and employers with religious objections to the birth control mandate have won exemptions through [HHS and other federal agencies](#),<sup>100</sup> as well as from Supreme Court victories including [Burwell v. Hobby Lobby](#). During this time, [multiple anti-abortion, anti-birth control lawyers and advocates](#)<sup>101</sup> — many of them now key officials at Trump's HHS — were working to [roll back the mandate in the name of religious freedom](#).<sup>102</sup>

Following a May 2017 [White House executive order](#) targeting birth control coverage,<sup>103</sup> HHS put forth [two interim rules to roll back the ACA's contraceptive mandate](#) in October 2017.<sup>104</sup> [One rule](#) enabled employers to claim exemptions for religious reasons;<sup>105</sup> the [other](#) set up exemptions for "sincerely held moral

convictions.”<sup>106</sup> In November 2018, the department [published final versions of these rules](#),<sup>107</sup> formally allowing employers to deny insurance coverage of birth control on [moral](#)<sup>108</sup> and [religious](#) grounds.<sup>109</sup> These rules were [blocked by federal judges](#) just days before they were set to go into effect in January 2019.<sup>110</sup>

As Guttmacher Institute data shows, over [99 percent](#) of sexually active American women use some form of birth control during their lives.<sup>111</sup> According to the Kaiser Family Foundation, in 2012, when the ACA birth control requirement took effect, nearly [one quarter](#) of women were paying out of pocket for oral contraceptives; by 2016, just [2.7 percent](#) were, as the median cost for the IUD dropped to zero dollars. A reported [\\$1.4 billion](#) [dollars](#) per year in out of pocket copays have been saved. In 2015, [10 percent of large non-profits](#) (5,000 or more employers) had elected for an accommodation under the ACA without challenging the birth control requirement.<sup>112</sup>

Sonfield has [written](#) about how cost can be extremely prohibitive to contraceptive choice, particularly for highly effective methods of birth control: “In the absence of the contraceptive coverage guarantee, many women would need to pay more than \$1,000 to start using one of these methods.”<sup>113</sup> Later, Sonfield told Equity Forward that parsing out the individual level impact in terms of exactly how many people would lose contraceptive coverage due to HHS’ moral and religious exemptions is difficult, as it’s unclear how many employers and universities would use the exemptions. However, he remarked, “It is pretty clear that [HHS’ estimates](#) are very much a low ball. They are essentially estimating that the only people that would use the exemption are people that have already sued [under the Obama administration’s rules]... which is kind of bizarre.” In addition to the exact impact in terms of the number of women losing coverage should the exemptions clear the courts, Sonfield cautioned, “We don’t know how public the decisions will be, or if anyone aside from employees will find out about it.”<sup>114</sup>

Severino has made his support for expanding these exemptions known, stating that HHS is doing everything

it can to “respect human dignity.” He reflected in December 2018 on battles religious organizations such as the [Little Sisters of the Poor](#)<sup>115</sup> had had with the Obama administration over the contraceptive mandate, [declaring](#):

**“[The Little Sisters of the Poor were] dedicated to being there for the elderly in their last days, literally, so they do not die alone so that they know that they are loved, so their life has dignity and worth... Instead of supporting this incredible organization, the HHS went after them, threatening to shut them down with millions in fines because they would not assist in the provision of contraceptives to their fellow nuns. I don’t know how we got to this place but it is a very topsy-turvy world where that was the official position of the federal government and the Department of Justice for years until very recently when we undid the contraceptive mandate through regulatory rulemaking.”<sup>116</sup>**

Severino’s former employer, Heritage, has made its stance on the matter clear: “But as long as the mandate is in place, many individuals and organizations still face a disturbing choice: Either violate their sincerely held religious or moral beliefs or pay steep fines and, perhaps, forgo offering or obtaining health insurance altogether. When President Trump took office, these people and those who sympathize with them hoped that he would [make religious liberty great again](#).”<sup>117</sup>

## LGBTQ Discrimination

The Office for Civil Rights, by design, is supposed to protect the rights and liberties of all Americans. However, Trump’s appointees — many of whom have opposed [marriage equality](#) — have done the opposite for the LGBTQ community.<sup>119</sup> In January 2018, OCR’s new conscience protection division was announced to exempt health workers with “[moral or religious objections](#)” from participating in certain procedures such as sex reassignment surgery for transgender patients.<sup>120</sup> In October later that year, a leaked HHS memo outlined the department’s efforts to establish

**Figure 9.** Heritage and HHS on LGBTQ Discrimination

	The Heritage Foundation	HHS
<b>LGBTQ DISCRIMINATION</b>	<p><b><i>Heritage Advocated for HHS to Grant a Waiver to a Foster Care Program That Denies Service to Non-Christian and LGBTQ Prospective Foster Parents</i></b></p> <p>"By casting judgment on Miracle Hill's religious beliefs and misconstruing them as "discriminatory," the government would be acting inconsistently with the Religious Freedom Restoration Act. If HHS should grant Miracle Hill a waiver, it would represent an important win for religious liberty and be a timely reminder of what religious freedom truly means. America is diverse precisely because it allows everyone to live by their convictions. To preserve and promote that diversity, Miracle Hill must remain free to operate according to its religious mission."</p>	<p><b><i>HHS' OCR Granted a Waiver to a Foster Care Program That Denies Service to Non-Christian and LGBTQ Prospective Foster Parents</i></b></p> <p>"OCR specifically found that Miracle Hill's sincere religious exercise would be substantially burdened by application of the religious nondiscrimination requirement... requiring... Miracle Hill to comply with the religious non-discrimination provision of 45 CFR 75.300(c) would cause a burden to religious beliefs that is unacceptable under [the Religious Freedom Restoration Act, or] RFRA."</p>
Sources: <i>Heritage.org</i> and <i>governor.sc.gov</i> <sup>118</sup>		

a new legal definition of sex, [as assigned at birth on the basis of genitalia](#), under gender protection laws<sup>121</sup> — an attempt to define transgender individuals “[out of existence](#)” and no longer protect them from gender discrimination in federally funded education programs.<sup>122</sup> And after [granting a waiver to a federally funded faith-based foster care provider that refuses to work with non-Christian and gay individuals](#),<sup>123</sup> the Washington Post [reported](#) on HHS’ draft budget request to seek broad authority for funding these discriminatory groups.<sup>124</sup>

**The Office for Civil Rights, by design, is supposed to protect the rights and liberties of all Americans. However, Trump’s appointees — many of whom have opposed marriage**

**equality — have done the opposite for the LGBTQ community.**

OCR is also the office responsible for interpreting Section 1557 of the Affordable Care Act — the anti-discrimination provision. As Emma Green [wrote](#) for the Atlantic in 2017, “in 2016, under the Obama administration, OCR clarified that the law bars discrimination against transgender people, or any bias based on gender identity. While the regulation didn’t resolve issues around sexual orientation, OCR made it clear that it would investigate these claims to evaluate whether actionable discrimination had taken place. The regulation’s requirements for insurance coverage have never gone into effect, though, and in December 2016, a federal judge issued an injunction blocking two of 1557’s provisions.” She continued, “With patience and bureaucratic will, Severino’s office could roll back many of these Obama-era changes, and early evidence suggests this is a priority.”<sup>125</sup>

The [American Civil Liberties Union](#) has indeed been tracking the Trump administration's subsequent efforts to change the interpretation of 1557 in cases such as transgender people seeking surgery related to gender transition.<sup>126</sup> Sonfield told Equity Forward: "[Under Trump,] Section 1557... has been very clearly challenged on issues related to both on LGBTQ and reproductive rights, and obviously the intersection as well... It's very clear they're pitting LGBTQ rights against supposed religious rights — and pitting them up against each other in a way where there can be only one winner. This is an attempt by social conservatives to make some of these things a zero-sum game, to say that we can't advance LGBTQ rights without somehow diminishing religious rights, which should not be true. And it certainly should not be true if you think of rights in the traditional way of defending against discrimination, defending against problems — you know, as a shield — rather than as you see now plenty of times — trying to turn that into a sword instead to go after other peoples' rights, and that has clearly been the tactic here."<sup>127</sup>

As Hasan Minhaj of the Netflix show Patriot Act with Hasan Minhaj put it, "Since becoming head of civil rights at HHS, Severino has been pushing an agenda that discriminates against trans people... Under the guise of civil rights, Severino is trying to deny [trans] people legal protection." He continued, "So if you're a doctor who doesn't like trans people, or gay people, or a woman's right to choose... you don't have to do anything that violates your religious beliefs, even if someone's life depends on it... By cherry picking which civil rights they're enforcing and which ones they're not, [OCR is] redefining who is a protected class in America."<sup>128</sup>

**By cherry picking which civil rights they're enforcing and which ones they're not, [OCR is] redefining who is a protected class in America.**

The agency's discriminatory foster care decision — among others — came months after the director of HHS' [Center for Faith and Opportunity Initiatives](#), [Shannon Royce](#), [spoke at a Heritage Foundation event on foster care](#). She proposed the idea of waivers for faith-based foster care groups to address the issue of a shortage of foster care homes: "If you are engaged in fostering and adoption care, and there is something you believe substantially burdens your religious expression, we would encourage you to file," Royce told attendees."<sup>129</sup> Critics call these waivers "[religious litmus tests](#)" and a ways to a means to shut out LGBTQ and divorced parents.<sup>130</sup>

This event is just one example of Heritage's troubling record when it comes to LGBTQ rights. As referenced above, Severino [argued](#) against Section 1557 and transgender rights in his capacity at Heritage;<sup>131</sup> and the think tank routinely takes [positions](#) belittling and denying the discrimination gay Americans face: "In the United States of America, people who identify as LGBT are free to live as they want. But SOGI laws, including FFA, are not about freedom — they are about coercion. SOGI laws are about forcing all Americans to embrace — and live out — certain beliefs about human sexuality. They are not about protecting the freedom of people to live as LGBT, but about coercing everyone else to support, facilitate, and endorse such actions. This is one fundamental problem in equating coercive antidiscrimination laws with permissive religious freedom laws. And imposing a bad coercive policy on everyone while exempting select faith-based institutions is anything but fairness for all."<sup>132</sup>

