

FIRST  LIBERTY

UNDENIABLE



The Survey of Hostility to Religion in America

Kelly Shackelford

Executive Editor

2017 MILITARY EDITION

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to Religion in America

2017 Military Edition

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WHAT IS FIRST LIBERTY INSTITUTE?

First Liberty Institute is the largest legal organization in the nation dedicated exclusively to defending religious liberty for all Americans.

A non-profit law firm, First Liberty handles hundreds of legal matters each year at no cost to its clients and educates Americans regarding the first liberty in the Bill of Rights: religious liberty.

PRAISE FOR FIRST LIBERTY INSTITUTE

“When it comes to winning big cases for the religious liberty of Americans, First Liberty Institute shines. I have had the privilege of working as part of their team on just such cases. First Liberty Institute’s intelligence, quality, and strategy give people of faith the best representation. They care about results, not taking credit, and the result is victories.”

Paul Clement, former Solicitor General of the United States,
attorney with over 85 U.S. Supreme Court appearances

“[First Liberty] has litigated all across the country defending religious liberty. . . . In every one of those fights, my friend Kelly Shackelford has been front and center.”

Ted Cruz, U.S. Senator

“[First Liberty is] the best. Students, churches, and people of faith depend on them to stop those who would silence faith.”

Rick Perry, U.S. Secretary of Energy, former Governor of Texas

“I have enormous respect for the quality of First Liberty’s critical work and the results they’ve achieved.”

Allyson Ho, former White House Special Assistant and
U.S. Supreme Court clerk, appellate attorney with multiple
Supreme Court appearances

Undeniable: The Survey of Hostility to Religion in America

“First Liberty Institute and Kelly Shackelford are at the forefront of the intensifying battle to preserve our religious freedom. I’ve known of their work for years, and today it’s more important than ever.”

Mike Huckabee, former Governor of Arkansas

“First Liberty Institute’s one-of-a-kind legal strategy is indispensable to the survival of religious freedom in America.”

Tony Perkins, President, Family Research Council

“When it comes to defending religious liberty in America, especially for our military and veterans, First Liberty Institute is the tip of the spear. I know of no organization I’d rather have by my side. They are the best.”

Lt. Gen. (Retired) William G. “Jerry” Boykin, Executive Vice President, Family Research Council

“Because First Liberty does what it does, ministers like me can do what we do.”

Dr. Charles Stanley, In Touch Ministries

“First Liberty Institute is strategic. Their work liberates people of faith.”

Lt. Gen. (Retired) Mike Gould, USAF

“First Liberty is the critical place to invest in the future of religious freedom.”

Norm Miller, Chairman, Interstate Batteries

“The American Legion and First Liberty Institute both unapologetically stand ‘for God and Country,’ a stance that will never waver. We appreciate the outstanding work First Liberty Institute has done in protecting our nation’s veterans memorials.”

Michael D. Helm, National Commander, The American Legion

TABLE OF CONTENTS

- 1 The Time for Denial is Past
- 5 Executive Summary
- 9 Attacks in the Military
- 31 Managing Editorial Team
- 33 Resources from First Liberty Institute

Undeniable: The Survey of Hostility to Religion in America

THE TIME FOR DENIAL IS PAST

To deny that religious freedom is in crisis in America is to deny the obvious. And yet there are deniers. Ironically, they include those who launch the very attacks that have caused the crisis itself. The American people, however, deserve the truth.

For that reason, every year a team of legal researchers at First Liberty Institute—led by a Harvard-trained constitutional attorney—investigates and documents the rise in the number and severity of domestic attacks on religion. The findings are published in book form in *Undeniable: The Survey of Hostility to Religion in America*. In the latest full edition, the total number of documented incidents in this report increased by over 15 percent over the past year and now includes more than 1,400 religious liberty incidents.

Attacks on Religious Liberty



133% increase in 5 years

These figures include an increase in attacks in a key subsector of American life: Active and retired military. This “Military Edition” constitutes that subsection of the larger version of *Undeniable* (the full edition of *Undeniable* also includes findings from other sectors of American society).

After years of providing this research—widely cited in the media—we are now seeing confirmation from a growing number of sources and directions.

