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October 18, 2007

Honorable George Miller, Chairman
Honorable Howard “Buck” McKeon, Ranking Member
House Committee on Education and Labor
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Miller and Ranking Member McKeon:

While we have no position on the underlying legislation, we write to you on behalf of our respective organizations – the General Conference of Seventh-Day Adventists, the Union of Orthodox Jewish Congregations of America, and the United States Conference of Catholic Bishops – to express our support for the religious exemption language found in section 6 and section 3(a)(8) of H.R. 3685, the Employment Non-discrimination Act of 2007 (ENDA), being considered by the Committee today.

As was the case in versions of ENDA that were introduced in previous congresses, the language in section 6 of H.R. 3685 contains a single sentence exempting religious organizations from its provisions. Also as in previous congresses, H.R. 3685 defines religious organization in a manner that is consistent with the language found in Title VII of the Civil Rights Act of 1964. We believe this language provides an indispensable protection for the free exercise rights of religious organizations and strongly support its inclusion in ENDA.

We understand that an amendment may be offered in the Committee’s markup that would alter the carefully calibrated language contained in section 6 and section 3(a)(8) of H.R. 3685. Adoption of such an amendment would present our organizations with grave concerns about unacceptable government infringement upon the freedoms guaranteed to religious organizations by the United States Constitution, as well as by Supreme Court and statutory precedents. We would oppose any such amendment.

By including language that is consistent with the religious exemption language from previous congresses, we believe that the religious liberties guaranteed by the U.S. Constitution, Supreme Court jurisprudence, and existing federal law are better protected. We urge you to oppose any amendment that would upset this tradition.

Sincerely,



Nathan J. Diamant
Director of Public Policy
Union of Orthodox Jewish
Congregations of America



Anthony Picarello
General Counsel
U.S. Conference of
Catholic Bishops



James Standish
Legislative Director
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