



THE ETHICS & RELIGIOUS
LIBERTY COMMISSION
OF THE SOUTHERN BAPTIST CONVENTION



2021

ANNUAL REPORT

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REPORT**

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Letter from the Acting President

Dear Southern Baptists and Partners of the Commission,

2021 was a year of challenges and triumphs for the ERLC. It was also a year of transition. And while much changed, much remained the same.

Throughout the year, the ERLC faithfully attended to the ministry assignment given to us by our convention of churches. In fact, that has been central to the guidance I have given our team: In times of transition, lean into the mission—for that doesn't change.

As the year draws to a close, it is a joy to write this letter and reflect on the way our team has sought to serve pastors, equip believers, and engage the public square. Whether it is on issues related to life, religious liberty, or human flourishing, the convictional kindness that has become a hallmark of this Commission remains as strong as ever.

As you read through this annual report, I hope you are encouraged by:

- A team that has stood up for life from our nation's courts to local pregnancy resource centers;
- A team that has advocated for Kingdom-honoring policy on a number of issues including adoption, abortion, and predatory payday lending;
- A team that cares for the vulnerable around the world, including the preborn in Northern Ireland and the oppressed Uyghur people in China;
- A team that is looking to the future and how biblical ethics are needed to address digital realities and potential threats to human dignity.

So as a new era for the Commission is just on the horizon, I wanted to convey a sense of gratitude to you from our team. We are so appreciative of the support and prayers of millions of Southern Baptists who sacrificially give to the Cooperative Program and partners who have come alongside us so that we may continue to bring a missions mindset to a public square that is in desperate need of the truth of Christ and Him crucified.

We consider it a mighty privilege to do this work. Thank you for entrusting us to do so.

Joyfully in Christ,



BRENT LEATHERWOOD
ERLC ACTING PRESIDENT



Life and Human Dignity

Standing for life has always been a core part of what we do here at the ERLC. The Psalm 139 Project is our most tangible life initiative designed to make people aware of the life-saving potential of ultrasound technology in crisis pregnancy situations and to provide pregnancy centers with ultrasound equipment and training as they minister to abortion-vulnerable women. Since the inception of the Psalm 139 Project, we have placed 30 machines and we are already well on our way to our goal of placing 50 ultrasound machines by January 2023—the moment marking 50 years since the disastrous *Roe v. Wade* Supreme Court decision was handed down.

During the annual meeting of the Southern Baptist Convention in June 2021, the Psalm 139 Project was the focal point of our booth in the Exhibition Hall. We were able to bring the same ultrasound machines, approved through an extensive vetting process, that we place in health clinics. Our manufacturing partner even sent a representative to our exhibit to demonstrate both a 3D

ultrasound machine and a mobile ultrasound machine. This allowed messengers and other attendees at SBC to experience what women see on the machines when viewing their child for the first time. Studies show—and our own clinics' data proves—women in crisis pregnancy centers are far more likely to choose life when they see their baby on an ultrasound machine. That result is why we believe so deeply in the work of the Psalm 139 Project.

People visiting our booth at SBC were not only able to see an ultrasound machine, but were encouraged to offer a message of hope and encouragement directly to a woman in a crisis pregnancy situation through the use of handwritten notes. Over 1,500 people stopped by our booth to write touching messages that will be given to women in PRCs where we place ultrasound machines.

The motivation behind our life work comes from the gospel. In fact, one of the most effective ways we appeal to consciences is by explaining the *Imago Dei* and the inherent worth that truth gives to

◀ Attendees to the 2021 Southern Baptist Annual meeting write notes of encouragement to abortion-vulnerable women.

PSALM 139 PLACEMENTS

1
NEW ALBANY, IN
March 2004

2
SAN MARCOS, TX
March 2004

3
DENVER, CO
September 2007

4
CORINTH, MS
2007

5
LAKELAND, FL
February 2010

6
PHOENIX, AZ
March 2011

7
NEW ORLEANS, LA
August 2012

8
HOUSTON, TX
December 2013

15
DALLAS, TX
2018
(2 Machines)

14
NEW ORLEANS, LA
November 2018

13
LIBERTY, MO
September 2018

12
HOUSTON, TX
2017

11
ST. LOUIS, MO
2016

10
KNOXVILLE, TN
2015

9
COLUMBUS, OH
2015

16
FULTONDALE, AL
March 2019

17
EL DORADO, AR
August 2019

18
RALEIGH, NC
October 2019

19
TALLAHASSEE, FL
2020

20
LAS CRUCES, NM
February 2020

21
ROCK HILL, SC
February 2020

22
TREASURE COAST, FL
February 2021

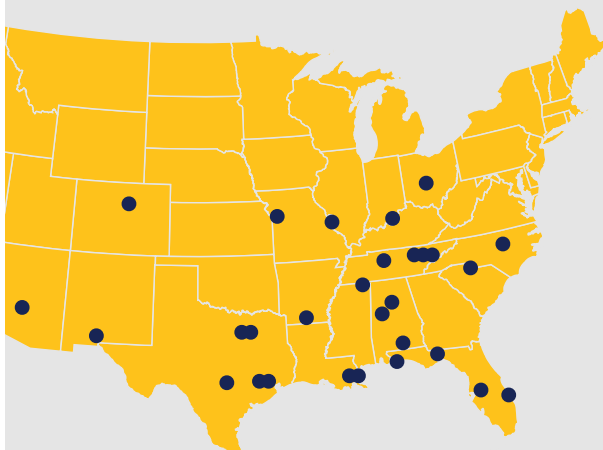
23
KNOXVILLE, TN
March 2021
(2 Machines)

24
NASHVILLE, TN
April 2021

25
PENSACOLA, FL
April 2021

26
ANDALUSIA, AL
June 2021

27.
TUSCALOOSA, AL
July 2021



every preborn child. We do this both here at home and abroad.

In 2019, we announced our intentions to place the first-ever privately controlled ultrasound machine in Northern Ireland—a region in the United Kingdom that has been one of the most pro-life areas in the world—after an effort was made by their national government to decriminalize abortion services. Our plans were delayed with the onset of the coronavirus pandemic in 2020 but we will be formally placing the machine in the country this fall and dedicate it to the life-saving work of our partners on the ground.