International Christian Concern (ICC), a respected global watchdog that monitors persecution, listed the United States for the first time in its annual “Hall of Shame” report in January 2017, noting America’s alarming rise in hostility toward Christians. Their report stated, “While there is no comparison between the life of a Christian in the U.S. with persecuted believers overseas, ICC sees these worrying trends as an alarming indication of a decline in religious liberty in the United States.”¹

¹ International Christian Concern, “2016 Hall of Shame Report” (Jan. 2017).

Undeniable: The Survey of Hostility to Religion in America

The ICC report dovetails with findings published by noted sociologist Dr. George Yancey. He and his team did extensive and careful research into the roots of American hostility to religion. He found what he called widespread “irrational” animus toward traditional Christian beliefs among those with higher educational degrees and privileged positions in society.

In fact, Dr. Yancey found that those with the highest degree of animosity toward traditional religion were those with the most money, education, and power to turn that irrational animus into action in the legal arena.¹

The significance of Dr. Yancey’s findings go beyond their implications for any one religion. They speak to the threat to religious liberty for all religions. Hostility that threatens to become unlawful suppression of any religion is a threat to all religions and our American ideal of a free marketplace of various faiths and ideologies.

Other confirmation comes directly from those promoting a negative view of religious activity and announcing their desire to suppress it.

In September 2016, the U.S. Commission on Civil Rights sent a report entitled *Peaceful Coexistence: Reconciling Nondiscrimination Principles with Civil Liberties* to President Obama and Congress declaring that “the phrases ‘religious liberty’ and ‘religious freedom’” are nothing but “code words for discrimination, intolerance, racism, sexism, homophobia, Islamophobia, Christian supremacy, or any form of intolerance.” The report also denounced routine religious exemptions as infringing upon civil rights. In other words, people of faith should be forced to do what their faith says they cannot.²

Also in 2016, a noted Harvard law professor wrote that the “culture wars” were over, that people with certain religious beliefs had lost, and that they should be treated with no leniency, noting that “taking a hard line seemed to work reasonably well in Germany and Japan after 1945.”³

But the rise in hostility comes as no surprise to attorneys who specialize in this field, such as the legal team at First Liberty Institute (the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans). Each year we see hundreds of cases.

1 George Yancey & David A Williamson, *So Many Christians, So Few Lions* (2015).

2 U.S. Comm’n on Civil Rights, *Peaceful Coexistence: Reconciling Nondiscrimination Principles with Civil Liberties*, available at <http://www.usccr.gov/pubs/Peaceful-Coexistence-09-07-16.PDF> (Sept. 7, 2016).

3 Mark Tushnet, “Abandoning Defensive Crouch Liberal Constitutionalism,” *Balkinization*, <https://balkin.blogspot.com/2016/05/abandoning-defensive-crouch-liberal.html> (May 6, 2016).



The Time for Denial is Past

You can read about the cases pertaining to active and retired military in the pages of *Undeniable: 2017 Military Edition*. And you can take heart that the vast majority of the hostility to religion you will read about is unlawful. It succeeds only because of its own bluff and the passivity of its victims. Hostility to religion can be defeated in the culture and the legal system—but only if challenged by Americans like you. The time for denying the crisis, however, is long past.

Kelly Shackelford
President, CEO, and Chief Counsel
First Liberty Institute

Undeniable: The Survey of Hostility to Religion in America



EXECUTIVE SUMMARY

An age is called Dark not because the light fails to shine, but because people refuse to see it.

James A. Michener, Space

Abstract

Hostility to religion in America continues to grow at an alarming rate.

- In the **Public Arena** of public places, the government, and the workplace, religious individuals and groups are facing increasing demands to hide their faith or to sacrifice their beliefs in order to keep their jobs and their livelihoods.
- In the **Schoolhouse**, from kindergarten through graduate school, students and teachers face professional, personal, and academic threats for living out their faith and refusing to compromise their beliefs.
- In **Churches and Ministries**—an area in which one might expect hostility to be the least—religious leaders are censored, houses of worship are shuttered, and ministries have been told they must violate their religious beliefs or face crippling fines.
- In the **Military**, chaplains face courts-martial for providing religious counseling according to their religious beliefs, service members are told that they cannot express their faith, and veterans endure the defacement or demolition of their memorials because of religious imagery.

More than 1,400 cases are documented in the full 2017 edition of *Undeniable*, yet this is not an exhaustive accounting. Though this edition includes prior years' cases, the 16.7% increase demonstrates a growing expansion of hostility toward religious expression and conduct. Quantitatively and qualitatively, the hostility is undeniable. And it is dangerous.

