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The 114th Congress begins its second session this year. While we celebrated some advances over the course of the last year, many important bills still await congressional consideration, including several that have made their way through the House but await Senate action. The Senate situation is complicated because of the cloture rule, which requires 60 senators to agree to hold a vote on a bill. We appreciate the commitment to democratic values this represents, but it is holding up many good bills. Any bills not passed this session must start the entire process in both chambers all over again. We will endeavor to prevent such a scenario from happening. Of course, even bills that pass both chambers must also be signed into law by the president. The difficulty this poses was well-illustrated when the president vetoed a bill defunding Planned Parenthood in January.

Clearly, many pieces must come together to bring a new law into existence. The process is arduous and time-consuming, but millions of people are affected by the policies and laws our country enacts. So we will remain vigilant. The following is a partial listing of the various legislative and

policy initiatives we will engage this year as part of our stewardship of God's design for government. Some of these initiatives are carry-overs from the previous session of Congress, while others are new developments. Though not exhaustive, this agenda provides insight into the range of issues the ERLC will attempt to address this year.

RELIGIOUS FREEDOM

Religious freedom is a bedrock biblical value. The Bible assumes that all people have the freedom to make their own decisions in matters of faith (Acts 17:27). Since God respects this freedom, people and governments should as well. Today, however, faith is under assault in numerous ways. The ERLC will work to restore to people that which God Himself has declared inviolable. Below are just a few of the ways we will be at work protecting religious freedom this year.

On the international front, the opening of our office for international justice and religious freedom in the Middle East provides us with a new dimension for protecting religious freedom around the world. Through this new office and our efforts in the U.S., we will devote ourselves to protecting the right of people to freely practice their own faith. Additionally, we will continue to work closely with the State Department's Office of International Religious Freedom and its very capable Ambassador-at-Large for International Religious Freedom, Rabbi David Saperstein. We were also greatly encouraged last year by the appointment of Knox Thames as Special Advisor for Religious Minorities in the Near East and South/Central Asia. Knox brings years of dedication to the cause of religious freedom. We look forward to working closely with these men and their offices.

Congress can do more to help people of faith as well. **The Frank R. Wolf International Religious Freedom Act of 2015 (H.R. 1150)** provides many important safeguards to international religious freedom. Among its many contributions to the protection of religious freedom around the world, the bill: (1) creates new offices and committees within our government to help ensure that religious freedom is considered and protected by our policies; (2) directs the Ambassador-at-Large for International Religious Freedom to seek to coordinate religious freedom policies and religious engagement strategies across all U.S. programs, projects, and activities; (3) amends the Foreign Service Act of 1980 to ensure mandatory training on religious freedom for all Foreign Service officers; (4) amends the International Religious Freedom Act (IRFA) to require the Commission on International Religious Freedom (USCIRF) to compile and make publicly available regularly updated lists of persons imprisoned, detained, disappeared, placed under house arrest, tortured, or subject to forced renunciations of faith by violent nonstate actors and foreign



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governments recommended for designation as a country of particular concern for religious freedom; and (5) authorizes the president to take specified actions against foreign persons responsible for committing or supporting systemic violations of religious freedom or supporting violence or terrorist acts targeting members of religious groups. Neither chamber has voted on the bill.

We will also need to double our efforts to protect religious freedom in this country. Building on the momentum from the Supreme Court's *Obergefell* ruling which redefined marriage throughout America, LGBT activists working with sympathetic lawmakers have unveiled a new bill entitled the **Equality Act (S. 1858/H.R. 3185)**. The brevity of the bill's title matches neither its scope nor its impact on federal law and fundamental liberties found in the Constitution. The bill would create federal anti-discrimination protections on the basis of sexual orientation and gender identity in public accommodations, education, employment, and housing. To do so, it would amend the 1964 Civil Rights Act to add "sexual orientation" and "gender identity" as protected classes, and thereby provide the same protections extended to other groups (on the basis of race, color, religion, and national origin) under the act. If enacted into law, the Equality Act would further erode religious liberty, transform public opinion on sexuality, and harm the public perception of those who believe in traditional or biblical sexual morality.

