

APPEAL NO. 25-30398
IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH
CIRCUIT

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS; SOCIETY OF
THE ROMAN CATHOLIC CHURCH OF THE DIOCESE OF LAKE
CHARLES; SOCIETY OF THE ROMAN CATHOLIC CHURCH OF THE
DIOCESE OF LAFAYETTE; CATHOLIC UNIVERSITY OF AMERICA,

Plaintiffs-Appellants,

v.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION; ANDREA R.
LUCAS

Defendants-Appellees.

On Appeal from the United States District Court for the
Western District of Louisiana (Lake Charles)
No. 2:24-cv-691, Hon. David C. Joseph

**BRIEF OF *AMICI CURIAE* SUMMIT MINISTRIES, COLSON CENTER
FOR CHRISTIAN WORLDVIEW, THE COUNCIL FOR CHRISTIAN
COLLEGES AND UNIVERSITIES, AND AMERICAN ASSOCIATION OF
CHRISTIAN SCHOOLS IN SUPPORT OF PLAINTIFFS-APPELLANTS
AND REVERSAL**

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Corporate Disclosure Statement

All amici are religious nonprofit, nonstock, or not-for-profit corporations recognized as tax-exempt under § 501(c)(3). No organization issues stock, and none has a parent corporation.

Table of Contents

Corporate Disclosure Statement.....	i
Table of Contents	ii
Table of Authorities	iii
Identity and Interest of <i>Amici Curiae</i>	1
Argument.....	4
I. Faith-based personnel policies are widespread among ministry organizations throughout the country.....	4
II. Shared faith commitments are crucial to successful ministry.....	8
III. The First Amendment and the PWFA protect the right of religious organizations to build communities of the faithful.	11
IV. Federal mandates that fail to respect religious employment standards will foster personnel divisions, cripple the mission, and devastate ministry.	15
Conclusion.....	19
Certificate of Compliance	20
Certificate of Service.....	20

Table of Authorities

Cases

<i>Billard v. Charlotte Catholic High Sch.</i> , 101 F.4th 316 (4th Cir. 2024).....	14
<i>Bryce v. Episcopal Church in Diocese of Colo.</i> , 289 F.3d 648 (10th Cir. 2002)...	16
<i>Corp. of Presiding Bishop v. Amos</i> , 483 U.S. 327 (1987).....	4, 9, 12, 13, 16
<i>Demkovich v. St. Andrew the Apostle Parish</i> , 3 F.4th 968 (7th Cir. 2021).....	9, 17
<i>Fitzgerald v. Roncalli High Sch., Inc.</i> , 73 F.4th 529 (7th Cir. 2023).....	14
<i>Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC</i> , 565 U.S. 171 (2012).....	8, 15, 16-17, 18
<i>Korte v. Sebelius</i> , 735 F.3d 654 (7th Cir. 2013).....	14
<i>Little v. Wuerl</i> , 929 F.2d 944 (3d Cir. 1991).....	14
<i>Louisiana v. EEOC</i> , 705 F. Supp. 3d 643 (W.D. La. 2024).....	14
<i>Markel v. Union of Orthodox Jewish Congregations of Am.</i> , 124 F.4th 796 (9th Cir. 2024).....	12
<i>McRaney v. N. Am. Mission Bd. of the S. Baptist Convention, Inc.</i> , 155 F.4th 415 (5th Cir. 2025).....	14
<i>NLRB v. Catholic Bishop of Chicago</i> , 440 U.S. 490 (1979).....	12, 13
<i>Our Lady of Guadalupe Sch. v. Morrissey-Berru</i> , 140 S. Ct. 2049 (2020).....	4, 15, 19
<i>Serbian E. Orthodox Diocese v. Milivojevich</i> , 426 U.S. 696 (1976).....	15

Starkey v. Roman Cath. Archdiocese of Indianapolis, Inc.,
41 F.4th 931 (7th Cir. 2022).....9, 14

Union Gospel Mission of Yakima Wash. v. Brown, 162 F.4th 1190
(9th Cir. 2026).....10, 16

Watson v. Jones, 80 U.S. 679 (1871).....11, 15

Statutes and Rules

42 U.S.C. § 2000e-1(a).....13

42 U.S.C. § 2000gg-5(b).....13

FRAP 29(a)(4)(E).....1

Other Authorities

Helen Alvaré, *Church Autonomy After Our Lady of Guadalupe School: Too Broad? Or Broad As It Needs to Be?*, 25 TEX. REV. L. & POLITICS 319 (2021).....10