The title of this survey, *Undeniable: The Survey of Hostility to Religion in America*, exemplifies its purpose: to bring to light the increasing acts of hostility to religion in such a way that even the most uninformed and skeptical person cannot deny that we in America are facing an unprecedented assault on our First Freedom. With each edition, *Undeniable* unfortunately continues to grow.

Here is a summary of the documentation of hostility to religion that you will find in the Military section of the larger survey:

Attacks on the religious liberty of active and retired members of the U.S. military has continued to grow over the past year. While religious liberty and open religious sentiment in the armed forces goes back to the Continental Army and was formalized in the administration of President Thomas Jefferson, even military chaplains are now subject to attack and persecution for following their religious beliefs. Religious freedom in the military is protected by the U.S. Constitution, Department of Defense regulations, service branch regulations, and case law. Nevertheless, recent attacks on our service members' religious freedom ignore this collection of law and tradition. The following are samples of the attacks documented in this survey:

Attacks on Religious Belief and Thought:

- *Navy Chaplain Investigated for Providing Counseling According to His Religious Beliefs*
- *Air Force Master Sergeant Punished for Christian Beliefs*

These cases represent attacks on religious belief and thought in the military in which people of faith are treated as if they had committed a thought crime. In one case, Navy Chaplain Wes Modder, a decorated military hero with an exemplary nineteen-year service record, was investigated and faced dismissal for cause and a Naval Board of Inquiry because he provided pastoral counseling consistent with his religious beliefs about sexual conduct outside of marriage. First Liberty Institute stepped in to defend Chaplain Modder, and the charges against him were dropped.

In the second case, Senior Master Sergeant Phillip Monk, a nineteen-year Air Force veteran at Lackland Air Force Base in San Antonio, Texas, returned from deployment and found that he had a new commander. Sergeant Monk's new commander asked him what his personal views were about same-sex marriage. Sergeant Monk initially refused to answer, stating that his views on same-sex marriage were irrelevant to his job. When his commander insisted that he tell her what he thought, Sergeant Monk affirmed that he believed in the biblical view of marriage. Sergeant Monk's commander then relieved him of his duties and had him reassigned—despite Sergeant

Executive Summary

Monk's spotless record. When Sergeant Monk reported the retaliatory religious discrimination, Air Force investigators charged him with the crime of making false official statements. First Liberty Institute stepped in to assist Sergeant Monk. The Air Force dropped their charges and awarded him the Meritorious Service Medal.

Attacks on Veterans Memorials:

- *Salazar v. Buono*
- *Trunk v. City of San Diego*
- *American Humanist Association et al. v. Maryland-National Capital Park and Planning Commission et al.*

These cases each represent a lawsuit demanding that a veterans memorial be torn down because it includes a cross. In *Salazar v. Buono*, the memorial was saved after Congress transferred the land to private ownership and the Supreme Court upheld the constitutionality of the land transfer. In *Trunk v. City of San Diego*, the U.S. Court of Appeals for the Ninth Circuit held that the veterans memorial is unconstitutional, but the federal government has now transferred the memorial and land upon which it sits to a private party. In *American Humanist Association v. Maryland-National Capital Park and Planning Commission*, the American Humanist Association filed a lawsuit challenging the Bladensburg World War I Veterans Memorial, which had stood for almost ninety years without objection. It was erected by The American Legion to honor the selfless sacrifice of forty-nine men from Prince George's County, Maryland, who gave their lives serving in the U.S. Armed Forces during World War I. The district court held that the memorial was constitutional, but the American Humanist Association has appealed to the U.S. Court of Appeals for the Fourth Circuit.

Attacks on Religious Speech:

- *Sterling v. United States*
- *Rainey v. U.S. Department of Veterans Affairs*

These cases illustrate the growing pattern of censorship of religious speech within the active military. In *Sterling v. United States*, Marine Corps Lance Corporal Monifa Sterling posted three notes in her cubicle that included a paraphrase of this Bible verse: "No weapon

formed against you shall prosper” (Isaiah 54:17). LCpl Sterling’s supervisor ordered her to remove the notes despite the fact that other service members were permitted to post personal items. LCpl Sterling believed that she had a First Amendment right to keep the notes posted. When LCpl Sterling found the notes in the trash the next morning, she put them back. LCpl Sterling was court-martialed. The Court of Appeals for the Armed Forces, the highest military court in the United States, did not believe that the posted verse was important enough to warrant religious protection. First Liberty Institute appealed this decision to the U.S. Supreme Court, which declined to hear the case.