## Fetal Tissue Research

HHS and Heritage's influence within the agency has targeted Americans, many of them LGBTQ, through its threats to research using fetal tissue. This type of research has been used to develop vaccines for [polio](#), [rubella](#), [mumps](#) and [measles](#).<sup>134</sup> Grants administered through HHS have funded potentially lifesaving research using fetal tissue to try and cure diseases like [HIV/AIDS](#), [Parkinson's](#)<sup>135</sup> and [Zika](#).<sup>136</sup> Despite the administration's [rhetoric that it is](#)

**Figure 10.** HHS and Heritage on Research that Relies on Fetal Tissue

	The Heritage Foundation	HHS
<p><b>FETAL TISSUE RESEARCH</b></p>	<p><b><i>Heritage Recommended HHS' Fetal Tissue Research Contract With ABR, Among Others, Be Terminated Due to Anti-Abortion Stance</i></b></p> <p>"ABR is among the entities under referral for criminal investigation for possibly profiting from the sale of fetal tissue from aborted babies. Among its sources for fetal tissue are Planned Parenthood-affiliated clinics... The FDA's decision to contract with ABR is troubling, to say the least... In the meantime, the sad reality continues: Unborn children are aborted every day in clinics across the country, and their body parts are divvied up and procured by companies that in turn provide the tissue for taxpayer-funded research."</p>	<p><b><i>HHS Abruptly Cancelled an ABR Fetal Tissue Research Contract, Launched Audit of All Such Research In Light of "Moral, and Ethical Considerations"</i></b></p> <p>"After a recent review of a contract between Advanced Bioscience Resources, Inc. and the Food and Drug Administration to provide human fetal tissue to develop testing protocols, HHS was not sufficiently assured that the contract included the appropriate protections applicable to fetal tissue research or met all other procurement requirements. As a result, that contract has been terminated, and HHS is now conducting an audit of all acquisitions involving human fetal tissue to ensure conformity with procurement and human fetal tissue research laws and regulations. In addition, HHS has initiated a comprehensive review of all research involving fetal tissue to ensure consistency with statutes and regulations governing such research, and to ensure the adequacy of procedures and oversight of this research in light of the serious regulatory, moral, and ethical considerations involved. Finally, HHS is continuing to review whether adequate alternatives exist to the use of human fetal tissue in HHS funded research and will ensure that efforts to develop such alternatives are funded and accelerated."</p>
	<p>Sources: <a href="https://www.heritage.org">Heritage.org</a> and <a href="https://www.hhs.gov">HHS.gov</a><sup>133</sup></p>	

[committed to eradicating HIV](#),<sup>137</sup> HHS [cancelled a contract for fetal tissue research in September 2018](#)<sup>138</sup> and opened an [audit](#)<sup>139</sup> of all federally funded fetal tissue research. At least one government-run study of the sort [was quietly shut down](#) prior to health officials' final decision on the audit<sup>140</sup> — [halting active research on AIDS](#) in the process.<sup>141</sup> The research at hand has been "[instrumental in testing virtually all HIV therapies subsequently approved by the U.S. Food and Drug Administration since the 1990s](#)."<sup>142</sup>

In August 2018, Heritage Foundation Research Associate Melanie Israel (who works in the DeVos Center for Religion and Civil Society, where Severino also worked at Heritage) wrote a [commentary](#) criticizing the FDA's contract with Advanced Bioscience Resources (ABR) for fetal tissue research.<sup>143</sup> Six weeks later in September 2018, HHS [terminated its contract with ABR and announced on ongoing audit](#) into all fetal tissue research contracts.<sup>144</sup>

During the audit — which has yet to be resolved — Heritage has continued to host events and put out papers on the topic, including a November 2018 [panel](#) moderated by Israel featuring Dr. David Prentice and Dr. Tara Sander Lee, both of the Charlotte Lozier Group.<sup>145</sup> Prentice and Sander Lee’s organization is nothing more than an arm of the anti-abortion group [Susan B. Anthony \(SBA\) List](#), which has extremely close ties to HHS themselves. A mere two weeks after the Heritage panel took place, a [House Oversight and Government Reform hearing](#) was held considering alternatives to fetal tissue research — *where Prentice and Sander Lee were two of the three witnesses*.<sup>146</sup> At both the Heritage panel and congressional hearing, they spouted lies about medical science and research employing fetal tissue.

## Family Separation Crisis and Abortion Rights of Migrant Teens in Government Care

### Family Separation Crisis

In April 2018, Trump’s Justice Department announced a new “[zero tolerance](#)” policy for asylum seekers entering the United States.<sup>148</sup> This entailed [targeting asylum seekers who are parents](#) and separating their children from them at the border, which quickly spiraled into a humanitarian crisis.<sup>149</sup> HHS’ ACF, specifically ORR, along with the Department of Homeland Security (DHS), was charged with facilitating the policy. From May 5 to June 9, [DHS reported that over 2,300 children](#) were taken from their parents and brought into government custody.<sup>150</sup> HHS was [completely unprepared](#) for the influx of children in its care,<sup>151</sup> and the agency’s facilities quickly [reached capacity, forcing a housing expansion to military bases](#).<sup>152</sup> [Reports](#) have surfaced of children being sexually abused by staff members at ORR-contracted facilities.<sup>153</sup> Even after being reunified with parents, many children formerly in government custody [exhibit signs of severe psychological trauma](#).<sup>154</sup>

The crisis was mired with bureaucratic failures: Children that were separated from their parents were [wrongly designated as unaccompanied minors](#);<sup>155</sup> HHS officials

later [admitted](#) that they did not have any reunification plans in place when the separation policy began.<sup>156</sup> As [court-mandated deadlines](#) ordering reunification came and went,<sup>157</sup> [it became clear](#)<sup>158</sup> that HHS had [lied about the existence of a central database](#) to track children’s whereabouts.<sup>159</sup> [No such tracking system existed](#), and months after the courts ordered children be returned to their families, many remained separated from their parents.<sup>160</sup>

## Abortion Rights of Migrant Teens in Government Care

The reproductive and constitutional rights of young women in government care were also violated. In October 2017, the ACLU [sued](#) HHS over ORR’s decision to block an undocumented 17-year-old girl detained at one of their facilities from having an abortion.<sup>161</sup> ORR had refused to transport the teenager, “Jane Doe,” to get the abortion — [even after she had obtained proper judicial bypass to undergo the procedure without parental consent, and had private funding to finance it](#).<sup>162</sup> Furthermore, former ORR Director [Scott Lloyd reportedly instructed staffers](#) to tell Jane Doe’s parents that she was pregnant despite Doe’s fear of abuse from her parents.<sup>163</sup> While pregnant in custody, Doe was forced to undergo “[life affirming](#)” [counseling](#) at an anti-abortion center,<sup>164</sup> [to obtain a sonogram](#),<sup>165</sup> and [was under intensive surveillance](#) by guards.<sup>166</sup> Later that month, a federal court [ruled](#) that ORR was violating Jane Doe’s constitutional right to obtain her abortion. Doe was finally able to end her pregnancy after being delayed unnecessarily by HHS for weeks.<sup>167</sup>

Jane Doe’s case was far from the only instance in which Lloyd’s ORR sought to influence and deny undocumented minors’ reproductive rights. He pushed “spiritual counseling” and ultrasounds at anti-abortion centers for minors in his care, has personally met with teens to dissuade them from obtaining abortions, suggested abortion “[reversals](#),”<sup>168</sup> and refused an abortion request from a young woman pregnant due to rape with the argument that you cannot “[cure violence with further violence](#).”<sup>169</sup> ORR has remained legally

**Figure 11.** Heritage and HHS on Family Separation Crisis and Abortion Rights of Migrant Teens in Government Care

	The Heritage Foundation	HHS
<b>FAMILY SEPARATION CRISIS AND ABORTION RIGHTS OF MIGRANT TEENS IN GOVERNMENT CARE</b>	<p><b><i>Heritage Believes That Asylum Seekers Are “Responsible” for Being Separated From Their Children By the U.S. Government; It Also Has Extremist Anti-Abortion Views</i></b></p> <p>“Keep in mind that those parents would be instantly reunited with their families if they did the right thing – volunteered to return to their native country. By breaking the law and bypassing our legal immigration process, those parents are responsible for what is happening to their children.”</p> <p>“Since Roe v. Wade and Doe v. Bolton effectively legalized abortion on demand, more than 58 million children have been denied the right to life. For over forty years the pro-life community has worked to counter the devastating impact abortion has had on mothers, fathers, and their unborn babies, witnessing to the fundamental truth that from the moment of conception, a distinct human being with inherent worth and dignity has the right to life.”</p>	<p><b><i>HHS’ ORR — Charged With Caring for Immigrant Children Separated From Their Parents — Grossly Mishandled the Crisis; Worked to Deny Teens in Government Care Their Right to Abortion</i></b></p> <p>“For instance, three individuals with knowledge of the operation said Lloyd made decisions that complicated reunifications. For instance, the office did not keep a spreadsheet tracking separated families.”</p> <p>“Each week, Lloyd receives a spreadsheet with detailed information on all the pregnant teens in O.R.R. custody nationwide. (There were four hundred and twenty last year.) O.R.R. staff members are now forbidden from allowing any of them to have abortions without Lloyd’s personal authorization.”</p>
Sources: Heritage and HHS.gov <sup>147</sup>		

embattled on this front, with a federal court again [ruling](#) that ORR was violating unaccompanied teens’ constitutional rights to obtain abortions in March 2018.<sup>170</sup>