Thomas C. Berg, *Partly Acculturated Religious Activity: A Case for Accommodating Religious Nonprofits*, 91 NOTRE DAME L. REV. 1341 (2016).....9, 10-11

The CCCU, Overview: The Leading Voice of Higher Education, <https://www.cccu.org/institutions/>.....6

PETER GREER & CHRIS HORST, MISSION DRIFT: THE UNSPOKEN CRISIS FACING LEADERS, CHARITIES, AND CHURCHES (2014).....11

Houston Christian Univ., Position Statement, <https://hc.edu/university-policies/position-statement/>.....7

Laurence R. Iannaccone, *Why Strict Churches Are Strong*, 99 AM. J. SOCIOLOGY 1180 (Mar. 1994).....11

LeTourneau Univ., Community Covenant,
<https://letu.edu/about/files/community-covenant.pdf>.....7

Proverbs 27:17.....10

Matthew K. Richards et al., *Religious-Based Employment Practices of Churches: An International Comparison in the Wake of Hosanna-Tabor*,
 26 Temp. Int’l & Comp. L.J. 263 (2012).....4

Summit Ministries, Statement of Faith & Convictions,
<https://www.summit.org/about/statement-of-faith/>.....5

CASS SUNSTEIN, CONFORMITY: THE POWER OF SOCIAL INFLUENCES (2019).....10

Identity and Interest of *Amici Curiae*¹

Amici are evangelical Christian organizations that educate children, young people, and adults based on a Christian worldview, helping students, listeners, and learners of every age integrate biblical truth and Christian virtue into every area of their lives.

Summit Ministries is a nonprofit ministry that equips and supports rising generations to embrace God’s truth and champion a biblical worldview. Every year, it hosts a series of two-week summer conferences for over 1,700 high school and college students, bringing together prominent Christian speakers and intellectuals to help students navigate fundamental questions about life, Christian faith, and the common good. Its “Summit Gap Year” is a two-semester Christian gap-year program that has trained hundreds of students over the past ten years to worship God by seeking truth, building relationships, and living intentionally. The publishing division of Summit Ministries offers curriculum and other educational resources to more than 60,000 students each year in Christian schools, homeschools, and churches. Its podcasts and online content reached an audience of 100 million in 2025.

¹ All parties have consented to the filing of this amicus brief. No party’s counsel authored this brief in whole or in part. No party or its counsel contributed money that was intended to fund preparing or submitting this brief. No person—other than *amici*, their members, or their counsel—contributed money that was intended to fund preparing or submitting this brief. *See* FRAP 29(a)(4)(E).

The Colson Center for Christian Worldview (“The Colson Center”) is a nonprofit ministry founded by the late Charles W. (“Chuck”) Colson, one of the most prominent evangelical Christian figures of the late twentieth century. The Colson Center exists to build and resource a national and global movement of Christians committed to cultural restoration and to living and defending a Christian worldview. Through its daily and weekly *BreakPoint* commentaries and its Colson Educators program, The Colson Center provides Christians with clarity, confidence, and courage in this unique cultural moment. Its Colson Fellows Program educates and equips believers with a robust Christian worldview so they can thoughtfully engage with the culture, inspire reflection in others, and work effectively toward reshaping the world in light of God’s kingdom.

The Council for Christian Colleges & Universities is a higher education association of more than 170 Christian institutions around the world. Since 1976, the CCCU has served as the leading voice of Christian higher education. With campuses across the globe, including more than 130 in the U.S. and Canada and more than 30 from an additional 18 countries, CCCU institutions are accredited, comprehensive colleges and universities whose missions are Christ-centered and rooted in the historic Christian faith. Most also have curricula rooted in the arts and sciences. The CCCU’s mission is to advance the cause of Christ-centered higher education and to help our institutions transform lives by faithfully relating scholarship and service to

biblical truth. Together, CCCU members employ more than 96,000 faculty and staff and enroll approximately 525,000 students annually, with over 11.3 million alumni. The CCCU is committed to graduating students who make a difference for the common good as redemptive voices in the world.