In *Rainey v. U.S. Department of Veterans Affairs*, the director of the Houston National Cemetery informed a pastor, Scott Rainey, that he could not pray “in Jesus’ name” at a Memorial Day service. After filing the lawsuit, First Liberty Institute attorneys discovered that the U.S. Department of Veterans Affairs had a policy that funerals at national cemeteries could not include religious content. Government officials told grieving families who wanted a religious funeral that the service could not reference God. As a result of the lawsuit, a federal district court held that the government could not dictate the content of prayers at memorial services and funerals, and the U.S. Department of Veterans Affairs agreed to change its policy at all national cemeteries to allow the families’ wishes regarding religious content to be followed.

There Is Hope, If . . .

While this 2017 edition of *Undeniable: The Survey of Hostility to Religion in America* shows that attacks on religious liberty continued to increase in the United States throughout 2016, both in the frequency and in the severity of the attacks, this survey also shows that those persons and organizations who stand up for religious liberty win when they fight. In addition, many people argue that concerns about religious freedom and the future of the Supreme Court were also responsible for the dramatic outcome of the presidential election in 2016. As more and more Americans become aware of the growing attacks on religious liberty and learn about what their rights are, they can stand and turn back the tides of secularism and hostility that have so eroded religious liberty—America’s First Freedom.

ATTACKS IN THE MILITARY

FIRST  LIBERTY

ACLU Sues Virginia Military Institute over Prayers Before Meals

Bunting v. Mellen, 541 U.S. 1019 (2004)

The U.S. Court of Appeals for the Fourth Circuit ruled that cadets at Virginia Military Institute (VMI) could no longer join together to pray before meals. The American Civil Liberties Union filed a lawsuit against VMI on behalf of two students who believed that the prayers violated the U.S. Constitution. The case was appealed to the Supreme Court, but the court refused to hear the case.

FFRF Sues to Remove World War II Memorial

Freedom from Religion Found., Inc. v. Weber, No. 13-35770, 2015 U.S. App. LEXIS 15399 (9th Cir. Aug. 31, 2015)

After World War II, Army soldiers from the 10th Mountain Division sought to honor their fallen brothers with a monument in the style of religious shrines they had seen on battlefields in Europe. The Freedom From Religion Foundation brought suit to challenge this historic war memorial, known as “Big Mountain Jesus,” located near Kalispell, Montana. The U.S. Court of Appeals for the Ninth Circuit held that the memorial is constitutional, affirming that the Constitution does not compel the government to purge cultural or historic symbols from the public sphere merely because they are religious.

Veterans Memorial on Mt. Soledad Ordered Torn Down

Trunk v. City of San Diego, No. 13-57126 (9th Cir. 2015)

The Mount Soledad Veterans Memorial Cross in San Diego, California, has stood since 1954 as a symbol of the selfless sacrifice of our nation’s veterans. The memorial displays photos and names of over 3,500 American veterans along with diverse religious and secular symbols. In January 2011, a federal court of appeals ruled that the memorial gives onlookers the impression of government endorsement of religion and therefore violates the Establishment Clause. The veterans memorial was saved when the memorial and the land upon which it sits were transferred to private owners.

Marine Court-Martialed for Refusing to Remove Bible Verse from Desk

United States v. Sterling, No. 201400150, 2015 CCA LEXIS 65 (N-M.C.C.A. Feb. 26, 2015)

Lance Corporal Monifa Sterling, a Marine stationed at Camp Lejune in North Carolina, printed her favorite Bible verse, “No weapons formed against me shall prosper,” and posted it in her workspace. Although other service members were permitted to keep personal items on their desks, Sterling was ordered to remove the verse. After she did not remove the verse, it was torn

down and she was court-martialed. Liberty Institute and former U.S. Solicitor General Paul Clement are representing Sterling in her appeal to protect the religious liberties of those who serve our country.