Similarly, we have sought to draw attention to other contexts where the abortion industry is gaining ground. For example, we [pointed out](#) Argentina has become the first Latin American country to legalize abortion. President Fernández, in explaining his support for the law, referred to abortion as a mere “interruption” of a pregnancy—an appallingly simple description of ending a child’s life. ERLC writer Catherine Parks said, “There is nothing caring about telling a woman in a difficult situation that ending her child’s life is the way to ensure her survival and that of any other children she may have. We must seek to protect life at every stage.”

Inclusion of the Hyde Amendment and Pro-Life Provisions in the FY22 Appropriations

This time each year, the House and Senate Appropriations Committees are in the annual appropriations process, which includes a hearing to discuss budget requests as well as writing and marking up the 12

appropriations bills that fund the federal government. Central to the ERLC’s engagement in this process is our [advocacy](#) for including the Hyde Amendment and all other critical pro-life riders to prevent federal taxpayer dollars from going to the abortion industry.

The inclusion of these pro-life amendments in the fiscal year 2022 appropriations debates is more

led a letter signed by 47 senators to Leader Schumer (D-N.Y.) pledging to vote to block any bill that would undermine the Hyde Amendment or any other pro-life protections. Also of note to this debate is that the upper chamber’s most central figure, Senator Joe Manchin (D-W.V.) is also supportive of the Hyde Amendment.

In July, the House passed a seven-bill minibus, (H.R. 4502), and

Education appropriations bill. The Hyde Amendment prevents Medicaid from covering the cost of abortion and protects American consciences. As [Baptist Press](#) recently reported, the Hyde Amendment must be approved each year as a “rider” to a spending bill. The amendment ban is estimated to have saved the lives of more than 2 million preborn children.

Additionally, the appropriations bills removed the Weldon Amendment for the first time since 2005. The amendment protects the rights of conscience for health-care professionals and institutions by preventing HHS from denying funding to recipients that refuse to provide, pay for, or refer for abortion. The budget also removes the Dornan (Hyde protections in the District of Columbia) and Helms (protection against funds being used for abortion in international aid) Amendments. It would also prohibit any president from reinstating the Mexico City Policy, reestablished and expanded by President Donald Trump as the Protecting Life in Global Health Assistance policy.

As the budget reconciliation process moved forward in Congress, Senator James Lankford (R-OK) was able to successfully lead an effort to restore Hyde and Weldon protections in the Senate proposal. The [ERLC applauded the move](#) and urged the House to follow the same course with that Chamber’s spending outline.

The ERLC is actively engaged with pro-life senators to include the important, life-saving provisions at every step of the legislative process.

For more, read this article, [5 pro-life riders Southern Baptists should know about](#).

“While this move by the Biden administration is unsurprising, it is a harmful departure from accepted precedent. Thankfully, this is just a proposal. Congress should ignore this and recommit to including the Hyde Amendment—as well as all pro-life policy riders—to ensure no taxpayer resources are used for abortion. The protection of preborn lives and safeguarding of taxpayer consciences are not areas to be compromised.”



—Elizabeth Graham

uncertain than in years prior. Regrettably, the House has already struck these amendments from their bills. Thankfully, earlier in 2021, Senator Steve Daines (R-Mont.), founder and chair of the Senate Pro-Life Caucus,

passed the Legislative Branch and State, Foreign Operations bills as stand alone bills. For the first time since 1976, the Hyde Amendment has not been included in the Labor, Health and Human Services, and

Dobbs v. Jackson Women's Health

In May 2021, the Supreme Court agreed to revisit a previous decision “by reviewing a Mississippi

in cases of severe fetal abnormality. A doctor with Jackson Women's Health Organization filed a lawsuit in federal district court challenging the law and requesting an

In late July 2021, the ERLC, alongside other pro-life organizations, including the U.S. Conference of Catholic Bishops, National Association of Evangelicals, and the Lutheran Church-Missouri Synod, filed an amicus brief in this case requesting the Supreme Court overturn the *Roe v. Wade* (1973) and *Planned Parenthood v. Casey* (1992) decisions. The case represents a significant opportunity for the pro-life movement as hundreds of proposed state laws protecting preborn lives could potentially take effect.

[Commenting](#) on the brief, Chelsea Patterson Sobolik, ERLC's acting director of public policy, said, “For too long, the *Roe* and *Casey* decisions have allowed our nation to turn a blind eye to the plight of those who have no voice. Our brief asks the Court to overturn those two cases and set a new precedent that respects every life. With each passing day, more and more people recognize preborn lives are worthy of protection. The *Dobbs* case provides another chance for the Court to come to that same conclusion and affirm the fundamental right to life.”

Brent Leatherwood, ERLC chief of staff, added that “Christians have long pleaded the case for America to recognize the inherent dignity of our most vulnerable neighbors. This case gives us another opportunity to do so. Until that happens, our nation will not be able to fully achieve that lofty goal of being a land that preserves life, liberty and the pursuit of happiness for every individual.”

Oral arguments for the case will be scheduled by the justices for this upcoming term, and the ERLC will continue its engagement.

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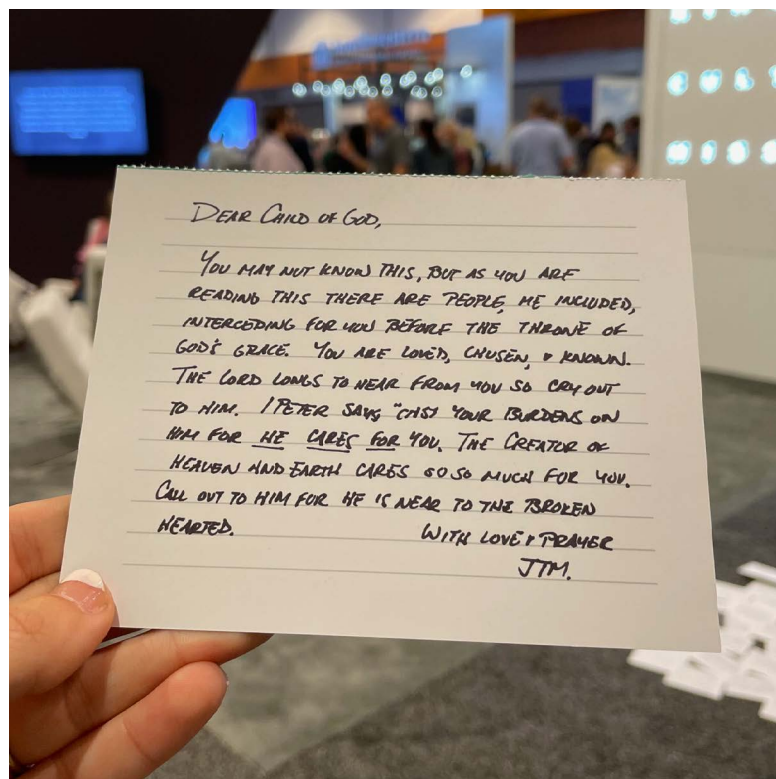


—Chelsea Sobolik

law that would replace the ‘viability standard’ with a limit on abortions after 15 weeks of pregnancy.” This case is set to be consequential because the issue the court will be deciding is whether pre-viability prohibitions on elective abortions are unconstitutional.

