

As Congress changes, BJC stays the same

This year marks the 75th anniversary of the Baptist Joint Committee. For the first 58 years of our existence, partisan control of the United States Congress was relatively stagnant. In the past 17 years congressional control has changed almost as many times than over the preceding six decades combined. The birth of the 112th Congress this month marks yet another transition, with Republicans reclaiming the House of Representatives and gaining seats in the Senate just five years after losing both.



By James Gibson
BJC Staff Counsel

Capitol Hill's political dynamics are always one factor in our legislative work. Yet whether Congress is controlled by Republicans, Democrats or the BCS Computer Rankings, the BJC's paramount legislative priority does not change: to stand guard for legislative threats to religious liberty while seeking opportunities to defend and extend it for all.

We monitor and weigh in on state and local legislation, but the bulk of the BJC's legislative portfolio is necessarily focused on Congress. Unlike the comparatively clear-cut steps of filing *amicus* briefs in significant court cases, our legislative work — mirroring Congress itself — is less predictable.

Even so, in any given Congress we work in coalitions of groups to advocate for religious liberty legislation. Coalition work includes sending letters and resources to members and visiting offices to discuss bills. We may serve as panelists at educational briefings for congressional staff, as we did when Sonia Sotomayor was nominated to the U.S. Supreme Court, or assist in planning congressional hearings, such as one on the Faith-based Initiative in 2010. At times, we may chair coalitions, as we did when leading successful efforts to enact the Religious Freedom Restoration Act of 1993 (RFRA) and the Religious Land Use and Institutionalized Persons Act of 2000. Currently, we are active in the Workplace Religious Freedom Act (WRFA) Coalition, which advocates for legislation to enhance protections for persons of faith in the workplace. Comparing RFRA and WRFA demonstrates how such legislation can progress — or not — on Capitol Hill. Like RFRA, WRFA is a necessary response to a bad court decision curtailing free exercise rights. Unlike RFRA, which passed relatively quickly, WRFA's substantive provisions invite allies and adversaries from beyond the religious community, complicating the legislative process and (so far) stymieing the bill's passage. Our WRFA advocacy con-

tinues in the 112th Congress, with some indicia of progress on the horizon.

The BJC's legislative portfolio is not confined to bills mentioning the words "religious liberty." We serve as a "watchdog" for even seemingly benign provisions in unrelated bills that

might harm religious liberty. In the past two years, we worked with coalition partners and congressional staff to "religious liberty"-proof legislation as diverse as health care reform, the hate crimes bill, and climate change proposals. While the BJC took no position on these or other legislation outside our religious liberty focus, we sought to guarantee that any legislation reaching the floor does

no harm to religious liberty. Rarely do such behind-the-scenes efforts warrant *Report from the Capital* or other media coverage, but it is essential to protecting

Americans from bad religious liberty consequences, unintended and otherwise, buried in seemingly unrelated legislation.

Critical to our legislative work are command of the legislative process and maintenance of relationships with key congressional members and staff. Knowing the right person to contact allows us to guide BJC supporters in corresponding and meeting with their members of Congress, and it is also a means to quickly take care of minor issues that could have unforeseen religious liberty ramifications. The publication you hold in your hands is sent to every congressional office, and many recognize its value as an important resource.

The 112th Congress offers renewed opportunities — along with challenges — in pursuit of the interests that motivated the BJC's conception in 1936. Then, as now, it is crucial for religious voices to be heard when decisions directly affecting religious liberty are made, and equally important to keep a watchful eye out for policies that, while ostensibly unrelated, could harm religious liberty interests. That is what we did in 1936, when Speaker William Bankhead, D-Ala., ran the House. That is what we will do in 2011, while Speaker John Boehner, R-Ohio, runs the House. And that is what we will continue to do as we seek to defend and extend religious liberty for all for the next 75 years.

The "Hollman Report" will return in next month's Report from the Capital.

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