Catholic Priest Prevented from Providing Religious Services on Military Base

Leonard v. U.S. Department of Defense, No. 1:13-CV-1561 (D. D.C. Apr. 30, 2014)
<http://kdvr.com/2013/10/14/priest-employed-by-government-claims-shutdown-violates-religious-freedom/>

Father Ray Leonard is a Catholic priest under contract with the U.S. Government to provide Catholic services at the Kings Bay Naval Submarine Base in Georgia. During the government shutdown stemming from congressional failure to reach a federal government funding agreement, Leonard was instructed to cease his religious undertakings. Other religions and denominations were allowed to continue their religious practices. The military base locked Father Leonard out of his office, denied his access to articles of Catholic faith, and threatened him with arrest if he attempted to continue his religious activities. After Father Leonard brought a lawsuit against the base for its religious discrimination, the base immediately lifted its restriction but sought to have Father Leonard sign an atypical contract that would ruin the lawsuit.

Humanist Group Sues to Eliminate Veterans Memorial in Lake Elsinore, California

American Humanist Association v. City of Lake Elsinore, No. 5:13-cv-00989 (C.D. Cal. July 16, 2013)

The city of Lake Elsinore, California, set up a five-foot tall black granite slab with a white silhouette of a soldier kneeling before a cross along with several other crosses and a Star of David in the background as a veterans memorial. The American Humanist Association brought a lawsuit challenging the memorial because it included a cross. A federal district court in California held that the design violates both the Establishment Clause and the California Constitution. In June of 2014, the city council approved a new memorial featuring a soldier kneeling before a gun instead of a cross.

AUSCS Sues to Force Removal of Veterans Memorial from King, North Carolina

Hewett v. City of King, North Carolina, No. 1:12-1179 (M.D.N.C. filed Nov. 2, 2012)

The American Legion Post 290 of King, North Carolina, contributed to the design and construction of a veterans memorial in King, N.C., that includes a silhouette of a soldier kneeling before a cross-shaped headstone. Ameri-

cans United for Separation of Church and State filed a lawsuit against the city of King alleging that the memorial violates the U.S. and North Carolina constitutions because it contains religious imagery and sits on public land. The American Legion, represented by Liberty Institute, intervened in the case to defend the memorial.

MRFF Sues to Stop National Prayer Luncheon

Mullin v. Lt. Gen. Gould, No. 1:11-247 (D. Colo. Feb. 9, 2011)

The Military Religious Freedom Foundation (MRFF) and several U.S. Air Force Academy faculty members filed suit seeking to enjoin a National Prayer Luncheon. The keynote speaker was a retired Vietnam-era Marine who is known for his evangelistic speaking. Even though attendance was not mandatory, the MRFF claimed that the command structure encouraged attendance to an extent amounting to coercion. A federal district court dismissed the lawsuit because the plaintiffs did not have standing to bring the suit.

Reverend Veitch Sues Navy Following Multidenominational Services

Veitch v. England, 471 F.3d 124 (D.C. Cir. 2006)

Reverend D. Philip Veitch, a Navy chaplain, refused to participate in multidenominational services and eventually resigned. Veitch sued the Navy, arguing that his First Amendment rights were violated. The appeals court ruled that Veitch's resignation was voluntary and affirmed the lower court's decision granting summary judgment to the defendants.

MRFF Attacks Air Force Academy Coach for Tweeting Bible Verses on Personal Account

<https://pjmedia.com/faith/2016/12/12/air-force-academy-protects-unchecked-christian-extremism-of-tweeting-bible-verses/>

Air Force Academy tight end coach Steve Lobotzke shared multiple Bible verses on his personal Twitter account. On Coach Lobotzke's account, he clearly stated that the posts on his personal account "are my own views." Nevertheless, the MRFF demanded that the Air Force Academy investigate the coach's "blatantly violating Air Force regulations" and his "illicit proselytizing." The Air Force Academy rejected the MRFF's demands, finding that the Twitter posts did not violate any policy or law.

MRFF Demands Ohio VA Clinic Remove Bible from Waiting Room

<https://www.toddstarnes.com/column/bibles-banned-va-removes-good-book-from-clinic>

The MRFF condemned the "illicit and unconstitutional" existence of a Bible among the magazines in the waiting room of the Chillicothe Veterans Affairs

Medical Center in Athens, Ohio. Following the MRFF's complaint, the VA staff "scoured" the building to ensure no more "illicit" Bibles were hiding. Associate Chief Adam Jackson wrote to the MRFF that he was unsure how the Bible got into the VA clinic as "[w]e routinely have . . . teams that look for such material." There are no U.S. Supreme Court cases that would suggest it is illegal for a clinic to include a Bible in its waiting room reading materials.

