



COMMITTEE ON  
EDUCATION & LABOR  
REPUBLICANS

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STATEMENT

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**Opening Statement of Rep. James Comer (R-KY)  
Republican Leader, Subcommittee on Civil Rights and Human  
Services  
Hearing on “The Equality Act (H.R. 5): Ensuring the Right to Learn  
and Work Free from Discrimination”  
April 9, 2019**

Thank you for yielding.

I want to add my welcome to all the witnesses for being here today. You have quite the task ahead of you. This is the first hearing this Committee, which has a referral on H.R. 5, has scheduled on the bill, and it’s being considered a legislative hearing. That means we’re supposed to talk about the bill itself. However, we skipped the step of holding a hearing on the underlying issues of the bill. I’m sure there are reasons for that, but that means our members haven’t had the opportunity to participate in a hearing focused on information gathering on these issues and how they intersect with American schools and workplaces until now. So, you’ve signed up for a huge task.

A bill with a name like “the *Equality Act*” sounds like a bill that, in some way, advocates for all people. That’s what we strive for in this country—equality before the law. That’s why, over the more than two centuries this country has existed, we have thankfully updated our laws to right past wrongs and bring us closer to treating all people with the dignity they deserve.

But as I look at H.R. 5 and learn more about what’s in the bill, I’m deeply troubled, and I believe most Americans would be deeply troubled, by what’s really there. This bill is following in the tradition of others we have seen so far throughout Congress. A clever name, an allegedly noble purpose, but a vehicle for serious, harmful consequences.

It’s completely unacceptable that this bill totally guts the *Religious Freedom Restoration Act of 1993* - this country’s flagship law in defense of individual religious freedom.

H.R. 5 professes to protect Americans by prohibiting discrimination based on a "perception or belief, even if inaccurate." This alters federal nondiscrimination law in ways that will have unintended effects we cannot know sitting here today. Furthermore, the bill carries clear mandates for sweeping changes in accommodations that will prove costly, burdensome, and problematic for small businesses and schools.

I am concerned about the future ramifications of codifying ill-defined concepts into our nation's civil rights laws and the harm this could bring to already vulnerable populations.

I'm fortunate to represent the people of central and western Kentucky - folks who believe in human dignity and fair treatment for their fellow citizens. Some of the things I see in the *Equality Act* go beyond the pale of anything I've heard - from anyone. The poor execution of this bill, I'm afraid, will result in certain persecution for millions of innocent Americans who are still under the impression that religious freedom is a fundamental American right.

Equality and freedom must coexist. H.R. 5 totally redefines one and delivers a serious blow to the other.

I yield back.

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