The **American Association of Christian Schools** (AACCS), founded in 1972, is the nation's oldest evangelical Christian school association serving private K-12 Christian schools and colleges and the administrators, teachers, and students at these schools. AACCS schools are committed to excellence in Christian education, supporting Christian schools and their staff in the training of students for faithful service to God and neighbor. The AACCS is organized as a national network of thirty-eight state and regional affiliate organizations, including the Mid-South American Association of Christian Schools, which encompasses schools in Texas, Louisiana, and Mississippi, as well as Oklahoma. Nationally, the AACCS represents more than 125,000 students in more than 750 schools.

Consistent with the First Amendment's guarantee of religious freedom, *amici* advocate for the right of religious institutions to operate free from government intrusion into matters of religious doctrine and self-governance. *Amici* are uniquely positioned to address the real-world consequences of the EEOC's abortion-accommodation mandate for religious organizations. Like the Bishops, *amici* maintain faith-based personnel policies requiring their employees to affirm and

abide by religious standards of belief and conduct. They write to explain why the First Amendment and Title VII’s religious exemption (as incorporated into the Pregnant Workers Fairness Act, or “PWFA”) protect the Bishops’ right to operate their ministries in accordance with their faith.

Argument

I. Faith-based personnel policies are widespread among ministry organizations throughout the country.

As Catholic institutions, Plaintiffs-Appellants (hereafter the “Bishops”) hold their employees to religious standards, requiring them to uphold Catholic teachings and refrain from actions the Church identifies as grave moral wrongs, including abortion.

This is not unusual. Across the country, “religious organizations routinely require their employees to affirm a personal conviction of the faith, to comply with the faith’s teachings, and to adhere to religious-based standards of personal behavior.” Matthew K. Richards et al., *Religious-Based Employment Practices of Churches: An International Comparison in the Wake of Hosanna-Tabor*, 26 TEMP. INT’L & COMP. L.J. 263, 269 (2012); *see, e.g., Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 140 S. Ct. 2049, 2056 (2020) (school required teachers to “model and promote Catholic faith and morals” (cleaned up)); *Corp. of Presiding Bishop v. Amos*, 483 U.S. 327, 330 n.4 (1987) (nonprofit gymnasium could require its janitor

to “observe the Church’s standards in such matters as regular church attendance, tithing, and abstinence”).

Like the Bishops, *amici* maintain faith-based personnel policies and expect employees to abide by them. For example, **Summit Ministries** has adopted both a Statement of Faith consisting of the Apostles’ Creed and a Statement of Convictions that affirms its beliefs about God, human dignity, salvation, marriage, care of Creation, and service to others. The Statement of Convictions provides, among other things, that “[a]ll human beings bear God’s image and are thus inherently valuable—beginning at conception—whether or not society regards them as healthy, productive, or useful.”² All Summit Ministries board members, officers, and staff must affirm their agreement with both Statements. The Community Handbook makes clear that faithfulness to God and family, and integrity in marriage, work, and finances, are part of the moral framework and behavior expected of all employees.

The Colson Center has adopted a similar Statement of Faith affirming its beliefs about God, salvation, the church, Christ’s return, marriage, and human dignity. The Statement of Faith observes that because each human being is created in God’s image, “this gives sanctity to all human life from conception to natural death and moral significance to our conduct of our bodies.” All Colson Center board

² Summit Ministries, Statement of Faith & Convictions, <https://www.summit.org/about/statement-of-faith/>.

members, officers, and staff must agree with and abide by the Statement of Faith. The Statement of Faith and other religious standards of conduct are an integral part of The Colson Center's employee handbook.

The CCCU has adopted the Nicene Creed as its statement of faith. And because “[f]aith is not only beliefs, but the practices and habits that flow from those beliefs,” the CCCU’s employee handbook includes a community covenant that asks employees to uphold Christian standards of virtue in all aspects of their lives. These standards include a commitment to sanctity of life: “We believe that all human life is sacred and created by God in His image, ... including pre-born babies, the aged, those with physical or intellectual disabilities, and every other stage or condition from conception through natural death.” Further, to be a governing or associate member of the CCCU, a college or university must restrict faculty and administrative hiring to persons who profess faith in Jesus Christ. And all CCCU institutions must uphold a set of Christian distinctives, including the affirmation that “human beings, male and female, are created in the image of God” and are “invested with inherent worth and dignity.”³ There are sixteen CCCU members institutions located in the

³ The CCCU, Overview: The Leading Voice of Higher Education, <https://www.cccu.org/institutions/>.