MRFF Demands Air Force Officer Be "Visibly Punished" for Answering Interview Question About Influences on Leadership

<http://www.christianexaminer.com/article/air-force-officer-under-fire-for-saying-jesus-christ-has-influenced-him/51127.htm>

Air Force Lieutenant Colonel Michael Kersten commands the 39th Medical Support Squadron at Incirlik Air Base, Turkey. As part of an article entitled, "Meet your leadership," Lt. Col. Kersten answered some interview questions about his leadership and career. When asked if there was a leader from his career that influenced him the most, Lt. Col. Kersten said that there was "no ONE in particular" but that "[a]s a Christian, my example is to be like Christ. He is my guide and affects all of my decisions. He teaches to do all things as unto the Lord and I believe this is synonymous with integrity first and excellence in all we do." In response, the MRFF demanded that Lt. Col. Kersten be publicly reprimanded and "visibly punished."

AHA Sues New Jersey Borough over Veterans Memorial Statue

http://www.nj.com/union/index.ssf/2016/10/suit_demands_town_remove_christian_statue_honoring_veterans_from_library.html

The mayor of Roselle Park, New Jersey, purchased with his own money a statue of a veteran kneeling over a grave marked with a cross. The mayor donated the statue to the Roselle Park Veterans Memorial Library, where it was placed outside of the building. The American Humanist Association along with Councilwoman Charlene Storey and her husband Gregory, then sued Roselle Park, claiming that the existence of the cross on the grave was a violation of the U.S. Constitution's Establishment Clause. After the lawsuit was filed, the mayor agreed to remove the memorial.

MRFF Demands "Aggressive Punishment" over Bible on Desk

<http://www.foxnews.com/opinion/2016/08/17/air-force-officer-faces-investigation-over-bible-on-his-desk.html>

Major Steve Lewis, a supervisor at the Reserve National Security Space Institute, had an open Bible on his desk at Peterson Air Force Base in Colorado Springs. When the MRFF learned that Maj. Lewis had placed a Bible

on his desk, they demanded that he be “aggressively punished” for this “truly abhorrent example of First Amendment civil rights violations.” Mikey Weinstein, founder of the MRFF, explained that Maj. Lewis’s desk is “not his desk. That desk belongs to the American people.” An airman who reported the Bible to the MRFF said, “This open Bible is discrimination at the highest level.” Colonel Damon Feltman, commander of the 310th Space Wing and Maj. Lewis’s supervisor, said that he “performed a walk-through of the office and everything seemed to be in compliance with Air Force regulation.” Col. Feltman also emphasized that Air Force personnel retain their constitutional rights to practice their religion.

Air Force Veteran Forcibly Removed from Retirement Ceremony for Mentioning “God”

<http://www.washingtontimes.com/news/2016/jun/20/air-force-vet-removed-ceremony-god-speech/>

When Master Sergeant Charles Roberson retired, he wanted Oscar Rodriguez, an Air Force veteran, to give a patriotic flag-folding speech at Roberson’s retirement ceremony. As requested, Rodriguez began to give the speech, which was going to include “God.” However, two Airmen assaulted Rodriguez, forcibly dragged him out of the ceremony, and kicked him off Travis Air Force Base. First Liberty Institute sent a demand letter to the Air Force asking them to apologize to Rodriguez and to hold the responsible parties accountable. In response, the Air Force acknowledged that religious retirement ceremonies are permissible and stated that it “places the highest value on the rights of its personnel in matters of religion and facilitates the free exercise of religion by its members.”

Fort Riley Disinvites General from Speaking at Prayer Breakfast Due to the General’s Religious Beliefs

<http://www.washingtontimes.com/news/2016/jun/8/military-chaplains-call-base-renew-speaking-invita/>

Fort Riley, a military base in Kansas, invited Lieutenant General William Boykin to speak at a prayer breakfast. The Military Religious Freedom Foundation, however, objected to Gen. Boykin’s religious beliefs and threatened to sue Fort Riley if it did not revoke its invitation to Gen. Boykin. The MRFF also demanded that those responsible for inviting Gen. Boykin to speak be “prosecuted” and “visibly punished.” Fort Riley responded to the MRFF by disinviting Gen. Boykin, but the Chaplain Alliance for Religious Liberty has since demanded that Fort Riley reinstate the invitation, calling the decision “dishonorable and without any legal foundation.”

