



THE ETHICS & RELIGIOUS
LIBERTY COMMISSION
OF THE SOUTHERN BAPTIST CONVENTION



2023

Public Policy Agenda

*By Brent Leatherwood
and Hannah Daniel*

*T*he first session of the 118th Congress is now underway, and it begins as the nation is grappling with war around the world, inflation at home, and deep division across our nation. This also begins a new era of divided government with a Democratic president, a narrow Democratic majority in the U.S. Senate, and a slim Republican majority in the House. This dynamic ensures legislating and governing will be a difficult task.

Just as our government is entering a new season, so too is the Ethics and Religious Liberty Commission (ERLC). Though we have been through a season of transition, we continue to carry out our ministry assignment to serve the public policy interests of Southern Baptists. Whether that is in our nation's capital, before the

courts, or in our larger culture, we consider it a privilege to continue this mission this year under a new administration and with an expanded team.

2022 proved to be a history-making year for the cause of life with the overturning of the disastrous precedents set in *Roe v. Wade* in the *Dobbs v. Jackson Women’s Health Organization* decision. This decision was the culmination of 50 years of dedicated work by Southern Baptists and other pro-life advocates. For the first time in generations, abortion policy can be determined by states, ushering in new opportunities for the pro-life movement. This moment was not the end of our advocacy for life, but in many ways, the beginning of a new chapter. In an ever-changing landscape, we must continue to advocate for life both at the federal and state levels while also taking on new frontiers such as “abortion tourism,” the increasing accessibility of the abortion pill, and supporting abortion-vulnerable women. We will continue working towards a day where abortion is, as stated in multiple resolutions from the Southern Baptist Convention, not only illegal but also unthinkable.

In addition to addressing the ramifications of this historic decision, we anticipate that multiple issues will emerge relevant to the mission of the ERLC. As always, we will work to build consensus on the issues listed in this document and others in our portfolio with officials across our federal government. On some of those issues—such as criminal justice reform, combatting predatory lending, and providing a just solution to the plight of children brought to this country by their parents who are now in legal limbo—there may well prove to be broad bipartisan support already. On other issues—such as protecting preborn children and their mothers, strengthening protections for religious freedom and conscience, and advocating for religious minorities in peril around the world—there will probably be much less consensus in a divided and increasingly polarized America. Nevertheless, whether issues are currently popular or not, we have the opportunity to bear witness, to seek to persuade, and to build the bridges necessary to make a difference.

In addition to our work with the executive and legislative branches of the federal government, the ERLC will continue advocacy before the judicial branch on matters consistent with our mission. We will continue to work in partnership with state conventions and state advocacy groups on issues of missional priority that are of national importance.

The following agenda is not an exhaustive blueprint but an outline of the core public policy priorities for this Commission over the next year.

Religious Liberty

“God alone is Lord of the conscience, and He has left it free from the doctrines and commandments of men which are contrary to His Word or not contained in it. Church and state should be separate. The state owes to every church protection and full freedom in the pursuit of its spiritual ends. In providing for such freedom no ecclesiastical group or denomination should be favored by the state more than others. Civil government being ordained of God, it is the duty of Christians to



render loyal obedience thereto in all things not contrary to the revealed will of God. The church should not resort to the civil power to carry on its work. The gospel of Christ contemplates spiritual means alone for the pursuit of its ends. The state has no right to impose penalties for religious opinions of any kind. The state has no right to impose taxes for the support of any form of religion. A free church in a free state is the Christian ideal, and this implies the right of free and unhindered access to God on the part of all men, and the right to form and propagate opinions in the sphere of religion without interference by the civil power.”

In this way, the *Baptist Faith and Message* summarizes the biblical teaching on religious liberty and freedom of conscience, a distinctive passed down to us from our Baptist forefathers and foremothers, some of whom were imprisoned or executed as they stood for these truths. Moreover, our Baptist ancestors in the United States were instrumental in the crafting and adoption of the First Amendment to our Constitution, which guarantees free exercise of religion for all, and forbids the establishment of a state-driven religion. The ERLC will continue this legacy in our moral education but also in our advocacy—a legacy of religious freedom for all people, not just for those who share our beliefs. Recent years have seen simultaneous gains for religious freedom in the courts and threats from administrative and legislative action. We expect some of the following to be issues of particular concern in 2023.

