

December 8, 2009

Honorable Tom Harkin
Chairman
Senate Health, Education, Labor
and Pensions Committee
428 Dirksen Senate Office Building
Washington, DC 20510

Honorable Michael B. Enzi
Ranking Member
Senate Health, Education, Labor
and Pensions Committee
835 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Harkin and Ranking Member Enzi:

On behalf of the millions of families, church leaders, parents, pastors, and business owners we collectively represent, we, the undersigned strongly oppose the confirmation of Chai Feldblum to serve on the Equal Employment Opportunity Commission (EEOC) because of the threat she poses to our First Amendment right to the free exercise of religion and her radical views on marriage.

According to Feldblum, a person's religious beliefs (what she calls "belief liberty") can be trumped by "sexual liberty." When "sexual liberty" and the constitutionally guaranteed right to the free exercise of religion conflict, Feldblum has stated, "I'm having a hard time coming up with any case in which religious liberty should win."

Feldblum ignores the fact that our Founding Fathers came to America to practice religious freedom, not just "believe" it. The First Amendment in the Constitution was created to guarantee and protect this right to practice religious belief.

As a Commissioner at the EEOC, Feldblum would be in a position to implement what she has advocated for years: "Once a religious person or institution enters the stream of commerce by operating an enterprise such as a doctor's office, hospital, bookstore, hotel, treatment center, and so on, I believe the enterprise must adhere to a norm of nondiscrimination on the basis of sexual orientation or gender identity."

During her confirmation hearing, Feldblum attempted to distance herself from the radical statement BeyondMarriage. She claimed it was a "mistake" to have signed this petition in 2006. Yet, she went on to say that she "agreed with the general thrust of the statement." While Feldblum denied supporting polygamy, she did *not* deny supporting polyamory, (multiple sex partners -- both male and female).

The only mistake Feldblum made was getting caught. It was only the night before her confirmation hearing that she asked to have her name removed from the statement.

Here are just two of the bizarre positions in the BeyondMarriage statement:

- Committed, loving households in which there is more than one conjugal partner
- Queer couples who decide to jointly create and raise a child with another queer person or couple, in two households

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Based on Feldblum's extensive writings and speeches, we know that she is a long-time supporter of government recognition of same-sex marriage and polyamorous relationships. She has stated:

"We want to change the American workforce and revolutionize social norms...Our current public policies undermine the moral and political unit of same sex couples and families and that's a moral wrong that needs to be rectified."

"Marriage is not the only worthy form of family or relationship, and it should not be legally and economically privileged above all others."

"I, for one, am not sure whether marriage is a normatively good institution. I have moved away from the belief that marriage is clearly the best normative way to structure intimate relationships, such that government should be actively supporting this social arrangement above all others."

A favorite liberal punching bag, the Boys Scouts, does not go unscathed by Feldblum. Her writings reveal a great contempt for the right of the Boy Scouts to exclude gay Scout leaders. Yet, again, she is out of the mainstream.

Additionally, Feldblum is the primary author of the misnamed Employment Non-Discrimination Act (ENDA) which extends special civil rights protections to homosexuals and transgenders, while taking away rights from children, parents and Christian business owners. The EEOC is tasked with enforcing ENDA—whether it be forcing Christian business owners or public schools (pre-K-12) to comply.

This legislative effort proves Feldblum's intent to enact her distorted legal theories at whatever level of governmental authority she gains.

Finally, Feldblum's appointment to the EEOC could be a stepping stone to the Supreme Court where she will serve a life-time appointment.

Feldblum is a highly controversial figure. She is a strong opponent of the practice of religious liberty whenever it conflicts with "sexual liberty." Her views are out of the mainstream of American public opinion. It is clear from her well-published writings and speeches, that Feldblum would use her position as an EEOC commissioner to infringe upon the free exercise of religion.

We urge you to oppose her confirmation to the EEOC when she comes before the Senate Health, Education, Labor, and Pensions Committee (HELP).

