

Submitted via Electronic Mail RLC@usdoj.gov

July 13, 2026

Religious Liberty Commission
US Department of Justice
Office of the Associate Attorney General
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Chair Patrick, Vice Chair Carson, and Members of the
Religious Liberty Commission:

The North American Division of Seventh-day Adventists submits these comments in response to recommendations put forth in the draft report of the Religious Liberty Commission.

For reference, the Seventh-day Adventist Church in the United States comprises approximately 1.2 million church members, 5,400 congregations, and 800 schools.

For more than 170 years, the Adventist Church has promoted freedom of belief for all people everywhere. For Adventists, the principle of religious freedom has strong biblical, historical, and theological foundations.

Because of this core belief that conscience is sacred and should be free from government control, the Adventist Church has been a pioneering force in our nation's religious liberty advocacy work. The first article on this topic by an Adventist Church leader was written in 1851 by John N. Andrews. In 1906, the Church began publishing *Liberty: A Magazine of Religious Freedom*. At the time, *Liberty* was the only magazine on religious freedom in the Americas. Today, the magazine is the oldest continuously published journal on religious liberty.

The Adventist Church commends the Administration's prioritization of America's First Freedom and its establishment of the Religious Liberty Commission. We applaud the Commission's goal of maintaining our nation's religious freedom protections by increasing Americans' awareness of

those rights and strengthening their ability to practice their faith in ways consistent with their sincerely held beliefs.

As a denomination with members in 212 countries and territories worldwide, we recognize the incredible freedoms afforded believers here in the United States. We are profoundly grateful for the foresight of our nation's Founding Fathers in their affirmation of these God-given rights in our nation's Constitution.

The Adventist Church applauds the Commission's assertion that "people of faith should not be required to leave their religious convictions behind when they enter the workplace" and its subsequent recommendation to the Equal Employment Opportunity Commission to create resources to protect private-sector employees from religious discrimination (p. 21). For decades, Adventist members in this country experienced religious liberty challenges primarily due to insufficient religious accommodation protections in the secular workplace. The Supreme Court's 2023 ruling in *Groff v. DeJoy* means that our members no longer have to choose between their faith and their job.

The Adventist Church additionally appreciates the Commission's recommendation to support litigation upholding church autonomy (p. 63), as the Church is now experiencing challenges to its ability to hire individuals who share its faith and support its religious mission.

The State of Maryland is home to several Adventist administrative and educational bodies, including the Church's world and national headquarters. Unfortunately, it now faces the requirement under the Maryland Fair Employment Practices Act to hire individuals who do not align with its values or support its mission. The Maryland Supreme Court's 2023 ruling in *Doe v. Catholic Relief Services* narrowed the exemption for religious employers. Now only certain employees—those whose jobs are deemed "religious enough" by the courts—can be required to be practicing members of the faith.

The Adventist Church believes that every employee has an important role to play in advancing our mission. For that reason, with the help of the Becket Fund for Religious Liberty, the Adventist Church filed a complaint in federal court to ensure that all religious employers can continue to hire only those who embrace their religious beliefs and uphold their standards ([*General Conference v. Horton*](#)). That case is currently on appeal to the Fourth Circuit awaiting decision, after oral argument in March 2026.

CONCERNS

The North American Division of Seventh-day Adventists appreciates the Commission's work in amplifying current challenges regarding religious freedom and the importance of preserving robust First Amendment protections.

However, we wish to share our concern regarding Recommendation 1: "Instruct the Department of Justice to issue guidance clarifying the proper understanding of the Establishment Clause and separation of church and state" (p. 22).

As followers of Christ, Adventists believe that God, whose character is one of love, allows freedom of choice in matters of faith, and so should we. For this reason, the Adventist Church has historically supported the separation of church and state.

As a Christian denomination that holds this stance, not due to opposition to religion but precisely *because* of our commitment to honor God, we believe we are uniquely qualified to speak in support of our nation's longstanding legacy of proper church-state separation.

We believe the Commission's understanding of the relationship between church and state (Chapter 2) presents an incomplete and insufficiently nuanced account of the historical record. If adopted by the Department of Justice, this narrative would raise serious concerns about the long-term strength of our constitutional religious freedom protections.

We are recommending two revisions to the draft report related to the proper meaning and operation of the establishment clause of the First Amendment:

Recommendation 1: The final Religious Liberty Commission report should acknowledge the nuanced and diverse range of interpretations of the historic principle of church-state separation.

The Commission draft report notes that the phrase "wall of separation between church and state" appears neither in the First Amendment nor anywhere else in the Constitution" (p. 41). The report also notes that this is a metaphor that has been wielded, at times, by those who are fundamentally hostile to religious expression (pp. 41-44).

