



December 6, 2022

The Honorable Nancy Pelosi  
Speaker  
United States House of Representatives  
1236 Longworth House Office Building  
Washington, DC 20510

The Honorable Kevin McCarthy  
Minority Leader  
United States House of Representatives  
2468 Rayburn House Office Building  
Washington, DC 20510

Dear Speaker Pelosi and Minority Leader McCarthy,

I am writing to you today as the President of the Ethics and Religious Liberty Commission (ERLC). Our organization serves as the public policy arm of the Southern Baptist Convention (SBC), the nation's largest Protestant denomination with over 50,000 churches and congregations and nearly 14 million members.

The purpose of this message is to convey our profound concerns about the "Respect for Marriage Act." The ERLC stands firmly opposed to this legislation for the reasons detailed below. Rather than voting on a divisive bill that undermines the ability of people of faith and religious organizations to operate based on their deeply held beliefs, Congress should instead use its limited, remaining time in the lame duck session to work towards solutions for the real issues facing our nation.

Marriage is an institution created by God, not by man. No individual or government has the authority or ability to supersede its design. Marriage requires the specific union of a man and a woman for life (Gen. 2:24). Attempts to misapply or expand the term beyond these distinct parameters go against God's purpose and will lead people astray from what was meant for our flourishing.

Given the significant role marriage plays in faith, the "Respect for Marriage Act" raises serious religious liberty concerns for individuals and organizations who maintain this view of marriage and are in contract with, funded by, or working jointly with the government. Since the Obergefell v. Hodges U.S. Supreme Court decision in 2015, questions have been raised and litigated surrounding rights of conscience and religious freedom. For example, the Supreme Court ruled that a Colorado cake baker can serve others according to his sincerely held religious belief.



Similarly, the court sided with a Philadelphia Catholic foster care and adoption agency saying it could continue serving children and families according to their convictions.

Though the ERLC is grateful for marginal improvements made to the original version of the “Respect for Marriage Act,” the Senate-passed language does not provide adequate protections for religious liberty.

This bill, even as amended, does not provide meaningful protection for those that maintain a biblical view of marriage. Instead, it invites further confusion and litigation without offering sufficient security for the many faith-based organizations serving their communities outside of “solemnizing or celebrating marriages.” Through reiterating the protections that already exist in the law and using unhelpfully vague language, the amendment appears to offer people and institutions of faith more additional protection than it actually does.

Given these concerns, it should be clear this issue transcends electoral politics. For our churches, this is about human flourishing and love for our neighbors. Underlying the SBC’s commitment to this is a verse from the first book in Scripture: “God created man in His own image; in the image of God He created him; male and female He created them” (Gen. 1:27). We hold fast to this understanding of God’s design of marriage as being between one man and one woman for life because this biblical framework undergirds a healthy society.

In light of these concerns, I urge you to oppose the “Respect for Marriage Act” and vote against its passage. Thank you for your attention to these important matters.

Respectfully,

Frederick Brent Leatherwood  
President  
Southern Baptist Ethics & Religious Liberty Commission