MRFF Demands Punishment of Soldiers Responsible for Placing Bible on Missing Man Table

<http://www.armytimes.com/story/military/2016/05/20/soldier-says-bible-used-during-army-ball-religious-freedom-group-wants-answers/84652606/>

At the Adjutant General's Corps Regimental Association ball in South Korea, a series of soldiers placed items traditionally used in Missing Man tables—displays remembering soldiers who are missing in action or who are prisoners of war—on a table and spoke about the significance of the items placed. The last item placed on the table was a Bible. As the soldier placed the Bible on the table, the soldier said that it reminds us of “strength through faith” and that “we are one nation under God.” When the MRFF learned of this memorial, it described the placing of the Bible on the table as “serious law-breaking” and demanded that the responsible soldiers “be aggressively investigated and appropriately and visibly punished.”

The Citadel Bans Muslim Prospective Student from Wearing Hijab

<https://www.washingtonpost.com/news/volokh-conspiracy/wp/2016/05/11/the-south-carolina-religious-freedom-act-the-citadel-and-a-muslim-cadets-request-to-wear-a-headscarf/>

The Citadel announced that it would not permit a Muslim prospective student to wear a hijab as required by her religious beliefs. The Citadel made this decision despite the military's accommodation of religious dress in other cases.

AUSCS Wants Privately Purchased Crosses Removed from “Welcome Home Soldier” Memorial

http://www.albianews.com/news/article_506465f0-0184-11e6-929b-230a31d30102.html

Americans United for Separation of Church and State wants Monroe County, Iowa, to remove privately purchased crosses from its “Welcome Home Soldier” memorial. Crosses have long been used in veterans memorials as symbols of soldiers' sacrifices.

MRFF Demands Bibles Be Removed from Missing Man Displays

<http://www.foxnews.com/opinion/2016/04/12/bibles-are-being-removed-from-missing-man-tributes-at-va-clinics-and-military-bases-why.html>

The Military Religious Freedom Foundation (MRFF) has been demanding the removal of Bibles from “Missing Man” displays—tables that have empty chairs for each of the five branches of service and that are set with a red rose, an inverted glass, a yellow ribbon, salt sprinkled on a plate, a lemon slice, a candle, and a Bible. The Missing Man displays were started during

the Vietnam War to remember those who are missing or held prisoner. At least three VA clinics and an Air Force base have complied with the MRFF's demand.

Hiram, Georgia, Removes Crosses from Memorial Day Display

<http://www.wsbtv.com/news/local/paulding-county/memorial-day-crosses-back-up-after-complaints/302779373>

Hiram, Georgia's Memorial Day display included seventy-nine crosses to memorialize the seventy-nine residents who died in war. After someone questioned the use of crosses, the city removed the display. The removal of the memorial caused an uproar, however, and the city returned the crosses.

"God Bless the Military" Sign Under Attack

<http://chaplainalliance.org/site/wp-content/uploads/2015/09/2015-09-25-Chaplain-Alliance-News-Release.pdf>

Following the 9/11 terrorist attacks, a Marine Corps base in Hawaii posted a sign that reads "God bless the military, their families and the civilians who work with them." The sign has come under attack by a group that wants it to be moved to the base's chapel. In response, the Chaplain Alliance for Religious Liberty issued a statement defending the constitutionality of the sign. According to the statement, "God bless our military" is a slogan similar to the official national motto, "In God We Trust," which courts have repeatedly upheld. The Chaplain Alliance also commented that since the founding of our country, every president has publicly called on God to bless America.

War Memorial May Be Separated from Others over Christian Symbol

http://m.columbiatribune.com/news/local/boone-county-commission-hears-opinions-on-war-memorial-ahead-of/article_b9fff70f-d21b-537e-bf2b-5e5cfd1f327.html

The Boone County Commission in Missouri proposed to move its Operation Desert Storm memorial from the county's courthouse lawn to a local cemetery. The memorial has been the center of controversy due to its Ichthus Christian fish symbol. The parents of Sterling Wyatt, who was killed on duty in Afghanistan, spoke at the meeting to urge the council to keep the memorial in place alongside the county's other war memorials.

