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April 13, 2017

President Donald Trump
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

Religious freedom – the right to practice any faith or to choose no faith at all – is a fundamental human right of all people. I was encouraged to hear you say that a “first priority” of your administration will be to “preserve and protect our religious liberty,” and I believe there are several steps you can take to make that commitment a reality.

First and foremost is the Supreme Court. I was pleased to see your nomination of Judge Neil Gorsuch to serve as the next Associate Justice of our nation’s High Court, as he has a proven record of protecting religious freedom in this country. The Supreme Court will soon hear cases impacting religious freedom in the military, in business and in federal grants. Having a Justice on the Court that will uphold the First Amendment is paramount, and I fully supported Judge Gorsuch’s nomination.

Beyond the Court, your administration can also set the tone for how religious freedom will be incorporated into our nation’s foreign policy. March 17, 2017 marked the one-year anniversary of the designation of actions taken by ISIS – “killing Christians because they are Christians; Yezidis because they are Yezidis; Shia because they are Shia” – as genocide, yet there was no statement issued by the State Department or the White House.

Additionally, in the initial 2016 country report on Human Rights Practices in Iraq, the term “genocide” did not appear at all, and it appeared only once in the Syria report and only in reference to the Yazidis. I was pleased to see that both country reports have since been updated to accurately reflect the genocide that took place. However, if a policy of the United States is to promote religious freedom as a fundamental human right for all people, we must address this atrocity through advocacy for religious freedom abroad, the provision of humanitarian aid, the pursuit of justice against the perpetrators, and assistance with economic revitalization.

An important and crucial step in this direction is the nomination of the Ambassador-at-Large for International Religious Freedom in the State Department. As our representative to the world on religious freedom, the Ambassador-at-Large would be instrumental in assisting the Secretary of State in training our Foreign Service officers and developing a strategy for how to secure the release of American citizens detained abroad. For instance, Dr. Andrew Brunson, an American pastor, has been imprisoned in Turkey without formal charges since October 2016. There are countries in this world that are extreme religious freedom violators and have been actively hostile to the United States; however, Turkey has traditionally not fallen in that category. Now, though, an ally of the United States is holding one of our own. The Ambassador-at-Large position has been vacant since January 20th, and left unfilled, sends a message to the world that religious freedom is not a priority of the United States government. As such, I urge you to nominate an individual to fill this position as soon as possible.

In addition to foreign policy, your administration can play a key role to ensure that the free exercise of religion is not inhibited here in the United States. The White House Office of Faith-based and Neighborhood Partnerships established under the Bush administration and continued, though restructured by President Barack Obama, has worked to ensure that

faith-based organizations are able to partner with the federal government. To date, your administration has not filled the Director role in the White House, nor ensured that the agency components are filled as well.

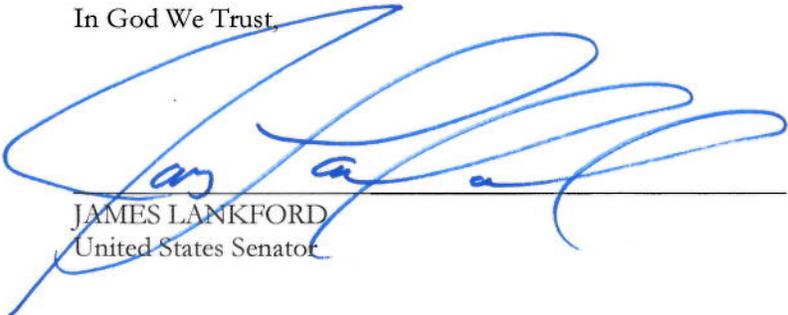
Further, on January 31st, you issued a statement indicating that your administration will continue to enforce Obama-era Executive Order 13762 and on March 27th, issued your own Executive Order on federal contracting. However, neither your statement nor your Executive Order provided much needed clarification regarding the rules and guidelines for faith-based organizations that wish to partner with the federal government. After Executive Order 11246 was amended by Executive Order 13672, the Obama administration issued incorrect guidance suggesting that religious organizations cannot employ individuals who follow the organizations' religious teachings. Civil rights laws have always protected the religious hiring practices of religious organizations, and Executive Orders 11246 and 13672 both explicitly affirm such protections. Many religious contractors have been significantly impacted by agency guidance that runs contrary to these existing protections. These organizations are also often the best, if not the only ones, able to offer the services they perform. A new study recently published by Faith Counts, proves the positive and economic impact that faith-based entities have on our society. The report found a \$1.2 trillion impact from "philanthropic programs, educational institutions and healthcare services," proving that "congregations, faith-based businesses, institutions and faith-based charities strengthen our economy, build communities and families and lift people up in times of need.

It is crucial that faith-based organizations know that they are a welcomed partner by the federal government. Standing up the Faith-Based Office and establishing guidelines for the federal agencies regarding religious freedom issues more holistically is of great importance and necessity. As such, I was encouraged when I saw a copy of an Executive Order entitled "Establishing a Government-Wide Initiative to Respect Religious Freedom." However, since the Order was "leaked" in February, it has yet to be issued, but I urge you to do so.

Finally, the Office of Civil Rights at the Department of Education posted a list of all colleges and universities that have requested and/or been granted a religious exemption under Title IX of the Education Amendments of 1972. The posting has been used to "shame" institutions of higher learning that are structured according to a faith mission, and provide an inference that these schools are somehow guilty of discrimination. While the Office's website has been modified, the list of schools remains. There is no need for a separate website listing these schools. Instead, the letters could be in the FOIA room. If the list of letters remains on a separate website, the additional search features listed in conjunction with the list of letters can be removed.

In order to fulfill your commitment of making religious freedom a first priority, I urge you take to concrete steps like those laid out above. I stand ready to work with you and your administration on protecting and persevering this fundamental and foundational right and I look forward to hearing from you.

In God We Trust,



JAMES LANKFORD
United States Senator

CC: The Honorable Mike Pence
Vice President of the United States

The Honorable Rex Tillerson
Secretary of State

Mr. Reince Priebus
White House Chief of Staff