Mississippi passed a law in 2018 titled the “Gestational Age Act,” prohibiting abortions after 15 weeks except in a medical emergency and

emergency temporary restraining order (TRO), which a district court granted, finding that the state had not provided evidence that a fetus would be viable at 15 weeks. Additionally, the district court believed that the Supreme Court precedent prohibits states from banning abortions prior to viability. Thus, the decision in this case could have implications for the protections of the preborn.



🔴 **Top:** Attendees write notes to abortion-vulnerable women at the ERLC booth during SBC21. **Bottom Left:** A 3D ultrasound image on display in the ERLC booth during SBC21. These are the machines placed in pregnancy resource centers by the Psalm 139 Project. **Bottom Right:** One of thousands of notes that were written by visitors to the ERLC booth. These will be sent to pro-life PRCs and given to abortion-vulnerable women.



Left: SBC President, J.D. Greear, and VP of public policy, Travis Wussow march at the 2021 March for Life. **Right:** Chelsea Sobolik, acting director of public policy, and Brooke Kramer, team coordinator, were featured in a March for Life Instagram story.

For more, read this press release, [ERLC files Supreme Court amicus brief in support of pro-life Mississippi law.](#)

Discharge Petition for Born Alive

In April 2021, House Minority Whip Steve Scalise (R-La.), Rep. Ann Wagner (R-Mo.), and Rep. Kat Cammack (R-Fla.) filed a discharge petition for the Born-Alive Abortion Survivors Protection Act. This was the first discharge petition filed in the 117th Congress and seeks to force a floor vote of the lifesaving Born-Alive bill.

A discharge petition is a tool used in the U.S. House of Representatives

that is a member-driven attempt to force a floor vote on a piece of legislation. A petition must receive 218 signatures in order to be successful. The ERLC team in Washington advocated for representatives to join the petition when it was first filed last Congress and again now in the 117th.

The Born-Alive bill would amend the federal criminal code to require any health care practitioner who is present when a child is born alive following an abortion or attempted abortion to, first, exercise the same degree of care as reasonably provided to any other child born alive at the same gestational age, and second,

ensure that such a child is immediately admitted to a hospital. The bill is important because current federal law lacks sufficient legal protection and medical provision for children who survive failed abortions.

In 2019, when the bill was on the Senate floor, then ERLC President Russell Moore urged senators to support the critical legislation, noting that “the fact that this bill is even necessary is chilling to consider. That somehow there would even be a question among elected officials whether it should be legal to leave a crying child to die on the table is shameful. Protecting the lives of living babies must not be a partisan issue. Children have intrinsic value that is defined not by their power, nor by the whim of doctors, but by the image of God each one of them bears.”

It is anticipated that most, if not all, of the 211 House Republicans will sign the discharge petition. The three Democrats who signed the discharge petition last Congress were not re-elected. In order to reach 218 signatures, a handful of Democrats would need to sign the petition. Unfortunately, it is difficult to see how the petition would reach that threshold to receive a floor vote in the House. The ERLC is supportive of this important bill, committed to defending the vulnerable at every stage of life.

For more, read this article, [Explainer: What you should know about the debate in Congress over the Born-Alive bill](#).

In light of COVID-19 concerns, our 2021 Evangelicals for Life event pivoted from an in-person event in Washington, D.C. to a [virtual event](#) with a small number of our staff and

allies participating in the smaller, physical March For Life. We believe that with the passage of 50 years since the *Roe v. Wade* Supreme Court case coming in January of 2023, a significant cultural moment for the pro-life movement will be upon us. This 2021 event allowed us

applicability and appropriateness of our ethics. Thacker is viewed by many as *the* leading evangelical voice in this area. He has been cited in hundreds of articles and reports about how all of us should think about the new digital landscape and how tech companies can build

“As Christians, we need to make sure that we’re recognizing the value, dignity, and worth of every single human being, digitally or in person.”



—Jason Thacker

to begin discussing the future of the pro-life movement and cast a vision for the next three years—what we are calling the “Road to Roe50”. Almost 500 people registered for this event and 1400+ watched the livestream and subsequent video on our YouTube channel.

Technology and Human Dignity

Few organizations in the evangelical space are thinking about the challenges presented by new and emerging technologies. Under the leadership of Jason Thacker, Chair of Research in Technology Ethics, the ERLC is not only leading in this area but equipping the church about the moral complexity of these issues.

Technology is continually introducing new categories to test the

these new platforms in a way that affirms human dignity and respects religious freedom and freedom of conscience.

In an [interview](#) with the North Carolina Family Policy Council, he stated, “As Christians, we need to make sure that we’re recognizing the value, dignity, and worth of every single human being, digitally or in person. To make sure that we’re upholding and proclaiming the truth, the truth of the gospel, that we can only be saved through a relationship with Jesus Christ. And that changes us. It changes the way that we interact, not only in person, but also digitally in this new kind of digital-first world—that we’re proclaiming Christ in everything we do.”

It is that sentiment that will guide the ERLC’s work in this area moving forward over the next year. ★

Religious Liberty

2 020 was not without its challenges in this area, to say the least.

In the midst of a global pandemic, church and state collisions were inevitable. Thankfully, despite what some of the loudest voices would claim, they were the exception—and our team jumped into the gap to serve our churches and religious institutions when called upon.