The bill's stated intentions and its actual consequences are very different. While it purports to protect individuals from discrimination, the Equality Act would discriminate against those who do not agree with a regime of laws premised on sexually permissive understandings of human nature that deny sexual complementarity. It would thus create a new form of discrimination by socially isolating certain beliefs. To complicate matters, the bill goes out of its way to strip away any notion of religious liberty by audaciously stipulating that the Religious Freedom Restoration Act (RFRA) cannot be appealed to by individuals, businesses, educational institutions, or religious institutions. Expansive protections for some that lead to restricted liberties for others do not advance equality or tolerance. Instead, they cause coercion and subjugation. We will vigorously oppose this bill. Neither chamber has voted on the measure.

The Equality Act, discussed above, demonstrates the need for a legislative countermeasure. Thankfully, one exists. Called the **First Amendment Defense Act (S. 1598/H.R. 2802)**, this proposed legislation would help reduce or potentially neutralize some of the threats posed by the Equality Act. The bill would protect individuals and institutions who believe that marriage is the union of a man and woman from government intrusion and coercion. The scope of protections made available by this bill is still being worked out. Some want to limit its protections to faith-based institutions. We are seeking to extend these protections to individuals as well. We will continue



to work with members of Congress and their staff to find appropriate language that will provide protections to the broadest range of entities and individuals possible. Neither chamber has voted on the bill.

Conscience protections for people of faith are also a growing concern for us. People of faith should not be penalized or discriminated against because they cannot in clear conscience participate in abortions. The **Abortion Non-Discrimination Act (S. 50)** will provide some much-needed protections. This is a commonsense piece of legislation that amends the Public Health Service Act to prohibit the federal government and any state or local government receiving federal financial assistance from subjecting an institutional or individual health care entity, including any health professional, facility, organization, or insurance plan, to discrimination on the basis that the entity refuses to participate in abortion-related activities. In short, it seeks to codify the Hyde-Weldon Conscience Protection Amendment. While this amendment has been adopted in appropriations every year since 1976—including in the most recent omnibus bill—federal law is needed to curtail ongoing attempts to marginalize those with pro-life convictions. Neither chamber has voted on the bill.

SANCTITY OF HUMAN LIFE

Scripture teaches us that every person bears the image of God (Gen. 1:26-27). Consequently, every person is of inestimable value. The weakest and most vulnerable among us are the unborn. They have no voice and, since the Supreme Court rulings in 1973, no legal protections as persons in their own right. This has resulted in more than 1 million abortions of convenience every year in this country.

In 2015, the horror of the abortion industry was broadcast throughout the social media world. The Center for Medical Progress released a series of undercover videos exposing the nation's largest abortion provider, Planned Parenthood, involved in the callous collection—and apparent sale—of fetal body parts. In response to these discoveries, pro-life members of Congress took action. Roundtables were assembled, congressional hearings were convened, and legislation was sponsored. The most significant of these initiatives was an attempt to deprive the abortion provider of federal taxpayer monies. Stand-alone efforts proved unsuccessful against the threat of filibuster in the Senate. Eventually, pro-life members were able to advance a budget reconciliation bill that included a one-year moratorium on federal funding to Planned Parenthood, only to see the president veto it.



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In 2016, our resolve to advocate for the sanctity of human life remains strong. Having begun the year with the first ever major pro-life conference for evangelicals here in Washington, D.C., we are committed to reminding those who hold government office of their God-ordained responsibility to protect the innocent. This includes our divinely-knit, image-bearing neighbors in the womb.

This year we will be closely following the work of the House Energy and Commerce Committee's **Select Investigative Panel on Infant Lives**. The stated mission of the panel: "to gather information and get the facts about medical practices of abortion service providers and the business practices of the procurement organizations who sell baby body parts." We believe the findings of this panel will create new legislative space for the serious consideration of a number of pro-life bills.

