

## **DO NO HARM ACT**

*Congressman Joe Kennedy III & Congressman Bobby Scott*

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### **Supporting Organizations:**

AFL-CIO  
AIDS United  
American Civil Liberties Union (ACLU)  
Americans United for the Separation of Church and State  
Anti-Defamation League  
Bend the Arc  
Catholics for Choice  
Center for American Progress  
Center for Reproductive Rights  
Disciples Justice Action Network  
Equal Partners in Faith  
Equality Federation  
Family Equality Council  
Friends Committee on National Legislation  
Gay Lesbian and Straight Education Network (GLSEN)  
GLBTQ Legal Advocates and Defenders (GLAD)  
Guttmacher Institute  
Hindu American Foundation  
Human Rights Campaign  
In Our Own Voice: National Black Women's Reproductive Justice Agenda  
Interfaith Alliance  
Lambda Legal  
Lawyers Committee for Civil Rights Under Law  
Leadership Conference for Civil and Human Rights  
NAACP  
NARAL  
National Abortion Federation  
National Center for Lesbian Rights  
National Center for Transgender Equality  
National Latina Institute for Reproductive Health  
National LGBTQ Task Force Action Fund  
National Partnership for Women and Families  
National Women's Law Center  
PFLAG  
Planned Parenthood  
Reproductive Health Technologies Project (RHTP)  
Services and Advocacy for GLBT Elders (SAGE)  
Sexuality Information and Education Council of the US (SEICUS)  
Trevor Project  
Unitarian Universalist Association

## **AFL-CIO**

Liz Shuler, Secretary-Treasurer of the AFL-CIO: *“We applaud Representatives Kennedy and Scott for introducing this legislation, which will help ensure that employers cannot deprive working people of their civil rights, their right to minimum wages, their right to organize, and other crucial rights and protections at work based on their employer’s religious views.”*

## **AIDS United**

*“AIDS United is pleased to support the Do No Harm Act which reinforces Congress’ original intent for the federal Religious Freedom Restoration Act”,* said Ronald Johnson, vice president of policy & advocacy at AIDS United. *“Without the protections of the Do No Harm Act, people at high risk for or those living with HIV, often the most vulnerable among us, could be restricted from accessing lifesaving prevention, treatment, and care with the dignity that all people deserve because of discrimination that is sanctioned under the cover of religious freedom. That cannot be allowed,”* continued Johnson.

## **American Civil Liberties Union**

*“Religious freedom gives us the right to our beliefs, but not to harm others,”* said Louise Melling, deputy legal director of the ACLU. *“The Do No Harm Act would place much needed limitations on RFRA, so that it can be used as a shield for religious exercise but no longer as a sword. With the Do No Harm Act, RFRA could no longer be invoked to justify discrimination, denial of health care, or other harms. We at the ACLU are proud to stand in support of this legislation.”*

## **Americans United for the Separation of Church and State**

*Americans United has always fought for the fundamental American value of religious freedom. In 1993, we joined conservatives and progressives to support the passage of the Religious Freedom Restoration Act because we believed it would protect real religious liberty, especially for those of minority faiths. We are troubled, however, that over the years, RFRA has been misconstrued and exploited to justify discrimination and to deny others their rights. That is why today we support the Do No Harm Act because it preserves RFRA’s power to protect religious liberty but also clarifies that RFRA may not be used to harm others.*

## **Catholics for Choice**

*“As Catholics, we believe religious freedom is a two-sided coin—it means freedom of religion and from religion for the individual citizen. The Do No Harm Act rectifies a dangerous misuse of the Religious Freedom Restoration Act by multi-million dollar intuitions who would like to force their owners’ beliefs on their employees.”* – Sara Hutchinson Ratcliffe, domestic program director, Catholics for Choice

## **Center for American Progress**

*The Center for American Progress (CAP) supports the “Do No Harm Act.” Religious liberty is a core American value, enshrined in our Constitution and deserving of protection. When passed in 1993, the*