Whether it was helping small town mayors understand why a church’s audio-visual staffer is essential for recording sermons or appealing to various state leaders to partner with churches to provide updated guidance to limit the spread of the virus, our team spent countless hours on the phone and participating in online meetings to make the case that pastors and church leaders should be seen as indispensable partners in this moment. These relationships have not only eased immediate tensions, but have laid the groundwork for future partnerships to better serve these communities.

Yet, not every instance could be resolved with a phone call or well-timed meeting—and we provided

guidance to churches who found themselves in those situations. One such case occurred in Washington, D.C., as Capitol Hill Baptist Church found itself opposed by a city government that refused to even acknowledge that the church had done all it was asked in terms of COVID-19 best practices. Ultimately, the courts stepped in and blocked the city from continuing to treat the church in a way inconsistent with the First Amendment. In fact, just a few



“A pandemic is no excuse to run roughshod over religious liberty.”



—Daniel Patterson

months ago the [District of Columbia agreed to pay \\$220,000](#) in legal fees in a settlement with Capitol Hill Baptist Church. This came after a judge correctly “ruled the district’s limitations during the pandemic ‘substantially



burden' CHBC's free exercise of religion and likely violate the Religious Freedom Restoration Act (RFRA)."

"A pandemic is no excuse to run roughshod over religious liberty," said Daniel Patterson, then acting ERLC president, in Baptist Press about the case. "While it never should have had to go to these lengths, Capitol Hill Baptist Church has rightly prevailed. Throughout the pandemic, CHBC served as a model for how to engage local authorities. Throughout the process, I know this local congregation like many others served their community with faithfulness. With this chapter now closed, my hope is that D.C. officials will see this church as a valuable partner serving the Capitol Hill community."

When churches were unfairly singled out in states like Minnesota, Nevada, and California, we worked both [publicly](#) and privately to draw attention to those conflicts and appeal to their state leaders to back down from the sorts of harmful actions that would erode trust long after the threat of COVID-19 dissipates. We stated at the time that it is incumbent upon our commission and partner organizations to "remind our civic leaders that churches are not the same as a local business in every way. The First Amendment guarantees a distinction. So, whereas guidance is welcomed, directives can quickly descend into threats. So when instances like Minnesota and California occur,

it is particularly concerning and requires a response. These sorts of challenges to religious liberty must be resolved quickly and clearly."

Our Christian neighbors to the north have endured some challenging times as the Canadian government placed strict regulations on pastors and churches. One such situation involved Pastor James Coates and GraceLife Church, which is just outside the city of Edmonton, Canada. In February, Coates turned himself in to the Royal Canadian Mounted Police after the church violated public health restrictions related to COVID-19. Authorities in Canada then took the extraordinary step of holding Coates in jail for 35 days for an infraction that is not

punishable by jail time. At the time, the [ERLC called the actions](#) inflammatory and inexcusable and called for Coates' immediate release.

Throughout the pandemic the ERLC has encouraged all parties to respect the lines of authority and responsibility of both the church and the state. Scripture sets forth the boundaries and expectations of the role of the church and the role of the state. In America, First Amendment protections are operative in these circumstances. Similarly, Canada has legal protections for houses of worship. Adhering to these well established parameters is the best path for navigating this crisis in society. Furthermore, the ERLC has also encouraged government and public health officials to issue guidance rather than mandates related to COVID-19 for houses of worship. We believe pastors are best equipped to lead their own congregations. Governments can best serve churches and protect public health by providing adequate resources and information for pastors to make these decisions.

For example, as recently as this August, Gov. Chris Sununu of New Hampshire signed into law a bill that defines churches and other religious organizations as providers of "essential services." The law, known as the New Hampshire Religious Liberty Act, says the state shall ensure religious organizations, during a state of emergency, "to continue operating and to engage in religious services to the same or greater extent" permitted to "organizations or businesses that provide essential services that are necessary and vital" to the public health and welfare.

“This move reinforces that pastors and churches are partners with local officials in times of need. One fact emerging from this season of isolation is that churches are an irreplaceable source of connection for individuals.”



—Brent Leatherwood

Brent Leatherwood affirmed this effort in a [Baptist Press article](#). He said, “This move reinforces that pastors and churches are partners with local officials in times of need. One fact emerging from this season of isolation is that churches are an irreplaceable source of connection for individuals. We are thankful that New Hampshire recognizes that our communities need churches. Other states should follow their example.” A ruling by the U.S. Supreme Court paved the way for this law. The Court wrote, “government regulations are not neutral and generally applicable ... whenever they treat any comparable secular activity more favorably than religious exercise.”

In the midst of the pandemic, we appealed to everyone to be mindful of the vulnerable in their congregations and their communities. We also positioned ourselves as a leading voice for information about the [COVID-19 vaccines](#) as they were introduced. We hosted an [online event](#) to dispel notions about the vaccines that could lead Christians

astray. That event was one of the largest online gatherings we have ever hosted at the ERLC.

As concerns about the coronavirus diminished, other issues started attracting more attention, and rightfully so. We knew coming into 2021 that the completely misnamed Equality Act would be a priority for some segments of the culture.

This legislation represents one of the most [significant threats](#) to religious liberty we have ever encountered—and that is why we have opposed it from its original conception several years ago. The bill would curtail religious freedom protections, hinder the work of healthcare professionals and faith-based hospitals, undermine civil rights protections for women and girls, and ultimately steamroll the consciences of millions of Americans. More details about our efforts opposing the Equality Act are contained in section three of this report because of the harmful effects the Equality Act poses for marriage and family in America.

We believe it is essential that a public square solution be crafted that

protects and upholds the dignity of all people, while ensuring that religiously-motivated individuals and institutions are free to live and act according to their deeply held convictions. This has been our consistent message in witness testimony on Capitol Hill, in numerous explainers equipping Christians with information about the bill and how it will change our society, and in our [2021 Public Policy Agenda](#) that lays out our policy goals at the federal level.

Internationally, we engaged the issue of religious freedom on a number of fronts. We prepared an informative [resource](#) on new legislation moving through France that raised the alarm for a number of Christians, including missionaries in the field there. The bill, presented to the general public in terms of public neutrality, would actually have the effect of forcefully ushering religion away from the public square. In addition we garnered a reputation as a major voice calling for China to be opposed morally due to their genocidal actions against Uyghurs and religious minorities. More on the efforts is contained below.

