

February 16, 2016

Speaker Paul Ryan  
U.S. House of Representatives  
H-232 The Capitol  
Washington, D.C. 20515

Majority Leader Kevin McCarthy  
U.S. House of Representatives  
H-107 The Capitol  
Washington, D.C. 20515

Majority Whip Steve Scalise  
U.S. House of Representatives  
H-329 The Capitol  
Washington, D.C. 20515

Dear Speaker Ryan, Majority Leader McCarthy, and Majority Whip Scalise:

We, the undersigned, representing hundreds of thousands of Americans, want to thank you for your commitment to securing religious freedom protections in the aftermath of the Supreme Court's *Obergefell* decision redefining marriage across the country. To help secure basic religious freedom protections we ask that you schedule a vote on the *First Amendment Defense Act* ("FADA," H.R. 2802 / S. 1598), sponsored by Congressman Raul Labrador (R-ID) and Senator Mike Lee (R-UT), for early this year. We support the [new version of FADA](#) released on September 14, 2015, in order to prohibit federal government discrimination against those who continue to believe that marriage is between one man and one woman.

Charities, non-profits, and family owned businesses with religious beliefs or moral convictions about marriage should not be penalized by the federal government for their beliefs. FADA prevents the federal government from engaging in discrimination, whether in grants, contracts, licensing, accreditation or tax treatment against individuals and entities who continue to believe that marriage is between a man and a woman and that sexual relations are reserved for such a marriage. Additionally, FADA explicitly states that it does not authorize the federal government to deny any benefit or service authorized under federal law. The new version of FADA does not include publicly traded companies, federal employees or contractors within the scope of their employment or contract, or health care entities with respect to visitation, proxy decision-making or treatment necessary to cure illness or injury. The new version does, however, provide important protections for closely-held for-profit businesses and non-profit entities, which should be protected in any conscience legislation.

FADA is urgently needed to ensure speech supporting natural marriage is not chilled, particularly in the wake of *Obergefell* and new federal agency conditions requiring those receiving federal grants to endorse same-sex relationships. Even before *Obergefell*, protections were needed after the President's problematic July 2014 Executive Order, jeopardizing the ability of businesses and faith-based organizations that contract with the federal government to hire and administer programs according to their religious beliefs. The government should not deem longstanding providers of important public services ineligible to compete for federal funding simply because of

their beliefs about marriage. FADA would stop harmful and arbitrary federal government discrimination. FADA does not overturn *Obergefell* or any executive order; it simply protects persons who disagree with the Court's redefinition of marriage from government discrimination.

We, as individuals and organizations, wish to remain active participants in and contributors to our communities; the *First Amendment Defense Act* ensures we can do so while also living in accordance with our beliefs about marriage and the family. Significantly, an overwhelming majority of Americans agree that we should have this freedom. In December, new polling from the Associated Press and the NORC Center for Public Affairs Research showed 88% of Republicans said it was important to protect the religious freedom of Christians and 83% of Democrats said the same thing. This is consistent with last September's polling by Caddell Associates that showed 82% of Americans believe that people with traditional religious views on marriage should not be forced to act in ways that contradict those religious and moral convictions. Clearly, Americans who continue to affirm natural marriage should remain free from federal government discrimination, and in the wake of *Obergefell*, Congress has a duty to protect Americans from such discrimination. It is imperative that the House vote on the *First Amendment Defense Act* early this year.

Again, we thank you for your leadership, and for your commitment to protecting religious freedom.

Sincerely,

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Family Research Council

Matt Schlapp  
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Christian Schools of Ohio

Bryan McCormack  
Executive Director  
Cornerstone Policy Research and Action

cc: The Honorable Cathy McMorris Rodgers, Chairwoman of Republican Conference  
The Honorable Kevin Brady, Chairman of the Ways and Means Committee  
The Honorable Jason Chaffetz, Chairman of the Oversight and Government Reform Committee