

House Republicans Attempt to Roll Back LGBT Protections

This week, the House of Representatives will consider the National Defense Authorization Act (NDAA) for Fiscal Year 2017. During a markup of the bill late last month, Rep. Steve Russell (OK-05) added an amendment to overturn President Obama's executive order extending anti-discrimination protections to all LGBT employees of federal contractors.

Added late in the night during a marathon markup session, the amendment creates a broad “religious exemption,” allowing federal contractors to discriminate based on sexual orientation.

“The measure, introduced by freshman Rep. Steve Russell (R-Okla.) at 12:30 a.m. as the House Armed Services Committee prepared to pass the defense bill, **would require the government to give religious organizations it signs contracts with exemptions in federal civil rights law and the Americans Disabilities Act.** Those laws do not ban discrimination on the basis of sexual orientation or gender identity. **So the legislation would effectively override the executive order President Obama issued in 2014 prohibiting federal contractors from such discrimination.**” [Washington Post, [4/29/16](#)]

“...The language in Rep. Russell’s proposed amendment is not only vague; **its immediate impact is far reaching...** The amendment would affect every grant, agreement, contract, subcontract, and purchase order made by every federal agency, including contracts with hospitals, homeless shelters, colleges, schools, domestic violence shelters, and adoption agencies.” [Center for American Progress, [5/3/16](#)]

The Human Rights Campaign has voiced strong opposition to the amendment:

“Rep. Russell’s harmful amendment would strip away existing protections for LGBT workers by undermining President Obama’s executive order on LGBT non-discrimination protections in federal contracting,” HRC Government Affairs Director David Stacy said in a written statement.” [The Hill, [4/28/16](#)]

And the Coalition Against Religious Discrimination, comprised of 42 religious, education, civil rights, labor, and women’s organizations sent a letter to Rep. Mac Thornberry, Chairman of the House Armed Services Committee, stating their concern with the broad implications of the amendment:

“This amendment would authorize taxpayer-funded discrimination in each and every federal contract and grant. The government should never fund discrimination and **no taxpayer should be disqualified from a job under a federal contract or grant because he or she is the ‘wrong’ religion...** In our view, **effective government collaboration with faith-based groups does not require the sanctioning of federally funded religious discrimination.**” [[4/27/16](#)]

The broad language of the Russell Amendment is troubling and is a step back for LGBT equality. Both parties must work in a bipartisan fashion to strike the Russell Amendment from the NDAA.