Uzuegbunam v. Preczewski

In March, the Supreme Court ruled that governments can be held accountable for past violations of First Amendment freedoms. The 8-1 ruling in the *Uzuegbunam* case held that a “request for nominal damages” may be used to establish legal standing to address a previous violation of a constitutional right.

The case originated from a free speech dispute over a student’s campus evangelism. In 2016, Chike Uzuegbunam, then a student at

Georgia Gwinnett College, endured a series of restrictions on his ability to talk with students about his faith, even after he pursued a permit for the school’s designated free speech zones. Uzuegbunam and a fellow student sued and the case continued even after their graduation because they pursued nominal damages—a small sum of money sought in order to secure a legal judgement in a case.

The ERLC filed a [brief](#) with other religious organizations asserting that nominal damages are necessary to protect free speech and religious liberty. The brief argued that, “Nominal damages are particularly important to remedy the infringement of constitutional rights.”

In response to the ruling, the ERLC [noted](#) that the ruling was significant not only for Chike Uzuegbunam, “but for all those who might one day need to appeal to the courts for justice.” Then ERLC

president Russell Moore continued, “As we argued in our amicus brief to the Court, it is a fundamental harm for the state to infringe upon a person’s right to religion or free expression. Today’s ruling strengthens every American’s right to seek and obtain justice when those foundational rights are infringed.”

This case provides additional legal tools for religious liberty and free speech advocates to hold governments accountable for violating the First Amendment. This case represents a crucial victory at a time when colleges and other government entities have acted without fear of accountability or consequences in burdening constitutional freedoms.

Jack Phillips and the Colorado Civil Rights Commission

One of the most contested religious liberty cases of the past few years has been that of Jack Phillips,

“While we are rightly exasperated at this situation, we know that as Christians we cannot grow weary in doing good. We will patiently continue contending for a free public square where the government cannot coerce consciences because that is in the interest of all Americans, no matter what kind of cake they’d bake.”



—Brent Leatherwood

the Colorado baker who refused to create a cake because he believed the message communicated by doing so would compromise his faith.

In 2018 we [spoke](#) about the U.S. Supreme Court ruling which delivered an important, though limited, victory to Phillips in the previous case. In a 7-2 opinion in 2018, the high court ruled the Colorado Civil Rights Commission violated the religious free exercise clause of the First Amendment by penalizing Phillips for refusing to design and decorate a cake for the wedding of two men. The justices said the commission demonstrated “religious hostility” toward Phillips—who believes marriage is only between a male and a female—but also indicated it might rule differently in other contexts with similar facts.

In the latest case, District Court Judge A. Bruce Jones ruled Phillips and his shop broke Colorado’s Anti-discrimination Act by denying service based on “sexual orientation.” A complaint was filed against Phillips because he declined to create a cake for a gender transition celebration as it violated his deeply held convictions. In a [Baptist Press article](#) Brent Leatherwood said, “Americans of goodwill can recognize the difference between a sincere disagreement and absurd harassment. Jack Phillips’ free speech and free exercise rights were protected by the Supreme Court in a 7-2 ruling, and it is to the shame of some state authorities that he’s being forced back to court again. While we are rightly exasperated at this situation, we know that as Christians we cannot grow weary in doing good. We will patiently continue contending for a free public square where

the government cannot coerce consciences because that is in the interest of all Americans, no matter what kind of cake they’d bake.”

Genocide Determination for the Atrocities Committed Against the Uyghur People

In January, then Secretary of State Mike Pompeo made an official determination that the People’s Republic of China is “committing genocide and

in office, the day before President Biden’s inauguration, and soon became a shared bipartisan commitment when current Secretary of State Antony Blinken concurred with the declaration.

The ERLC has long advocated for persecuted people everywhere and the Uyghurs in China specifically. In December 2020, the ERLC sent Secretary Pompeo [a letter](#) urging him to issue a genocide determination. The Public Policy team in Wash-

The vote moves the United States “one step closer to adding real teeth to our nation’s condemnation of the Chinese Communist Party’s vile human rights abuses. This is welcome news for the SBC, which spoke with one voice last month and declared these atrocities to be genocide.”



—Chelsea Sobolik

crimes against humanity in Xinjiang, China, for targeting Uyghur Muslims and members of other ethnic and religious minority groups.” The U.S. was the first country to adopt these terms to describe the Chinese Communist Party’s unconscionable human rights abuses in its far northwest.

The announcement came on the Trump Administration’s last day

in Washington [hosted a high-level](#) webinar that gained the attention of lawmakers and personnel throughout our nation’s capital on the Uyghur situation that highlighted ways pastors and Christians can engage and provide support.

The panelists included Ambassador [Samuel D. Brownback](#), U.S. ambassador-at-large for International



Religious Freedom at the State Department, under the Trump Administration; [Nury Turkel](#), commissioner to the U.S. Commission on International Religious Freedom (USCIRF) and one of TIME’s 100 Most Influential People in the World; [Rushan Abbas](#), founder and executive director of Campaign for Uyghurs; and Moore, then president of the Ethics & Religious Liberty Commission. The participants represented some of the leading voices both in the government and in the advocacy space. Turkel and Abbas are both ethnically Uyghur, and Abbas has family members in the internment camps. The panel discussion highlighted the increasingly grave situation in China for Uyghurs and other ethnic and religious minorities, but also provided tangible ways Christians can help advocate for persecuted people.

In response to the government’s declaration, Moore stated, “The

Chinese government’s atrocities against the Uyghur people in Xinjiang is clearly genocide. I welcome the State Department’s recognition of it as such. The world must not turn our eyes away from this genocide against human beings made in the image of God. I pray that President-elect Biden and Secretary-designate Blinken will have great success in rallying our nation and our allies to stand against this injustice. We can never again allow genocide to go unnoticed and unanswered. In addition, I urge the business community to take seriously what is happening to this imperiled religious minority. Few issues these days seem to transcend our country’s partisan divisions, but this should be one of them.”