*federal Religious Freedom Restoration Act (or RFRA) offered a necessary corrective to the 1990 Smith decision that had stripped away the constitutionally-protected right to free exercise of religion. However, recent lawsuits and federal court decisions, such as the Supreme Court's 2014 Hobby Lobby v. Burwell decision, have created an overly broad interpretation of the law and have allowed RFRA to be used in ways that actually restrict religious liberty by imposing beliefs on others and occasioning meaningful harm to third parties. Congress should act to ensure that RFRA is not inappropriately used to violate the rights of others.*

### **Center for Reproductive Rights**

*"The Do No Harm Act is a critical step in rectifying the unintended consequences of the Religious Freedom Restoration Act, which has allowed religious liberty claims to strip ordinary Americans of essential government benefits and undermine their health and well-being. Now more than ever, we need a real legislative solution to ensure that religious discrimination has no place in our health-care system." --Kelly Baden, Interim Senior Director of U.S. Policy and Advocacy*

### **Disciples Justice Action Network**

*As Christians, we are guided by Christ's call to serve the poor, the vulnerable, and the voiceless amongst us. Regardless of race, gender, sexual orientation, or gender identity, all are welcome at the Lord's Table and it is the call of our faith to bring justice and compassion to every corner of society without discrimination. We support the Do No Harm Act because it will affirm RFRA's role as a law that protects religious minorities without undermining civil rights.*

### **Hindu American Foundation**

*"The Hindu American Foundation supports the Do No Harm Act because protecting the sanctity of the 'Establishment Clause' should be the utmost priority of the Federal Government when seeking to prevent religious discrimination. The Do No Harm Act will prove to be an effective roadblock for businesses, various institutions, and even government agencies that seek to circumvent a founding principle of the United States of America. It's now incumbent upon both sides of the aisle to ensure its passage." ---Suhag Shukla, Esq., HAF Executive Director and Legal Counsel*

### **Human Rights Campaign**

*"Religious freedom is a core American value. However, religious freedom claims should never be used as a guise for unfair and unjust treatment that undercut other people's fundamental rights," said HRC Government Affairs Director David Stacy. "We commend Representatives Kennedy and Scott for introducing this critically important legislation that will preserve the core protections of the federal RFRA, while ensuring that it cannot be used to violate essential non-discrimination protections for lesbian, gay, bisexual and transgender Americans."*

### **In Our Own Voice: National Black Women's Reproductive Justice Agenda**

*In Our Own Voice supports the introduction of the Do No Harm Act because it seeks to preserve and uphold our human right to live according to our values, religious or otherwise, without imposing harm*

*or prejudice on anyone of differing faith, race, sexual preference or gender identification. Discrimination against any group or community classification in the name of religion is wrong and goes against everything that this country stands for. We thank Representatives Kennedy and Scott for their leadership on this issue and look forward to working with them to move this bill forward.*

### **Interfaith Alliance**

Rabbi Jack Moline, president of Interfaith Alliance, released this statement:

*“The religious freedom promised by the Constitution, the religious freedom envisioned by our Founders, is one where every person’s faith is protected and no one’s faith is used to subjugate or harm others. For years the Religious Right has tried to force legislation through Congress and state legislatures designed to turn religious freedom into a weapon used against religious minorities, people of color, women, children and the LGBT community. The Do No Harm act is a critical first step toward counteracting that misguided campaign.*

*“I am grateful to Rep. Kennedy and Rep. Scott for their continued leadership on this issue and look forward to working with them and members of Congress of both parties as we continue to find the proper balance in safeguarding the religious freedom of all.”*

### **Lambda Legal**

Jennifer C. Pizer, Senior Counsel and Director, Law & Policy Project, Lambda Legal:

*“Since long before the LGBT civil rights movement even started, our communities have been targeted by religion-based efforts to condemn, control, and restrict the lives and equal opportunities of gay and transgender people, same-sex couples, and people living with HIV. In recent years, too many of those who oppose the equality and inclusion of LGBT people have insisted upon religious exemptions from laws providing nondiscrimination and other protections everyone should have at work, at school, in medical offices and in social services. Congress never intended the Religious Freedom Restoration Act to become, perversely, a tool for rejecting others. The Do No Harm Act is an urgently needed course correction.”*