Fifth Circuit, many of which have publicly adopted faith-based policies on human dignity and sanctity of life.⁴

The 750-plus member schools that make up the AACCS integrate Christian faith and values into their curriculum, athletics, activities, codes of conduct, discipline procedures, and personnel policies. AACCS board members and staff, state affiliate leaders, and school personnel are required to affirm a belief in the Gospel of Jesus Christ and be in agreement with the AACCS's doctrinal statements, foundational beliefs, and conduct policies. All personnel are evaluated for their understanding of and commitment to these beliefs and the school's religious mission. Most AACCS schools are under the authority of a local church and function as the educational arm of broader church ministry. AACCS member schools—27 of which are in this Circuit—teach the Bible at all grade levels, host regular chapel programs for spiritual instruction, provide community service opportunities reflecting their commitment to Christian values and service, and encourage the development of Christian character and integration of biblical truth as part of every academic discipline and school policy.

Like many religious organizations, *amici* expect their employees and members to exhibit Christian belief and conduct in every aspect of their lives. For

⁴ See, e.g., Houston Christian Univ., Position Statement, <https://hc.edu/university-policies/position-statement/>; LeTourneau Univ., Community Covenant, <https://letu.edu/about/files/community-covenant.pdf>.

them, all work is Gospel-shaped ministry. All engaged in it are called to model Christ's example and uphold the commandments to love both God and neighbor.

II. Shared faith commitments are crucial to successful ministry.

As religious organizations, the Bishops and *amici* are not just employers of labor, nor are they simply enterprises providing a service. They are ministries with unique religious callings—communities of believers working together to accomplish a religious mission. For them, faith and mission are inseparable: what they believe shapes everything they do. But faith and mission are not self-sustaining. They depend on people—leaders and staff who embody the faith and live out the mission every day.

This is true of ministries like *amici*, who seek to teach biblical values, model Christian virtue, and inculcate a Christian worldview. And it is true of any ministry for whom faith is a matter of public expression. “Religious groups are the archetype of associations formed for expressive purposes.” *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, 565 U.S. 171, 200 (2012) (Alito & Kagan, JJ., concurring). The formation of faith inwardly shapes the profession of faith outwardly. For ministry organizations, *mission* and *message* go hand in hand.

Religious organizations define and carry out their missions principally “through [their] appointments,” that is, through their selection of personnel. *Id.* at 188 (maj. op.). Like *amici*, many organizations insist that their employees profess

and practice the same faith. These organizations are “entitled to limit ... staff to people who will be role models by living the life prescribed by the faith.” *Starkey v. Roman Cath. Archdiocese of Indianapolis, Inc.*, 41 F.4th 931, 946 (7th Cir. 2022) (Easterbrook, J., concurring). Shared faith is crucial to ministry because “religious beliefs are intertwined with the energy and commitment that make [religious] entities vigorous.” Thomas C. Berg, *Partly Acculturated Religious Activity: A Case for Accommodating Religious Nonprofits*, 91 NOTRE DAME L. REV. 1341, 1354 (2016). A religious mission doesn’t exist in a vacuum. It is bound up with and animated by distinct religious commitments, and it is embodied in the employees who faithfully carry the mission forward.

Shared faith commitments don’t just advance the mission outwardly. They also form the community inwardly. As Justice Brennan observed in his concurrence in *Amos*, “[d]etermining that certain activities are in furtherance of an organization’s religious mission, and that only those committed to that mission should conduct them, is ... a means by which a religious community defines itself.” 483 U.S. at 342 (Brennan, J., concurring). For any organization, as the saying goes, “personnel is policy.” *Demkovich v. St. Andrew the Apostle Parish*, 3 F.4th 968, 979 (7th Cir. 2021) (en banc). But for religious organizations, the stakes are higher. Those who join hands in ministry define and give shape to what an organization believes and does. For them, personnel is *identity*. It’s not just what they do—it’s who they are.