In June of 2021, the messengers of the SBC Annual Meeting unanimously adopted a [resolution that condemned the Chinese Communist Party’s treatment of the Uyghurs](#)

✶ ERLC’s Travis Wussow; Rushan Abbas, founder and executive director of Campaign for Uyghurs; Samuel D. Brownback, U.S. Ambassador-at-Large for International Religious Freedom; Russell Moore; and Nury Turkel, USCIRF commissioner, discuss the persecution of Uyghur Muslims during an online event hosted by the ERLC.

and called for the U.S. government to take “concrete actions” to end the genocide. According to [this article from Baptist Press](#), the SBC reportedly became the first Christian denomination to denounce China’s campaign against the Uyghurs as genocide. The vote moves the United States “one step closer to adding real teeth to our nation’s condemnation of the Chinese Communist Party’s vile human rights abuses,” said Chelsea Sobolik, a policy director for the ERLC. “This is welcome news for the SBC, which spoke with one voice last month and declared these atrocities to be genocide. By cutting off the financial incentive for the forced labor of Uyghurs, America will be confronting China economically and morally about its unacceptable practices.”

For more see this article, [U.S. announces genocide determination for the ongoing atrocities committed against Uyghurs](#).

Uyghur Forced Labor Prevention Act

In July 2021, the U.S. Senate passed this bill through unanimous consent. The Uyghur Forced Labor Prevention Act prohibits goods made with forced labor in the Xinjiang Uyghur Autonomous Region (XUAR) or by entities using Uyghur labor forcibly transferred from the XUAR from entering the U.S. market. This legislation also instructs the U.S. government to impose sanctions against any foreign person who knowingly engages in the forced labor of Uyghurs and other Muslim minority groups in the XUAR.

The ERLC [advocated for this bill](#) throughout 2020 and is encouraged

by its momentum. We are continuing to work with the House of Representatives for a swift passage of the bill. The House passed the Uyghur Forced Labor Prevention Act last Congress, and the ERLC urges its swift passage once again.

In November 2020, when some in the business community began advocating against this bill, the ERLC team in Washington met with their counterparts at the U.S. Chamber of Commerce. Following the meeting, we directed a [letter](#) to the Chamber’s President and CEO

not the case, a business community seen to be placing profits over the enslavement and genocide of human beings will not, in the long run, have the sort of credibility needed to ensure the kind of public trust that is necessary for economic growth. Even on the Chamber’s own terms, this sort of action is counterproductive. But I would urge you to consider even more than those terms. I would urge you to consider the sort of ultimate moral accountability that will come before a God who counts human life as precious

“By cutting off the financial incentive for the forced labor of Uyghurs, America will be confronting China economically and morally about its unacceptable practices.”



—Chelsea Sobolik

Thomas J. Donahue Sr. strongly urging that organization to reconsider its opposition to these bills. In the conclusion of the letter, Moore wrote, “I know you do not want to be a part of any complicity in the bloodthirsty human rights violations of the Chinese Communist Party. But, sadly, for far too long, many corporations have done just that. Human beings are made in the image of God and are more significant than temporal gains or losses on a spreadsheet. Even if this were

and as infinitely more than units of economic output.”

For more information, see this policy brief, [ERLC supports Uyghur Forced Labor Prevention Act](#).

HHS OCR Religious Liberty Protection During COVID-19

As the COVID-19 pandemic unfolded, religious freedom issues surfaced in a number of places including healthcare policy. In July 2020, the Health and Human

Services Office of Civil Rights announced two new settlements proving that reasonable accommodations can be made to ensure safety for both patients and medical providers that do not infringe on the free exercise rights of either. Individuals need not shed their religious beliefs to either provide or receive medical care.

This was one of many areas the ERLC has been engaged with throughout the pandemic. The ERLC welcomed the settlements as they would serve as an example for the entire healthcare industry grappling with how to combat COVID-19 while living out our faith in our daily lives.

For more see this article, Explainer: [HHS Office of Civil Rights clarifies religious freedom rights during pandemic.](#)

ERLC Brief Cited in *Demkovich v. St. Andrew the Apostle Parish*

In July, the Seventh Circuit Court of Appeals in Chicago [ruled](#) that Sandor Demkovich's claim against St. Andrew the Apostle Parish and the Archdiocese of Chicago fell under the ministerial exception. The ministerial exception is grounded in the First Amendment's Religion Clause protects religious organizations from employment discrimination suits brought by their ministers.

This case involved a claim from Demkovich, the music director at a Catholic church who was fired after marrying his long-time male partner and claimed discrimination based primarily on his "sexual orientation" and health problems. He filed suit against the church and the Archdiocese of Chicago. A three judge panel ruled in favor of the music director.

In October 2020, the ERLC filed an amicus brief urging the Seventh Circuit Court to rehear the case, asserting that the three-judge panel's decision "mandates extraordinary secular interference with core ecclesiastical judgments."

The Seventh Circuit reversed its own panel stating, "The First Amendment ministerial exception protects a religious organization's employment relationship with its ministers, from hiring to firing and the supervising in between." The ERLC's brief was cited in the court opinion, and we are grateful for this important decision to protect the ministerial exception, because church affairs are no place for secular governing authorities to exert influence.

Fulton v. City of Philadelphia

In June, the Supreme Court unanimously ruled in *Fulton v. City of Philadelphia* that faith-based foster care and adoption providers, such as Catholic Social Services in Philadelphia, can continue serving children and families according to their convictions.

The ruling is a critical reaffirmation of religious liberty by every justice on the high court in the face of a city government's severely unconstitutional policy. All nine justices held that the "refusal of Philadelphia to contract with Catholic Social Services (CSS) for the provision of foster care services unless CSS agrees to certify same-sex couples as foster parents violates the Free Exercise Clause of the First Amendment."

The court released its opinion the Thursday after the 2021 SBC Annual Meeting and the ERLC team

responded that morning. Daniel Patterson, then acting president of the ERLC, [commented](#) on the decision to highlight that punishing a group for its theology is emphatically not one of the government's God-given duties. Patterson continued, "It's important to note as well that this decision prohibits no one from serving children—it simply ends state discrimination against religious groups. We must all remember what matters most is caring for children. If the government boxes out religious organizations and prohibits them from providing foster care and adoption services, the net effect is a massive shortage of available homes. Children in need should not be collateral damage in a culture war."

The ERLC has been involved in this case specifically, and these issues more broadly, for years. For *Fulton*, the team submitted an [amicus brief](#) to the Supreme Court alongside a diverse coalition of churches and religious institutions in 2020. The ERLC also filed an [amicus brief](#) at the Third Circuit before the case reached the bench in Washington.