- **Oppose The Equality Act:** There have been multiple pieces of legislation introduced in recent years which aim to, at their most extreme, codify the demands of the sexual revolution and radically reshape religious freedom in the United States. In February 2021, the House passed The Equality Act—a bill that would amend the 1964 Civil Rights Act to add sexual orientation and gender identity as protected classes under federal civil rights law. 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. The ERLC believes that this bill represents the most significant threat to religious liberty ever considered in Congress. We will continue to lead efforts to oppose the Equality Act and any similar legislation introduced this session. As we do so, we will advocate for a public square solution that protects and upholds the dignity of all people and their rights, while ensuring that religiously motivated individuals and institutions are free to live and act according to their deeply held convictions.
- **Oppose the Do No Harm Act:** The ERLC will oppose the so-called Do No Harm Act, which would essentially hollow out the Religious Freedom Restoration Act (RFRA), gutting its most central purpose. The bill, if passed into law, would weaken religious freedom protections for millions of Americans. The ERLC opposes the Do No Harm Act because it would significantly harm the landscape of legal protections foundational to America’s first freedom.



- **Support the Child Welfare Provider Inclusion Act:** Across the country, child welfare and child protection systems are overcrowded and under significant strain. Unfortunately, it is in this context that some states and cities are working to close child welfare providers who seek to operate in a manner consistent with their religious convictions. This leads to fewer families available for foster care and adoption. The Child Welfare Provider Inclusion Act would prohibit government discrimination against child welfare agencies on the basis of their beliefs and ultimately protect children in the foster system and children waiting for adoption by ensuring that a wide range of child welfare providers are available to serve them.
- **Support Conscience Protections for Healthcare Workers:** No healthcare worker should have to compromise their deeply held beliefs in order to administer care. Now, both in a post-*Roe* world and as our country’s views on issues of sexuality and gender have shifted rapidly, healthcare providers are being increasingly mandated to participate in or provide insurance coverage for procedures and practices that conflict with their religiously informed consciences. The Conscience Protection Act provides conscience protections for Americans with religious or moral objections to health insurance that covers contraception methods. We believe such legislation is critical to curb conscience abuses across the country. Additionally, the ERLC has submitted public comments on a number of regulatory actions from the Biden administration that further threaten the consciences of medical professionals. One such recent action to which the ERLC will be filing comments in opposition is the rescission of the Department of Health and Human Services’ Trump-era “Conscience Rule.” The ERLC will continue to advocate for the protection of consciences in legislation and will oppose any regulatory actions that attempt to rescind similar protections in federal law.
- **Respond to the Passage of the Respect for Marriage Act:** Late in 2022, Congress passed and President Biden signed into law the misnamed Respect for Marriage Act. This legislation arose out of fears following the *Dobbs* decision that the U.S. Supreme Court could attempt to overturn other precedents, namely the same-sex marriage decision handed down in the 2015 *Obergefell v. Hodges* case. This bill not only attempted to redefine marriage, an institution established by God, but it also raised serious religious liberty concerns for individuals and organizations who hold a biblical view of marriage and are in contract with, funded by, or working jointly with the government. Despite our advocacy, the bill became law with only minor improvements made towards our religious liberty concerns. The ERLC will closely monitor these developments and continue to advocate for the freedom of people of faith to express this most fundamental belief.
- **Respond to the Decision in *303 Creative v. Elenis*:** In December 2022, the Supreme Court heard oral arguments in this important religious liberty case. At the center of this litigation is Lorie Smith, a creative professional who has created many kinds of custom websites for all



types of people. However, she refuses to use her “design skills and creativity to express messages that violate her deeply held religious convictions.” The state of Colorado views Smith’s work as a public accommodation. This would subject it to Colorado’s Anti-Discrimination Act, which prohibits discrimination, including refusal of service, against any protected class, including sexual orientation or gender identity. This puts Smith’s desire to run her business according to her beliefs in direct conflict with Colorado’s law. Though the results of this case will have ramifications for religious liberty, the primary issue centers on speech. The central question before the court is “whether applying a public-accommodation law to compel an artist to speak or stay silent violates the free speech clause of the First Amendment.” A decision in this landmark case is expected this summer.