We believe, however, that church-state separation remains an indispensable constitutional principle and that its misuse is not a sufficient reason to minimize or discard it.

To understand church-state separation as a principle, we do not need to debate the significance of Thomas Jefferson's "wall of separation" metaphor found in his 1802 letter to the Baptists of Danbury, Connecticut (p. 42). Instead, a plain reading of the text of the Constitution clearly shows that the Founders intended to create a constitutional regime with a meaningful separation between church and state.

This separation did not imply hostility toward religion or antagonism toward the Christian majority of the time—quite the reverse. But the Constitution is "secular" in the sense that its primary purpose is to define the various political institutions of the American Republic. It is conspicuously silent on matters of religion; it does not express a religious preference; and, it does not portray the government as having a religious character or purpose.

There are 4,543 words in the original Constitution ratified in 1788. Of those words, only 21 deal directly with religion—and these were inserted to explicitly prevent the state from expressing a religious preference. The "no religious tests" clause of Article VI of the Constitution simply says that someone's religious beliefs or practices can never be used to either qualify or disqualify them from holding "any Office or public Trust under the United States."

Three years later, with the ratification of the Bill of Rights, the religion clauses of the First Amendment made even clearer the Founders' intent to both shield religion from government interference, and—with the inclusion of the establishment clause—to preserve government neutrality between religions.

One may debate the degree of separation between church and state as a matter of constitutional law, but to suggest that this separation is not an important principle—that the Founders did not intend to create a meaningful restraint on government expressions of religious preference—is historically inaccurate.

Recommendation 2: Rather than asserting that those who champion meaningful church-state separation are always motivated by hostility toward religion, the Commission's final report should acknowledge that many sincere believers value this historic principle.

We respectfully ask the Commission to reconsider its suggestion (pp. 41–44) that proponents of church-state separation are inherently hostile toward religion, driven by forces such as Marxism, atheism, and other secular and philosophical movements that seek to minimize religious expression in American life.

In fact, the historical record shows that, throughout our nation's history, the most vocal and effective advocates for church-state separation have been deeply religious groups and individuals who have understood that religiously neutral governance is the strongest safeguard against persecution and state-enforced religious practices. Baptists, Quakers, Jews, and Seventh-day Adventists are among those who have championed church-state separation, motivated by their unwavering faith and their desire for free religious expression to flourish in America.

Today, the Adventist Church continues its more than 170-year advocacy for government neutrality on questions of faith. Adventists have a particularly poignant reason for understanding how necessary church-state separation is to religious freedom. As Protestant Christians who worship on the Seventh-day Saturday instead of Sunday, Adventist pastors, farmers, and laborers were criminally prosecuted in the nineteenth and early twentieth centuries under state-level Sunday rest laws. Adventist Church members paid fines and served time in prison and in chain gangs.

By choosing to build a nation that did not identify itself with one particular religion or sect, the Founders created something genuinely "new under the sun." They created a constitutional order that has allowed religious communities to worship, organize, publish, evangelize, educate, and serve without official permission or coercion. The result has been an extraordinary religious marketplace—diverse, voluntary, and vibrant—in which religious expression has thrived in a way that is unprecedented in human history.

We believe the Commission's report would be stronger and more accurate if it acknowledged the rich, centuries-long heritage of people of faith who have advocated for meaningful church-state separation as a means of protecting religious freedom for all.

CONCLUSION

The two religion clauses of our First Amendment, operating in tandem, represent the "both/and" genius of our unique religious freedom regime. They tell us that we can both enforce the establishment clause without being hostile to religion and rigorously protect religious free exercise without favoring one religion above others.

The free exercise clause means the government must give great legal deference and protection to religious belief and practice. At the same time, the establishment

clause defines boundaries between the role of government and that of private religious institutions.

We diminish the strength of either religion clause at our peril. These two clauses, working together, are why, in cities and towns across America, Jewish synagogues, Hindu temples, Islamic mosques, and churches of every kind—Baptist, Catholic, Lutheran, and Adventist—can occupy real estate within hailing distance of each other.

The North American Division of Seventh-day Adventists appreciates the Administration's prioritization of religious freedom, the work of the Religious Liberty Commission, and the opportunity to submit comments on the Commission's draft report. We urge the Commission to incorporate our recommendations.

May God continue to bless our great nation and its people.

Respectfully,

A handwritten signature in black ink, appearing to read "G. Alexander Bryant".

G. Alexander Bryant, DMin
President

North American Division of Seventh-day Adventists

A handwritten signature in black ink, appearing to read "Orlan Johnson".

Orlan Johnson, Esq.
Director, Public Affairs and Religious Liberty
North American Division of Seventh-day Adventists