Heritage Foundation Senior Legal Fellow Hans A. von Spakovsky wrote a commentary last July entitled “Family Separation Not Trump Administration’s Fault,” in which he falsely [wrote](#), “Keep in mind that those parents would be instantly reunited with their families if they did the right thing – volunteered to return to their native country. By breaking the law and bypassing our legal immigration process, those parents are responsible for what is happening to their children.”<sup>171</sup> This is the same analyst who wrote “No Asylum. Period.”<sup>172</sup> in response to many victims of [domestic](#)

[violence](#) and sexual abuse seeking asylum in the United States,<sup>173</sup> which is [legal under international law](#).<sup>174</sup>

**This is the same analyst who wrote “No Asylum. Period.” in response to many victims of domestic violence and sexual abuse seeking asylum in the United States, which is legal under international law.**

As referenced earlier in this report, Heritage's stance on abortion in general is retrograde:

"Since *Roe v. Wade* and *Doe v. Bolton* effectively legalized abortion on demand, more than 58 million children have been denied the right to life. For over forty years the pro-life community has worked to counter the devastating impact abortion has had on mothers, fathers, and their unborn babies, witnessing to the fundamental truth that from the moment of conception, a distinct human being with inherent worth and dignity has the right to life. With pro-life majorities in the House and Senate, and a President who has committed to defend innocent life, Congress has the opportunity of a generation. Passing key pro-life legislation should be among the highest priorities in the 115th Congress."<sup>175</sup>

When Heritage's immigration stances are viewed in context of its backwards positions on abortion, it's no surprise that HHS' reprehensible handling of a cruel policy found support within the think tank.

means of direct causation. However, because these same information gaps exist, accountability — through calling out these correlations for what they are — has never been more critical.

These correlations, in turn, demonstrate the kind of organization Heritage actually is. Despite having branded itself as a beacon of the conservative establishment, Heritage is an extremist group with adverse levels of influence over the Trump administration. The damage that its ideas and their dissemination across the administration in the form of discriminatory policies have already caused is difficult to overstate. The Heritage Foundation needs to be called out for what it really is — the human rights and reproductive health of people across the United States and the world depend on it.

## Accountability, Looking Ahead

Heritage's impact on the aforementioned policy areas should be viewed in the broader context of the Trump administration's transparency problem. Under Trump, government agencies such as HHS have been largely resistant to public records requests from Equity Forward and other watchdog groups like American Oversight. FOIA records responses are few and far between, and most substantial information has been produced due to litigation. This transparency problem extends to the administration's disparagement of the free press. Due to information gaps resultant from this lack of transparency, the connections this report has drawn on between individuals associated with The Heritage Foundation and the federal health department cannot necessarily be viewed with policy outcomes as

# Appendix

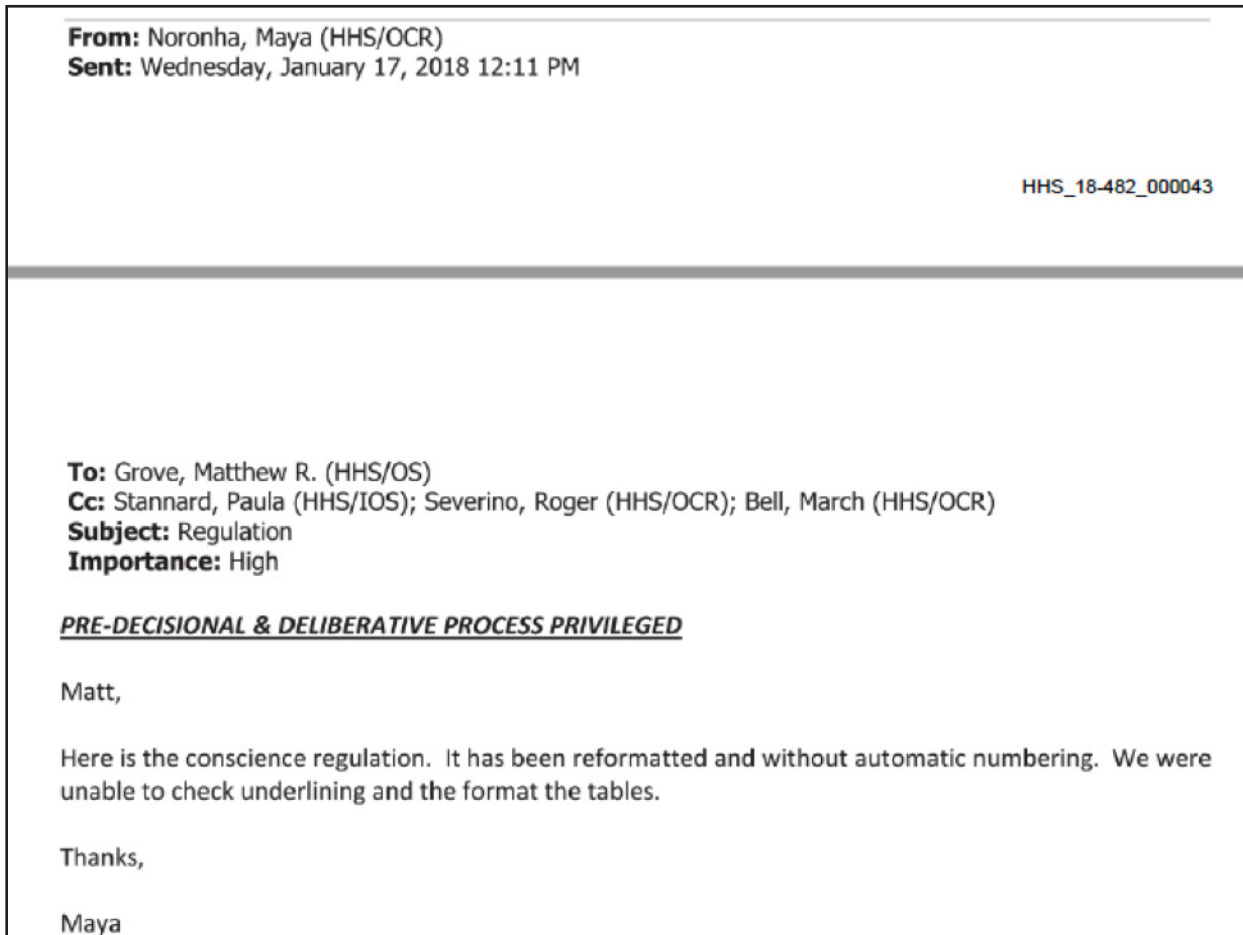
Figure 3.

Bell, Michael (OS/ASPA)	
Subject:	Lunch
Location:	6th Floor Dining
Start:	Fri 1/12/2018 12:00 PM
End:	Fri 1/12/2018 1:00 PM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Accepted
Organizer:	Noronha, Maya (HHS/OCR)
Required Attendees:	Severino, Roger (HHS/OCR); Bell, March (HHS/OCR); Stannard, Paula (HHS/IOS); Bowman, Matthew (HHS/OGC); Butterfield, Justin (HHS/OCR); Brown, Louis (HHS/OCR); Albrecht, Sarah B. (HHS/OCR); Balserak, Daniel (HHS/OCR) (CTR); Hyams, David (HHS/OCR); Ancalle, Mandi (HHS/OCR) (CTR); Weigel, Gabriela (OS/OCR) (CTR); Grossu, Arina (HHS/OCR) (CTR)
When: Friday, January 12, 2018, 12:00 PM to 1:00 PM. Eastern Time	
Where: 6th Floor Dining	
*~*~*~*~*~*~*~*~*~*	
(b)(6)	
Let's celebrate and recognize all the hard work put in to complete this leg of the project.	
And don't forget to fuel up for the next stage! Thanks!	
-Maya	

FOIA filed by EF 3/16/18, responsive records received from HHS 9/5/18.<sup>176</sup>

# Appendix

**Figure 4.**



*FOIA Filed by EF 1/24/18, responsive records received from HHS on 7/23/18.<sup>177</sup>*

# Appendix

On the day of the launch, the below celebratory email was sent by Noronha.

**Figure 5.**

**From:** Noronha, Maya (HHS/OCR)  
**Sent:** 19 Jan 2018 11:53:27 +0000  
**To:** Grossu, Arina (HHS/OCR) (CTR)  
**Cc:** Severino, Roger (HHS/OCR); Bell, March (HHS/OCR); Brown, Louis (HHS/OCR); Butterfield, Justin (HHS/OCR); Albrecht, Sarah B. (HHS/OCR); Balserak, Daniel (HHS/OCR) (CTR); Hyams, David (HHS/OCR); Ancalle, Mandi (HHS/OCR) (CTR); Weigel, Gabriela (OS/OCR) (CTR)  
**Subject:** FW: HHS Secretary's News Briefing for Friday, January 19, 2018

Great job Arina! Front page!!! See below.

FYI to all – I am teleworking today but remain available at my mobile below for highest priority item.

Standing by... we're almost at the finish line!!!

---

Maya M. Noronha  
(b)(6)

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**From:** Bulletin Intelligence [mailto: ]  
**Sent:** Friday, January 19, 2018 6:05 AM  
**To:**   
**Subject:** HHS Secretary's News Briefing for Friday, January 19, 2018

**HHS SECRETARY'S NEWS BRIEFING**

**FRIDAY, JANUARY 19, 2018 6:00 AM EST**

**Top National Stories:**

**NEW HHS CIVIL RIGHTS DIVISION CHARGED WITH PROTECTING HEALTH-CARE WORKERS WITH MORAL OBJECTIONS**  
*Washington Post (1/18, Ariana Eunjung Cha and Juliet Eilperin)*  
The Washington Post reports on its front page that the Trump Administration announced Thursday a new civil rights division within the Department of Health and Human Services to "protect health-care workers who refuse to provide services that run counter to their moral or religious convictions." The office will review complaints by physicians, nurses, or other healthcare workers "who feel they have been pressured by employers to 'perform, accommodate or assist with' procedures that violate their beliefs," and, if such a complain is found valid, "an entity receiving federal dollars could have that funding revoked." HHS Acting Secretary Eric Hargan said, "For too long, too many of these health-care practitioners have been bullied and discriminated against."

