

Congress of the United States
Washington, DC 20515

April 3, 2017

Colonel James P. Ryan
Commanding Officer, 157th Air Refueling Wing
Bldg 100, 302 Newmarket Street
Pease ANGB, NH 03803

Dear Colonel Ryan:

We write with reference to a complaint you received from the Freedom From Religion Foundation (FFRF) regarding invocations led by chaplains during Air National Guard ceremonies at Pease ANGB.

Established by George Washington in 1775, the office of military chaplaincy was designed to serve those in the armed services in a variety of ways, including offering a uniquely faith-based perspective on life and death issues. During consideration of the *Fiscal Year 2015 National Defense Authorization Act* (NDAA), Congress affirmed the spiritual leadership that chaplains provide to service members and military commanders alike as well as the role that chaplains play in facilitating the free exercise of religion.

As you know, these conscience protections have been implemented by the Department of Defense through two Instructions: DoDI 1300.17, "Accommodation of Religious Practices Within the Military Services," and DoDI 1304.28, "Guidance for the Appointment of Chaplains for the Military Departments." These instructions make clear that expressions of belief are protected within the bounds of good order and discipline. Under these instructions, no service member may discriminate or take adverse personnel action on the basis of these actions by a chaplain.

We are deeply invested in protecting the mission-critical role of chaplains in the United States military. As such, we were pleased to see the following statement from the Air Force in response to the FFRF complaint:

"The Air Force places a high value on the rights of its members to observe the tenets of their respective religions or to observe no religion at all. The Air Force is dedicated to maintaining an environment in which people can realize their highest potential regardless of personal religious or other beliefs. Chaplains provide, or provide for, the free exercise of religion and we advocate its free exercise for every member of the Air Force and the joint environments. There are no Service restrictions preventing chaplains from praying according to their faith tradition. In certain circumstances we encourage chaplains to offer inclusive prayers. Chaplains have consistently found the means to strike a balance between the tenants of their faith and the needs of the Airmen they serve."

The religious guidance and service of military chaplains fills a fundamental spiritual need for our troops, promoting their operational readiness, success, and overall well-being. For that reason, chaplains have played a central role in the lives of our men and women in the Armed Services for the last two hundred and forty years.

Among the most basic rights that Americans enjoy are the free exercise of religion, free speech, and the freedom of association. The Establishment Clause exists to ensure that the government cannot affirmatively impose or elevate one religion over another. However, it does not prohibit the government from referencing religion altogether, nor does it require that government officials proactively scrub all religious references from the public square. Rather, the Establishment Clause ensures both that the government does not show preference to a certain religion and that the government does not take away an individual's ability to exercise religion.

The Supreme Court recently stated, "It is an elemental First Amendment principle that government may not coerce its citizens to support or participate in any religion or its exercise." *Town of Greece v. Galloway*, 134 S. Ct. 1811 (2014). The Court went on to state that "an Establishment Clause violation is not made out any time a person experiences a sense of affront from the expression of contrary views . . ." *Id.*

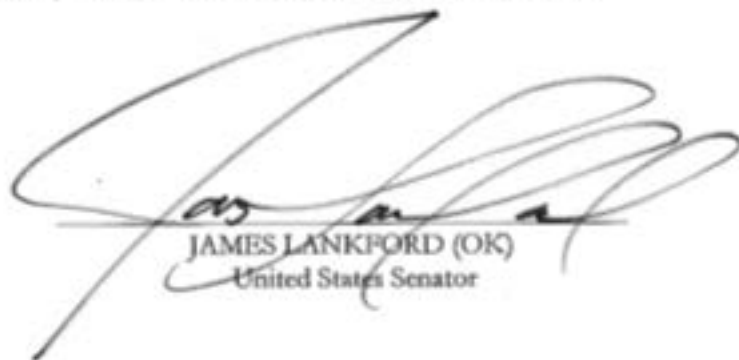
The strong statement from the Air Force reinforces the policies and protections in place for service members and chaplains to freely exercise their religiously-informed beliefs, including the freedom of chaplains to adhere to the tenets of their faith as they perform and serve in all aspects of their ministry.

In today's culture in which religious freedom is under attack, we want you to know that your positive decision has not gone unnoticed. We look forward to working with you to protect the right to religious freedom for our service members and chaplains.


Sincerely,



DOUG COLLINS (GA-09)
Member of Congress



JAMES LANKFORD (OK)
United States Senator



ANDY HARRIS, M.D. (MD-01)
Member of Congress



JAMES M. INHOFE (OK)
United States Senator



BLAINE LUETKEMEYER (MO-03)
Member of Congress



JEFF FORTENBERRY (NE-01)
Member of Congress



VICKY HARTZLER (MO-04)
Member of Congress



TRENT FRANKS (AZ-08)
Member of Congress