Social science affirms these insights in two ways. First, “iron sharpens iron” (*Proverbs 27:17*). People learn through what sociologists call modeling, that is, by observing and imitating the conduct of those around them. “[M]uch of human behavior is a product of social influences” because “the actions and statements of other people provide information about what is true and what is right.” CASS SUNSTEIN, *CONFORMITY: THE POWER OF SOCIAL INFLUENCES* 7, xxv (2019) (emphasis deleted). This is particularly important in religious settings. “Throughout history, religious traditions have emphasized the value of keeping good company and attending to the example of good or holy persons” because “people tend to become more like those with whom they associate.” Helen Alvaré, *Church Autonomy After Our Lady of Guadalupe School: Too Broad? Or Broad As It Needs to Be?*, 25 *TEX. REV. L. & POLITICS* 319, 363 (2021) (quotation omitted). As the Ninth Circuit recently observed, a ministry’s employees “foster a community” by “supporting one another in their faith journeys, praying for each other, sharing Scripture, and setting an example of how to live a Christian life.” *Union Gospel Mission of Yakima Wash. v. Brown*, 162 F.4th 1190, 1203 (9th Cir. 2026).

Second, organizations that actually demand something of their employees—requiring them to commit to standards of belief and conduct—are more likely to succeed. Shared commitment fosters a strong sense of community identity and inspires the energy and religious devotion crucial to missional success. *See Berg*,

supra, at 1356–57; Peter Greer & Chris Horst, MISSION DRIFT: THE UNSPOKEN CRISIS FACING LEADERS, CHARITIES, AND CHURCHES 36–37 (2014). As one scholar has put it well: “Strictness works.” Laurence R. Iannaccone, *Why Strict Churches Are Strong*, 99 AM. J. SOCIOLOGY 1180, 1183 (Mar. 1994). Religious standards mitigate free-rider problems, raise overall levels of commitment, increase participation, and enhance the benefits of membership. *Id.* These benefits hold “across both Christian and Jewish denominations” and “remain strong even after controlling for personal beliefs.” *Id.* at 1200.

In short, faith is formed and fostered through association. This is why *amici*, like thousands of religious employers in our country, insist that leaders and staff commit to and abide by religious standards of belief and conduct. As fellow believers, leaders are able to mentor staff. And all employees, regardless of position, can encourage one another in their journeys of faith and in pursuit of the mission. This deepens relationships, tightens the bond between leaders and staff, and strengthens a sense of community identity rooted in common faith and practice.

III. The First Amendment and the PWFA protect the right of religious organizations to build communities of the faithful.

“It is of the essence of” religious organizations that they get to decide who may “unite themselves” therein “to assist in the expression and dissemination” of the faith. *Watson v. Jones*, 80 U.S. 679, 729 (1871). Faith-based personnel standards lie at the core of religious identity. They’re a crucial means by which organizations

“define and carry out their religious missions.” *Amos*, 483 U.S. at 339; *id.* at 342 (Brennan, J. concurring).

The First Amendment right to maintain faith-based standards is not limited to employees whose duties can be categorized as “religious.” This is a core teaching of *Amos*. Most religious organizations don’t segregate employees based on “religious” or “secular” responsibilities; such a distinction is alien to ministry work. It would essentially cleave faith from mission, separating what an organization believes from what it does and then sifting employees accordingly. To police such a distinction would entail intrusive inquiries into religious belief and practice, requiring courts to determine whether a given ministry activity is or isn’t “religious.” But as *Amos* explained, “it is a significant burden on a religious organization to require it, on pain of substantial liability, to predict which of its activities a secular court will consider religious.” 483 U.S. at 336. And the Supreme Court has warned against judicial standards that would require organizations to explain in “good faith” how their personnel policies “relat[e] to the ... religious mission.” *NLRB v. Catholic Bishop of Chicago*, 440 U.S. 490, 502 (1979). For “[i]t is not only the conclusions that may be reached ... , but also the very process of inquiry” that “impinge[s] on rights guaranteed by the Religion Clauses.” *Id.*; *Markel v. Union of Orthodox Jewish Congregations of Am.*, 124 F.4th 796, 810 (9th Cir. 2024) (allowing government and

courts “to scrutinize religious decisions” creates risk that religious beliefs will be “misunderstood or unfairly maligned”).