- **Oppose the Transgender Mandate:** In 2016, as a part of the implementation of Section 1557 of the Patient Protection and Affordable Care Act (ACA), the Obama administration’s Department of Health & Human Services promulgated a rule requiring medical providers to perform and insure abortions and gender-transition procedures or face penalties. Section 1557 is the non-discrimination provision of the ACA, and the scope was broadened by redefining “sex” to include sexual orientation and gender identity. In 2021, a federal court in Texas ruled that it is unlawful to force healthcare professionals to violate their consciences for gender transition procedures. However, the Biden administration appealed the court’s ruling, once again sending a group of Catholic nuns who run health clinics for the elderly and the poor back to court. In 2022, both the 5th and 8th Circuit Court of Appeals struck down the mandate. The ERLC will continue to monitor developments and oppose any new attempts to implement this harmful rule that violates the consciences and religious liberty of many healthcare providers.
- **Support a Two-year Universal Charitable Deduction to Encourage Giving to Charities:** A Universal Charitable Deduction (UCD) would incentivize all taxpayers to give to nonprofits and charities, including churches. Our government should welcome the generosity of citizens at all levels of income who desire to help their neighbors through religious associations, educational institutions, and any organization that relieves poverty. The Tax Cuts and Jobs Act of 2017 doubled the standard deduction, which means that most Americans no longer itemize their deductions. Under the federal tax code, people can only claim a deduction for charitable contributions if they itemize their deductions. Since the number of people who itemize deductions has decreased, many nonprofits are concerned there would be a drop in donations because of the lack of incentive to give. The Charitable Deduction is the only deduction for which the taxpayer receives no other material benefit (compared with the mortgage interest deduction or tuition deduction). The ERLC will continue to advocate for this important provision.
- **Continue the China International Religious Freedom Initiative:** Over the past several years, the Chinese government has severely escalated its persecution of religious minorities,



including Christians, by destroying religious symbols on houses of worship, burning Bibles, confiscating religious materials, closing houses of worship, and detaining individuals holding divergent views. Since April 2017, China has systematically detained more than one million Uyghur Muslims and placed them into “re-education camps.” In these internment camps, Uyghurs are prevented from engaging in their religious practices and forcibly “re-educated” to the Communist Party’s ideological standard of “Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era.” They are also subjected to physiological and, often-times, physical persecution, and their cultural heritage and practices are being erased. The ERLC has grave concerns about the trajectory of China’s approach to Christians and other religious minorities and is committed to working with other nongovernmental organizations to direct both United States and international pressure towards alleviating their persecution. In 2021, the Southern Baptist Convention was the first denomination to pass a resolution rightly calling what is happening to the Uyghur people a genocide. The ERLC has hosted events to highlight these atrocities, advocated for the genocide determination with both the Trump and Biden administrations, and worked for the passage of the Uyghur Forced Labor Prevention Act. We will continue to be a voice for the persecuted in China.

- **Advocate for the Elimination of Blasphemy and Apostasy Laws:** The tragic case of Pakistani Christian Asia Bibi and many others in past years have illuminated the severe and unjust nature of blasphemy and apostasy laws. Dozens of countries still enforce these laws—often through the death penalty—prohibiting one from converting to another religion or speaking or acting in any way that is deemed offensive to the god of their particular religion. This is even enforced, such as in Pakistan, against adherents of other faiths. We are committed to working to repeal these laws and ensure that all peoples have the right to worship freely without fear of persecution or penalization.
- **Combat Global Anti-Semitism:** Numerous researchers and advocacy groups have demonstrated the reality of an alarming rise of anti-Semitic incidents in Europe and the United States. Anti-Semitic speech has also increased around the world, particularly in the Middle East. Extremist voices in the United States have contributed to the rise of anti-Semitism in America, while a variety of sometimes seemingly disparate ideological groups have driven the same around the world. Through collaborative action with like-minded organizations, we will work against such anti-Semitism at the United Nations. We will continue defending victims of anti-Semitic incidents in Europe and anti-Semitic speech and action wherever they happen.
- **Advocate for a Strong Office of International Religious Freedom:** The Office of International Religious Freedom at the Department of State is one of the most effective government institutions for protecting religious minorities, including persecuted Christians. The ERLC advocated for the appointment of a strong, capable, and experienced Ambassador-at-Large for International



Religious Freedom and for continuity of leadership at the Office until a new Ambassador-at-Large was appointed. We were grateful that the Senate confirmed Rashad Hussain, and we will continue to work with him to advance religious freedom around the globe. Additionally, we strongly urged Congress to block efforts to expand the scope of the portfolio given to the United States Commission on International Religious Freedom (USCIRF) that works in partnership with this office. We will continue to advocate for international religious freedom to remain a top U.S. foreign policy priority.

Sanctity of Human Life

“The sacredness of human personality is evident in that God created man in His own image, and in that Christ died for man; therefore, every person of every race possesses full dignity and is worthy of respect and Christian love.”

In this way, the *Baptist Faith and Message* summarizes the biblical revelation that every person bears the image of God, and thus, is worthy of protection and dignity, regardless of age, level of ability, or stage of development.