While we labor and long to see the reversal of the horrific 1973 Supreme Court decision which legalized abortion on demand, we believe steps to rein in the worst abuses are indeed possible and should be taken. One such abuse is the withholding of medical treatment from a newborn following a botched abortion procedure. Allowing a breathing baby to die on an abortionist's operating table is inhumane and barbaric. The **Born-Alive Abortion Survivors Protection Act (S. 2066/H.R. 3504)** amends the federal criminal code to require any health care practitioner who is present when a child is born alive following a botched abortion procedure to exercise the same degree of care as reasonably provided to any other child born at the same gestational age. Moreover, the health care practitioner is required to ensure that the child is immediately admitted to a hospital. The legislation also includes a legal course of action for mothers of abortion survivors to hold violators of this act accountable. The House passed this bill in the first session with bi-partisan support (248-177). The Senate has yet to act on the bill.

In light of the aforementioned presidential veto, Planned Parenthood continues to receive federal funding. Because of the Hyde Amendment, however, none of those funds may be used for abortions. The **No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act (S. 582/H.R. 7)** codifies funding-restrictive policies by prohibiting federal funds from being expended for abortion or health coverage that includes coverage of elective abortion. Moreover, the bill requires that consumers be made aware of the extent to which abortion is covered in health insurance plans and the cost of this coverage in the plans they are considering. The bill passed the House (242-179) in 2015, and is awaiting action in the Senate. We will also continue to support the **Title X Abortion Provider Prohibition Act (S. 51/H.R. 217)**. This bill prohibits the government from directing Title X family planning funds to family planning agencies that provide abortions or provide funds to any other entity that performs abortions. Neither chamber has voted on this bill.



The United States is 1 of only 7 countries that allow elective abortions after 20 weeks. Based on strong evidence that unborn babies experience pain by 20 weeks gestation, the **Pain-Capable Unborn Child Protection Act (S. 1553/H.R. 36)** prohibits performing or attempting to perform abortions on babies at 20 weeks or greater gestation, except in cases of rape, incest, or to save the life of the mother. Congress finally took up this legislation in 2015. Although the bill passed in the House (242-184) and saw a vigorous floor debate in the Senate, the Senate failed to invoke cloture on the motion to proceed (54-42) and the measure was withdrawn. We were deeply disappointed in this outcome. Nevertheless, we will push for the Senate to reconsider the bill this year.

Parents should be informed before their minor daughter is subjected to an abortion. The **Child Interstate Abortion Notification Act (S. 404/H.R. 803)** would significantly address this concern. It prohibits the transportation of a minor girl across state lines for an abortion to circumvent parental notification or parental consent laws in the girl's home state. The bill also requires an abortion provider in a state without a parental notification requirement to notify a parent before performing an abortion on a minor girl from another state. Neither chamber has voted on the bill.

Our country's commitment to eliminating discrimination based on sex should extend to every stage of human life. The **Prenatal Nondiscrimination Act (PRENDA) (S. 48)** seeks to uphold that conviction. The bill prohibits sex selection abortion and the coercion of a woman to obtain an abortion based on the sex of the unborn child. The legislation also enables civil penalties to be levied against those who aid or support such abortions. Regrettably, S. 48 does not address race selection abortion. We will seek the inclusion of a prohibition on race selection abortion in a House version of the bill. Neither chamber has voted on the bill.

HUMAN RIGHTS

Both the Old and New Testaments tell us that humans are supposed to look out for each other. In God's design, we are our brother's keeper (Gen. 4:1-10), and we are supposed to act with neighbor love toward others (Luke 10:25-37). This attitude is in great need today. The ERLC has many concerns about the treatment of people around the globe. We engage at many levels to help alleviate human suffering and governmental overreach into people's lives.

We highlight here just a few efforts we will continue to pursue this year to protect human rights. First, the **Foreign Prison Conditions Improvement Act** brings U.S. pressure to bear on foreign governments to institute some basic humanitarian measures to address deplorable



prison conditions. It seeks to ensure access to clean drinking water, basic medical care, protection from the elements, and adequate sleeping space, among other things. It also presses for inmates to be given access to family members and legal representation. Neither chamber has voted on the bill, which is yet to be introduced in the 114th Congress.