Title VII’s religious exemption—incorporated wholesale into the PWFPA, *see* 42 U.S.C. § 2000gg-5(b)—was crafted for this purpose: to avoid burdening religious organizations in ways the First Amendment prohibits. Congress’s directive that the PWFPA and Title VII “shall not apply” to faith-based personnel decisions, *id.* § 2000e-1(a), advances important constitutional principles. It prevents the government from becoming entangled in “intrusive inquir[ies] into religious belief” (in accordance with the Establishment Clause), and it protects religious groups from “significant governmental interference” with their religious missions (in accordance with the Free Exercise Clause). *Amos*, 483 U.S. at 339; *cf. Catholic Bishop*, 440 U.S. at 506–07 (narrowly interpreting labor law to avoid similar entanglement problem). This is the clear teaching of *Amos*, where the Supreme Court faulted the district court for thinking that the job of a ministry’s janitor was unrelated to “any conceivable religious belief or ritual.” 483 U.S. at 332 (quotation omitted). That, the Court said, is “the kind of intrusive inquiry into religious belief” that the Title VII religious exemption “avoids.” *Id.* at 339.

The point of the exemption is “to enable religious organizations to create and maintain communities composed solely of individuals faithful to their doctrinal

practices, whether or not every individual plays a direct role in the organization's 'religious activities.'" *Little v. Wuerl*, 929 F.2d 944, 951 (3d Cir. 1991).

The "religious-employer exemptio[n] in Title VII" is a "legislative applicatio[n] of the church-autonomy doctrine," which "operates as a complete immunity, or very nearly so," when it applies. *Korte v. Sebelius*, 735 F.3d 654, 678 (7th Cir. 2013); *see also McRaney v. N. Am. Mission Bd. of the S. Baptist Convention, Inc.*, 155 F.4th 415, 428 (5th Cir. 2025) (church autonomy doctrine "is a constitutional immunity from suit" and where it applies, "its protection is total"). So when an employment decision "is founded on religious beliefs, then all of Title VII drops out." *Starkey*, 41 F.4th at 946 (Easterbrook, J., concurring); *see also Fitzgerald v. Roncalli High Sch., Inc.*, 73 F.4th 529, 534 (7th Cir. 2023) (Brennan, J., concurring) (same); *Billard v. Charlotte Catholic High Sch.*, 101 F.4th 316, 335 (4th Cir. 2024) (King, J., dissenting in part and concurring in judgment) (calling this the "straightforward reading" of the exemption (quotation omitted)). The district court here, in the original injunction proceedings, correctly recognized as much, agreeing with the Bishops that the exemption "protect[s] religious employers from any Title VII claim if an employer made an employment decision based on an individual's particular religious belief, observance, or practice." *Louisiana v. EEOC*, 705 F. Supp. 3d 643, 662 (W.D. La. 2024).

The religious exemptions baked into both Title VII and the PWFA advance the same goals as the First Amendment’s Religion Clauses. They ensure that religious organizations are free to set faith-based personnel standards based on their “own faith and mission” and decide such matters “for themselves, free from state interference.” *Hosanna-Tabor*, 565 U.S. at 188, 186 (emphases added).

IV. Federal mandates that fail to respect religious employment standards will foster personnel divisions, cripple the mission, and devastate ministry.

The EEOC’s novel abortion-accommodation mandate intrudes upon the Bishops’ religious employment decisions in ways forbidden by the First Amendment and the PWFA’s religious exemption. Allowing faith-based personnel standards to become a source of federal employment liability will cast a pall over policies maintained by thousands of religious organizations across the country.

The church autonomy doctrine protects “internal management decisions that are essential to the institution’s central mission.” *Our Lady*, 591 U.S. at 746. Faith-based standards of belief and conduct are “of the essence” of religious organizations, *Watson*, 80 U.S. at 729, and a key element of their “internal organization,” *Serbian E. Orthodox Diocese v. Milivojevich*, 426 U.S. 696, 713 (1976). Catholic institutions like the Bishops and evangelical institutions like *amici* maintain pro-life employment standards out of deep religious conviction, requiring their employees to refrain from engaging in or advocating for abortion. But if applying these standards can be a basis for PWFA liability, it will have a profound chilling effect

on religious exercise. Faced with the prospect of PWFA discrimination claims, religious employers in this Circuit and elsewhere will be forced into an expensive gamble: maintain their faith-based pro-life policies and risk liability, or water down their policies and forsake a crucial element of their religious identity and mission.

The First Amendment forbids—and the PWFA’s religious exemption avoids—putting religious employers to this choice. But it is the choice they will face if the EEOC’s mandate and the decision below are allowed to stand.

