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September 10, 2019

Acting Secretary Patrick Pizzella
United States Department of Labor
200 Constitution Ave NW
Washington, DC 20210

Dear Acting Secretary Pizzella,

We write in strong support of the Department of Labor (DOL's) Office of Federal Contract Compliance Programs (OFCCP) proposed rule clarifying the scope and application of the religious exemption contained in section 204(c) of Executive Order 11246, as amended. If implemented this rule will provide peace of mind for all faith-based organizations and employers who seek to serve their communities while contracting with the federal government.

When President Lyndon B. Johnson signed Executive Order (E.O.) 11246 in 1965 and explicitly incorporated religion into E.O. 11246 in 1967, he provided a clear mandate to enforce the Civil Rights Act in all federal contracts. Protection of conscience, religious belief, practice and association are not only central to the Civil Rights Act, they form the cornerstone for all liberties. Together these elements are codified in the First Amendment of the Bill of Rights. The proposed rule is rooted in the great American legal tradition of protecting religious freedom for all people, is consistent with E.O. 11246 and the landmark 1964 civil rights legislation.

Intervening amendments to E.O. 11246, however, have created a need for clarification in the hiring process for religiously affiliated federal contractors. This proposed rule would clarify that federal contractors may follow the dictates of their religion and sincerely held religious beliefs when making organizational employment decisions. Without this rule, faith-based contractors have expressed concerns that they may face federal sanctions for making hiring decisions consistent with the organization's mission and purpose. This fear is unfair to potential contractors and limits services to the most vulnerable Americans by hindering qualified contractors and service providers from contracting with the government out of fear of religious persecution.

Another important clarification provided in this rule is the broad protection for religious liberties. Nowhere in statute or Supreme Court precedent has it been established that the term "religious" should only apply to certain types of religious organizations. No federal judge or bureaucrat has been vested with the authority or capacity to determine who or what organization qualifies as religious enough to be granted a religious exemption. The federal judiciary has been flooded with cases that are the result of anti-religious bully tactics from secular activists. Despite these

divisive efforts, the U.S. Supreme Court has only reaffirmed the importance and breadth of religious freedom in the public square.

Recent cases including *Burwell v. Hobby Lobby Stores, Inc.*, *Trinity Lutheran Church of Columbia v. Comer* and *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission* have preserved the broad protections of religious liberty that all Americans should be afforded. The proposed rule is consistent with the precedent established in these landmark decisions. Each of these decisions came with the cost of Americans of faith not only enduring the material costs of litigation, but the emotional and spiritual cost of having their faith put on trial. When considering the urgency of this proposed rule it should be noted that Jack Phillips, the proprietor of Masterpiece Cakeshop, is facing a third round of antagonistic litigation.

We applaud President Trump's Administration for seeking to preserve the rights and liberties to which all Americans are entitled. It is our hope that this rule will be implemented promptly, and that Americans of faith will be free to serve their country through federal contracts without fear of reprisal, sanction, or persecution.

Sincerely,



Doug Lamborn
Member of Congress



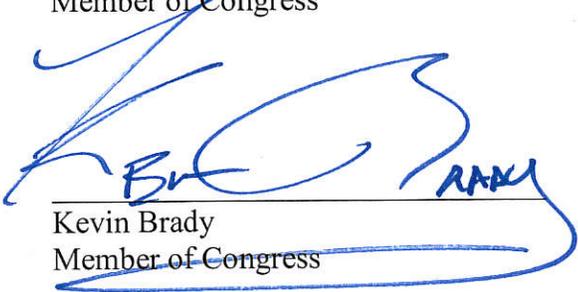
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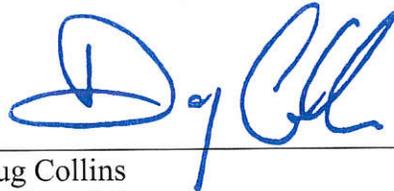
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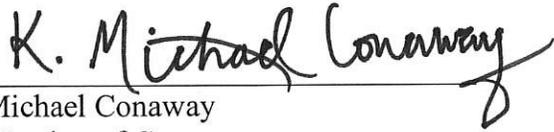
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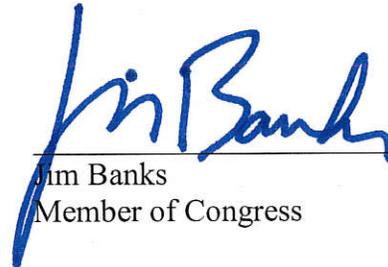
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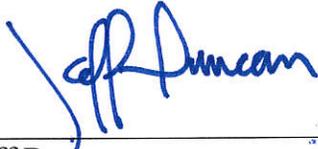
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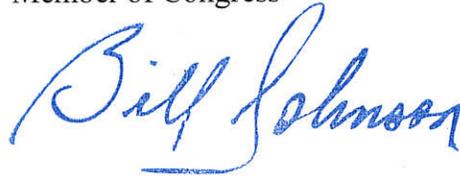
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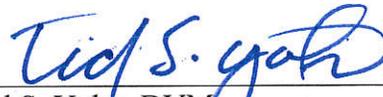
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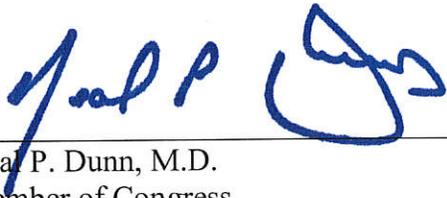
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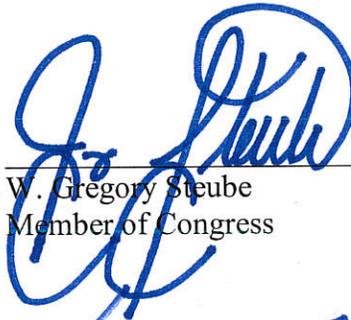
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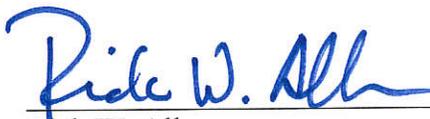
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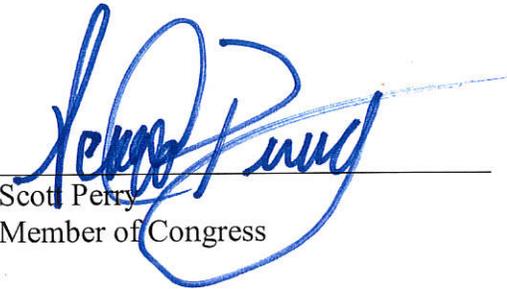
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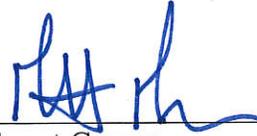
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