



# Resolution

## Supporting the Religious Freedom Restoration Act

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- WHEREAS** The *Religious Freedom Restoration Act (RFRA)* is a federal law that for more than two decades has instituted in U.S. courts a balancing test by which the Government must give deference to the constitutional right of religious freedom unless it can prove a “compelling government interest” achieved by the “least restrictive means”;
- WHEREAS** *RFRA* was intended to remedy the U.S. Supreme Court’s *Employment Division v. Smith* ruling in 1990 that many observers worried would effectively set too low a bar by which the Government could elude the First Amendment’s Free Exercise of Religion clause;
- WHEREAS** A politically and ideologically broad coalition supported *RFRA*, and Congress approved it nearly unanimously in 1993;
- WHEREAS** As President Bill Clinton signed *RFRA* into law in a White House Rose Garden ceremony, he stated, “The free exercise of religion has been called the first freedom – that which originally sparked the development of the full range of the Bill of Rights.” He added that America’s Founders “knew that religion helps to give our people the character without which a democracy cannot survive. They knew that there needed to be a space of freedom between government and people of faith that otherwise government might usurp”;
- WHEREAS** After the U.S. Supreme Court ruled in 2014 that *RFRA* protected Hobby Lobby and Conestoga Wood Specialties from the blunt force of the Obama Administration’s mandate that all new health plans cover contraception, sterilization, and abortion-inducing drugs, liberal Members of Congress unsuccessfully attempted to gut *RFRA* by exempting employer health care from the purview of that broad law;
- WHEREAS** Powerful liberal lobbies seem to be growing generally more intolerant of religious liberty and particularly more willing to use legislation to undermine *RFRA* and related state laws;
- THEREFORE  
BE IT  
RESOLVED** NRB lauds the free exercise of religion as the first freedom delineated by America’s Founders in the Bill of Rights, and NRB urges government officials to uphold and respect the *Religious Freedom Restoration Act of 1993*.

*Approved by the Board of Directors February 23, 2016*