The ERLC will continue advocating for all human life, including the preborn. 2022 was a monumental year for life in the United States. After 50 years of dedicated advocacy, the disastrous precedents in *Roe* and *Casey* were overturned, sending the issue of abortion largely back to the states. As we begin the first Congress in a post-*Roe* world, there are real questions about what pro-life advocacy should now look like. While we certainly desire to partner with our state conventions for pro-life policy across all 50 states, there is still a significant need for federal advocacy on this issue, as we face new challenges in the abortion landscape and work towards a day where abortion is both illegal and unthinkable.

In addition to our advocacy for life in Washington, D.C., the ERLC, through our Psalm 139 Project, will continue placing life-saving ultrasound machines across the country, focusing on areas that have been deemed “abortion destinations.” In our advocacy with the federal government, state legislatures, and the courts, we will seek to both protect previous gains in these areas and to persuade others to consider the dignity of human lives too often counted as invisible or disposable. Even in those pieces of legislation that do not seem likely to pass in a given year, we have the opportunity to build support for these measures for the years to come. Here are some aspects of our federal pro-life legislative priorities:

- **Protect Pro-life Riders in the Congressional Appropriations Process:** Each year as we carefully analyze Congress’s appropriations bills, we work to ensure that historic pro-life riders are maintained and included. Pro-life amendments have been attached to appropriations bills as “riders” for years. For over 40 years, the Hyde Amendment has protected American



consciences and been recognized by each Congress as they passed it into law through the appropriations process. In 2022, we saw a serious threat to the Hyde Amendment, as the House abandoned its inclusion in appropriations legislation for the second time since it was enacted. It was ultimately a significant victory for these riders to be included in the fiscal year 2023 appropriations package. An end to the Hyde Amendment is a major priority of groups that oppose our pro-life views. We will work to preserve the Hyde Amendment not only because it prevents government-funded violence against preborn children but also because it prevents the government from coercing citizens to act against their consciences in the taxpayer incentivization of something we believe to be unjust. Other pro-life amendments include the Weldon Amendment, protecting the consciences of health care workers from discrimination on the basis of their refusal to provide, pay for, or refer women for abortion. The Siljander Amendment prohibits United States funds from being used to lobby for or against abortion. We will seek to ensure that we do not sacrifice other riders such as the Dornan Amendment, the Kemp-Kasten Amendment, the Dickey-Wicker Amendment, or the Helms Amendment at the expense of saving the Hyde Amendment. All of these pro-life riders are important and must be protected.

- **Ending the Proliferation of Chemical Abortions:** Chemical abortion (sometimes referred to as medication abortion or pharmaceutical abortion) is a method that uses an abortifacient to stimulate uterine contractions and end the pregnancy in a process similar to miscarriage. As surgical abortion procedures have declined, chemical abortions have risen, making up 53% of the total in 2020. As many states severely restricted or banned access to abortion following the *Dobbs* decision, it is likely that this number will continue rising. Because these drugs not only take the life of a preborn child but also pose serious threats to the women who take them, the ERLC has asked the Food and Drug Administration (FDA) to categorize the abortion pill mifepristone, sold under the brand name Mifeprex, as an “imminent hazard to the public health.” However, the FDA in 2021 moved to increase access by permanently allowing these abortion pills to be delivered by mail. In January of 2023, the FDA moved to allow local retail pharmacies to dispense these drugs in states where it is legal, furthering the accessibility of these life-taking drugs and putting more women and preborn children at risk. The ERLC supports federal legislation such as the SAVE Moms and Babies Act that would begin to regulate this predatory industry.
- **Oppose the Women’s Health Protection Act:** The Women’s Health Protection Act removes all restrictions and limits on abortion and allows for abortion up to the point of birth. Additionally, this bill removes all pro-life protections at the federal and state levels and eliminates a state’s ability to legislate on abortion. This bill also fails to protect the consciences of American taxpayers by utilizing taxpayer dollars to pay for abortions. This bill was passed by the House of Representatives twice last year—the most pro-abortion bill to have passed the House—but did



not receive a vote in the Senate. The ERLC and the pro-life community strongly opposed this bill and will continue to do so in the upcoming year.