*FOIA request filed by EF on 1/24/18, responsive records received by HHS on 9/21/18<sup>178</sup>*

Shortly after the CRF division was successfully launched, Severino met with HHS Senior Counsel to the Secretary Paula Stannard, who has [actively worked to roll back the ACA's birth control mandate](#), demonstrating just how involved OCR has been across policy areas in HHS' purview.<sup>179</sup>

# Appendix

**Figure 6.**

<b>Bell, Michael (OS/ASPA)</b>	
<b>Subject:</b>	Roger and Valerie: OASH/OCR meeting with Paula
<b>Location:</b>	Paula's Office, 609F.3
<b>Start:</b>	Tue 1/23/2018 11:30 AM
<b>End:</b>	Tue 1/23/2018 12:00 PM
<b>Show Time As:</b>	Tentative
<b>Recurrence:</b>	(none)
<b>Meeting Status:</b>	Not yet responded
<b>Organizer:</b>	Stannard, Paula (HHS/IOS)
<b>Required Attendees:</b>	Severino, Roger (HHS/OCR); Huber, Valerie (HHS/OASH)
<b>POC:</b> Mary Jones at 202-260-7338 or <a href="mailto:mary.jones@hhs.gov">mary.jones@hhs.gov</a>	

*FOIA Filed by EF 3/16/18, responsive records received from HHS 11/30/2018.<sup>180</sup>*

# References

- 1 Mahler, Jonathan (20 June 2018). "How One Conservative Think Tank Is Stocking Trump's Government," *New York Times Magazine*, accessed 12 February 2019, <https://www.nytimes.com/2018/06/20/magazine/trump-government-heritage-foundation-think-tank.html>.
- 2 McGann, James G. (2009). "The Think Tank Index," *Foreign Policy*, No. 170, 82 – 84, accessed 11 February 2019, <https://www.jstor.org/stable/pdf/25462385>.
- 3 Bertelli, Anthony M. and Jeffrey B. Wenger (2009). "Demanding Information: Think Tanks and the U.S. Congress," *British Journal of Political Science*, 39.2, 225 – 242, accessed 11 February 2019, <https://www.jstor.org/stable/27742742>, 225.
- 4 Ibid, 225.
- 5 Ball, Molly (25 September 2013). "The Fall of The Heritage Foundation and the Death of Republican Ideas," *The Atlantic*, accessed 12 February 2019, <https://www.theatlantic.com/politics/archive/2013/09/the-fall-of-the-heritage-foundation-and-the-death-of-republican-ideas/279955/>.
- 6 Ball.
- 7 Ortiz, Alfredo (4 February 2019). "State of the Union Is Time to Shine the Spotlight on Economic Growth," *The Hill*, accessed 5 February 2019, <https://thehill.com/opinion/finance/428353-state-of-the-union-is-time-to-shine-the-spotlight-on-economic-success>.
- 8 CNBC, 10 December 2018, "Economic Growth Under Trump Isn't a 'Sugar High,' Says Heritage..." accessed 5 February 2019, <https://www.nbcnews.com/politics/congress/trump-s-for-eign-policy-faces-growing-dissent-congress-n965641>.
- 9 Caldwell, Leigh Ann and Josh Lederman (1 February 2019). "Trump's Foreign Policy Faces Growing Dissent In Congress," *NBC News*, accessed 5 February 2019, <https://www.cnbc.com/2019/01/31/trump-says-he-is-confined-to-public-list-of-scotus-nominees-report.html>.
- 10 "The Heritage Foundation: Top Issues," accessed 30 January 2019, <https://www.heritage.org/about-heritage/mission>, accessed 1/30/19.
- 11 Interestingly, by 26 February 2019, if not before, the search function on Heritage's website has changed so that these numbers do not display. Site searches of Heritage.org and the same key words via Google provide the same content, however.
- 12 Search for "Abortion" on Heritage.org, accessed 30 January 2019, <https://www.heritage.org/search?contains=abortion>.
- 13 Search for "Contraception" on Heritage.org, accessed 30 January 2019, <https://www.heritage.org/search?contains=contraception>.
- 14 Israel, Melanie (9 November 2018). "Good News for Americans Who Object to Obamacare's Contraception Mandate," *Heritage Foundation*, accessed 30 January 2019, <https://www.heritage.org/religious-liberty/commentary/good-news-americans-who-object-obamacares-contraception-mandate>.
- 15 Pear, Robert, Rebecca R. Ruiz, and Laurie Goodstein (6 October 2017). "Trump Administration Rolls Back Birth Control Mandate," *New York Times*, accessed 13 February 2019, <https://www.nytimes.com/2017/10/06/us/politics/trump-contraception-birth-control.html>.
- 16 Ollstein, Alice Miranda and Victoria Colliver (13 January 2019). "Judge Freezes Trump Administration Contraception Rule," *Politico*, accessed 13 February 2019, <https://www.politico.com/story/2019/01/13/trump-contraception-rule-1072909>.
- 17 The Heritage Foundation (15 February 2019). "Lean Into Love: Why Women Should Put Relationships First (Lessons from Literature and Experience)," accessed 15 February 2019, <https://www.heritage.org/event/lean-love-why-women-should-put-relationships-first-lessons-literature-and-experience>.
- 18 Hellman, Jessie (23 January 2019). "Trump Administration Grants Religious Exemption To Federally-Funded Foster Care Program," *The Hill*, accessed 13 February 2019, <https://thehill.com/policy/healthcare/426681-trump-admin-allows-foster-care-group-that-only-works-with-christians-to>.
- 19 115th Congress, (introduced 2 May 2017). Senate Bill 1006: "Equality Act," accessed 20 March 2019, <https://www.congress.gov/bill/115th-congress/senate-bill/1006?q=%7B%22search%22%3A%5B%22Equality+Act%22%5D%7D&r=2>.
- 20 Anderson, Ryan (28 November 2018). "Sexual Orientation and Gender Identity (SOGI) Laws Are Not Fairness for All," *The Heritage Foundation*, accessed 14 February 2019, <https://www.heritage.org/gender/report/sexual-orientation-and-gender-identity-sogi-laws-are-not-fairness-all>.
- 21 The Heritage Foundation (28 March 2019). "The Medical Harms of Hormonal and Surgical Interventions for Gender Dysphoric Children," accessed 28 March 2019, <https://www.heritage.org/gender/event/the-medical-harms-hormonal-and-surgical-interventions-gender-dysphoric-children>.
- 22 Southern Poverty Law Center, "Family Research Council," accessed 14 February 2019, <https://www.splcenter.org/fighting-hate/extremist-files/group/family-research-council>.
- 23 Family Research Council, "Conscience Protection," accessed 21 February 2019, <https://www.frc.org/con>.

