RELIGIOUS RIGHTS NEED MORE PROTECTIONS

Two bills critical to the defense of religious freedom came before the U.S. House of Representatives over the summer.

On July 12, the House held hearings on the First Amendment Defense Act (FADA). This bill is needed to protect the religious rights encoded in the First Amendment, which are under attack on many fronts, most conspicuously in the collision between those rights and the rights of homosexuals.

This issue was brought to a head when the U.S. Supreme Court heard oral arguments on the Obergefell decision that eventually led to the legalization of same-sex marriage. The U.S. Solicitor General, asked if churches might lose their tax-exempt status if they opposed gay marriage, said it "certainly [is] going to be an issue."

Nothing more is needed to prove the necessity for FADA. If the public good that houses of worship provide is going to be denied—that is what the forfeiture of their tax-exempt status would mean—simply because the clergy hold to biblical prescriptions regarding sexuality, then the principal victim is the First Amendment.

On July 13, the House passed the Conscience Protection Act of 2016. This bill would prohibit federal, state or local governments from penalizing health care providers that do not provide abortions or abortion coverage.

Such a prohibition already exists. The Weldon Amendment, a federal provision, makes it illegal for states that receive federal funds to discriminate against health-care providers that refuse to participate in abortions. But the Department of Health and Human Services simply disregarded the Weldon Amendment when it upheld a California law requiring all health

care providers, including Catholic entities, to provide coverage for abortions.

Conscience protection is the most elementary exercise of our First Amendment right to religious liberty. If it can be violated, especially in cases involving life and death, all rights can be violated. The Senate should follow the House in passing the Conscience Protection Act.