Second, we are very encouraged by the recent House and Senate passage of the **North Korea Sanctions and Policy Enforcement Act of 2016 (H.R. 757)**. Among its many provisions, the bill: (1) requires the president to investigate any credible information of sanctionable activities involving North Korea and to designate and apply sanctions against any person or entity that knowingly engages in or contributes to activities in North Korea which involve weapons of mass destruction, significant arms or related materiel, significant luxury goods, money laundering, censorship, or human rights abuses; (2) withholds assistance under the Foreign Assistance Act of 1961 to any country that provides lethal military equipment to, or receives it from, the government of North Korea; (3) prohibits the U. S. government from entering into contracts with designated persons related to North Korea; (4) requires the president to report to Congress significant activities involving North Korea that undermine U.S. cyber security; (5) requires the president to present a detailed plan for making unrestricted, unmonitored, and inexpensive radio, Internet, and electronic mass communications available to the people of North Korea; and (6) instructs the Secretary of State to report to Congress certain information on each political prison camp in North Korea and the identity of each person responsible for serious human rights abuses or censorship in North Korea, along with a description of those abuses or censorship. We look forward to the president's signature on this important effort to rein in the brutal dictatorship of North Korea's leaders and will monitor the bill's implementation.

Third, we will work to gain adequate funding commitments by the Broadcasting Board of Governors (BBG) for Internet firewall circumvention technology that will enable people in closed countries, like China and Vietnam, to access information and communicate with others over the Internet without fear of governmental censorship or reprisal. The BBG has already stated this technology is one of its priorities. They just need some guidance from lawmakers on the allocation of their current funding.

MARRIAGE AND FAMILY

Marriage is a gift from God. He gave it to humans for many reasons. It provides stability for raising children (Prov. 1:8), serves as the basic human social structure (Gen. 2:18-25), and illustrates the relationship between Christ and His Church (Eph. 5:22-33). It is an essential institution. We will work in this coming year to defend it as God designed it.



Of special note, there is considerable interest in Congress to make the adoption process easier. As Christians we understand the adoption of children as an outworking of theological truths. We also recognize government has an appropriate role to play in seeing that vulnerable children are protected and nurtured. Yet anyone familiar with the adoption and foster world knows there are many hurdles and often tragic stories. Where government programs—federal and local—are necessary, there is often a need to amend them.

One of the bills we will seek to advance to address these concerns is the **Protecting Adoption Act (H.R. 2818)**, known as the **Protecting Adoption and Promoting Responsible Fatherhood Act (S. 1637)** in the Senate. This bill creates a mechanism for identifying possible fathers of children who are being considered for adoption and assists with the adoption process. More specifically, it (1) creates a national database of possible fathers from participating state Responsible Father Registries and from possible fathers themselves; (2) provides information about possible fathers to authorized parties involved in adoption; (3) enables children to find a permanent home more quickly; (4) protects the privacy and safety of mothers, especially in cases of rape or domestic violence; (5) increases the likelihood of men receiving notice of a proceeding in another state; and (6) reduces the risk to prospective adoptive parents of delayed or disrupted placements. Neither chamber has voted on the bill.

Another adoption-related bill is a carry-over from the 113th Congress. The **Children in Families First Act (CHIFF)** sought to reduce barriers for adoptive families by simplifying the process for families seeking to adopt children internationally. It also would have helped foreign governments develop more effective systems for placing every child in need in a caring family. That bill did not make much progress. There may be interest in smaller portions of that bill in 2016, however. Forthcoming versions are less likely to include the creation of a new office in the Department of State, as outlined by the original CHIFF, but many of its other provisions may have a path forward.

POVERTY

Poverty is an ancient human condition. Jesus noted that the poor would always be among us. But that is no excuse for not helping those in poverty. Scripture calls on us to do what we can to relieve the plight of the poor (Prov. 22:22-23). Jesus and His disciples helped the poor (Matt. 25:35-36; John 13:29). The biblical truth that we are to care for the vulnerable and marginalized should compel us to seek ways to assist people suffering in poverty and to find ways to help them overcome their poverty.