- [science-protection](#); Slattery, Elizabeth and Melanie Israel (30 September 2017). “Americans Still Wait for Trump to Protect Health-Care Conscience Rights,” The Heritage Foundation, accessed 21 February 2019, <https://www.heritage.org/health-care-reform/commentary/americans-still-wait-trump-protect-health-care-conscience-rights>; Family Research Council, “Abortion,” accessed 21 February 2019, <https://www.frc.org/abortion>; Israel, Melanie (23 February 2017). “Defending Life: Opportunities for the 115th Congress,” accessed 21 February 2019, <https://www.heritage.org/life/report/defending-life-opportunities-the-115th-congress>; Sprigg, Peter (December 2018). “Why ‘Sexual Orientation’ and ‘Gender Identity’ Should Never Be Specially Protected Categories Under the Law,” Family Research Council, accessed 21 February 2019, <https://downloads.frc.org/EF/EF18L25.pdf>; Anderson; Rector, Robertson (8 April 2002). “The Effectiveness of Abstinence Education Programs in Reducing Sexual Activity Among Youth,” accessed 21 February 2019, <https://www.heritage.org/education/report/the-effectiveness-abstinence-education-programs-reducing-sexual-activity-among>.
- 24** Higgins, Tucker (31 January 2019). “Trump Tells Conservative Outlet He Is ‘Confined’ to List of 25 Potential Supreme Court Accessed 5 February, <https://www.cnbc.com/2019/01/31/trump-says-he-is-confined-to-public-list-of-scotus-nominees-report.html>.
- 25** Mahler.
- 26** Fitzsimons, Tim (29 January 2019). “Conservative Group Hosts Anti-Transgender Panel of Feminists ‘from the Left,’” NBC News, accessed 5 February 2019, [https://www.nbcnews.com/feature/nbc-out/conservative-group-hosts-anti-transgender-panel-feminists-left-n964246?fbclid=IwAR0\\_IHpkjGgmBTs-DLyYzofPsYOriUZfd3ulciLohMgOKF8wGxtEtLagSldQ](https://www.nbcnews.com/feature/nbc-out/conservative-group-hosts-anti-transgender-panel-feminists-left-n964246?fbclid=IwAR0_IHpkjGgmBTs-DLyYzofPsYOriUZfd3ulciLohMgOKF8wGxtEtLagSldQ).
- 27** Ball.
- 28** Heritage Action for America (18 February 2019). “Heritage Action Launches Advocacy Campaign for Born-Alive Abortion Survivors Protection Act,” 19 February 2019, <https://heritage-action.com/press/heritage-action-launches-advocacy-campaign-for-born-alive-abortion-survivors-protection-act>.
- 29** Ibid.
- 30** National Journal (2013). “Republican Lawmakers Retaliate Against Heritage Foundation,” accessed 15 February 2019, <https://www.nationaljournal.com/s/71633/republican-lawmakers-retaliate-against-heritage-foundation>.
- 31** Ball.
- 32** Mahler.
- 33** Ibid.
- 34** Heritage Foundation, “About Heritage,” accessed 30 January 2019, <https://www.heritage.org/about-heritage/impact>.
- 35** Troy, Tevi (Winter 2012). “Devaluing the Think Tank,” National Affairs 38, accessed 25 February 2019, <https://www.nationalaffairs.com/publications/detail/devaluing-the-think-tank>.
- 36** McGann, James G. (2016). *The Fifth Estate: Think Tanks, Public Policy, and Governance* (Washington, D.C.: The Brookings Institution), 8.
- 37** McGann (2016), 16
- 38** Lakoff 14.
- 39** McGann, James G. (January 2019). “2018 Global Go To Think Tank Report,” Think Tanks and Civil Societies Program, University of Pennsylvania, accessed 1 February 2019, [https://repository.upenn.edu/think\\_tanks/16/](https://repository.upenn.edu/think_tanks/16/).
- 40** Azar, Alex (26 July 2018). “Remarks to The Heritage Foundation,” HHS.gov, accessed 1 March 2019, <https://www.hhs.gov/about/leadership/secretary/speeches/2018-speeches/remarks-to-the-heritage-foundation.html>.
- 41** Facher, Lev (16 February 2018). “HHS Communications Head to Depart for Job at White House Drug Office,” STAT News, accessed 1 March 2019, <https://www.statnews.com/2018/02/16/yoest-ondcp-departure/>.
- 42** Sherman, Jake, Anna Palmer and Daniel Lippman (1 March 2019). “Welcome Back, Mr. President. Here’s What Awaits You,” Politico Playbook, accessed 1 March 2019, <https://www.politico.com/newsletters/playbook/2019/03/01/welcome-back-mr-president-heres-what-awaits-you-401839>.
- 43** American Oversight (15 September 2017). “HHS Political Appointee Resumes and Job Titles,” accessed 20 February 2019, <https://www.americanoversight.org/document/hhs-political-appointee-resumes-job-titles>.
- 44** Green, Emma (7 June 2017). “The Man Behind Trump’s Religious-Freedom Agenda for Health Care,” The Atlantic, accessed 20 February 2019, <https://www.theatlantic.com/politics/archive/2017/06/the-man-behind-trumps-religious-freedom-agenda-for-health-care/528912/>.
- 45** Burgess, Katherine (29 June 2018). “HHS Official to Abortion Opponents: We’re Just Getting Started,” The Wichita Eagle, accessed 20 February 2019, <https://www.kansas.com/news/politics-government/article214071619.html>.
- 46** Severino, Roger (23 September 2016). “A GOP Congress Should Not Give Planned Parenthood Another Dime of Taxpayer Money,” The Daily Signal, accessed 20 February 2019, <https://www.dailysignal.com/2016/09/23/a-gop-congress-should-not-give-planned-parenthood-another-dime-of-taxpayer-money/>.
- 47** Severino, Roger and Ryan Anderson (8 January 2016). “Proposed Obamacare Gender Identity Mandate Threatens Freedom of Conscience and the Independence of Physicians,” The Heritage Foundation, accessed 20 February 2019,

<https://www.heritage.org/health-care-reform/report/proposed-obamacare-gender-identity-mandate-threatens-free-dom-conscience>.

**48** Severino, Roger (9 May 2016). "DOJ's Lawsuit Against North Carolina Is Abuse of Power," The Daily Signal, accessed 20 February 2019, <https://www.dailysignal.com/2016/05/09/dojs-lawsuit-against-north-carolina-is-abuse-of-power/>.

**49** Maximos Nikitas LinkedIn, accessed 26 February 2019, <https://www.linkedin.com/in/maximosnikitas>.

**50** The Heritage Foundation "Young Leaders Program," accessed 24 February 2019, <https://www.heritage.org/young-leaders-program>.

**51** The Heritage Foundation, "Highlights of the YLP Internship," accessed 24 February 2019, <https://www.heritage.org/young-leaders-program/highlights-the-ylp-internship>.

**52** Ibid.

**53** Mahler.

**54** The Heritage Foundation, "Campus Outreach," accessed 24 February 2019, <https://www.heritage.org/young-leaders-program/campus-outreach>.

**55** Lakoff, George (2014). Don't Think of an Elephant! Know Your Values and Frame Your Debate (Vermont: Chelsea Green Publishing), 14.

**56** Kopp, Emily (25 January 2019). "New Progressive Pipeline Funnels Jobs to the Hill," Roll Call, accessed 25 January 2019, <https://www.rollcall.com/news/congress/new-progressive-pipeline-funnels-jobs-hill>.

**57** Southern Poverty Law Center, "Federation for American Immigration Reform," accessed 1 March 2019, <https://www.splcenter.org/fighting-hate/extremist-files/group/federation-american-immigration-reform>.

**58** Easley, Jonathan (12 April 2013). "Rep. Steve Stockman: 'If Babies Had Guns, They Wouldn't Be Aborted,'" The Hill, accessed 26 February 2019, <https://thehill.com/blogs/blog-briefing-room/news/293601-rep-stockman-if-babies-had-guns-they-wouldnt-be-aborted>.

**59** American Oversight.

**60** Ibid.

**61** Women Speak for Themselves, "About Us," accessed 26 February 2019, <http://womenspeakforthemselves.com/about/>.

**62** Women Speak for Themselves, "Talking Points," accessed 26 February 2019, <https://womenspeakforthemselves.com/talking-points/>.

**63** Women Speak for Themselves (15 March 2017). "Talking Points: HHS Mandate and Religious Freedom," accessed 26 February 2019, <https://web.archive.org/web/20170315182832/http://womenspeakforthemselves.com/wp-content/uploads/2013/08/Talking-Points-mandate-and-religious-free-dom-Updated-logo.pdf>.

<https://web.archive.org/web/20170315182832/http://womenspeakforthemselves.com/wp-content/uploads/2013/08/Talking-Points-mandate-and-religious-free-dom-Updated-logo.pdf>.

**64** Noronha, Maya (1 March 2005). "Abstinence Key to Cure," The Hoya, accessed 20 February 2019, <https://www.thehoya.com/abstinence-key-to-cure/>.

**65** Noronha, Maya (2010). "Removing Conscience from Medicine: Turning the Hippocratic Oath into a Hypocrite's Pledge," Geo. J. Legal Ethics 23:733, accessed 20 February 2019, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/geo-lege23&div=36&id=&page=>.

**66** Noronha (2010).

**67** Ibid.

**68** The Catholic University Of America, (11 September 2018). "Maya Noronha Delivers Faith in Action Talk On How I Became a Civil Rights Lawyer in the Federal Government," accessed 1 March 2018, <https://www.law.edu/2018-Fall/2018-0911-Faithin-ActionNoronha.cfm>.

**69** Ibid.

**70** Maya Noronha Twitter (5 May 2017), accessed 5 March 2019, <https://twitter.com/mayanoronha/status/860592663879442432>.

**71** American Oversight.

**72** Trueman, Laura (10 April 2010). "What We Really Worry About for Our Daughters," The Heritage Foundation, accessed 21 February 2019, <https://www.heritage.org/poverty-and-in-equality/commentary/what-we-really-worry-about-our-daughters>.

**73** Laura Trueman Twitter (13 January 2016). Accessed 5 March 2019, <https://twitter.com/TruLaura/status/555092733153800192>.

**74** Chung, Andrew (2 April 2018). "Supreme Court Rejects Appeal to Release Anti-Abortion Activists' Videos," accessed 21 February 2019, <https://www.reuters.com/article/us-usa-court-abortion/supreme-court-rejects-appeal-to-release-anti-abortion-activists-videos-idUSKCN1H918T>.

**75** Laura Trueman Twitter (22 January 2016). Accessed 5 March 2019, <https://twitter.com/TruLaura/status/690548750717165569>.

**76** Laura Trueman Twitter (8 July 2016). Accessed 5 March 2019, <https://twitter.com/TruLaura/status/751413954900062208>.

**77** Judy Stecker LinkedIn, accessed 5 March 2019, <https://www.linkedin.com/in/judy-stecker-2340b95/>.

**78** Walker, Hunter (26 June 2018). "Trump Won't Say Whether the Government Is Still Separating Child Migrants from Their Parents," accessed 26 February 2019, <https://www.yahoo.com/news/trump-officials-wont-say-whether-government-still-separating-child-migrants-parents-223940097.html>.

**79** Ibid.

**80** The Catholic League for Religious and Civil Rights (4 April 2012), “Press Release.”

**81** Kriel, Lomi (21 November 2018). “Longer Stays Leave Record Number of Immigrant Children in Detention,” Houston Chronicle, accessed 5 March 2019, <https://www.houstonchronicle.com/news/houston-texas/houston/article/Thanksgiving-in-immigration-shelters-as-number-of-13415048.php>.

**82** American Oversight (28 August 2018). “FOIA to HHS Seeking Communications Between HHS Officials and Anti-Choice/Religious Organizations,” accessed 8 February 2019, <https://www.americanoversight.org/document/foia-to-hhs-seeking-communications-between-hhs-officials-and-anti-choice-religious-organizations>.

**83** O’Conor, Ema (17 January 2018). “The Trump Administration is Creating A Civil Rights Office to Protect Medical Workers with Religious Objections to Performing Abortions,” BuzzFeed News, accessed 24 February 2019, <https://www.buzzfeednews.com/article/emaconnor/the-trump-administration-is-creating-a-civil-rights-office#.rjKOA2kKA>.

