



November 15, 2022

The Honorable Roy Blunt
U.S. Senator for Missouri
260 Russell Senate Office Building
Washington, DC 20510

RE: H.R. 8404 / S. 4556 - PLEASE VOTE NO ON CLOTURE

Dear Senator Blunt:

We are writing to you because of your strong record of support for laws respecting traditional marriage. On behalf of the more than 1800 Southern Baptist Churches in Missouri affiliated with the Missouri Baptist Convention, we write to urge you to oppose cloture or passage of the so-called 'Respect for Marriage Act,' H.R. 8404 / S.4556, and any proposed amendments (including the Baldwin-Collins-Tillis-Portman amendment). Contrary to its deceptive title, H.R. 8404 shows great disrespect for marriage, and intolerance for those who hold a traditional or biblical worldview.

In *Obergefell v. Hodges*, 135 S. Ct. 2584, (2015), the Supreme Court made a promise to people of faith in America.

Marriage, in their view, is by its nature a gender-differentiated union of man and woman. This view long has been held—and continues to be held—in good faith by reasonable and sincere people here and throughout the world. *Id.*, 2594

Many who deem same-sex marriage to be wrong reach that conclusion based on decent and honorable religious or philosophical premises, and neither they nor their beliefs are disparaged (by the majority's decision.) *Id.*, 2602

Finally, it must be emphasized that religions, and those who adhere to religious doctrines, may continue to advocate with utmost, sincere conviction that, by divine precepts, same-sex marriage should not be condoned. The First Amendment ensures that religious organizations and persons are given proper protection as they seek to teach the principles that are so fulfilling and so central to their lives and faiths, and to their own deep aspirations to continue the family structure they have long revered. The same is true of those who oppose same-sex marriage for other reasons. In turn, those who believe allowing same-sex marriage is proper or indeed essential, whether as a matter of religious conviction or secular belief, may engage those who disagree with their view in an open and searching debate. *Id.*, 2607

The whole point of H.R. 8404 / S. 4556 is to repudiate this promise, and to force people of faith to affirm the federal government's "worldview" of what marriage is. It is an intentional attack on the religious freedom of millions of Americans with sincerely held beliefs about marriage, based on dictates of faith in God and His revealed Truth. Only a VOTE NO of H.R. 8404 / S.4556 will keep the promise to people of faith.

Sponsors say they simply want to "codify" the *Obergefell* decision. Putting this redefinition in the U.S. Code, however, advances the Same Sex Marriage (SSM) political agenda much further. If anything has been made clear over the past decade, it is that the SSM legal movement will make costly attacks on those individuals and organizations who disagree with them, and will use the law to coerce conformity. The SSM legal movement seeks to undermine the above "promise" of *Obergefell* and to demand that religious dissenters pledge allegiance to the federal definition of marriage, rather than God's definition. The *Baptist Faith and Message* asserts: "God alone is Lord of the conscience, and He has left it free from the doctrines and commandments of men which are contrary to His Word or not contained in it." (Article XVII, BF&M, 2000). We must obey God rather than men. (Acts 4:19-20).

An alliance of [over 80 groups](#) sent Senate Minority Leader Mitch McConnell a letter urging him to stand firm against pressures to move the bill forward, and [over 2,000 churches and ministries](#) sent a letter to the Senate specifically calling attention to the effects of the bill on their ability to serve their communities in accordance with their religious beliefs. We agree with those groups as well.

While many have voiced total opposition to the bill, a small group of senators, led by Sens. Tammy Baldwin of Wisconsin, Susan Collins of Maine, Thom Tillis of North Carolina, and Rob Portman of Ohio, is attempting to amend the bill to address the concerns that have been raised. Unfortunately, their proposed amendment does not adequately address the bill's significant religious freedom issues. Greg Baylor, counsel for Alliance Defending Freedom, has listed these major deficiencies.

1. There are no real protections for religious individuals or organizations.

The amendment adds a new section to the 'Respect for Marriage Act' that purports to address religious liberty and conscience concerns. But rather than adding any new concrete protections for religious individuals and organizations, the new section simply states that those Americans whose beliefs are infringed can invoke already existing legal protections, like the First Amendment and the Religious Freedom Restoration Act (RFRA). As such, this new provision does not fix the bill's negative impact on religious exercise and freedom of conscience. Those targeted under the bill will be forced to spend years in litigation and to incur thousands, if not millions, of dollars in attorneys' fees to protect their rights. If they lose in court, they may even face demands to pay the legal fees of the opponents who sued them – which fees could bankrupt the average person.

The substitute language is not broad enough to cover the many areas where we have seen these attacks. The new text would NOT provide protections to:

- faith-based non-profits such as adoption and foster care providers,
- religious schools,
- wedding vendors,
- business owners outside the wedding context, especially in expressive or creative professions, and
- civil servants.

All people of faith in every walk of life must be protected and have the freedom to live out their faith in the public square and marketplace without government persecution because of their religion.

2. The amendment leaves numerous religious social-service organizations vulnerable.

The proposed amendment adds language that confirms that churches and religious organizations would not be forced to solemnize or celebrate a marriage against their sincerely held religious beliefs.

Unfortunately, this proposed provision ignores the true threats to religious organizations. No one thinks the 'Respect for Marriage Act' requires churches to solemnize marriages. The real problem is that the bill can be used to punish social-service organizations like adoption or foster placement agencies that serve their communities in accordance with their religious belief that marriage is the union of one man and one woman. The proposed amendment does nothing to help such organizations.


3. The amendment fails to address concerns over nonprofits' tax-exempt status.

The amendment adds a new section that attempts to address concerns about the tax-exempt status of nonprofits that live out their beliefs about marriage. Once again, the amendment fails to substantively remedy this problem. When the IRS determines whether an organization is "charitable" under the Internal Revenue Code, it asks whether the entity's conduct is "contrary to public policy" or violates a "national policy." If the 'Respect for Marriage Act' were enacted, the IRS could rely upon the bill to conclude that certain nonprofits are not "charitable." The amendment's new provision does nothing to prevent this.

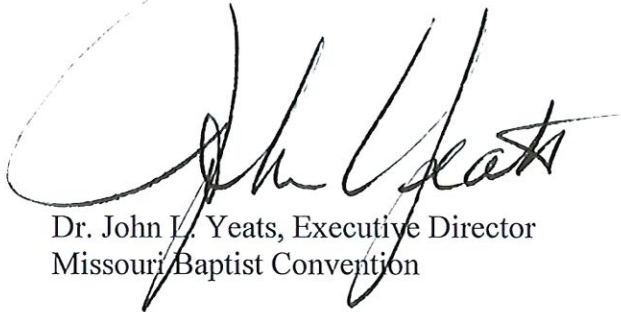
Conclusion

We urge you to stand firm against this attempted redefinition of marriage. Please vote NO on cloture.

Very truly yours,



Chris L. Williams, President
Missouri Baptist Convention



Dr. John L. Yeats, Executive Director
Missouri Baptist Convention