To avoid liability, the Bishops and other religious employers will have to refashion their personnel policies to align not with internal faith and mission, but with the government’s own value judgments. The First Amendment, by contrast, envisions a separation of church from state—a “private sphere” where religious organizations are free to believe, internally organize, and “govern themselves in accordance with their own beliefs.” *Hosanna-Tabor*, 565 U.S. at 199 (Alito & Kagan, JJ., concurring). This necessarily includes the freedom to make personnel decisions based on religious doctrine, even as to non-ministerial employees. *Union Gospel*, 162 F.4th at 1204; *Bryce v. Episcopal Church in Diocese of Colo.*, 289 F.3d 648, 660 & n.2 (10th Cir. 2002); *Amos*, 483 U.S. at 340. When a religious institution sets a religious standard that employees must meet, courts cannot second-guess that judgment without profound incursions upon religious autonomy. *See Hosanna-*

Tabor, 565 U.S. at 190 (First Amendment precludes “government interference with an internal church decision that affects ... faith and mission”).

Further, pro-life employment standards are not “one-offs.” They’re integral to religious personnel standards more generally, often contained within a broader set of standards about sexual morality, themselves connected to the employer’s religious convictions about sex, gender, marriage, and family—all situated within a wider religious frame that includes creedal statements, ethical commitments, and behavioral requirements. “Religion permeates the ministerial workplace in ways it does not in other workplaces.” *Demkovich*, 3 F.4th at 979.

A glance at *amici*’s personnel policies proves the point. For example, Summit Ministries and The Colson Center affirm the dignity of all human beings beginning at conception—an affirmation that is an integral part of their Statements of Faith, is included in policies binding on all employees, and is inseparable from their beliefs about God, Creation, sin, salvation, marriage, church attendance, and personal ethics. A person unable to affirm and abide by these standards in full is not eligible for employment with Summit Ministries or The Colson Center.

The EEOC’s mandate picks off the pro-life component of these interrelated religious standards and subjects that component alone to potential liability. In effect, the mandate wrenches an employer’s abortion policies from a broader set of religious convictions about human dignity and the sanctity of life. It punishes employers for

applying their religious convictions consistently, or it turns them into hypocrites—preaching one thing as they (are forced to) practice another.

None of this is to say that the Bishops or *amici* expect perfection from their employees. They don't. But how to respond to and correct employees who fail to live up to religious standards are matters for these organizations to decide “for themselves.” *Hosanna-Tabor*, 565 U.S. at 186. They are not matters for government agencies to adjudicate based on secular values that are foreign or antithetical to an employer's sincere religious convictions.

Punishing religious ministries for pro-life policies will manifest in other ways, too. Ministry leaders such as pastoral staff will be ministerial employees under the *Hosanna-Tabor* exception and thus can be held to religious standards, including restrictions on abortion. Yet other staff not deemed ministerial employees can't be held to the same standard even if their duties are just as crucial to the religious mission. Policing these distinctions—identifying which employees can or can't be held to certain religious standards—will divide religious leaders from their staff, disrupting internal processes that are the lifeblood of ministry. Ministry leaders can't be models and mentors in faith if staff don't share their religious convictions. And organizations can't raise up leaders from within if they can't hold all employees to mission-critical religious standards.

Common and consistently applied faith commitments serve to bind employees and the ministry together. Turning a portion of these commitments into a basis for civil liability, as the EEOC's mandate does, weakens the internal cohesion and missional energy that allow ministries to thrive.

Conclusion

Both the First Amendment and the PWFA's religious exemption prohibit the EEOC from imposing an abortion-accommodation mandate on religious employers, and *amici* ask this Court to reverse. To do so, the Court need not hold that religious organizations "enjoy a general immunity from secular laws." *Our Lady*, 140 S. Ct. at 2060. The Court need only recognize that when a religious organization sincerely determines that employees must meet faith-based employment standards, including behavioral standards related to abortion, that determination cannot be a basis for liability under the PWFA.

Respectfully submitted,

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Certificate of Compliance

This brief complies with the length limitation of Fed. R. App. P. 29(a)(5) and Fifth Circuit Rule 29 because it contains 4,243 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f). This brief also complies with the requirements of Fed. R. App. P. 32(a) and Fifth Circuit Rule 32 because it has been prepared in a proportionally spaced typeface using Microsoft Word for Mac (Version 16.109) in 14-point Times New Roman font.

/s/Ian Speir
Ian Speir

Certificate of Service

I certify that on May 26, 2026 the foregoing brief was served on counsel for all parties by means of the Court's CM/ECF system.

/s/Ian Speir
Ian Speir