- **Support the No Taxpayer Funding for Abortion Act:** Since the enactment of the Hyde Amendment in 1977, signed into law by President Jimmy Carter, Congress has passed the amendment as a temporary rider which expires each year. The No Taxpayer Funding for Abortion Act would codify the Hyde Amendment into law by prohibiting federal funds from being expended for abortion or health coverage that supports elective abortion.
- **Support the Born Alive Abortion Survivors Protection Act:** Federal law does not adequately protect born children who survive a failed abortion. At that moment, such children deserve all the medical care possible. The Born Alive Abortion Survivors Protection Act would amend the federal criminal code to require any health care practitioner present when a child is born alive following an attempted abortion to, first, exercise the same degree of care reasonably provided to any other child born alive at the same gestational age, and, second, ensure the child is immediately admitted to a hospital. This important bill passed the House of Representatives with a vote of 220-210 in early January but remains unlikely to move forward in the Senate.
- **Support Federal Abortion Restrictions:** Though the Supreme Court in the *Dobbs* ruling sent the issue of abortion back to the states, Congress may still enact further restrictions. Though the ERLC would like to see even stricter federal restrictions, two pieces of legislation that could move towards that ultimate end are the Pain Capable Unborn Child Protection Act and the Heartbeat Protection Act. Currently, the U.S. is one of only seven nations in the world that allow elective abortions after 20 weeks post-fertilization. The Pain Capable Unborn Child Protection Act would prohibit the performance of abortions on babies at 20 weeks or greater gestation, except in cases of rape, incest, or to save the life of the mother. In the 115th Congress, the bill passed the House of Representatives. However, this bill did not pass in the 116th Congress or 117th Congress. The Heartbeat Protection Act prohibits abortion after a fetal heartbeat is detected except to save the life of the mother. The ERLC will advocate for legislation that further restricts the availability of abortion across the country.
- **Oppose “Abortion Tourism”:** As many states across the country moved to ban or severely restrict abortion following the *Dobbs* decision, we saw moves from both the Biden administration and corporate America to promote and provide resources for pregnant women seeking abortion to travel to states where it remains legal. The ERLC has strongly advocated against the use of any use of taxpayer funds towards these efforts and is looking for new ways to regulate this disturbing trend.
- **Support the work of Pregnancy Resource Centers:** Pregnancy Resource Centers have been on the front lines serving and providing care for women and their children for decades. Following the *Dobbs* decision, many of these centers were violently attacked and have faced



growing hostility. In Congress, attempts were made to hinder the work of these centers and categorize them as proponents of misinformation. Yelp and other search engines moved to label these centers in a way that casts doubt on the legitimacy of services that they provide. The ERLC has and will continue to push back on these efforts and will work to support the important, life-saving work of pregnancy resource centers.

- **Oppose the Expansion of Abortion in the Military and at VA Facilities:** Following the *Dobbs* decision, the Biden administration made several moves to expand abortion access and to push back on abortion restrictions across conservative states. One such action was the release of an Interim Final Rule that allows for taxpayer-funded, abortion on-demand at VA hospitals across the country, preempting any relevant state laws. The ERLC filed public comments in opposition to the rule and is continuing to oppose its implementation. We also are advocating for new Hyde-like protections to be added to the relevant appropriations bills to prevent taxpayer dollars from funding this horrific procedure.
- **Oppose Legalization of Surrogacy:** Surrogacy is the practice by which a woman (called a surrogate mother) becomes pregnant and gives birth to a baby in order to give it to someone who cannot (or will not) bear children of their own. There are a number of ethical issues at play, including the exploitation of women (e.g., “womb-renting”), the selling of children, the violation of the marital covenant, and the use of embryo-destructive reproductive technology. While there aren’t currently any federal surrogacy laws, it is legal, or not expressly prohibited, in almost every state. The ERLC will monitor state and federal legislation to stop the spread and legalization of surrogacy.
- **Oppose Physician-Assisted Suicide and all Euthanasia Efforts:** Physician-assisted suicide is currently legal in nine states and the District of Columbia, as well as Montana by court decision. This is a practice in clear conflict with ethical principles from both the Hippocratic tradition and a biblical worldview. Physician-assisted suicide is not health care. Pain (physical, medical) and suffering (emotional, psychological, spiritual) are each treatable given proper diagnosis and care (Matt. 25:35; Luke 4:18-21; James 1:27; 2:8). Treatable pain and care ought not be cause for death. Hospice and palliative care options provide compassionate and ethical treatment that recognize human dignity. Our goal now on Capitol Hill is largely one of education, even among those who we otherwise would expect to already share our convictions about assisted suicide.
- **Strengthen International Pro-Life Work:** For decades, the abortion industry has been working to have an “international right to abortion” codified by international organizations such as the United Nations. The ERLC will continue to work against this lobby at the United Nations, ensuring that international law is not expanded to include such a right while also supporting international pro-life efforts. In addition, the ERLC is exploring opportunities to support countries seeking to exercise their right to protect life within their borders.



