
People of Faith Deserve Protection from Government Discrimination in the Marriage Debate

Congress should ensure that government can never penalize or discriminate against the millions of Americans who believe and act on the belief that marriage is the union of one man and one woman.

Increasing Threats to Freedom

- During Supreme Court oral arguments in *Obergefell v. Hodges*, the Obama Administration's Solicitor General, Donald Verrilli, acknowledged the possibility of religious schools being stripped of their non-profit tax status for continuing to affirm marriage as the union of a man and a woman.¹
- Faith-based adoption agencies in Massachusetts, Illinois, and Washington, D.C., have been forced to end foster care and adoption services rather than abandon their belief that every child deserves a married mother and father.²
- Gordon College, a Christian school, found its accreditation questioned because the school asks all members of the community to refrain from premarital and extramarital sexual relations.³
- A student was ejected from a master's program in counseling for referring same-sex couples to other counselors because of her religious convictions about marriage.⁴
- A couple who ran a small bakery in Oregon was recently fined \$135,000 for declining to bake a wedding cake for a same-sex couple.⁵ Others involved in the wedding industry, including photographers, florists, and reception hosts have been hauled into court for declining to use their artistic talents to participate in same-sex weddings.⁶

Congress Should Prevent Government Discrimination

- Federal policy should prevent the government from discriminating against any individual or group, whether nonprofit or for-profit, based on their beliefs that marriage is the union of a man and woman or that sexual relations are reserved for marriage.
- Specifically, Congress should prohibit the federal government from such discrimination in tax policy, employment, licensing, accreditation, contracting, and grants.

Protecting Religious Freedom Harms No One

- Protecting religious liberty and the rights of conscience does not infringe on anyone's sexual freedoms. Americans are free to live and love how they choose, and everyone should respect the intrinsic dignity of all human beings.
- But both sides of the marriage debate can recognize that the government should not discriminate against those who hold reasonable beliefs about marriage and sexuality. Congress can strike the right balance to protect religious freedom and prohibit government coercion.
- The federal government should respect the rights of individuals, businesses, and organizations that wish to act in accordance with their beliefs about marriage.

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 2. Sarah Torre and Ryan T. Anderson, "Adoption, Foster Care and Conscience Protection," Heritage Foundation *Backgrounder* No. 2869, January 15, 2014, <http://www.heritage.org/research/reports/2014/01/adoption-foster-care-and-conscience-protection>.
 3. David French, "Gordon College Keeps Its Faith and Its Accreditation," *National Review*, May 1, 2015, <http://www.nationalreview.com/article/417788/gordon-college-keeps-its-faith-and-its-accreditation-david-french>.
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 5. Kelsey Harkness, "Exclusive: Bakers Facing \$135K Fine Over Wedding Cake for Same-Sex Couple Speak Out," *The Daily Signal*, April 27, 2015, <http://dailysignal.com/2015/04/27/exclusive-bakers-facing-135k-fine-over-wedding-cake-for-same-sex-couple-speak-out/>.
 6. T. Anderson, and Leslie Ford "Protecting Religious Liberty in the State Marriage Debate," Heritage Foundation *Backgrounder* No. 2891, April 10, 2014, <http://www.heritage.org/research/reports/2014/04/protecting-religious-liberty-in-the-state-marriage-debate>.