### **Leadership Conference for Civil and Human Rights**

*“Religious freedom is one of the founding principles of this nation, and the Do No Harm Act would ensure that this principle isn’t twisted into a license to discriminate. As states across the country attempt to codify discrimination into law, it’s especially important that the federal government once again declare that there can be no religious exemption from basic human dignity.”-- Wade Henderson, president and CEO of The Leadership Conference on Civil and Human Rights*

### **NAACP**

*“From Indiana to North Carolina; from Georgia to Mississippi, a number of right wing extremist legislators have tried to obfuscate the intent of the federal Religious Freedom Restoration Act (RFRA),*

*which was enacted in 1993 to address a series of legal cases which together chiseled away the protections guaranteed by the First Amendment to the U.S. Constitution to safeguard traditional Native Americans and other religious minorities in our country,” said Mr. Hilary O. Shelton, the Director of the NAACP Washington Bureau and the Senior Vice President for Policy and Advocacy. “Indeed, the implementation of these new laws protects only the bigoted biases of those who wish to discriminate against people in the name of their so-called “religious beliefs” who simply want to do business fairly and justly, or use public facilities. The NAACP stands solidly with Congressman Kennedy and Congressman Scott and others in calling for immediate action on this important legislation.”*

### **National Abortion Federation**

*“It is unacceptable for anyone to use their own personal religious beliefs to skirt federal laws and discriminate against others. On our toll-free Hotline, we often hear from patients who have been denied emergency contraception, referrals, ultrasounds, and more. The Do No Harm Act is a step towards ensuring that women have access to the resources they need to plan their families.” --Vicki Saporta, President and CEO of the National Abortion Federation (NAF)*

### **National Center for Lesbian Rights**

*The National Center for Lesbian Rights strongly endorses the Do No Harm Act of 2016. While religious liberty is a fundamental American value, it should not be used as an excuse to undermine the fundamental rights of others. As we continue to battle efforts in the states to attack LGBT people under the guise of religious freedom, we welcome the introduction of this important federal bill to clarify that the Religious Freedom Restoration Act is not a license to discriminate.*

### **National Center for Transgender Equality**

*“Research shows that transgender youth who are supported thrive. Those promising they can make being transgender go away are deceiving parents and peddling harm.” -- NCTE Executive Director Mara Keisling*

### **National Latina Institute for Reproductive Health**

*Ann Marie Benitez, senior director of government relations for the National Latina Institute for Reproductive Health (NLIRH) said, “The National Latina Institute for Reproductive Health is excited to support the Do No Harm Act with our civil rights, faith and LGBTQ partners. This legislation would transform so many communities who are being treated like they do not deserve the same rights and protections as everyone else. The use of religious exemptions under the Religious Freedom Restoration Act (RFRA) to harm communities by denying individuals their rights, benefits, and protections under federal laws is unacceptable. That is why we must prohibit employers from using RFRA to deny employees coverage for the healthcare they need and other unjust practices. NLIRH believes that each person should have the ability to make the best personal decisions about their health without interference from their employer. As states continue to pass legislation that stigmatizes and discriminates against members of LGBTQ communities, many who already have little access to resources and face constant threats of violence, it is refreshing to see Congressional members working*

*to ensure that religious beliefs cannot be used to undermine the health and well-being of others, especially Latino/as.”*

### **National LGBTQ Task Force Action Fund**

*The National LGBTQ Task Force Action Fund is pleased to support the Do No Harm Act, a much-needed piece of legislation that protects everyone, including LGBTQ people, from discrimination. The Do No Harm Act strikes an important balance between safeguarding civil rights and preserving religious liberty in federal contexts. This bill ensures that when a party seeks an exemption under the federal Religious Freedom and Restoration Act, they cannot use their religious beliefs to get around anti-discrimination laws or otherwise cause harm to others.*

*We commend Congressmen Kennedy and Congressman Scott for their leadership in introducing this important bill at a time when discrimination is too often disguised as religious liberty.*

### **National Partnership for Women and Families**

*“Increasingly, religion is being used to justify discrimination against women and families, in health care and in the workplace. We commend Representatives Joe Kennedy and Bobby Scott for introducing the Do No Harm Act and leading efforts to make clear that the Religious Freedom Restoration Act’s protections of the exercise of religion cannot be used to deny women access to reproductive health care or other services, or undermine civil rights protections,”* said Debra L. Ness, president of the National Partnership for Women & Families.