The unanimous ruling in *Fulton* strengthened and clarified the Free Exercise Clause of the First Amendment at a time when the meaning and scope of civil rights laws are in flux. This will benefit religious institutions across that country that seek to serve children in need without violating their sincerely held beliefs. The child welfare system needs as many agencies seeking to care for vulnerable children as possible, and the *Fulton* decision simply means that the state should not punish providers and families for their faith.

Children are best served when we all work together.

For more, see this article, [Explainer: The Supreme Court affirms faith-based foster care and adoption providers](#).

ERLC Academy

When the calendar turned to Jan. 1, 2020, we would never have imagined that our next in-person event would not occur until May 2021. The ERLC Academy was our first event since COVID-19 hit and also the last time Russell Moore would teach this class as ERLC president. With students from all over the United States attending in person and virtually, this event proved to be beneficial once again for helping seminary students and pastors understand basic Christian ethics.

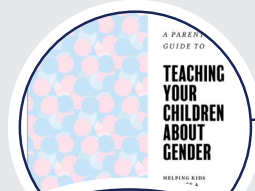


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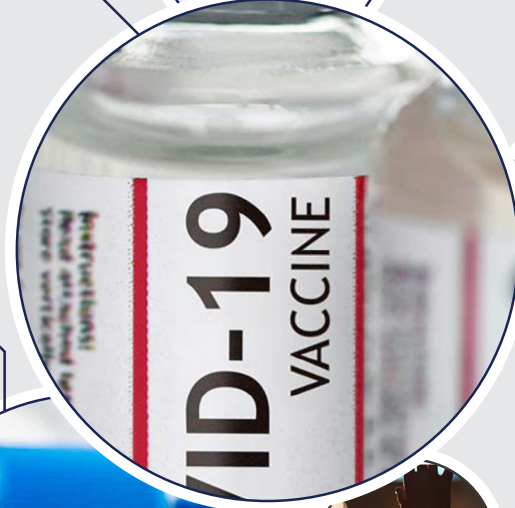


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Opposing the Equality Act

In February 2021, H.R. 5, the Equality Act, passed the U.S. House of Representatives by a vote of 224-206, and in March, the Senate Judiciary Committee held a hearing on the Equality Act. This bill has rightly garnered significant coverage and controversy as it seeks to expand the definition of “sex” to include “sexual orientation” and “gender identity” (SOGI) and would revise every title of the Civil Rights Act of 1964 to add these categories as new protected classes in the federal code.

The ERLC opposes this problematic bill and has sought to bring attention to its alarming implications. If passed, the bill would punish faith-based charities for their core religious beliefs about human dignity and marriage, undermine decades of civil rights protections for women and girls, and substantially harm religious liberty protections in the United States. Key to the ERLC’s message in opposing the legislation is that America has long been a place where people with different views and beliefs have been able to live at peace with one

“Baptists have always defended the separation of church and state and liberty of conscience. The Equality Act threatens both of these critical American ideals.”

—From the written Testimony of the ERLC to the United States Senate Committee on the Judiciary Hearing on H.R. 5



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other. This bill would undermine fundamental protections that allow Americans of good will to disagree with one another without penalizing those with dissenting beliefs.

Interestingly, this sweeping bill was voted on in the House without a hearing at the House Judiciary Committee. The bill first passed the House in the 116th Congress, but did

not receive a hearing or floor vote in the Senate under a Republican majority. Currently in the Senate, Leader Schumer (D-N.Y.) used a Senate tool entitled “Rule 14” to be able to bring the bill to the floor at any time, but thus far he has not yet done so. Many analysts believe that the efforts of the ERLC and other conservative peer groups to bring

attention to the disturbing aspects of the Act have stalled momentum for the legislation in the short term.

The ERLC is actively engaging lawmakers on the harms of the Equality Act as well as countering attempts to pass components of the bill’s desired policies in other legislation.

For more, see the [ERLC’s Written Testimony to the United States](#)

[Senate Committee on the Judiciary Hearing on H.R. 5.](#)

Advocacy Against Harmful Sexual Orientation and Gender Identity Legislation

This time each year, the House and Senate Appropriations Committees are in the annual appropriations process which includes a hearing to discuss budget requests as well as writing and marking up the 12 appropriations bills that fund the federal government. Not only does

In July, the House passed a seven-bill minibuss, (H.R. 4502), and passed the Legislative Branch and State, Foreign Operations bills as stand alone bills.

Section 241 of the Labor, HHS, and Education appropriations bill stipulates that organizations who operate consistent with deeply held religious beliefs and receive funding from HHS—including adoption and foster care agencies—will not be eligible for funding if they do not provide services to same-sex couples. This section would block HHS

the state. Additionally, the legislation provides a process for the attorney general or a member of the public to bring a civil action against a manufacturer that manufactures a device on or after Jan. 1, 2022, if the device does not contain an enabled filter or if a minor accessed material that is harmful to minors on the device.

The legislature, in writing the law, asked that other states also adopt this model for it to take effect and we are developing a strategy to ensure multiple states take this creative and helpful step towards curbing the

Many analysts believe that the efforts of the ERLC and other conservative peer groups to bring attention to the disturbing aspects of the Equality Act have stalled momentum for the legislation in the short term.

the ERLC actively advocate *for* the inclusion of the Hyde Amendment and other critical pro-life riders, we also advocate *against* inclusion of harmful sexual orientation and gender identity (SOGI) provisions in the appropriations bills that come around every fiscal year. Efforts to codify sexual orientation and gender identity as protected classes under federal law have explicitly included attempts to roll back religious freedom and conscience protections. As the ERLC has long maintained, a government that is able to pave over the conscience is one that has the unlimited ability to steamroll dissent on any issue.

from pursuing further religious liberty waivers, like the Miracle Hill waiver to South Carolina. There are currently 423,997 children in the U.S. foster care system, a situation which demands a wide range of organizations serving children in need.

The ERLC has raised these [concerns](#) with our Congressional partners, and is urging the Senate to remove this harmful provision.

Combatting the Porn Industry in the States

We recently highlighted the [effort in Utah](#) to mandate filters for pornographic material be placed on every tablet or smartphone sold in

scourge of porn in our culture. This effort is consistent with Utah’s previous actions to combat pornography. In 2016, Utah became the first state to officially declare pornography a “public health crisis.” ★



Biblical Justice

In an effort to stand for life beyond the preborn, we have also appealed to the consciences of our national leaders on behalf of those marginalized by our inconsistent and often unworkable immigration system.

