

The Secular Coalition for America comprises 20 large and small organizations that support the separation of church and state and the rights of nonreligious Americans. We represent the 30 percent of the population or 81 million Americans who state that they have no religious affiliation. We have significant concerns about the Commission's approach to these Americans given the composition of the Commission. Among the 13 Commission members and the 26 advisory board members we are not confident that the members would protect the constitutional principle of the separation of state and church.

Similarly, when the Commission looks at the history of religious liberty in America we see no one who is likely to show that when the Founders assembled to write the Constitution they were wise enough to set aside their personal religious beliefs and create a secular government so that all Americans could enjoy freedom of religion, belief or lack of.

Yes, the nation was founded by Protestants and Deists who chose not to establish a theocracy. The words Christian, Jesus, God and Bible do not appear in the Constitution. Religion only appears when the document says there will be no religious test for any public office. It is clear that America was established as a secular nation.

As one of many examples of this, when Thomas Jefferson was recounting the passage of the landmark Virginia Statutes for Religious Freedom, he was gratified that the legislative effort to insert "Jesus Christ" in the preamble was defeated, establishing that religious freedom was "meant to comprehend, within the mantle of it's protection, the Jew and the Gentile, the Christian and Mahometan, the Hindoo *and infidel* of every denomination."

The following questions are based on our concerns and apprehensions about the direction of the Commission. We at the Secular Coalition for America would appreciate seeing your answers that show how the Commission will represent the views and beliefs of all Americans:

- Given the administration's directive to align [federal regulations with recent Supreme Court rulings](#), what safeguards will be put in place to prevent these changes from becoming a license to discriminate under the banner of religious freedom?
- The White House recently directed [federal agencies to repeal regulations deemed inconsistent with ten recent Supreme Court rulings](#). Will the Religious Liberty Commission's findings be used to guide or accelerate those repeals, particularly in areas involving nondiscrimination, reproductive rights, and secular public services? If so, how will the Commission ensure that these rollbacks do not undermine constitutional protections for the nonreligious and religious minorities?
- How is the Religious Liberty Commission coordinating with the Anti-Christian Bias Task Force, and are their findings being used to shape government-wide rules that disproportionately center Christianity as the primary protected belief system?
- How does the Commission ensure that its work does not privilege Christianity above other belief systems—or nonbelief—particularly when "parental rights" and "religious

education” are often invoked to justify discrimination against LGBTQ+ individuals, religious minorities, and secular Americans?

- The Commission appears poised to recommend enhanced civil rights enforcement in cases of perceived anti-Christian bias, including in contexts like allowing greater school prayer. Will these efforts be matched by equal enforcement of protections for students, employees, and patients who may be coerced into participating in religious activities or penalized for holding minority or nonreligious views? How will the Commission ensure that civil rights enforcement does not become a tool for advancing one religious viewpoint over others—or over the right to abstain from religion altogether?
- Will findings from the Commission be used to justify changes to Title IX, Section 1557 of the Affordable Care Act, or federal contractor nondiscrimination rules? If yes, how will public transparency and Congressional oversight be ensured in that rulemaking process?

We appreciate your attention to these important questions and hope they will be answered promptly. The Commission’s work can benefit all Americans if all Americans are considered during the Commission’s hearings and deliberations. You can contact us through Steven Emmert, the executive director of the Secular Coalition for America, at Steven@secular.org