Family and Marriage

“God has ordained the family as the foundational institution of human society. It is composed of persons related to one another by marriage, blood, or adoption.

“Marriage is the uniting of one man and one woman in covenant commitment for a lifetime. It is God’s unique gift to reveal the union between Christ and His church and to provide for the man and the woman in marriage the framework for intimate companionship, the channel of sexual expression according to biblical standards, and the means for procreation of the human race.

“The husband and wife are of equal worth before God, since both are created in God’s image. The marriage relationship models the way God relates to His people. A husband is to love his wife as Christ loved the church. He has the God-given responsibility to provide for, to protect, and to lead his family. A wife is to submit herself graciously to the servant leadership of her husband even as the church willingly submits to the headship of Christ. She, being in the image of God as is her husband and thus equal to him, has the God-given responsibility to respect her husband and to serve as his helper in managing the household and nurturing the next generation.

“Children, from the moment of conception, are a blessing and heritage from the Lord. Parents are to demonstrate to their children God’s pattern for marriage. Parents are to teach their children spiritual and moral values and to lead them, through consistent lifestyle examples and loving discipline, to make choices based on biblical truth. Children are to honor and obey their parents.”

In this way, the *Baptist Faith and Message* affirms the biblical teaching of marriage and family as creation ordinances and blessings from God, foundational to human flourishing. We will continue to advocate for policies that maintain and protect these essential aspects of life together. Some aspects of this advocacy of particular interest in 2023 include the following:

- **Support Adoption and Foster Care Policies:** The ERLC’s defense of vulnerable children is woven through a wide variety of priorities, from religious liberty concerns involved in adoption to the effect the opioid crisis has on foster care as parents struggle with addiction. In addition to the Child Welfare Provider Inclusion Act discussed above, we are advocating for policies that would support and strengthen adoption, making it both more affordable and accessible.
- **Support the Adoptee Citizenship Act:** Prior to the Child Citizenship Act of 2000, the administrative steps required of families adopting internationally were unnecessarily burdensome. The process included applying for and moving through a lengthy naturalization process for their children, in addition to the lengthy and costly adoption process. The Child Citizenship Act of 2000 granted automatic citizenship to all foreign-born children brought to the United States who had at least one parent who was a United States citizen. Unfortunately, that act only applied to adoptees under the age of 18 when the bill was enacted, leaving an entire population of adopted children without full U.S. citizenship. The Adoptee Citizenship Act closes



the loophole to provide immediate citizenship to these children already adopted by U.S. citizens yet left out of the previous bill.

- **Ensure Intercountry Adoption Remains a Viable Option:** In fiscal year 2021, only 1,785 children were welcomed into families through intercountry adoption. Though the COVID-19 pandemic certainly played a leading role, the reasons for this decline vary, from certain countries completely halting their intercountry programs to other countries placing more children in homes domestically. There has also been a decline in stateside adoption agencies facilitating intercountry adoption, narrowing the options for prospective parents. Many countries and cultures are becoming more open to domestic foster care and adoption, which is certainly good news and ought to be encouraged. However, there are still millions of orphans worldwide waiting to be raised in a family where they are known and loved instead. Intercountry adoption must remain a viable option for welcoming children into homes, and we must do all we can to facilitate those adoptions. The ERLC is working with like-minded partners and the U.S. Department of State to ensure that intercountry adoption remains a viable option for families and vulnerable children around the world.
- **Support Pro-Family Policy in a Post-Roe World:** If the family is the most foundational unit of society, it is crucial that all aspects of federal policy provide a platform for families to thrive and flourish. An essential aspect of our advocacy for life in this new, post-Roe world must be for policies that address financial insecurity and other key factors that drive women to seek abortions. The ERLC will be advocating for policies that remedy marriage penalties, empower abortion-vulnerable women to choose life, and provide baseline levels of support for new parents. This is consistent with the 2022 SBC Resolution that urged a focus on “pro-life and pro-family policies that serve and support vulnerable women, children, and families” as we work to “eliminate any perceived need for the horror of abortion.”
- **Oppose the SAFE Banking Act:** Though a number of states have moved to legalize marijuana, it remains illegal under federal law. The SAFE Banking Act seeks to protect banking institutions who provide financial services to cannabis-related businesses, allowing U.S. banks to work with marijuana businesses without the threat of fines or penalties. Because of this, the SAFE Banking Act would further encourage the growth of the already debilitating drug epidemic that sweeps our nation. This legislation nearly became law in the 117th Congress, and the ERLC will continue to oppose it and any other efforts towards federal marijuana legalization that may arise in this new Congress.
- **Respond to the Opioid Crisis:** According to the Centers for Disease Control and Prevention, opioids were involved in 49,860 deaths in 2019, accounting for over 70% of all drug overdose deaths that year. In 2020, drug overdose deaths in the United States rose by a staggering 31%. The drivers for this epidemic are complex but its effects are simply tragic. Thankfully, Congress