Sincerely,

(Please See Attached)

cc: Senate HELP Committee Members

Andrea Lafferty
Executive Director
Traditional Values Coalition

Andy Blom
Executive Director
American Principles in Action

Rev. Louis P. Sheldon
Chairman
Traditional Values Coalition

Timothy B. Wildmon
President
American Family Association

Dr. Richard Land
President
Southern Baptist Ethics & Religious
Liberty Commission

Tom McClusky
Sr. Vice President
Family Research Council Action

Wendy Wright
President
Concerned Women for America

Susan A. Carleson
Chairman and CEO
The American Civil Rights Union

Rev. Rob Schenck
President
Faith and Action/National Clergy Council

Tom Minnery
Senior Vice President
Government and Public Policy
Focus on the Family

Mathew Staver
Founder and Chairman
Liberty Counsel

Rick Scarborough
President
Vision America Action

Robert H. Knight
Senior Writer/Correspondent
Coral Ridge Ministries

William J. Murray
Chairman
Religious Freedom Coalition

Lewis K. Uhler
Founder and President
National Tax Limitation Committee

Rick Joyner
President
MorningStar Ministries

Linda Harvey
President
Mission America

Peter LaBarbera
President
AFTAH

Dr. John McKnight
President
American Council of Christian Churches

Dr. Norris Belcher
President
Maryland Association of Christian
Schools

Joe R. Haas, Ed.D.
President
Freedom to Learn

Donna Miller
Special Projects Director
AFTAH

Dr. Roger L. Salomon
President
Christian Legal Defense

Nathan Scott Albaugh
Sparta, MI

Deborah Allison
Grand Rapids, MI

Kathryn & James Amsinger
St. James, MO

Eric and Erica Araneta
LaCrosse, WI

Carol J. Barineau
Crawfordville, FL

Richard Barnard
Kinston, NC

Jerry Beasley
Humble, TX

Roland & Alice Beihl
Mendota Heights, MN

Ken & Fran Bellamy
Murrells Inlet, SC

Jane Bolen
Grand Rapids, MI

Janifer Blanchard
Bloomfield Hills, MI

Dale and Evelyn Brainerd
Oakdale, CA

Steven C. Briggs
Southington, CT

Kathleen Brock
Raleigh, NC

Sharon Brown
Houston, TX

Judy A. Cambre
Lacombe, Louisiana

Cynthia Carswell
Shelby Twp, MI

Catherine & James Caulfield
Rutherfordton, NC

Dr. Stephen Chitty
Christian Life Church
Columbia, SC

Charles F. Clark
Atlantic Bch, FL

The Rev. Donald L. Clark, Ed.D
Boone, NC

Doug Clark
Owner, New Sound Services
Danville, WA

Peter and Deborah Coleman
Buckfield, ME

Diana M. Collins
Moravian Falls, NC

Kathleen M. Conn
Charlotte, NC

Karen Copas
Raleigh, NC

Nancy Daffern
Tulsa, OK

Karolyn E. Daniel
Bainbridge, GA

Clyde Davis
Clover, SC

Rodney Daw
Raleigh, NC

Cathy Dotson
Elementary Principal
Wilmington Christian Academy
Wilmington, NC

Art and Cynthia Drexler
Fort Collins, CO

Michael F. & Donna G. DuBois
Equinunk, PA

Diane Dulle
Loveland, OH

Vicki Ewing
Charlotte, NC

Jeffrey T. Farwell
Omaha, NE

Tiffany Fiacco
Colorado Springs, CO

Isabell Fiadini
Jacksonville, FL

Raymond Firstine
Hollis, NH

Mr. & Mrs. Michael Franco
Albuquerque, NM

Mary Gingerich
Ovid, MI

Stuart & Sandra Gittleman
Longmeadow, MA

Senior Chaplain Gil Goodin
Moravian Falls, NC

Margaret Gray
Magnolia, TX

Coleen C. Gritter
Beecher, Illinois

Mark Gurley
Comstock Park, MI

Glenyce Hansen
Grand Haven, MI

Linda Hardee
Fort Mill, SC

Jerome M. Hatcher
The Louisiana Roundtable
Shreveport, LA

Carole Hayes
New World Ministries
Celebration, FL

Tom Hayes
New World Ministries
Celebration, FL

Albert E. Hauck
Senior Minister
Shepherd's Heart Christian Fellowship
Rochester, NY

