



September 27, 2024

The Honorable Virginia Foxx
Chairwoman
House Committee on Education and the Workforce
2462 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Tim Walberg
House Committee on Education and the Workforce
U.S. House of Representatives
2266 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Foxx and Congressman Walberg:

The undersigned represent diverse beliefs regarding theology, but we agree on affirming the freedom of all students to meet on their public college campuses based upon their shared religious beliefs. We thank you for including protection for religious students in HR 3724, the Accreditation for College Excellence Act of 2023. By including the language of the Equal Campus Access Act of 2023 in the larger bill at Section 112C(b), it sends a crucial message that the identity, presence, and voice of religious student organizations from all faiths matter on public college and university campuses.

We are deeply grateful for your longstanding commitment to protecting religious student groups who too often are threatened with exclusion because of their religious beliefs. We appreciate your steadfast championing of legislation to protect religious student groups both in Committee and in bringing the legislation to a floor vote. We are especially thankful for your eloquent remarks in support of the Equal Campus Access Act on the House floor during passage of HR 3724.

Faith-based student organizations should not face discrimination on college campuses solely because they require their leaders to agree with their core religious beliefs. Basic religious freedom—and common sense—require that a religious group be permitted to require that its leaders agree with its religious message and mission. Unfortunately, on too many college campuses, religious student organizations are denied this essential freedom.

Because this problem is national in scope, a national solution is needed. For that reason, we deeply appreciate the inclusion of concise, straightforward language that prohibits federally funded public colleges from excluding religious student

organizations from campus because of their religious speech, including their religious leadership requirements.

This language also follows the well-marked path of previous federal laws that Congress has enacted to protect religious organizations' right to be religious in the public square. When high school students were being denied permission to meet for religious speech in the 1980s, Congress enacted the Equal Access Act, 20 U.S.C. §§ 4071-74, a law with a remarkable track record of success for the past four decades. The United States Supreme Court upheld the Equal Access Act, by an 8-1 vote, in *Board of Education v. Mergens*, 496 U.S. 226 (1990). Similarly, Congress enacted Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-1(a), to protect religious organizations' right to hire persons who share the organizations' religious beliefs. The Supreme Court unanimously upheld Title VII's constitutionality in *Corporation of Presiding Bishop v. Amos*, 483 U.S. 327 (1987).

Colleges remain free to adopt whatever policy they wish regarding student organizations. The Equal Campus Access language merely prohibits colleges from using their chosen policies to exclude a religious student group from campus because its speech is religious or because it requires its leaders to be religious.

The Equal Campus Access language in the Accreditation for College Excellence Act provides critical protection for faith-based student organizations of all religious traditions. These organizations promote genuine diversity on college campuses and contribute to the robust pluralism that is a hallmark of a healthy society. They are typically among the most diverse groups on campus in terms of the racial, ethnic, and socio-economic backgrounds of their students. They welcome all students to explore religious values and ideas, to participate in their activities, and to experience authentic community.

The language will ensure that such groups will be allowed to meet on campuses nationwide, providing authentic faith communities where students can find belonging, and enabling them to freely discuss, live out, and share their religious ideas and values. It will allow religious student groups to continue to serve their campuses and communities without fear of discriminatory exclusion.

Thank you again for including protection for these beneficial organizations in this Act.

Sincerely,

David Nammo
Executive Director and CEO
Christian Legal Society

Gregory L. Jao
Senior Assistant to the President – Campus Access
InterVarsity Christian Fellowship/USA

Mark Gauthier
Vice President for North America and Oceania
Cru

Marvin G. Campbell
President and U.S. Director
The Navigators

Wanda G. Anderson
General Counsel and Vice President of Cultural & Community Affairs
The Navigators

Lance Kinzer
Director of Policy and Government Relations
1st Amendment Partnership

Howard Slugh
General Counsel
Jewish Coalition for Religious Liberty

Ismail Royer
Director, Islam and Religious Freedom
Religious Freedom Institute

Bill Reichart, MDiv.
Vice President for Campus & Community Ministries
Christian Medical & Dental Associations

Antoine Kazzi
Vice President of Legal
Fellowship of Catholic University Students (FOCUS)

Douglas G. Barkema
Executive Vice President and Legal Counsel
Fellowship of Christian Athletes

Brandon Worsham
Director
Fellowship of Christian University Students (FOCUS)

Kenny Wada
Co-Executive Director of Domestic Missions
Japanese Evangelical Missionary Society/Asian American Christian Fellowship

Will W. Huss, Jr.
National Coordinator
Reformed University Fellowship

Dr. Vondalier A. Pipkin
President
ReJOYce In Jesus Campus Fellowship

Claire McAuliffe
Executive Director
Sigma Alpha Omega Christian Sorority, Inc.

Paul W. Sherrill
Vice President of Administrative Services
Young Life

Dr. Philip E. Dearborn
President
Association for Biblical Higher Education

P. George Tryfiates
Vice President for Public Policy & Legal Affairs
Association of Christian Schools International

Donna M. Carroll
President
Association of Catholic Colleges and Universities

Penny Nance
President and CEO
Concerned Women for America LAC

Ayman Iskander
Cofounder and treasurer
Coptic Medical Association of North America

David A. Hoag
President
Council for Christian Colleges & Universities (CCCU)

F. Brent Leatherwood
President
Ethics & Religious Liberty Commission of the Southern Baptist Convention

Jeff Bennett
Executive Director
Kansas Family Voice

Paul A. Long
President and CEO
Michigan Catholic Conference

Rev. Dr. Walter Kim
President
National Association of Evangelicals

Rev. N.J. L'Heureux, Jr.
Executive Director Emeritus
Queens Federation of Churches

Melissa Reid
Director of Government Affairs
Seventh-day Adventist Church - North American Division

Chuck Hurley, Esq.
Vice President and Chief Counsel
The FAMiLY Leader