

Warning: A Most Uncivil Law Is Coming

A vote in the House of Representatives could come as early as this Thursday on H.R. 5, the contentious bill that would place nearly all Christian ministries, religious organizations and faith-based companies in the crosshairs of discrimination lawsuits. The bill looks almost certain to pass in the House. Although passage in the Senate may be doubtful, the sheer audacity of this legislation should be taken as a cautionary tale.

The law adds sexual orientation and transgender identity as protected categories and then wildly expands the list of activities and organizations impacted by the civil rights law to include any public “gathering,” “exhibition,” “display” or anything involving the provision of goods or “any service or program.” During one House subcommittee hearing, employment law expert Lawrence Lorber flatly acknowledged that the bill would apply to “churches” and “houses of worship.”

The vast scope of H.R. 5 is best illustrated by the fact that, unlike prior civil rights laws that were limited to activities at physical locations, this legislation extends to cyberspace. It would apply to any group that offers retail sales or services “online.” Any Christian organization, ministry or business with a website could be at risk.

Most startling of all, H.R. 5 expressly targets for extinction the religious liberties of faith-based organizations. The bill blatantly states that the protections of the Religious Freedom Restoration Act (RFRA)—the law guarding rights of religious conscience that was upheld by the Supreme Court in the Hobby Lobby case—will not apply to these new civil rights laws.

In the past, when controversial issues of gay rights-versus-

religious freedom arose in Congress, the question of accommodating religious liberty customarily had a place at the table. As general counsel for NRB, I had the privilege of testifying several times in the Senate and in the House on the need for religious protections. But that was then. Today, the hostility against orthodox belief seems almost palpable. But along with that comes something else; the reminder, with crystal clarity, why National Religious Broadcasters exists and the mission for which it was birthed 75 years ago. {eoa}

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