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PROTECTING FAITH AND FREEDOM

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February 27, 2020

The Honorable Carolyn Maloney, Chairwoman
The Honorable Jim Jordan, Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

RE: Hearing on “The Administration’s Religious Liberty Assault on LGBT Rights”

Dear Chairwoman Maloney, Ranking Member Jordan, and Distinguished Members of the Committee:

It is my distinct honor to submit the following testimony as part of today’s hearing, entitled “The Administration’s Religious Liberty Assault on LGBT Rights.” My name is Rev. Dr. C. Welton Gaddy, president emeritus of Interfaith Alliance Foundation, a national non-partisan organization that celebrates true religious freedom, promotes policies that protect the integrity of both religion and democracy, and ensures that all Americans are treated equally under the law.

I have also served as a pastor in a Baptist church for over fifty years. As you would expect, over the course of my ministry I have shared the burdens of great sadness along with great joy. I have heard the admonishments of my brethren who condemn LGBTQ+ people and question their faith simply for who they are. And I have listened to a young man, trembling with fear, tell me with certainty that he would lose his job at a bank if his boss learned of his sexual orientation.

But these moments of pain – of condemnation and fear – are paired with the abiding joy of supporting others along their path. Happily, I spent a great deal of time with a same-sex couple who, deeply in love, wanted to become members of our church. The day that I baptized the two, as they came out of the water, I saw in their faces looks that told me that for the first time in their lives they felt like human beings.

I share these experience because, in legislative chambers and courtrooms across the country, a great deal of our public discourse is taking place at the intersection of equality and religious liberty. Today’s hearing is an important moment to step back and examine this topic, as those who seek to drive a wedge between these two fundamental principles of our democracy only succeed in damaging both.

I sincerely believe that religious freedom, as guaranteed to every American by the First Amendment, is in greater danger today that at any time since these protections became a part of our founding document. The reason for my alarm is a concerted effort by certain groups – with strong allies in the current administration – to redefine religious freedom *away* from the shared right to believe as we choose, without fear of coercion or exclusion, *toward* a means to impose one’s religious convictions on others.



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For instance, Interfaith Alliance, along with allies across the political and religious spectrum, championed the Religious Freedom Restoration Act of 1993 (RFRA) as a necessary means to protect members of minority faiths and other marginalized groups. But in the years since its passage, RFRA has become a touchstone in the campaign to distort religious freedom and harm the very people it was enacted to protect. The law has been cited by employers to deprive workers of much needed healthcare under the Affordable Care Act (illustrated by *Burwell v. Hobby Lobby Stores, Inc.*) as well as in hiring and firing decisions unrelated to a candidate's job performance (as in *R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission*, before reaching the Supreme Court).

In various court cases and a multitude of regulations proposed by the current administration over the last three years, proponents weaponize a distorted notion of religious freedom that shifts the balance of power toward those with a particular set of religious beliefs – and away from vulnerable individuals who live, love, or worship differently. Just last week, eight federal agencies concluded public comment periods on proposed changes to the requirements for faith-based entities that receive government funds. If enacted, these rules would permit publicly funded entities to exclude the very same taxpayers who foot the bill for their services, simply for failing to pass an agency's religious test.

LGBTQ+ Americans have already seen their ability to work, participate in their communities, and care for their loved ones vastly curtailed under this dangerous redefinition of religious freedom. Faced with the formidable power of the judicial and executive branches of our government, I am reminded of the fear in the voice of the young man who sought my counsel as he risked losing his livelihood simply because of his sexual orientation. Our conversation took place far from the machinations of the Supreme Court or the bureaucratic intricacies of federal administrative agencies, but the consequences of their decisions – and yours – will redound in the lives of millions of LGBTQ+ Americans for decades to come.

Surely the nation I have loved and served all of my life, with respect and patriotism, will affirm the truths embedded in our constitution. No person in our nation should be deprived of freedom and justice simply because of who they are. As esteemed members of Congress and of this committee, I ask you now to remember your oath of office – to zealously guard our democracy, to advance the aims of our founding document, and to cherish the abundant diversity that enriches our national character.

Above all, I ask you to recommit yourselves to protecting our First Freedom as defined for centuries: the freedom to believe as we choose, with the secure knowledge that no other person nor the government would use faith as a weapon against us. This is the religious freedom that I, and so many Americans, cherish.

Thank you for the opportunity to submit testimony on this important matter.

Sincerely,

Rev. Dr. C. Welton Gaddy

President Emeritus, Interfaith Alliance
Pastor Emeritus, Northminster Church
Host, *State of Belief* Radio