**84** HHS.gov (18 January 2018). “HHS Announces New Conscience and Religious Freedom Division,” accessed 1 March 2019, <https://www.hhs.gov/about/news/2018/01/18/hhs-ocr-announces-new-conscience-and-religious-freedom-division.html>.

**85** O’Conor.

**86** Boguhn, Ally (18 April 2019). “Religious Imposition Proponents Find an Ally in the White House,” Rewire News, accessed 7 February 2019, <https://rewire.news/article/2017/04/18/religious-imposition-proponents-ally-white-house/>.

**87** Slattery, Elizabeth and Melanie Israel (8 March 2018). “The First Amendment and the Freedom Not to Speak: California Pro-Life Pregnancy Centers Take Their Case to the Supreme Court.” The Heritage Foundation, accessed 4 March 2019, <https://www.heritage.org/religious-liberty/report/the-first-amendment-and-the-freedom-not-speak-california-pro-life>; HHS Press Office (18 January 2019). “OCR Finds the State of California Violated Federal Law in Discriminating Against Pregnancy Resource Centers.” The Heritage Foundation, accessed 4 March 2019, <https://www.hhs.gov/about/news/2019/01/18/ocr-finds-state-california-violated-federal-law-discriminating-against-pregnancy-resource-centers.html>.

**88** California Legislature (9 October 2015). “Assembly Bill No. 775: Reproductive FACT Act,” accessed 21 March 2019, [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB775](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB775).

**89** HHS Press Office (18 January 2019). “OCR Finds the State of California Violated Federal Law in Discriminating Against Preg-

nancy Resource Centers,” accessed 18 January 2019, <https://www.hhs.gov/about/news/2019/01/18/ocr-finds-state-california-violated-federal-law-discriminating-against-pregnancy-resource-centers.html>.

**90** YouTube (18 January 2019). “Alex Azar Remarks at Family Research Council,” accessed 24 February 2019, <https://www.youtube.com/watch?v=ffiaZ6Qs0sM&feature=youtu.be>.

**91** Supreme Court of the United States (20 March 2018). National Institute of Family and Life Advocates v. Xavier Becerra, accessed 25 February 2019, [https://www.supremecourt.gov/oral\\_arguments/argument\\_transcripts/2017/16-1140\\_lkgn.pdf](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2017/16-1140_lkgn.pdf).

**92** National Women’s Law Center (26 June 2018). “Press Release: Supreme Court Decision in NIFLA v. Becerra Damaging for People Who are Pregnant, Says NWLC,” accessed 25 February 2019, <https://nwlc.org/press-releases/supreme-court-decision-in-nifla-v-becerra-is-damaging-for-people-who-are-pregnant-says-nwlc/>.

**93** Equity Forward Phone Interview with Adam Sonfield, 19 February 2019.

**94** HHS Press Office (22 March 2019). “OCR Issues Notice of Resolution to the State of Hawaii After Hawaii Takes Action in Safeguarding Conscience Protections for Pregnancy Care Centers,” accessed 22 March 2019, <https://www.hhs.gov/about/news/2019/03/22/ocr-issues-notice-resolution-state-hawaii-after-hawaii-takes-action-safeguarding-conscience.html>.

**95** Slattery, Elizabeth and Melanie Israel (26 June 2018). “In a Win for Free Speech, Supreme Court Says California Can’t Force Pro-Life Centers to Promote Abortion,” The Heritage Foundation, accessed 25 February 2019, <https://www.heritage.org/life/commentary/win-free-speech-supreme-court-says-california-cant-force-pro-life-centers-promote>.

**96** Slattery, Elizabeth and Melanie Israel (8 March 2018). “The First Amendment and the Freedom Not to Speak: California Pro-Life Centers Take Their Case to the Supreme Court,” The Heritage Foundation, accessed 25 February 2019, <https://www.heritage.org/religious-liberty/report/the-first-amendment-and-the-freedom-not-speak-california-pro-life>.

**97** Anderson, Ryan T. (9 November 2016). “Make Religious Freedom Great Again,” The Daily Signal, accessed 4 March 2019, <https://www.dailysignal.com/2016/11/09/make-religious-freedom-great-again/>; HHS Press Office (7 November 2018). “Fact Sheet: Final Rules on Religious and Moral Exemptions and Accommodation for Coverage of Certain Preventive Services Under the Affordable Care Act,” accessed 4 March 2019, <https://www.hhs.gov/about/news/2018/11/07/fact-sheet-final-rules-on-religious-and-moral-exemptions-and-accommodation-for-coverage-of-certain-preventive-services-under-affordable-care-act.html>.

- 98** Cha, Ariana Eunjung (22 February 2019). "Trump Administration Bars Clinics that Provide Abortions or Abortion Referrals from Federal Funding," Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/health/2019/02/22/trump-administration-bars-family-planning-clinics-that-provide-abortion-referrals-million-program/?utm\\_term=.4b97f85bb62f](https://www.washingtonpost.com/health/2019/02/22/trump-administration-bars-family-planning-clinics-that-provide-abortion-referrals-million-program/?utm_term=.4b97f85bb62f).
- 99** Sobel, Laurie, Alina Salganicoff, Caroline Rosenzweig (January 2017). "The Future of Contraceptive Coverage," The Kaiser Family Foundation, accessed 14 February 2019, <http://files.kff.org/attachment/Issue-Brief-The-Future-of-Contraceptive-Coverage>.
- 100** Moran, Patricia A. "The Affordable Care Act's Contraceptive Mandate: A Loss in Massachusetts and Other Current Events," Mintz, accessed 25 February 2019, <https://www.mintz.com/insights-center/viewpoints/2226/2018-03-affordable-care-acts-contraceptive-mandate-loss>.
- 101** Pear, Robert (10 July 2017). "Foes of Obama-Era Rule Work to Undo Birth Control Mandate," New York Times, accessed 25 February 2019, <https://www.nytimes.com/2017/07/10/us/politics/birth-control-contraception-health-care-bill.html>.
- 102** Ibid.
- 103** Raymond, Laurel (30 May 2017). "The Trump Administration Has Started Rolling Back the Birth Control Mandate," Think Progress, accessed 25 February 2019, <https://thinkprogress.org/the-trump-administration-has-started-rolling-back-the-birth-control-mandate-bebf15fb7725/>.
- 104** Ehley, Brianna (6 October 2017). "Trump Rolls Back Obamacare Birth Control Mandate," Politico, accessed 25 February 2019, <https://www.politico.com/story/2017/10/06/trump-rolls-back-obamacares-contraception-rule-243537>.
- 105** Office of the Federal Register (13 October 2017). "Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act," accessed 15 February 2019, <https://www.federalregister.gov/documents/2017/10/13/2017-21851/religious-exemptions-and-accommodations-for-coverage-of-certain-preventive-services-under-the>.
- 106** Ibid.
- 107** Goldstein, Amy (7 November 2018). "Trump Administration Issues Rules Letting Some Employers Deny Contraceptive Coverage," Washington Post, accessed 15 February 2019, [https://www.washingtonpost.com/national/health-science/trump-administration-issues-rules-letting-some-employers-deny-contraceptive-coverage/2018/11/07/9402173a-e2d7-11e8-8f5f-a55347f48762\\_story.html?utm\\_term=.d512689c7a96](https://www.washingtonpost.com/national/health-science/trump-administration-issues-rules-letting-some-employers-deny-contraceptive-coverage/2018/11/07/9402173a-e2d7-11e8-8f5f-a55347f48762_story.html?utm_term=.d512689c7a96).
- 108** Office of the Federal Register (15 November 2018). "Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act," <https://www.federalregister.gov/documents/2018/11/15/2018-24512/religious-exemptions-and-accommodations-for-coverage-of-certain-preventive-services-under-the> [https://www.federalregister.gov/documents/2018/11/15/2018-24512/religious-exemptions-and-accommodations-for-coverage-of-certain-preventive-services-under-the?utm\\_campaign=subscription%20mailing%20list&utm\\_source=federalregister.gov&utm\\_medium=email](https://www.federalregister.gov/documents/2018/11/15/2018-24512/religious-exemptions-and-accommodations-for-coverage-of-certain-preventive-services-under-the?utm_campaign=subscription%20mailing%20list&utm_source=federalregister.gov&utm_medium=email).
- 109** Ibid.
- 110** Scott, Dylan (14 January 2019). "Two Federal Judges Just Blocked Trump's Rollback of Obamacare's Birth Control Mandate," Vox, accessed 15 February 2019, <https://www.vox.com/2019/1/14/18181966/trump-birth-control-mandate-law-suit-court-ruling>.
- 111** Guttmacher Institute (July 2018). "Contraceptive Use in the United States," accessed 1 March 2019, <https://www.guttmacher.org/fact-sheet/contraceptive-use-united-states>.
- 112** Sobel, Laurie, Alina Salganicoff, Caroline Rosenzweig (19 November 2018). "New Regulations Broadening Employer Exemptions to Contraceptive Coverage: Impact on Women," The Kaiser Family Foundation, accessed 15 February 2019, <https://www.kff.org/health-reform/issue-brief/new-regulations-broadening-employer-exemptions-to-contraceptive-coverage-impact-on-women/>.
- 113** Sonfield, Adam (10 January 2017). "What Is at Stake with the Federal Contraceptive Coverage Guarantee?" Guttmacher Institute, accessed 15 February 2019, <https://www.guttmacher.org/gpr/2017/01/what-stake-federal-contraceptive-coverage-guarantee>.
- 114** HHS Press Office (7 November 2018). "Fact Sheet: Final Rules on Religious and Moral Exemptions and Accommodation for Coverage of Certain Preventive Services Under the Affordable Care Act," accessed 15 February 2019, <https://www.hhs.gov/about/news/2018/11/07/fact-sheet-final-rules-on-religious-and-moral-exemptions-and-accommodation-for-coverage-of-certain-preventive-services-under-affordable-care-act.html>.
- 115** Green, Emma (14 July 2015). "Even Nuns Aren't Exempt from Obamacare's Birth Control Mandate," The Atlantic, accessed 15 February 2019, <https://www.theatlantic.com/politics/archive/2015/07/obama-beats-the-nuns-on-contraception/398519/>.
- 116** Smith, Samuel (13 December 2018). "6 Christian Organizations Win Legal Battle Against Obamacare Birth Control Mandate," Christian Post, accessed 15 February 2019, <https://www.christianpost.com/news/6-christian-organizations-win-legal-battle-against-obamacare-birth-control-mandate.html> accessed 2/15/19.
- 117** Slattery, Israel (2017).
- 118** Burke, Monica (23 January 2019). "2 Democrats Are Trying to Trample a Faith-Based Foster Care Provider's Religious

