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by Catholic News Service

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The Trump administration Nov. 1 announced a proposed rule to allow faith-based adoption and foster care agencies to follow their deeply held religious beliefs and not place children with same-sex couples.

Under the proposal, announced by the U.S. Department of Health and Human Services, these agencies would not be excluded from certain federally funded programs for adhering to their belief in traditional marriage.

The chairmen of the U.S. bishops' committees on domestic policy, defense of marriage and religious liberty welcomed the move that would overturn an Obama administration rule.

"We commend the administration for acting to change a 2016 regulation that threatened to shut out faith-based social service providers, namely adoption and foster care agencies that respect a child's right to a mother and a father," the bishops said in a Nov. 1 statement.

"To restrict faith-based organizations' work by infringing on religious freedom – as the 2016 rule threatened to do – is unfair and serves no one, especially the children in need of these services," they said.

The joined statement was issued by Bishop Frank Dewane of Venice, Florida, chairman of the Committee on Domestic Justice and Human Development; Bishop

James Conley of Lincoln, Nebraska, chairman of the Subcommittee for the Promotion and Defense of Marriage; and Bishop Robert McManus of Worcester, Massachusetts, chairman of the Committee for Religious Liberty.

"We are alarmed and saddened that state and local government agencies in multiple jurisdictions have already succeeded in shutting down Catholic adoption and foster care agencies as a result of their Catholic beliefs," the bishops said.

"At a time when over 400,000 children are in foster care, we need to take steps to increase – not decrease – their opportunities to be placed with safe and loving families," they added. "We welcome today's proposed rule modifications and look forward to reviewing and commenting on them further."

The proposed rule comes at a time that the U.S. Supreme Court is considering taking the Fulton v. Philadelphia case, which centers on the city of Philadelphia's decision of March 2018 to stop using the foster program of Catholic Social Services of the Philadelphia Archdiocese because the agency does not place children with same-sex couples.

At issue is whether Philadelphia discriminated against Catholic Social Services by preventing the agency from serving children and families consistent with the agency's religious beliefs.

Organizations such as the American Civil Liberties Union said the new proposed rule from the Trump administration is outright discrimination against the LGBT community, but in a statement released with the proposal, HHS said it is "committed to fully enforcing the civil rights laws passed by Congress."

"The proposed rule would better align its grants regulations with federal statutes, eliminating regulatory burden, including burden on the free exercise of religion. HHS is affirming that it will comply with all applicable Supreme Court decisions in administering its grants programs," the statement said.

The Department of Health and Human Services added that the proposal represents the administration's "strong commitment to the rule of law – the Constitution, federal statutes and Supreme Court decisions. These require that the federal government not infringe on religious freedom in its operation of HHS grant programs and address the impact of regulatory actions on small entities."

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