ERLC has been leading the way, consistent with multiple SBC resolutions from previous annual meetings, to chart a constructive path forward for our nation's broken process for those seeking entry into America. Not only have we done this by pushing forward helpful solutions like those for [Dreamers](#) and the [Adoptee Citizenship Act](#), but we've called attention to the legislation with unique high-profile opportunities. Earlier this spring, we were able to take part in an event with former President of the United States, George W. Bush, that highlighted the various ways that immigrants have contributed to the American way of life. The event was watched by nearly 4,000 individuals.

We have consistently called out the atrocities of the Chinese Communist Party in a variety of ways.

From placing thoughtful opinion [pieces](#) in major national news outlets to publishing [explainers](#) that call attention to the plight of the Uyghurs and other minorities to hosting a live online [event](#) with leading international voices, the ERLC has continued to be a stellar example of how to provide a light into the darkness for those who have no voice. We have also strenuously [opposed](#) the CCP's efforts to enforce a takeover of Hong Kong and we've [condemned](#) the Chinese government's religious persecution of children.

Combatting Payday Lending: Repealing the 'True Lender' Rule

In June 2021, the House of Representatives voted to repeal the Office of the Comptroller of the Currency's (OCC) 2017 "True Lender" rule. Soon after, President Biden signed the policy into law in July 2021.

This legislative victory came after years of advocacy for the ERLC. Most notably, the chairman of the Senate Banking Committee, Senator Sherrod Brown, included in his opening

statement praise for the SBC’s support and ERLC’s advocacy on this issue, entering our letter urging the rule’s repeal into the congressional record. This is a significant achievement for our legislative engagement efforts on the Hill.

As the Southern Baptist Convention affirmed in a 2014 resolution, “predatory lending fails to respect the dignity of the person created in the image of God and interferes with human flourishing.” Six years ago, the ERLC joined the Faith for Just Lending Coalition (FJL) to advocate for an end to the payday debt trap. FJL has been working since the 2017 OCC rule was first proposed to oppose its implementation and released a statement yesterday applauding the House for its vote to repeal the harmful rule.

The ERLC is grateful to both chambers of Congress for taking action to roll back this harmful regulation. Predatory lending is out of step with God’s design for financial relationships, and we celebrate this progress toward ending the payday debt trap.

For more, read this article, [ERLC applauds the U.S. House of Representatives for repealing the ‘True Lender’ rule.](#)

Refugee Admissions Executive Order from President Biden

In May 2021, President Biden revised the United States’ annual refugee admissions cap up to 62,500 for this fiscal year. This policy change followed President Trump’s historically low number of 15,000. However, the Biden Administration’s decision only came with their own course correction after the ERLC and others

in the refugee advocacy community advocated for this change.

To summarize, in late April 2021, President Biden kept President Trump’s demoralizing low cap number to the surprise of many. In response, then ERLC President Russell Moore said, “Rhetoric is no refuge for the persecuted—we need action. The refugee resettlement ceiling should be raised immediately so our nation can welcome those we already vetted. We know the program is a secure and thorough process by which America can serve as a beacon of freedom and safe harbor for the oppressed, including persecuted Christians and other imperiled religious minorities.”

The ERLC engaged the delay head on with the White House and, through the Evangelical Immigration Table, called the Biden Administration to

[President Biden’s refugee admissions decision.](#)

DACA Recipients

In July, U.S. District Judge Andrew Hanen issued a decision that once again puts the Deferred Action for Childhood Arrivals (DACA) program in legal jeopardy. While the order will not immediately impact the status of the hundreds of thousands of young people who currently rely upon DACA to live and work lawfully in the U.S., it creates new uncertainty and anxiety for these individuals and their families and restricts the Department of Homeland Security from approving new DACA applicants. The ERLC has long [advocated](#) for Congress to act quickly and on a bipartisan basis to pass legislation to create a pathway for those who arrived in the U.S. as

“Predatory lending fails to respect the dignity of the person created in the image of God and interferes with human flourishing.”

—2014 SBC Resolution

raise the number. To the relief of the ERLC and others, the administration quickly revised their decision and have placed the U.S. back on track to be a refuge for the persecuted.

For more, listen to this Capital Conversations podcast episode, [World Relief’s Matthew Soerens on](#)

children and who meet other necessary and appropriate qualifications to earn permanent legal status and, eventually, citizenship. Polls show such pathway legislation is supported by the majority of evangelical Christians as well as the majority of all Americans.



🔴 *The Caring Well Hiring Guide is a free resource produced by the ERLC to equip churches to take important steps in hiring staff or selecting volunteers that will prevent church sexual abuse and protect the vulnerable.*

Caring Well Resources and Continued Work to Prevent Sexual Abuse in our Churches

While all of these matters are important, perhaps nothing is more critical for our convention—both now and for the future—than confronting the sin of sexual abuse in our midst.

In August of 2020, we released a [free hiring guide](#) as a part of the Caring Well Challenge to equip churches to take important steps in hiring staff or selecting volunteers that will prevent church sexual abuse and protect the vulnerable.

The Caring Well Challenge, a joint initiative led by the ERLC and Sexual Abuse Advisory Group, was formed in June 2019 as a unified call to action designed to confront church sexual abuse. Since its inception, more than 1,000 churches have participated in the

Caring Well Challenge by committing to work through steps outlined on [caringwell.com](#).

The hiring guide is designed to equip church leaders with what they need to vet applicants and prepare their staff and volunteers to help keep their congregations safe from abuse and safe for survivors.

Our team also made significant work on a second resource for Vacation Bible Schools and camps. VBS is a strategic opportunity for churches to minister the gospel of Jesus Christ to children in their church and in their community. But with lots of kids and a need for lots of workers to supervise and facilitate the activities, there is a heightened opportunity for predators to gain access to children if proper policies are not in place. This will require thoughtful planning, but it is feasible and absolutely necessary. This

guide will help churches begin to take steps toward protecting those in their care at Vacation Bible School. We plan on releasing this resource next Spring. We have seen over 1,000 churches engage in the Caring Well Challenge to help make their churches safe from abuse and safe for survivors.

And yet, while all that is certainly good work we are proud of, more work remains. An untold number of individuals remain in vulnerable situations and far too many predators have sought shelter within our midst. That must end. The ERLC remains committed to making sure we achieve that reality. ★

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