Congress of the United States
House of Representatives
Washington, DC 20515

November 4, 2013

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

Dear Secretary Hagel,

The free exercise of religion is a freedom protected by the First Amendment. This fundamental right is not one that can be suspended during a lapse in government appropriations.

As a result of the shutdown, it is our understanding that contract and GS chaplains employed to supplement the active duty chaplains in our armed forces were furloughed. The Archdiocese for the Military Services estimated that between 50 and 60 military bases suffered a halt in Catholic services alone.

Furthermore, there had been a significant amount of confusion among servicemembers and their families regarding the current status of religious services on military bases and installations. For example, even though Catholic services at Quantico were not suspended, the full-time contract priest reported that his Sunday crowd of about 500 attendees had dwindled to about 75 because people were misinformed as to whether services were being held.

On October 5, 2013, the House passed H.Con.Res. 58, expressing the sense of the House of the need for continued availability of religious services to servicemembers and their families during the shutdown. The bill passed the House overwhelmingly by a vote of 400-1. A similar version also passed the Senate and was affirmed by the House on October 16.

You possessed the authority to remedy the restricted access to chaplains throughout the duration of the shutdown. Under federal law, furloughed employees are not permitted to volunteer their time to carry out their official duties. However, under 10 U.S.C. § 1588(a)(1)(D), you have the authority to accept voluntary services for religious programs for members of the Armed Forces and their families.

The restrictions on the free exercise rights of our servicemembers were unwarranted and unnecessary. We respectfully request an explanation as to why, pursuant to 10 U.S.C. § 1588(a)(1)(D), all religious services were not maintained during the government shutdown. Thank you for your time and attention to this very important matter.

Sincerely,

J. RANDY FORBES (VA-04)
Member of Congress

DOUG COLLINS (GA-09)
Member of Congress

MIKE MCINTYRE (NC-07)
Member of Congress

JOE PITTS (PA-16)
Member of Congress

SCOTT GARRETT (NJ-05)
Member of Congress

JEFF MILLER (FL-01)
Member of Congress

ROBERT PITTENGER (NC-09)
Member of Congress

TIM WALBERG (MI-07)
Member of Congress

DANIEL WEBSTER (FL-10)
Member of Congress

JAMES LANKFORD (OK-05)
Member of Congress

MICHELE BACHMANN (MN-06)
Member of Congress

VICKY HARTZLER (MO-04)
Member of Congress

RANDY HULTGREN (IL-14)
Member of Congress

MARSHA BLACKBURN (TN-07)
Member of Congress

BILL HUIZENGA (MI-02)
Member of Congress

TIM HUELSKAMP (KS-01)
Member of Congress

WALTER JONES (NC-03)
Member of Congress

ALAN NUNNELEE (MS-01)
Member of Congress

STEVE SOUTHERLAND (FL-02)
Member of Congress

ANDY HARRIS (MD-01)
Member of Congress

PAUL BROUN (GA-10)
Member of Congress

JOHN KLINE (MN-02)
Member of Congress

GUS BILIRAKIS (FL-12)
Member of Congress

JOHN FLEMING (LA-04)
Member of Congress

BOB GOODLATTE (VA-06)
Member of Congress

MIKE KELLY (PA-03)
Member of Congress