

June 25, 2026

The Honorable Tim Walberg
Chairman
Committee on Education and the Workforce
U.S. House of Representatives
2176 Rayburn House Office Building
Washington, DC 20515

The Honorable Robert C. “Bobby” Scott
Ranking Member
Committee on Education and the Workforce
U.S. House of Representatives
2101 Rayburn House Office Building
Washington DC 20515

Dear Chairman Walberg and Ranking Member Scott:

The undersigned civil rights, faith, religious freedom, education, LGBTQ+, and women’s rights organizations write to express strong opposition to HR 5505, which would require public colleges and universities to allow religious student organizations to discriminate in their practices, policies, and leadership in order to receive federal funding under the Higher Education Act.

Religious freedom is a fundamental American value that protects everyone’s right to believe, or not, as long as they don’t harm others. It does not give anyone, including religious student organizations, a free pass to ignore civil rights protections and discriminate.

The opportunity to both join and lead student groups is an essential part of the educational experience that should be open to all. Student groups contribute to the breadth and quality of collegiate life. They allow students to expand their knowledge and build their resumes, and to explore different ideas and identities. Research shows that student clubs contribute to overall student satisfaction and success—they provide opportunities for peer-to-peer connection, reduce isolation, develop leadership skills, and relieve stress.¹

Having robust nondiscrimination policies in place ensures that all students are able to access various organizations and explore different ideas. To prevent discrimination on campus, promote equality and fairness, and foster inclusionary practices for student organizations, many public colleges and universities have “accept-all-comers” policies. These nondiscrimination policies generally withhold funding² and official recognition from student groups that reject students from membership or leadership positions on the basis of race, religion, sex (including, sexual orientation, gender identity, sex characteristics, and pregnancy and related conditions), disability, or other protected characteristics. This bill, however, would undermine these policies.

Indeed, HR 5505 would actually force public institutions of higher education to allow clubs to discriminate. Public colleges and universities will lose federal funding under the Higher Education Act unless they exempt religious student groups from nondiscrimination rules that

¹ See, e.g., Foubert J.D. and Grainger L.U., Effects of Involvement in Clubs and Organizations on the Psychosocial Development of First-Year and Senior College Students, Vol. 43, No. 1, *NASPA J.* (2006), available at <https://bit.ly/39E30KJ>.

² The revenue stream for such funding, which is common at universities throughout the country, is often created by mandatory activity fees imposed on students.

apply to all other student groups. Schools would have to give funding and recognition to a religious student group that turned away a student who is gay or a single mother. This is wrong—discrimination has no place on our public university campuses.

The bill is not required by the First Amendment. Any student club can become a recognized group and access funds if it adheres to its school's nondiscrimination policy. And if a club decides it wants to impose requirements for membership and leadership that conflict with the school policy, it will not be silenced or driven off campus; instead, it would just forgo official recognition and funding—exactly like any other club with similar policies. In fact, the Supreme Court upheld an “accept-all-comers” policy against claims that it violated the religious freedom of Christian student groups.³

The Committee should not support divisive legislation that fosters discrimination in our public institutions of higher learning. It should not undermine the power of these institutions to safeguard their students from discrimination and mandate that student activity fees paid by all students only support groups that are open to all students. Thank you for your consideration on this important matter.

Sincerely,

Advocates for Trans Equality (A4TE)
Advocates for Youth
AFT: Education, Healthcare, Public Services
American Atheists
American Civil Liberties Union
American Humanist Association
Americans United for Separation of Church and State
Clearinghouse on Women's Issues
Equality California
Faithful America
Feminist Majority Foundation
FFRF Action Fund
Garden State Equality
Human Rights Campaign
Interfaith Alliance
Know Your IX
Lambda Legal
Movement Advancement Project (MAP)
Muslim Public Affairs Council
National Council of Jewish Women
National LGBTQ Task Force Action Fund
National Women's Law Center
PFLAG National
Rocky Mountain Equality
Union for Reform Judaism

³ *Christian Legal Society v. Martinez*, 561 U.S. 661 (2010).