- Freedom,” The Heritage Foundation, accessed 21 March 2019, <https://www.heritage.org/religious-liberty/commentary/2-democrats-are-trying-trample-faith-based-foster-care-providers>; Administration for Children and Families (23 January 2019). Letter to South Carolina Governor Henry McMaster, accessed 4 March 2019, <https://governor.sc.gov/sites/default/files/Documents/newsroom/HHS%20Response%20Letter%20to%20McMaster.pdf>.
- 119** Green (2017).
- 120** O’Conor.
- 121** Grinberg, Emanuella (25 October 2018). “What It Means for the Trump Administration to Legally Define ‘Sex,’” CNN, accessed 25 February 2019, <https://www.cnn.com/2018/10/24/politics/transgender-protections-hhs-memo-defining-sex/index.html>.
- 122** Green, Erica L., Katie Benner and Robert Pear (21 October 2018). “‘Transgender’ Could Be Defined Out of Existence Under Trump Administration,” New York Times, accessed 25 February 2019, <https://www.nytimes.com/2018/10/21/us/politics/transgender-trump-administration-sex-definition.html>.
- 123** Meckler, Laura (23 January 2019). “Trump Administration Grants Waiver to Agency that Only Works with Christian Families,” Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/local/education/trump-administration-grants-waiver-to-agency-that-works-only-with-christian-families/2019/01/23/5beafed0-1f30-11e9-8b59-0a28f2191131\\_story.html?utm\\_term=.e79092612076](https://www.washingtonpost.com/local/education/trump-administration-grants-waiver-to-agency-that-works-only-with-christian-families/2019/01/23/5beafed0-1f30-11e9-8b59-0a28f2191131_story.html?utm_term=.e79092612076).
- 124** Cha, Ariana Eunjung (8 February 2019). “Administration Seeks to Fund Religious Foster Care Groups that Reject LGBTQ Parents,” Washington Post, accessed 8 February 2019, [https://www.washingtonpost.com/health/2019/02/08/trump-administration-seeks-authority-fund-religious-foster-care-groups-that-reject-LGBTQ+-parents/?utm\\_term=.dfb1a6d12ba8](https://www.washingtonpost.com/health/2019/02/08/trump-administration-seeks-authority-fund-religious-foster-care-groups-that-reject-LGBTQ+-parents/?utm_term=.dfb1a6d12ba8).
- 125** Green (2017).
- 126** Esseks, James (22 October 2018). “The Trump Administration is Trying to Erase Trans People, but the Law Clearly Protects Them,” American Civil Liberties Union, accessed 25 February 2019, <https://www.aclu.org/blog/lgbt-rights/transgender-rights/trump-administration-trying-erase-trans-people-law-clearly>.
- 127** Sonfield Interview.
- 128** Patriot Act with Hasan Minhaj (3 March 2019) <https://www.netflix.com/title/80239931>.
- 129** Cha (2019).
- 130** Ibid.
- 131** Severino and Anderson (2016). “Proposed Obamacare Gender Identity Mandate Threatens Freedom of Conscience and the Independence of Physicians.”
- 132** Anderson.
- 133** Israel (2018), “In Troubling Decision...”; and HHS Press Office (14 September 2018), “Statement from the Department of Health and Human Services,” accessed 4 March 2019, <https://www.hhs.gov/about/news/2018/09/24/statement-from-the-department-of-health-and-human-services.html>.
- 134** Neporent, Liz (17 February 2015). “What Aborted Fetuses Have to Do with Vaccines,” ABC News, accessed 25 February 2019, <https://abcnews.go.com/Health/aborted-fetuses-vaccines/story?id=29005539>.
- 135** Goldstein, Amy (5 December 2018). “Trump Administration Threatens Future of HIV Research Hub,” Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/national/health-science/trump-administration-threatens-future-of-hiv-research-hub/2018/12/04/f2e8e0ec-f7dd-11e8-863c-9e2f864d47e7\\_story.html?noredirect=on&utm\\_term=.f30898668e2a](https://www.washingtonpost.com/national/health-science/trump-administration-threatens-future-of-hiv-research-hub/2018/12/04/f2e8e0ec-f7dd-11e8-863c-9e2f864d47e7_story.html?noredirect=on&utm_term=.f30898668e2a).
- 136** Hayden, Erika Check (30 March 2016). “Zika Highlights Role of Controversial Fetal Tissue Research,” Nature International Weekly Journal of Science, accessed 25 February 2019, <https://www.nature.com/news/zika-highlights-role-of-controversial-fetal-tissue-research-1.19655>.
- 137** HHS.gov (2019). “HHS Secretary Azar Praises Trump’s Vision for Healthcare,” accessed 25 February 2019, <https://view.connect.hhs.gov/?qs=25083708d67325b-c760551a134156d2890b40e790f8fc65c2904d5a94a0a-f5a9910845f44cd6c892559d56cb1fa1b5ebf59e3591711c4ce-ae32a995ac2e707715048df7721fbe920>.
- 138** Diamond, Dan (28 September 2018). “Fight Over Fetal Tissue Splits HHS, Anti-Abortion Allies,” Politico, accessed 25 February 2019, <https://www.politico.com/story/2018/09/28/abortion-health-fetal-tissue-809829>.
- 139** Ibid.
- 140** Goldstein, Amy and Lenny Bernstein (9 December 2018). “Trump Administration Halts Study That Would Use Fetal Tissue ‘to Discover a Cure for HIV,’” Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/national/health-science/trump-administration-halts-study-that-was-using-fetal-tissue-to-discover-a-cure-for-hiv/2018/12/09/954fec2a-fbcd-11e8-83c0-b06139e540e5\\_story.html?utm\\_term=.48c51c1044fd](https://www.washingtonpost.com/national/health-science/trump-administration-halts-study-that-was-using-fetal-tissue-to-discover-a-cure-for-hiv/2018/12/09/954fec2a-fbcd-11e8-83c0-b06139e540e5_story.html?utm_term=.48c51c1044fd).
- 141** Wadman, Meredith (13 December 2018). “Updated: NIH Says Cancer Study Also Hit by Fetal Tissue Ban,” Science Magazine, accessed 25 February 2019, [https://www.sciencemag.org/news/2018/12/trump-administration-has-quietly-barred-nih-scientists-acquiring-fetal-tissue?wpisrc=nl\\_health202&wpmm=1](https://www.sciencemag.org/news/2018/12/trump-administration-has-quietly-barred-nih-scientists-acquiring-fetal-tissue?wpisrc=nl_health202&wpmm=1).

