

Congress of the United States
Washington, DC 20515

March 11, 2013

Honorable Chuck Hagel
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Hagel,

The National Defense Authorization Act for Fiscal Year 2013, signed into law on January 2, 2013, provided specific religious freedom protections for servicemembers generally and chaplains specifically. The provisions require the Armed Forces to accommodate servicemembers' moral and religious convictions, as long as they do not "threaten good order and discipline." The language also prohibits the military from using an individual's beliefs as the basis for adverse personnel action and ensures that chaplains will not be forced "to perform any rite, ritual, or ceremony that is contrary to [their] conscience, moral principles, or religious beliefs."

When President Obama signed the NDAA into law he contemporaneously issued a statement criticizing several provisions of the bill, including the religious freedom protections. The President called the protections "unnecessary and ill-advised" and said "The Secretary of Defense will ensure that the implementing regulations do not permit or condone discriminatory actions that compromise good order and discipline or otherwise violate military codes of conduct. My Administration remains fully committed to continuing the successful implementation of the repeal of Don't Ask, Don't Tell, and to protecting the rights of gay and lesbian service members; Section 533 will not alter that."

It is offensive for the President to suggest that protecting the free exercise of religion safeguarded by the Constitution will result in discriminatory actions that compromise good order and discipline. Labeling servicemembers of faith as discriminatory does a disservice to the countless individuals who bravely serve alongside people of diverse political, religious, and cultural backgrounds. Despite the President's insinuation to the contrary, we are confident that the implementation of the religious freedom protections will not hamper the respect and professionalism displayed by men and women in uniform.

Our primary concern lies with the regulations the Department of Defense (DoD) will issue to implement the NDAA religious freedom protections. The constitutional separation of powers requires that DoD issue implementing regulations that exemplify congressional intent, not the President's personal opinion on the merit of the measure. DoD is responsible for executing the law as written.

Congress included religious freedom protections in the NDAA to ensure that servicemembers of faith are not singled out for intimidation and adverse personnel action because of their religious beliefs; and that chaplains are not forced to participate in actions that violate their consciences. Our request is simply that DoD employ safeguards to ensure that it does not trample these

constitutionally protected religious freedoms in its pursuit of other objectives. We call on DoD to enthusiastically accommodate servicemembers' moral and religious convictions and refrain from using servicemembers' beliefs as the basis for adverse personnel action.

Amidst the aggressive changes made by the Administration, servicemembers of faith must not be demeaned or overlooked. These individuals do not leave their faith at home when they volunteer to serve. We remain committed to ensuring that they are never forced to do so.

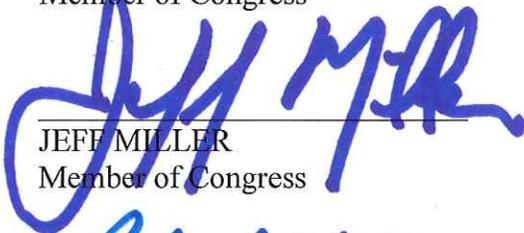
Sincerely,



J. RANDY FORBES
Member of Congress



MIKE MCINTYRE
Member of Congress



JEFF MILLER
Member of Congress



JOE WILSON
Member of Congress



ROB WITTMAN
Member of Congress



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WALTER JONES
Member of Congress



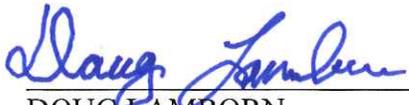
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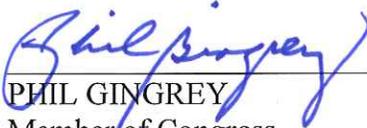
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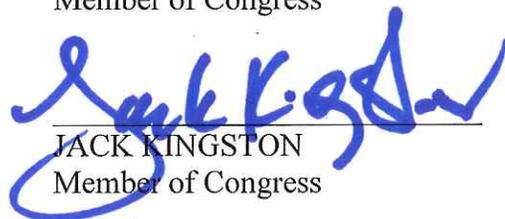
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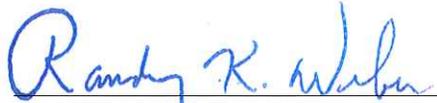
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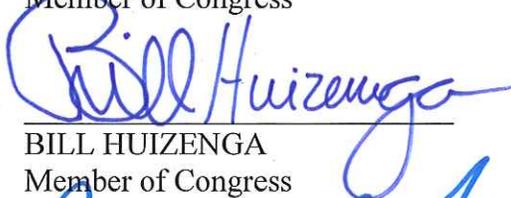
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FRANK WOLF
Member of Congress



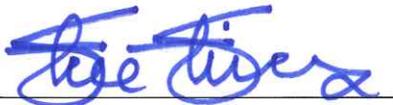
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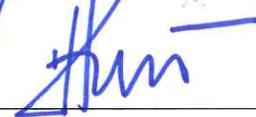
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