



April 5, 2019

Chairwoman Suzanne Bonamici  
Civil Rights and Human Services Subcommittee  
2176 Rayburn House Office Building  
Washington, DC 20515

Ranking Member James Comer  
Civil Rights and Human Services Subcommittee  
2101 Rayburn House Office Building  
Washington, DC 20515

Dear Chairwoman Bonamici and Ranking Member Comer,

I write to you on behalf of the 750 schools in our national association, urging you to oppose the Equality Act (H.R. 5), which would mandate a single ideological viewpoint of human sexuality across America. The Equality Act would irreparably harm Christian education in America.

We agree with many others who have written and argued that the Equality Act would hurt medical and creative professionals, women, charitable civic organizations, churches, employers, and individuals. We are particularly concerned that the Equality Act would undermine the rights of women and girls in athletics, education, and business. We are also alarmed that the Equality Act would force medical professionals to administer experimental puberty blockers and cross-sex hormones to children and to perform sex reassignment surgery on teenagers and adults who experience gender dysphoria. The available evidence indicates that such treatments do more harm than good. In any event, as a Christian school association, our primary focus is on the hundreds of schools, thousands of teachers, and the tens of thousands of students in our association who would be irreparably harmed by this bill.

Of primary concern to us is that the Equality Act is inherently hostile to religion. Unlike virtually all state and local laws that forbid discrimination on the basis of sexual orientation and gender identity, the Equality Act contains no exemptions for religious organizations or others exercising their religious beliefs. It does not even exempt houses of worship and their relationships with their clergy. Christian schools, which are voluntary communities, live out the biblical ethic regarding human sexuality and the distinction between the sexes. They welcome into their communities those experiencing same-sex attraction or gender dysphoria but expect all community members to heed their understanding of what the Bible teaches on these subjects. The Equality Act would forbid our schools from living out their sincerely held beliefs and from maintaining their religious character.

In addition to the complete absence of any sort of religious exemptions, the Equality Act partially repeals the Religious Freedom Restoration Act (RFRA), which was adopted by overwhelming bipartisan majorities and signed by President Bill Clinton in 1993. This is an unprecedented attack on religious liberty that deprives our member schools and others from even asserting that particular applications of the Equality Act substantially burden their religious exercise without adequate justification. Carving out exceptions to RFRA puts our country on a dangerous path away from its fundamental commitment to religious liberty.

The Equality Act's exclusion of religious exemptions and partial repeal of RFRA are utterly inconsistent with Justice Kennedy's declaration in *Obergefell v. Hodges* that a traditional view of marriage "long has been held—and continues to be held—in good faith by reasonable and sincere people." <sup>1</sup> Unfortunately, the Equality Act would dictate that traditional and religious views of human sexuality essentially have no place in civil society.

The Equality Act also alters the general principle that schools which do not accept government funding are not subjected to government regulation. Under this bill the many religious colleges that participate in federal grant programs would clearly be forced to adopt SOGI ideology. It seems likely that passage and implementation of the Equality Act would mean that Christian schools would be considered a place of "public accommodation" that "provides a good, service, or program." Under this determination, Christian schools would be forced to hire teachers and accept students who are unwilling to abide by biblical sexual ethics. It is

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possible that Christian schools would be permitted to continue teaching the biblical ethic of human sexuality, but they most certainly would be prohibited from expecting teachers and students to practice those beliefs. Our members would also be forced to include puberty blockers, cross-sex hormones, and sex reassignment surgery in their employee health plans, in violation of their religious convictions and contrary to our understanding of the best medical responses to gender dysphoria. The Equality Act would also require our schools to allow boys who identify as girls to use girls' restrooms, locker rooms, and other appropriately sex-separated private facilities. Our single-sex and boarding schools would be forced to admit and house together biologically male students with female students. Christian schools would effectively lose the freedom to operate according to the teachings of their faith.

The coercive nature of the Equality Act places it in stark disharmony with the Constitution's protections for religious freedom and free speech. By mandating a universal sexual ethic, the government eradicates the right of people to speak freely and without fear on issues core to one's conception of truth—like competing views of sexuality. By explicitly prohibiting use of RFRA to protect against government coercion concerning sincerely held beliefs about reality, the government sends a clear message that dissenting views, including those espoused by Christian schools, do not deserve equal protection in society.

The Equality Act offers a grave picture of an America loose of her constitutional moorings. While America has always welcomed diverse thoughts and beliefs, and peaceful discourse concerning them, the Equality Act would enforce one government-sanctioned ideology and punish those who do not conform to it. Coercing Christian schools and countless other citizens of good will to affirm same-sex marriage and transgender ideology does not make for a more pluralistic, tolerant society; instead, it fosters contempt and mistrust between the government and those practicing the constitutional right to exercise one's religion.

Forcing the American people to choose between their religious beliefs and government retaliation is unconstitutional and denigrates our Republic to the rule of powerful perceived majorities. We urge Congress to reject the Equality Act and any other proposal that inflicts similar destructive harms on our nation.

Thank you for your consideration, and for your service to our great country.

Sincerely,

A handwritten signature in black ink that reads "Mike Rouse". The signature is written in a cursive, flowing style.

Dr. Mike Rouse  
President

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<sup>1</sup> Justice Kennedy, [Obergefell v. Hodges](#), majority opinion.