



**Iowa Health and Human Services Committee
Senate File 236 by Salmon**

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Alliance Defending Freedom is a nonprofit legal organization that advocates for religious liberty, parental rights, free speech, life, and marriage and the family. We regularly analyze proposed laws and comment on their effect on civil rights.

SF 236 helps more children find loving homes. The foster care system is overwhelmed. To help, many people of faith gladly open their doors to care for these children. Iowa needs more families to care for children, not fewer. SF 236 protects faith-based foster care and adoption organizations and the families they serve from religious discrimination. More adoption and foster care agencies mean more loving homes and families ready to welcome kids in great need.

Without help, these children face lifelong challenges, including higher rates of arrest, lower graduation rates, poor physical and mental health, and unstable housing and homelessness.¹

Even the Supreme Court recognizes the benefits of having more, not fewer, adoption and foster care providers. They recently said that “[m]aximizing the number of foster families and minimizing liability are important goals If anything, including [Catholic Social Services] in the program seems likely to increase, not reduce, the number of available foster parents.”² Allowing them to serve is not only beneficial for children but it is also required by the U.S. Constitution. The Supreme Court also made clear that state governments violate the requirements of religious neutrality when they undermine religious beliefs or practices, because the “[g]overnment fails to act neutrally when it proceeds in a manner intolerant of religious beliefs or restricts practices because of their religious nature.”³

Faith-based organizations have helped children find loving foster homes and adoptive homes for centuries.⁴ Unfortunately, states and federal regulations are discriminating against faith-based adoption and foster-care organizations, refusing

¹ See Dr. Laurie Todd-Smith, Ph.D., *Improving the Foster Care and Adoption Systems in the United States*, Center for the American Child (2024).

² *Fulton v. City of Philadelphia*, 141 S. Ct. 1868 (2021).

³ *Id.*

⁴ See Natalie Goodnow, *The Role of Faith-Based Agencies in Child Welfare (No. 3320)*, The Heritage Foundation (2018), <http://report.heritage.org/bg3320>.

to work with them because they won't change their deeply-held beliefs about marriage and family.

For example, New Hope Family Services in New York has repeatedly been harassed by state officials because the organization's faith-based values dictate that it only places children in families with a mother and father committed to each other in marriage.

Even worse than the attacks on faith-based organizations that want to help children find loving homes, qualified *families* are facing discrimination. They are denied from being able to open their home to a child in need unless they agree to "affirm" a child's confusion about his or her biological sex.

For example, Bryan and Becca Gantt have a heart for kids born with fetal alcohol syndrome and kids born with drug dependencies. They have adopted several children with such special needs. But Vermont refused to let them foster a newborn unless the couple agreed to use inaccurate pronouns and take a child to a pride parade. The state even revoked their foster care license. The same happened to Brian and Katy Wuoti when they told state officials that they could not encourage gender confusion in children they fostered. Unfortunately, stories like theirs are happening in states across the nation.⁵

This bill protects prospective foster and adoptive parents from state requirements that exclude people of certain religions because of their religious beliefs. It protects faith-based adoption and foster care service providers from state discrimination because of their religion. And it allows states to place children with families that are in the best interest of the child while continuing to allow a diverse field of applicants to open their doors to children in need.

SF 236 would help Iowa children by stopping discrimination based on religious views and beliefs; expanding the number of groups working to solve the child welfare crisis; protecting diversity of providers (while stopping no one from seeking services); allowing critical foster care services to reach more communities; and giving more kids in need a loving home.

⁵ See Alliance Defending Freedom, *Confronting Religious Discrimination, A Guide for Foster & Adoptive Parents* (2023), <https://adflegal.org/support/adoption-foster-care/>.