### **National Women’s Law Center**

*The National Women’s Law Center did not support the Religious Freedom Restoration Act because of concerns about how it could be misused and result in harm to women. Unfortunately, that fear has become a reality. The Supreme Court’s Hobby Lobby decision permitted bosses to deny women critical birth control coverage, and efforts to use RFRA as a justification to discriminate have gained new life since that decision. There have been attempts to use RFRA to challenge laws that protect women, LGBTQ individuals, and students from discrimination; protect employees by allowing them to unionize; promote public health by requiring vaccinations; and require pharmacies to fill lawful prescriptions. That is why the National Women’s Law Center supports the Do No Harm Act. The Do No Harm Act ensures that RFRA cannot be used to undermine basic civil rights and liberties, and stands for the principle that religion should never be used to discriminate or to harm others.*

### **Parents and Families of Lesbians and Gays (PFLAG)**

*PFLAG National thanks Congressmen Kennedy and Scott for their leadership on the Do No Harm Act. We support all people in their freedom to worship and to believe as they do or will. However, we do not support the freedom to discriminate, trampling the rights--and the dignity--of others. The freedom to worship and the right to live free from discrimination are not mutually exclusive--both are among the core American values that shape our great nation. We are proud to stand by Reps. Kennedy and Scott to advocate for passage of this important federal legislation, which is so crucial to the health and wellbeing of our LGBTQ loved ones and their families.*

## **Planned Parenthood**

*"The Do Not Harm Act is long overdue protection against wrongheaded efforts to discriminate. The Religious Freedom Restoration Act (RFRA), a federal law initially passed to protect the exercise of religious beliefs, is too often used to undermine and abuse individuals' rights, including denying women access to birth control. Planned Parenthood is proud to support the Do Not Harm Act and we thank Representatives Scott and Kennedy for their leadership. No one should be discriminated against, including denied access to basic health care, in the name of religious freedom. This bill is a much needed fix to the Religious Freedom Act to ensure that the law can't be used to deny education, health care, including reproductive health care, and LGBTQ rights to any individual." -- Dana Singiser, Vice President of Public Policy and Government Affairs for Planned Parenthood Federation of America*

## **Reproductive Health Technologies Project (RHTP)**

*The Reproductive Health Technologies Project (RHTP) is proud to stand with our partners in the health, LGBT, civil rights, and faith communities to put an end to the notion that religion may be used to discriminate. RHTP works to advance the ability of every woman to achieve full reproductive freedom with access to the safest, most effective, and appropriate and acceptable methods for ensuring her own health and controlling her fertility. RHTP endorses the "Do No Harm Act" because religious beliefs may inform one's own reproductive health care decisions but should never be allowed to prevent others from accessing comprehensive reproductive health care.*

## **Services and Advocacy for GLBT Elders (SAGE)**

*"SAGE applauds Congressman Kennedy and Congressman Scott on the introduction of this most important bill. At a time when we see the most basic rights of LGBT older adults under assault in the name of religion, we must do more to honor, support, and protect the LGBT elders who paved the way. And because this population suffers from pronounced social isolation, higher rates of poverty than their non-LGBT peers, and a lack of access to culturally competent services and supports, this bill takes a critical step in ensuring that religion is not used as a barrier to prevent LGBT older adults from getting the services and supports they need to thrive." -- Michael Adams, CEO, SAGE (Services and Advocacy for GLBT Elders)*

## **Sexuality Information and Education Council of the US**

*"The Sexuality Information and Education Council of the United States (SIECUS) thanks Congressman Kennedy and Congressman Scott for their leadership in introducing the Do No Harm Act," said Chitra Panjabi, President and CEO. "We all have the right to live free from discrimination no matter our sexuality and sexual health needs. This important legislation will ensure that existing rights will not be infringed upon due to others' religious beliefs."*