passed the largest bill in American history to address a single drug crisis—The SUPPORT for Patients and Community Act (H.R. 6). This bill was then signed into law by President Trump, marking a significant step forward in response to the opioid crisis. The legislation approved \$6 billion in funding, curbed drug shipments, lifted treatment restrictions, expanded recovery centers, sped up new painkiller research, and made regulatory changes to Medicare and Medicaid. We will continue to engage with Congressional leadership and the Department of Health and Human Services on implementation of the SUPPORT Act and a range of efforts including poverty and welfare programs and training for the faith community. Along the bill’s path to passage, the ERLC engaged with members of Congress and the White House, as well as Sheriffs’ associations, medical professionals, and the faith community.

- **Revive Obscenity Prosecution:** The Obama administration’s Department of Justice terminated the Obscenity Prosecution Task Force (OPTF). Though the Department continued to prosecute cases involving children (which is essential), they ignored virtually all other violations of existing federal law which makes production and distribution of hardcore pornography illegal. The ERLC will advocate for the Department of Justice under the Biden administration to seriously and aggressively confront the exploitation of women, teens, girls, and boys by the pornography industry and for laws to be passed by Congress seeking the same protections.

Human Dignity

“The sacredness of human personality is evident in that God created man in His own image, and in that Christ died for man; therefore, every person of every race possesses full dignity and is worthy of respect and Christian love.”

“All Christians are under obligation to seek to make the will of Christ supreme in our own lives and in human society. Means and methods used for the improvement of society and the establishment of righteousness among men can be truly and permanently helpful only when they are rooted in the regeneration of the individual by the saving grace of God in Jesus Christ. In the spirit of Christ, Christians should oppose racism, every form of greed, selfishness, and vice, and all forms of sexual immorality, including adultery, homosexuality, and pornography. We should work to provide for the orphaned, the needy, the abused, the aged, the helpless, and the sick. We should speak on behalf of the unborn and contend for the sanctity of all human life from conception to natural death. Every Christian should seek to bring industry, government, and society as a whole under the sway of the principles of righteousness, truth, and brotherly love. In order to promote these ends Christians should be ready to work with all men of good will in any good cause, always being careful to act in the spirit of love without compromising their loyalty to Christ and His truth.”



In this way, the *Baptist Faith and Message* both summarizes the biblical revelation that every person bears the image of God, and thus, is worthy of protection and dignity, regardless of age, level of ability, or stage of development and echoes the biblical mandate to seek justice and righteousness, especially for those who are vulnerable. God revealed in the words of the prophet Micah: “He has told you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?” (6:8) In our advocacy for fair and impartial judgment and equitable treatment of the unjustly oppressed and marginalized, we bear witness to a God who is ultimately the just Judge, and to a gospel that saves all who believe without partiality. This reality that all bear the image of God and hold immeasurable dignity and value spurs on our commitment to the following priorities for this year:

- **Support a Permanent Solution for Dreamers:** After multiple attempts to rescind the Deferred Action for Childhood Arrivals (DACA) program, litigation that went all the way to the Supreme Court, and new litigation that is likely headed back to the high court, those young immigrants who were brought to the United States by their parents remain in an unstable situation. These immigrants broke no law, and yet they remain without permanent legal status. Now young adults, these Dreamers—many of whom have families of their own with children who are U.S. citizens—are workers, students, and positive contributors to their communities. At the same time, we continue to see record numbers of individuals seeking asylum at our southern border, creating a humanitarian crisis. As part of desperately needed immigration reform, we will continue to work closely with Congress and the Biden administration to create a permanent legislative solution for our Dreamer neighbors that also addresses necessary border improvements.
- **Support Further Criminal Justice Reform:** Following on the heels of the historic First Step Act, which was passed at the end of 2018, the ERLC will continue to advocate for reforms that focus on transformation and rehabilitation. Two such bills are the Recognizing Education, Employment, New Skills, and Treatment to Enable Reintegration Act (RE-ENTER Act) and the Eliminating a Quantifiably Unjust Application of the Law Act (EQUAL Act). The RE-ENTER Act allows eligible individuals with federal convictions to apply for a certificate of rehabilitation from a district court, attesting to a law-abiding future and a commitment to successful reintegration into society. Several states already issue such certificates, which have proven successful in aiding recipients with employment and housing—two factors necessary for successful reintegration. The EQUAL Act would remedy the disparity in federal sentencing for crack and powder cocaine related crimes. Over 40 states have already corrected this unjust, inconsistent practice. Both of these bills have broad bipartisan support, and the ERLC will continue to advocate for their swift passage.