Joanetta Hendel
Westfield, IN

Dave & Ruth Herr
Tega Cay, SC

Mrs. Donna Hill
Ft. Mill, SC

Ruth Hilman
McMinnville, OR

Mr. and Mrs. Kent Hillmann
Waxhaw, NC

Melanie Hubbard
Lone Pine, CA

Azad Husnian
Canton, NC

David Ivy
Elmira, NY

RADM Grady and Linda Jackson
USN (Ret)
Pawleys Island, SC

E. Beth Johnson
Washington, DC

Steve Kehoe
San Antonio, TX

Admiral Al & Cecily Kelln
Magnolia, TX

Tor Kilstrom
Shining Light Baptist Academy
Monroe, NC

Diana King
Milford, DE

Lynn Knapp
Alpena, MI

Mary LaDisa
Milwaukee, WI

Deborah Lavoie
Vernon, CT

Deborah Lindquist
Wilmington, NC

Jerry Lessel
Wilburton, OK

Han Li
Chicago, IL

Willard & Rita Lightsey
Baxley, GA

Lila Litsey
Paradise Valley, AZ

Dr. Jackie McKool
McKool Natural Medicine &
Chiropractic Center
Charleston, SC

Arlette and Ian McGrigg
Waxhaw, NC

Dora McIntosh
Gouverneur, NY

Larry McIntosh
Sewanee, TN

Beverly McQueen
Grandville, MI

Michele Merritt
San Jose, CA

Herbert Morgan
Nampa, ID

Derek Morita
Kailua, HI

Sharon Myers
Blacksburg, VA

Bill NeSmith
Fort Mill, SC

Patricia T. Nicotera
Fort Mill, SC

Tracy Osborne
CCM North Carolina
College of Theology

Danny and Susan Overcash
Hurst, TX

Ms. Evelyn Owens
Houston, TX

Janell L. Owens
Marysville, WA

Tom and Brenda Parry
Mt. Savage, MD

Charles Pattison
Sarasota, FL

Beryl F. Perkins
The Seed Ministry
Charlotte, NC

William Edward & Terri Petitt
Cramerton, NC

John N. Petzel
Fort Mill, SC

Lloyd C. Phillips
Fellow Laborers' Church
The Fellow Laborers' International
Network (FLInt Net)
Missoula, MT

Marnie Piuze
Westlake Village, CA

Jeannie & Karl Pongs
Corona, CA

Peggy Pulliam
Sparta, GA

Jane Quijada
Tucson, AZ

Christopher John & Mary Ellen Reber
Zionsville, PA

Ivan and Esther Richards
Big Bend, WV

Stephen R. Richardson
Moravian Falls, NC

Mike & Cindy Riches
Gig Harbor, WA

Deborah Riddle
Bradenton, FL

Lucy Rizzo
Franklin, TN

Annette M. Roach
East Liverpool, OH

Margaretann Rogers
Binghamton, NY

Pastor Roy Roden
Destiny Church Fellowship
Camden, ME

Jody Ross
Portland, OR

Patricia Rucker
Associate Pastor
Shekinah Tabernacle
McKeesport, PA

Mr. and Mrs. Kenneth Schaeffer
Valdosta, GA

Rev. Roberta K. Schneider
Norwalk, CT

Charles Schwidde
Washington, NC

Rev. Charlie T. Scott, Jr.
Sr. Pastor
South Charlotte Baptist Church
and Academy
Pineville, NC

Marc Scott
Grand Ledge, MI

Pastor Jackson Sherwood
Carbon Valley Ministries
Firestone, CO

Lorna Sherwood
Vice President
New Hope Family Christian Church
Firestone, CO

Rosemarie Shureb
Canton, MI

Deborah S. Sistare
Fort Mill, SC

Tanya Smith
Kenosha WI

Wanda Harvill Smith
Warver Robins, GA

Kenneth C. Sparks, Jr.
Hampton, VA

Roy & Patricia Spradlin
New Boston, TX

Sharon Steuerwald
Brevard, NC

James R. Stone
Kissimmee, FL

D. Stonestreet,
Wilmington, NC

Michelina (Lina) Stumbo
Naples, FL

Mary E. Stutts
Fort Mill, SC

Gayle Thacker
Puyallup, WA

Richard I. Thompson
Glen Carbon, IL

Anne Toponce
Orinda, CA

Daisy Tovar
Covina, CA

Eliseo Valenzuela, President
First State Manufacturing, Inc.
Milford, DE

Sher Valenzuela, VP
First State Manufacturing, Inc.
Milford, DE

Joy M. Van Patten
Pastor
PURE Ministries Fellowship
Maineville, OH

Joel and Shamila Varner
Charlotte, NC

Kari Whited
Spindale, NC

Doris Wiess
Hemphill, TX

Merry T. Wiegand
Springfield, MO

David Wilhite
South Texas Woodmill, Inc
Brownsville, TX

Henry Williams
Redding, CA

Mark Willis
Living Waters Church
Wentzville, MO

Nora M. Winfrey
Asheville, NC

Ashley Wolfe, Executive Director
First State Manufacturing, Inc.
Milford, DE

Richard and Jane Woodard
Goldsboro, NC

Jackie Wright
Lebanon, OH

Jason Wright
Spartanburg, SC

Nichole Yambor
The Oak Initiative
Ft. Mill, SC