



The Washington Flyer
February 26, 2021

*“The man who is right is a majority. He who has God and conscience on his side,
has a majority against the universe.”*
Frederick Douglas

AACS Fights for the Religious Liberty of Christian Schools, Opposes Equality Act

This week, the AACCS released a joint statement with the Association of Christian Schools International, stating strong opposition to the Equality Act and pointing out the extreme measures in the bill that would do severe harm to religious liberty, specifically to Christian schools across the country. The [Equality Act](#), if passed into law, would radically amend federal civil rights laws to include sexual orientation and gender identity (SOGI) in the list of protected classes. The language of the bill ensures that its effect would be extensive, reaching into employment, public accommodations, and education, and providing no exemptions for individuals or organizations that hold to a biblical view of sexuality. As stated in the joint statement from AACCS and ACSI, the “deceptively named Equality Act (HR 5) . . . attempts to mandate a single government-approved vision of human sexuality that brooks no exceptions.” The statement points out that the bill achieves this through the “exclusion of any exemption for genuine religious viewpoints to the contrary” and the “explicit ban on the use of the Religious Freedom Restoration Act (RFRA) to assert a defense for a religious viewpoint contrary to government mandate.” The [Religious Freedom Restoration Act](#), signed into law by President Bill Clinton after being passed by overwhelming bipartisan majorities in Congress, protects religious liberty against burdensome government interference. The joint statement points out that the elimination of the RFRA recourse makes the Equality Act “the very opposite of a good faith attempt to allow diversity of opinion and respect for those who disagree.” The joint statement also emphasizes the importance of allowing for “religious and moral citizens to live according to their beliefs.” Specifically, the statement highlights that “Christian schools teach a consistent message of human flourishing held by millions of humans over millennia grounded in biblical teachings of God’s love for every person, each of whom is made in His image. This legislation threatens the ability of our schools and educators to share this Good News and to live according to those positive, hope-filled Divine standards.”

On Thursday, the U.S. House of Representatives passed the Equality Act with a 224-206 vote. The bill now heads to a Senate still divided on the controversial bill. President Biden has expressed his strong support for the bill as a top agenda item for his administration. Although the Equality Act is a comprehensive bill, there are indications that if it fails to pass, SOGI language could be scattered in otherwise unassuming legislation. If this strategy is implemented, utmost vigilance by lawmakers opposing these efforts will be required. The extreme nature of the bill has garnered opposition from a broad coalition, including [supporters](#) of religious liberty, pro-life, parental rights, and medical conscience rights groups. Interestingly, even liberal feminist organizations oppose the bill due to its extension to Title IX—the law which prohibits sex discrimination for women in federally funded education programs. Several organizations, including the AACCS, are encouraging those who are concerned about this bill to [contact their Senator](#) and urge him/her to vote against this dangerous bill.

South Carolina Enacts Heartbeat Law

South Carolina Governor Henry McMaster signed into law last week the Fetal Heartbeat and Protection Act, effectively making abortion illegal in the state. The bill requires an ultrasound before any abortion, and if a heartbeat is found, the abortion is prohibited. In most pregnancies, a heartbeat is detected within the first 6–8 weeks of pregnancy. The law has been praised by pro-life supporters across the country with the understanding that it will effectively end the abortion industry in the state. However, the law was also predictably criticized by abortion advocates, calling the bill an attack on women’s rights and health. Planned Parenthood filed a lawsuit immediately after the governor signed the law, and a federal judge has subsequently [blocked the bill](#) from taking effect. South Carolina Attorney General Alan Wilson responded to the judge’s decision, stating, “We believe the Heartbeat Law is constitutional and deserves a vigorous defense to the U.S Supreme Court if necessary.” He further emphasized, “The Heartbeat Law protects life. Nothing is more important or fundamental. Today’s temporary restraining order is only a first step, but the legal fight has just begun. We look forward to further arguing why this law should be valid.” Several states have passed similar measures in recent years, and each time courts have blocked these laws from taking effect. However, pro-life advocates remain determined in their efforts, believing that a case could come before the Supreme Court providing an opportunity for a reversal of the infamous *Roe v. Wade* decision.

Senate Committee Hearing on Controversial HHS Nominee

This week, the Senate Health, Education, Labor and Pensions Committee (HELP) held hearings for President Biden’s [controversial](#) nominee for Secretary of the Department of Health and Human Services (HHS), former California Attorney General and U.S. Representative Xavier Becerra. As head of HHS, Becerra would lead a department that has broad regulatory power in areas concerning fundamental rights such as life and freedom of conscience. Becerra was grilled in his hearing about his activism in California to prosecute Little Sisters of the Poor for their refusal to provide abortifacient drugs to their employees in health plans and for his pro-abortion activism that resulted in a [case](#) at the Supreme Court in 2018. During the hearing, Senators Braun (IN) and Romney (UT) pressed Becerra on abortion, but they did not receive any commitments that he would take any pro-life measures such as ensuring that no federal dollars would fund abortions. Senator Collins (ME) asked Becerra if he would follow health experts who say that children can safely sit 3 feet apart instead of 6 feet apart in the classroom, allowing a majority of schools to reopen. Becerra [responded](#) that school reopening was a local issue and emphasized that “we should not be the ones making the final decision on how and when a school will reopen.” Many conservative groups are concerned that Becerra’s hostility toward religious liberty, conscience protections, and life disqualify him for leadership in HHS, but it is unsure whether there is enough opposition in the Senate to prevent his confirmation.

In Case You Missed It:

[Weekly Market Update](#) provided by Jeff Beach of the [AACIS Investment Team at Merrill Lynch](#)

[Practical Legal Help for Christian Schools: ADF Ministry Alliance](#)

[Protecting Newborns Is Commonsense: Time for Congress to Take Action](#)

[Lindsey Burke: Biden Backtracks on School Reopenings—Here’s How Left, Unions Put Ideology Before Students](#)

[School Choice Provides Opportunity for All Kids to Have Better Life](#)