- **Support Payday Lending Regulations:** In November 2019, a bill entitled the Veterans and Consumers Fair Credit Act was introduced in both the House and the Senate. The bill would extend the payday and car title 36% interest rate cap protections currently established under the Military Lending Act to all consumers, including veterans and their families. All Americans deserve such protection. In ongoing cooperation with the Faith for Just Lending Coalition, the ERLC will continue to work toward the regulation of an industry that has resulted in a devastatingly endless cycle of debt and despair for millions of Americans.
- **Oppose Efforts to Expand Gambling:** As nearly every state across the country has loosened restrictions on gambling, Americans spent approximately \$213 billion on legal betting alone in 2021. Online sports betting has spread rapidly, making it easier than ever to become trapped in the addictive and destructive cycle of gambling. Churches across the convention have repeatedly shared that this issue is a key driver in the tearing apart of marriages and families in their congregations. The ERLC is actively looking for ways to engage this issue and better regulate this harmful, predatory industry.
- **Rebuild the Refugee Resettlement Program:** Though President Biden set an ambitious goal of resettling 125,000 refugees in fiscal year 2022, the United States only successfully resettled about 25,000 individuals. This is largely due to previous cuts to the program and to the network of nonprofits and community organizations that support refugee resettlement. For the last several years, the United States has not carried its share of the burden at a time of historically high levels of refugees and internally displaced people worldwide. These changes to the refugee resettlement program have had devastating effects on those who have been persecuted for their faith, particularly our brothers and sisters in Christ. Additionally, a well-functioning refugee system is an important tool to relieve pressure at the U.S.-Mexico border, where asylum seekers have continued to come in record numbers. President Biden has again set a goal of resettling 125,000 refugees in fiscal year 2023. The ERLC is working to ensure that resettlement agencies and churches working with these refugees are able to fully rebuild and welcome these vulnerable people well. We will continue to advocate for fully restoring the refugee resettlement program and America's legacy as a beacon of hope to those fleeing persecution.
- **Support the Afghan Adjustment Act:** As part of the SBC's longstanding commitment to serving refugees, many Christians and churches were on the frontlines in welcoming thousands of our Afghan allies and other vulnerable Afghans evacuees following the fall of Afghanistan in 2021. Because of the aforementioned backlogs in the resettlement program and the urgency of the situation, these individuals were brought to the United States through a tool known as humanitarian parole. Many of these individuals helped our military at great risk to themselves and their families based on promises that they would receive visas to the U.S. Because these



individuals were brought to the U.S., they will soon face an expiration of their legal status and will either be added to the already significant asylum backlog, become undocumented, or return to Afghanistan and face intense persecution. The Afghan Adjustment Act remedies this problem and provides a path to permanent legal status after additional vetting for these Afghan parolees. The ERLC supports this legislation and will be working for its passage this year, before many Afghans' authorization expires this summer.

- **Advocate for Anti-Human Trafficking Laws:** In April of 2018, the Allow States and Victims to Fight Online Sex Trafficking Act was passed into law. The law grants states and victims the power to sue websites that support and facilitate human trafficking. Since then, online human trafficking has only grown and adapted alongside our ever changing technology. Additionally, issues of trafficking are increasingly intertwined with other issues such as immigration and forced labor and must be an important part of policy conversations in those areas. The ERLC will continue to advocate for anti-human trafficking legislation in Congress—particularly legislation aimed at supporting trafficking victims.
- **Support the Central American Women and Children Protection Act:** Women and children in Central America face high levels of violence, including femicide. Northern Triangle countries have some of the highest homicide rates in the world, with many crimes against women going unreported due to government corruption and justice system failures. This lack of protection and threat of violence has led many vulnerable women and children to make the dangerous journey to the United States to seek asylum protections. Gender-based violence is one of the driving forces of migration, and many female migrants are subjected to rape or sexual abuse on their journey through Mexico. By deterring violence and making communities safer through resourcing local partners, the Central American Women and Children Protection Act helps address the root causes of migration that force women and children to flee. The ERLC will continue to advocate for this bipartisan legislation and look for other opportunities to support vulnerable migrants and address the root causes of migration.

