



## WHY YOU SHOULD OPPOSE THE FIRST AMENDMENT DEFENSE ACT

---

Generally, First Amendment Defense Acts (FADAs) would allow those who hold the religious belief that marriage is between “one man and one woman, or that sexual relations are properly reserved to such a marriage,” to ignore laws that conflict with that belief.

**FREEDOM OF RELIGION IS A FUNDAMENTAL AMERICAN VALUE THAT IS PROTECTED BY THE FIRST AMENDMENT.** It allows all of us the freedom to believe or not as we see fit. FADAs, however, do not advance the First Amendment, but instead distort the meaning of religious freedom in order to allow discrimination against others.

---

**FADAS ALLOW TAXPAYER-FUNDED DISCRIMINATION** against same-sex couples, unmarried couples, married couples in which one person had been married before, single mothers, individuals who have had sex outside of marriage, and others.

---

### THIS BILL WOULD SANCTION DISCRIMINATION IN SEVERAL WAYS:

---

#### **DISCRIMINATION BY GOVERNMENT EMPLOYEES:**

FADAs would allow government employees to discriminate by refusing to serve same-sex couples, unmarried couples, couples in which one person had been married before, single mothers, or simply an individual who has had sex outside of marriage. For example, an employee at the IRS could refuse to process the joint tax return of a same-sex couple, or an employee at the Federal Emergency Management Agency (FEMA) could refuse to help an unmarried couple who lost their home in a natural disaster.

#### **DISCRIMINATION BY FEDERAL CONTRACTORS AND GRANTEES:**

FADAs would allow organizations that receive federal grants and contracts to discriminate in who they hire or serve. For example, a homeless shelter or food bank that receives federal money could refuse to serve a same-sex couple or single mother in need.

#### **DISCRIMINATION BY FOR-PROFIT BUSINESSES:**

FADAs would prohibit enforcement of non-discrimination laws against individuals or for-profit businesses that claim a religious objection. For example, FADAs would prohibit the government from enforcing fair housing laws when a landlord illegally refuses to rent to an unmarried couple or an unwed mother. Or they could prevent enforcement of family medical leave laws if a business denies gay and lesbian employees the ability to care for a sick spouse.

**DESPITE WHAT FADA'S PROPONENTS SAY, CLERGY MEMBERS ALREADY HAVE THE RIGHT TO DECLINE TO PERFORM MARRIAGES IN ACCORDANCE WITH THEIR RELIGIOUS BELIEFS.** Under the First Amendment, no law or government official can force a pastor in a church or rabbi in a synagogue to perform any marriage ceremony. A religious body along with its faith leaders – not the government – may decide what its teachings and tenets are and accordingly, who may be married in its houses of worship by its clergy. FADAs do nothing to protect clergy, which is likely why more than 3,000 faith leaders have signed a letter opposing the bill.

---