- 142** Goldstein, (2018). "Trump Administration Threatens Future of HIV Research Hub."
- 143** Israel, Melanie (10 August 2018). "In Troubling Decision, FDA Contracts With Company that May Have Profited from Fetal Tissue Sales," The Heritage Foundation, accessed 25 February 2019, <https://www.heritage.org/life/commentary/troubling-decision-fda-contracts-company-may-have-profit-ed-fetal-tissue-sales>.
- 144** HHS.gov (24 September 2018). "Statement from Department of Health and Human Services," accessed 25 February 2019, <https://www.hhs.gov/about/news/2018/09/24/state-ment-from-the-department-of-health-and-human-services.html>.
- 145** The Heritage Foundation (27 November 2018). "Fetal Tissue Research: Antiquated and Unethical?" accessed 25 February 2019, <https://www.heritage.org/life/event/fetal-tissue-re-search-antiquated-and-unethical>.
- 146** C-Span (13 December 2018). "Fetal Tissue Research Alternatives," accessed 1 March 2019, <https://www.c-span.org/video/?455873-1/house-oversight-subcommittees-hold-hear-ing-fetal-tissue-research-alternatives>.
- 147** Von Spakovsky, Hans A. (6 July 2018). "Family Separation Not Trump Administration's Fault," The Heritage Foundation, accessed 25 February 2019, <https://www.heritage.org/immi-gration/commentary/family-separation-not-trump-administra-tions-fault>; Israel (2017). "Defending Life..."; Diamond, Dan (23 October 2018). "HHS Reviews Refugee Operations as Trump Calls for Border Crackdown," Politico, accessed 25 February 2019, <https://www.politico.com/story/2018/10/23/trump-cara-van-border-hhs-873152>; Blitzer, Jonathan (8 March 2018). "Why Are Undocumented Minors Spending So Much Time in Custody?" The New Yorker, accessed 4 March 2019, <https://www.newyorker.com/news/daily-comment/why-are-undocumented-minors-spending-so-much-time-in-custody>.
- 148** U.S. Department of Justice (6 April 2018). "Attorney General Announces Zero-Tolerance Policy for Criminal Illegal Entry," accessed 25 February 2019, <https://www.justice.gov/opa/pr/attorney-general-announces-zero-tolerance-policy-criminal-il-legal-entry>.
- 149** Flores, Adolfo (2 August 2018). "Under 'Zero Tolerance,' Many Border Crossers Without Kids Escaped Prosecution," BuzzFeed News, accessed 25 February 2019, <https://www.buzzfeednews.com/article/adolfoflores/parents-were-target-ed-under-zero-tolerance-a-new-analysis>.
- 150** Kates, Graham (20 June 2018). "Migrant Children at the Border — The Facts," CBS News, accessed 25 February 2019, <https://www.cbsnews.com/news/migrant-children-at-the-bor-der-by-the-numbers/>.
- 151** Schwartz, Alexandra (21 June 2018). "The Office of Refugee Resettlement is Completely Unprepared for the Thousands of Immigrant Children Now In Its Care," New Yorker, accessed 25 February 2019, <https://www.newyorker.com/news/news-desk/the-office-of-refugee-resettlement-is-com-pletely-unprepared-for-the-thousands-of-immigrant-children-now-in-its-care?reload=true>.
- 152** Miroff, Nick and Paul Sonne (15 May 2018). "Trump Administration Preparing to Hold Immigrant Children on Military Bases," Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/world/national-security/trump-administration-preparing-to-shelter-migrant-chil-dren-on-military-bases/2018/05/15/f8103356-584e-11e8-b656-a5f8c2a9295d\\_story.html?noredirect=on](https://www.washingtonpost.com/world/national-security/trump-administration-preparing-to-shelter-migrant-chil-dren-on-military-bases/2018/05/15/f8103356-584e-11e8-b656-a5f8c2a9295d_story.html?noredirect=on).
- 153** Grabell, Michael and Topher Sanders (27 July 2018). "Immigrant Youth Shelters: 'If You're a Predator, It's a Gold Mine,'" Pro Publica, accessed 25 February 2019, <https://www.propublica.org/article/immigrant-youth-shelters-sexu-al-abuse-fights-missing-children>.
- 154** [https://www.washingtonpost.com/local/i-want-to-die-was-a-5-year-old-drugged-after-being-separated-from-his-dad-at-the-border/2018/08/08/df4cc2aa-95e1-11e8-a679-b09212fb69c2\\_story.html?utm\\_term=.cc40f64104e6](https://www.washingtonpost.com/local/i-want-to-die-was-a-5-year-old-drugged-after-being-separated-from-his-dad-at-the-border/2018/08/08/df4cc2aa-95e1-11e8-a679-b09212fb69c2_story.html?utm_term=.cc40f64104e6) accessed 2/25/19
- 155** Miller, Michael E. (9 August 2018). "I Want to Die: Was a 5-Year-Old Drugged After Being Separated from His Dad at the Border?" Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/news/powerpost/paloma/the-health-202/2018/08/01/the-health-202-trump-officials-ignored-hhs-advice-on-two-big-issues/5b6076fc1b-326b0207955e70?utm\\_term=.400178682f84](https://www.washingtonpost.com/news/powerpost/paloma/the-health-202/2018/08/01/the-health-202-trump-officials-ignored-hhs-advice-on-two-big-issues/5b6076fc1b-326b0207955e70?utm_term=.400178682f84).
- 156** House Committee on Oversight and Reform (19 July 2018). "Trump Administration Briefings Reveal No Plan to Reunite Children Before Sessions Announced 'Zero Tolerance' Policy," accessed 25 February 2019, <https://oversight.house.gov/news/press-releases/trump-administration-briefings-re-veal-no-plan-to-reunite-children-before>.
- 157** Burnett, John (10 July 2018). "Government Misses Migrant Family Reunification Deadline," NPR, accessed 25 February 2019, <https://www.npr.org/2018/07/10/627821359/govern-ment-misses-migrant-family-reunification-deadline>.
- 158** Sacchetti, Maria (6 July 2018). "Trump Administration Seeks More Time to Reunite Some Migrant Families Split at Border," Washington Post, accessed 25 February 2019, [https://www.washingtonpost.com/local/immigration/trump-administration-seeks-to-extend-deadline-for-reuniting-some-migrant-families-split-at-border/2018/07/06/b3260a02-8131-11e8-b658-4f4d2a1aeef1\\_story.html](https://www.washingtonpost.com/local/immigration/trump-administration-seeks-to-extend-deadline-for-reuniting-some-migrant-families-split-at-border/2018/07/06/b3260a02-8131-11e8-b658-4f4d2a1aeef1_story.html).

- 159** Miroff, Nick, Maria Sacchetti and Seung Min Kim (1 October 2018). "Trump's Family Separation Policy Was Flawed from the Start, Watchdog Review Says," accessed 25 February 2019, [https://www.washingtonpost.com/world/national-security/trumps-family-separation-policy-was-flawed-from-the-start-watchdog-review-says/2018/10/01/c7134d86-c5ba-11e8-9b1c-a90f1daae309\\_story.html?utm\\_term=.3a0308d79d6a](https://www.washingtonpost.com/world/national-security/trumps-family-separation-policy-was-flawed-from-the-start-watchdog-review-says/2018/10/01/c7134d86-c5ba-11e8-9b1c-a90f1daae309_story.html?utm_term=.3a0308d79d6a).
- 160** Diamond, Dan (23 October 2018). "HHS Reviews Refugee Operations as Trump Calls for Border Crackdown," Politico, accessed 25 February 2019, <https://www.politico.com/story/2018/10/23/trump-caravan-border-hhs-873152>.
- 161** ACLU (5 October 2017). "Garza v. Hargan — Plaintiff's Notice of Motion and Motion for Tro and Preliminary Injunction," accessed 25 February 2019, <https://www.aclu.org/legal-document/garza-v-hargan-plaintiffs-notice-motion-and-motion-tro-and-preliminary-injunction>.
- 162** Panetta, Grace (8 September 2018). "Your Decisions Affect Real People," Business Insider, accessed 25 February 2019, <https://www.businessinsider.com/rochelle-garza-immigration-abortion-case-testifies-against-kavanaugh-2018-9>.
- 163** Sherman, Carter (28 February 2018). "How the Trump Administration Tries to Stop Undocumented Teens from Getting Abortions," VICE, accessed 25 February 2019, [https://news.vice.com/en\\_us/article/xw5kvz/exclusive-how-the-trump-administration-tries-to-stop-undocumented-teens-from-getting-abortions](https://news.vice.com/en_us/article/xw5kvz/exclusive-how-the-trump-administration-tries-to-stop-undocumented-teens-from-getting-abortions).
- 164** Panetta.
- 165** Ibid.
- 166** Ibid.
- 167** U.S. Court of Appeals for the District of Columbia Circuit (24 October 2017). "Garza v. Hargan," accessed 25 February 2019, <https://assets.documentcloud.org/documents/4116487/10-24-17-Garza-Order.pdf>.
- 168** Sherman, Carter (31 January 2018). "Trump Officials Discussed 'Reversing' Abortion for Undocumented Teen," VICE, accessed 25 February 2019, [https://news.vice.com/en\\_us/article/yw5a5g/exclusive-trump-officials-discussed-reversing-abortion-for-undocumented-teen](https://news.vice.com/en_us/article/yw5a5g/exclusive-trump-officials-discussed-reversing-abortion-for-undocumented-teen).
- 169** Merchant, Nomaan (21 December 2017). "U.S. Official Says Rape and Abortion Both Forms of Violence," AP News, accessed 25 February 2019, <https://www.apnews.com/608d-20c23da74566ae858ce6b8b3e6eb>.
- 170** Wheeler, Lydia (30 March 2018). "Federal Judge Blocks Trump Administration Officials from Stopping Immigrant Teens from Getting Abortions," The Hill, accessed 25 February 2019, <https://thehill.com/regulation/381076-federal-judge-blocks-trump-administration-officials-from-stopping-immigrant-teens>.
- 171** Von Spakovsky (2018). "Family Separation Not Trump Administration's Fault."
- 172** Von Spakovsky, Hans A. (29 October 2018). "No Asylum Period." The Heritage Foundation, accessed 25 February 2019, <https://www.heritage.org/immigration/commentary/no-asylum-period>.
- 173** Gottesdiener, Laura and John Washington (28 November 2019). "They're Refugees, Fleeing Gang Violence and Domestic Abuse. Why Won't the Trump Administration Let Them In?" The Nation, accessed 25 February 2019, <https://www.thenation.com/article/trump-asylum-gangs-domestic-violence/>.
- 174** International Justice Resource Center. "Asylum and the Rights of Refugees," accessed 25 February 2019, <https://ijrcenter.org/refugee-law/>.
- 175** Israel, (2017). "Defending Life: Opportunities for the 115th Congress."
- 176** FOIA Filed by Equity Forward 16 March 2018, Records Received from HHS 5 September 2018.
- 177** FOIA Filed by Equity Forward 24 January 2018, Records Received from HHS 23 July 2018.
- 178** Ibid.
- 179** Boguhn, Ally (18 April 2019). "Religious Imposition Proponents Find an Ally in the White House," Rewire News, accessed 7 February 2019, <https://rewire.news/article/2017/04/18/religious-imposition-proponents-ally-white-house/>.
- 180** FOIA filed by Equity Forward on 16 March 2018, Records Received from HHS 30 November 2018.

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Equity Forward. (accessed 2019). Nikitas [digital image]. Retrieved from <https://equityfwd.org/maximos-nikitas>

Equity Forward. (accessed 2019). Noronha [digital image]. Retrieved from <https://equityfwd.org/maya-noronha>

Equity Forward. (accessed 2019). Trueman [digital image]. Retrieved from <https://equityfwd.org/laura-trueman>

Equity Forward. (accessed 2019). Stecker [digital image]. Retrieved from <https://equityfwd.org/judy-stecker>

Equity Forward. (accessed 2019). Wagner [digital image]. Retrieved from <https://equityfwd.org/steven-wagner>