

Congress of the United States
Washington, DC 20515

June 30, 2017

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Sessions:

On May 4, 2017, President Trump issued an Executive Order stating that “it shall be the policy of the executive branch to vigorously enforce Federal law’s robust protections for religious freedom.” That same Order also directed you to “issue guidance interpreting religious liberty protections in federal law.”

These “robust protections for religious freedom” are enshrined in both the First Amendment and Article VI of the United States Constitution. While there is continuous debate about the scope and meaning of the religion clauses in the First Amendment, the text of Article VI has been clear: “no religious test shall *ever* (emphasis added) be required as a qualification to any office or public trust under the United States.”

The Supreme Court unanimously held in *Torcaso v. Watkins*, 367 U.S. 488 (1961) that “when our Constitution was adopted, the desire to put the people ‘securely beyond the reach’ of religious test oaths brought about the inclusion in Article VI...Article VI supports the accuracy of our observation...that ‘the test oath is abhorrent to our tradition.’”

That statement is as true in 2017 as it was in 1789. Yet, questions were asked during a recent Senate Budget Committee hearing about an executive branch nominee’s adherence to the Christian faith, suggesting that such beliefs disqualified the nominee from service.

The free exercise of religion means the ability to practice your faith without fear of punishment by the government. The government violates that right if it determines which faith or non-faith practices are valid or which aspects of a particular faith are legitimate. As such, we urge you to make clear in your forthcoming guidance that the scope and meaning of Article VI has not changed: no religious test will ever be required to serve in the government of the United States.

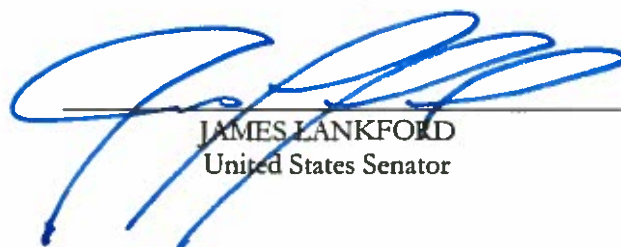
The right to the free exercise of religion – to practice any faith or choose no faith at all – is a fundamental human right of all people. It is essential that this new guidance also affirms protections for individuals and religious entities to ensure that no one is forced by the federal government to violate his or her conscience and sincerely held religious beliefs.

We have a responsibility to uphold the Constitution and defend the free exercise of religion for people of all faith and non-faith both here and around the world, to ensure as President Trump said, that all are able to “exercise religion and participate fully in civic life without undue interference by the Federal Government.” We look forward to working with you to secure this fundamental and constitutional right.

In God We Trust,



MARK WALKER
Member of Congress



JAMES LANKFORD
United States Senator



JAMES M. INHOFE
United States Senator



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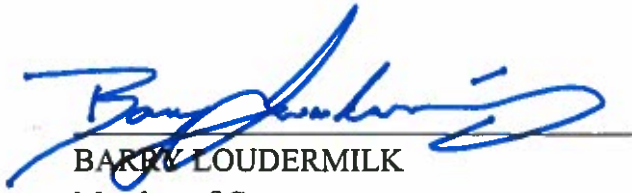
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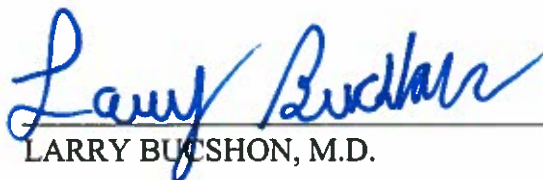
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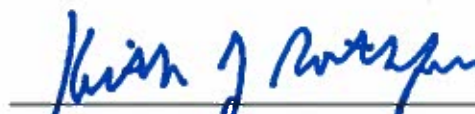
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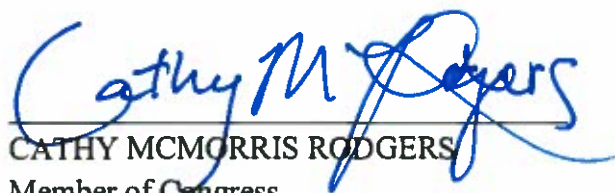
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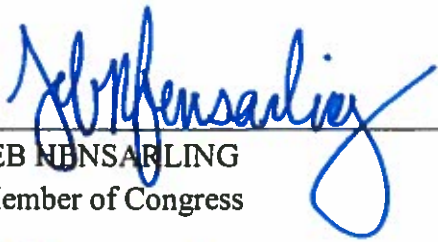

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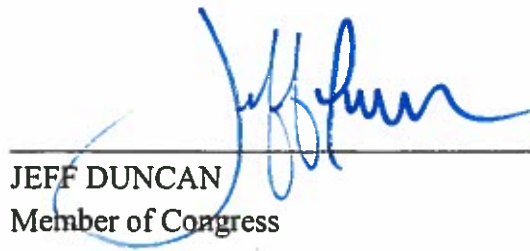

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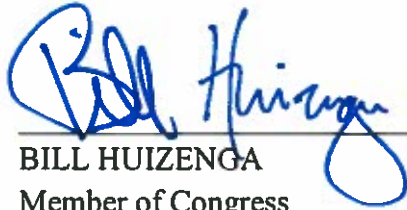

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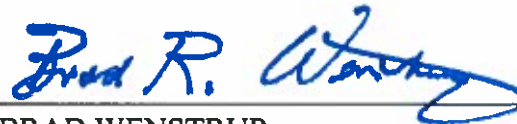
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