Poverty has many causes. Personal choices account for some, but not all. For some people in this country, equal opportunity does not exist. In some instances, local and federal policies are responsible for this. These impediments to human flourishing must be identified and removed. Recently, House Speaker Ryan announced the formation of a number of congressional task forces to address certain aspects of the chamber's work. One task force will focus on poverty, opportunity, and upward mobility. Its goals are: (1) to strengthen the country's safety net and reform educational programs to make them more effective and accountable; (2) to help people move from welfare to work; and (3) to empower productive lives. These are some of the very issues that policy decisions can affect. We will work with this task force to help it find ways to overcome policy and economic impediments to human flourishing.

An additional area of concern to us is the growth of the payday lending industry. This industry provides small, short-term loans to people. In theory, the practice sounds helpful, but in application it is unmistakably predatory. In some states, the annual interest rates on these loans approach 400 percent. Because they are short-term loans, often two weeks—hence the term “payday” loans—the borrowers are often unable to repay them. Lenders then renew their loans. This practice often traps borrowers in an endless debt trap. We believe our country needs a uniform lending cap to protect vulnerable people from such predatory practices. Congress has already enacted a 36 percent annual interest rate cap on loans to members of the military. We believe that the rest of the population deserves similar protections. Last year, we came together with other faith groups to form the Faith for Just Lending Coalition to help achieve this goal. Our web site, www.lendjustly.com, provides helpful material and information on this predatory industry. We will continue to advocate for legislation that will rein in the worst of these predatory lending abuses.

CRIMINAL JUSTICE REFORM

The Bible teaches that God believes in the rule of law. It tells us plainly that he invented the idea of government and that He tasked it with the responsibility to punish evil and to reward good (Rom. 13:1-7). The Bible does not stop there, however. It also emphasizes redemption and new beginnings (Luke 19:1-9). Our criminal justice system should reflect a similar balance between punishment and restoration.

Regrettably, our country has become very efficient on one side of the scale and woefully negligent on the other. Too many people are being locked away for long periods of time and forgotten. Our prisons and jails are now dangerously overcrowded and struggling to help men and women break



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the cycle of criminality in their lives after they have paid their debt to society. Unless something changes, the situation will only worsen.

We are heartened that Congress is working on this problem. There are a number of bills in various stages of development that offer some helpful solutions. One bill, the **Sentencing Reform and Corrections Act of 2015 (S. 2123)**, would take a targeted approach to expand the federal safety valve and limit the application of mandatory minimums to more serious offenses. In addition to addressing a number of other concerns we have with the current system, the bill also focuses on the important issue of recidivism. The bill directs the Department of Justice to expand recidivism reduction programming, such as drug rehabilitation, education, skills training, faith-based classes, and work programs, for all federal prisoners in partnership with non-profit and faith-based organizations.

Recidivism is a major concern for us. Our jails should be restoration facilities, not merely retribution facilities. In order to help them become the rehabilitation centers they should be, we will work for passage of the **Second Chance Reauthorization Act (S. 1513/H.R. 3406)**. This bill continues programs already in place that help equip men and women to break the cycle of criminality in their lives. It ends ineffective programs and also opens up more opportunity for faith-based groups to participate. Neither chamber has voted on the bill.

CONCLUSION

As noted earlier, these are just some of the legislative issues we will engage in 2016. Some bills we will support are still in development. New ones will arise during the year as well. Furthermore, this agenda does not address our efforts to engage myriad other areas of concern at the legislative and policy level, like structural racism, sex trafficking, pornography, poverty, hunger, homosexuality, and gambling, for example. While the environment remains very toxic politically, we know God has an agenda of His own. We will seek to understand His will as we bring Southern Baptist biblical convictions to bear on the great public policy questions of our day. We ask that every concerned Christian join us in prayer and action in this Kingdom effort to be instruments of God's will on earth.

