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COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

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<http://www.house.gov/judiciary>

November 19, 2010

The Honorable Eric Holder
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

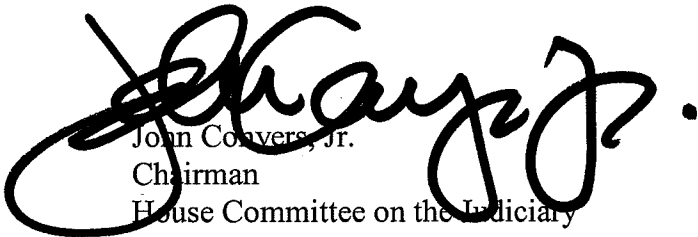
On November 18, 2010, the House Judiciary Committee's Subcommittee on Constitution, Civil Rights, and Civil Liberties held a hearing on Faith-Based Initiatives; Recommendations of the President's Advisory Council on Faith-Based and Community Partnerships and Other Current Issues. While we were able to explore many of the critical church-state issues that have caused concern over the past several years with our panel of experts, the absence of any Administration witness at this hearing was inexcusable. The Administration should welcome the chance to discuss reforms recommended by the President's Advisory Council and the Executive Order issued yesterday by the President setting out "Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations." Despite invitations to the White House and the Department of Justice, the Administration declined to send anyone to yesterday's hearing.

We are therefore convening a follow-up hearing, to be held on or after Thursday, December 2, 2010. We request that you, or a representative of the Department designated by you, appear at that hearing. In particular, we would like to hear from the Department on the issue of whether religious organizations may make religion-based employment decisions while receiving federal funds. As you undoubtedly are aware, the President asked his Advisory Council not to consider this issue, and the Administration has said that it is conducting its own evaluation. This is an issue of importance to Subcommittee members from both political parties, to many of our constituents and to the American public. It is unacceptable – and flatly inconsistent with the President's pledge of greater transparency – that the Department of Justice has not made its position clear to the Congress or to agencies and partnering organizations who must understand and comply with the law.

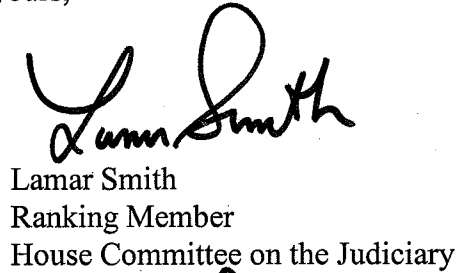
The Honorable Eric Holder
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We request that you advise us by this Monday, November 22, 2010 as to who will be testifying at the hearing. Thank you for your attention to this matter.

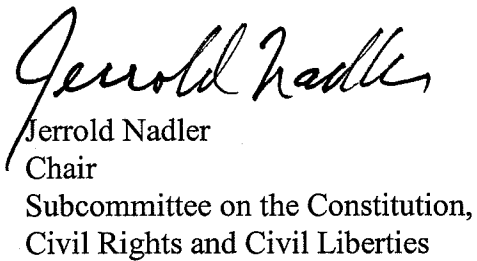
Very truly yours,



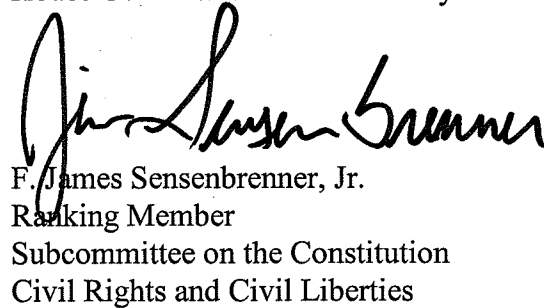
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House Committee on the Judiciary



Jerrold Nadler
Chair
Subcommittee on the Constitution,
Civil Rights and Civil Liberties



F. James Sensenbrenner, Jr.
Ranking Member
Subcommittee on the Constitution
Civil Rights and Civil Liberties

cc: The Honorable Ron Weich