



Dear pastors and defenders of life:

Did you know that Tennessee—one of America’s most pro-life states—is known as an abortion destination for the South and *third nationally* in the percentage of abortions for out-of-state residents? Rather than leading the way on life, Tennessee has become an “abortion supermarket.”

Why?

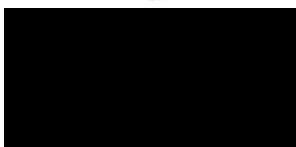
A radical Tennessee Supreme Court decision over a decade ago decreed that the Tennessee Constitution protects abortion to a *greater extent* than *Roe v. Wade*. In other words, Tennessee is required to protect abortion rights to a greater extent than the Obama Administration. Because of this Supreme Court decision, our elected representatives can’t pass common-sense pro-life laws like every other neighboring state to protect the health and safety of women, girls, and unborn children.

Amendment 1, on the ballot this November, would overturn that Supreme Court decision and return the power to regulate abortion to the people’s elected representatives. Supported by Governor Bill Haslam and Lieutenant Governor Ron Ramsey, it represents Tennessee’s best chance to restore sanity to Tennessee’s abortion laws. The key language is simple: “Nothing in this Constitution secures or protects a right to abortion or requires the funding of an abortion.”

Unless Amendment 1 passes, our elected representatives cannot pass safeguards such as: informed consent laws to provide accurate information to women based on health history; 24-hour waiting periods to avoid abortion-on-demand and coercion by abusive partners; basic inspection and regulation of abortion facilities to avoid another Kermit Gosnell horror story; and hospitalization requirements for riskier late-term abortions.

In fact, unless Amendment 1 passes, there is a chance that the Tennessee Supreme Court may *require* public funding of abortions.

Amendment 1 does not abolish abortion in Tennessee because *Roe v. Wade* continues to stop Tennessee legislators from passing laws to protect all unborn life. Yet Amendment 1 allows our elected representatives to join other pro-life states in our region and around the country who are passing laws that save lives.



As many pastors have stated, this is not a political struggle but a moral struggle. Abortion is an issue that pastors may talk about from the pulpit without fear of violating IRS regulations regarding tax exemptions. Churches are permitted to engage in unlimited issue advocacy on matters that pertain to the church's biblical witness to our community and culture.

Some opponents of this referendum are attempting to spread lies about what the amendment does and what churches can do or say about it.

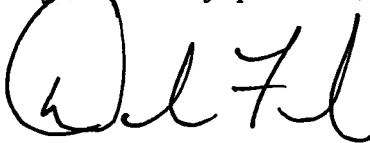
The Constitution and federal regulations protect the right of pastors and churches to educate their congregations and even permit pastors and churches to endorse ballot referenda. While Federal law prohibits tax-exempt churches from endorsing or opposing *candidates* for public office, churches and other tax-exempt 501(c)(3) organizations may educate the public on issues, engage in lobbying and issue advocacy and even endorse ballot referenda such as Amendment 1 on the ballot this November (*See* Treas. Reg. § 1.501(c)(3)-1(c)(3)(ii)). Churches have the right to engage in unlimited issue advocacy (such as advocating for life) and may endorse specific referenda so long as its endorsement-related activities do not constitute a "substantial part" of all its activities in any given year. Factors considered in the "substantial part" test include: money donated to such causes, time spent by employees and volunteers, and continuous or intermittent nature of the activity (*See* G.C.M. 36148 (Jan. 28, 1975)).

One thing is clear: speaking out on this issue and encouraging your congregations to think Biblically about this important opportunity to defend the least of these is vitally important and perfectly legal.

It has taken over a decade for pro-life Tennesseans to get this constitutional amendment on the ballot to ensure Tennessee legislators have the ability to pass common-sense and life-saving abortion regulations.

We cannot allow deception and timidity to silence our pro-life witness.

If you have any questions, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read 'D French', written in a cursive style.

David French
Senior Counsel
American Center for Law & Justice