

Religious Freedom Advocate: The Equality Act Is Much Worse Than We Thought

The "Equality Act" introduced by the House of Representatives not only threatens the free exercise of religion and free speech, but the language contained in the legislation will be used to force health care professionals and hospitals to perform abortions and require taxpayer funding of abortion. Liberty Counsel joins other pro-life organizations concerned that pro-life protections in current federal and state law would also be put at risk.

HR 5 amends the Civil Rights Act of 1964 by striking the word "sex" and inserting "sex, sexual orientation, gender identity" as protected classes throughout the federal code. In addition, the terms "sexual orientation" and "gender identity" will be defined to mean "pregnancy, childbirth, or a related medical condition." In other words, under the terms of this bill, "pregnancy, childbirth or a related medical condition... shall not receive less favorable treatment than other physical conditions."

Specifically, HR 5 also expands the definition of public accommodations to include places or establishments that provide "(1) exhibitions, recreation, exercise, amusement, gatherings or displays; (2) goods, services or programs and (3) transportation services."

Any time "sex discrimination" has been previously added to federal law, Congress has secured rules to ensure that it does not require the funding of abortion or override conscience laws. Before HR 5, every time sex discrimination is written into law, it is written to exclude abortion. HR 5 would preempt these laws. It also prohibits the Religious Freedom

Restoration Act as a defense to the application of the law. That means there is no religious or conscience protection against forcing a religious organization or health care worker to provide or participate in abortion. Any denial of abortion would be considered discrimination.

The "Equality Act"'s broad definition of a public accommodation to include health care providers applies explicitly to all health care providers, including individuals and entities who object to abortion, and implicitly, possibly applying to non-physical entities like state governments that determine health care coverage under Medicaid.

As such, this provision puts in jeopardy both longstanding federal conscience laws providing for protections for abortion objectors, and even the Hyde Amendment, prohibiting taxpayer funding for abortion. Language contained in the legislation could be used to force health care professionals and hospitals to perform abortions, regardless of if this would violate their conscience. In addition, the pro-life protections in current federal and state law would also be put at risk. So, under this umbrella of "discrimination," any American who doesn't want to fund, offer, perform, or participate in abortion-on-demand will have no real choice.

HR 5 recently passed in the House Judiciary Committee and is expected to go to the House floor for a vote next week. The battle over HR 5 will occur in the Senate, where the bill number is S. 788.

"The so-called 'Equality Act' is worse than what we thought," said Mat Staver, founder and chairman of Liberty Counsel. "The bill goes far beyond LGBT to include abortion and much more. This bill is the most serious threat to life and liberty to ever be proposed by Congress."