Air Force Base Criticized for Advertising Christian Event

<http://christianfighterpilot.com/2015/07/31/mikey-weinstein-attacks-air-force-for-gospel-explosion/>

The Cannon Air Force Base was criticized for sending out information about an optional Christian event. Advertisements for a "Gospel Explosion" event

in a chapel were distributed in the same manner as for any other activity at the base, such as standup comedy shows or golf tournaments. One non-commissioned officer sent an email letting people know about the event and requesting that people spread the word.

MRFF Calls for Zero Tolerance for Christian Military Chaplains

<http://www.militaryreligiousfreedom.org/2015/06/62615-mikeys-op-ed-mrff-demands-ouster-of-all-homophobic-military-chaplains/>

Mikey Weinstein is the president of the Military Religious Freedom Foundation. However, far from advancing religious freedom, the group is self-described as “the only organization devoted solely to fighting the scourge of fundamentalist Christian extremism.” Weinstein published an op-ed demanding that all chaplains who hold traditional religious beliefs about sexuality must be forced out of military service. In his words, they are “cretinous sentinels of vile prejudice and hate-mongering bigotry,” and “the Department of Defense must expeditiously cleanse itself of the intolerant filth that insists on lingering in the ranks of our Armed Forces.”

MRFF Attacks Air Force Christian as National Security Threat

<http://www.christianexaminer.com/article/air.force.senior.master.sgt.story.of.family.medical.trip.to.mexico.draws.censorship.threat/48287.htm>

Every year, Air Force Master Sergeant Larry Gallo takes his family over the Christmas holidays on a nine-day medical mission trip to Mexico, Guatemala, or Honduras. “Seven years ago my family and I started giving up our commercial Christmases to do something different,” Gallo said. “Since then, we never looked back. These trips allow everyone to slow down and realize that some of the stress we put on ourselves is uncalled for once we put things into perspective.” It is such a great story of selflessness and sacrifice that the online publication for the Air Force Reserve Command used it as its weekly feature article. However, the Military Religious Freedom Foundation (MRFF) demanded it be taken down because it was a “shameless and incredibly prominent and public promotion” of religion on official Air Force websites. Mikey Weinstein, MRFF founder and president, went so far to say that the article “emboldens our Islamic enemies because we look like Crusaders and it enrages our Islamic allies.”

Sikh Student Denied Entry into the ROTC

<http://jurist.org/paperchase/2014/11/aclu-sues-us-army-for-denying-sikh-student-enrollment-in-rotc.php>

The United States Army refused to allow Iknor Singh, a Sikh college student,

to enlist in the Reserve Officer Training Corps (ROTC) program unless he shaved his beard, removed his turban, and cut his hair. The student sought a religious exemption from the Army grooming regulations in order to enroll in the ROTC program. The Army denied his request because they believed the accommodation would undermine readiness, unit cohesion, standards, health, safety, and discipline. The Army then stated the request could not be accommodated until the student was an enlisted member, but in order to enlist, he would first have to comply with the grooming regulations. Iknor Singh sued, claiming violations of the Religious Freedom Restoration Act, and won in a federal district court. After three years of fighting the Army's policy, the prospective officer can now pursue a career in military intelligence without violating his religious beliefs.

Department of Veterans Affairs Bans Native American Religious Practice

<http://blog.libertyinstitute.org/2015/07/update-us-department-of-veterans.html>

Since 2008, a VA medical center in Kansas has permitted its veterans who follow a Native American faith to hold religious meetings in a sweat lodge. In March of 2015, however, a supervisor at the VA medical center told the spiritual leader of the sweat lodge that they could no longer hold services. The medical center then suspended the leader of the sweat lodge and forbade him from contacting members of the sweat lodge. First Liberty Institute sent a demand letter to the Department of Veterans Affairs to protect the religious liberty rights of the veterans who follow the Native American faith. The medical center offered, instead, to replace the religious service with a showing of the movie Trail of Tears. Hiram Sasser, an attorney at First Liberty Institute, called this an "offensive attempt to pacify a clearly disregarded religious minority."

Navy Chaplain Almost Fired for Following Religious Beliefs

<http://www.foxnews.com/opinion/2015/09/04/navy-exonerates-chaplain-accused-being-anti-gay.html>

Wes Modder, an Assemblies of God chaplain in the Navy who had served with the Navy SEALs, was given a "detachment for cause" letter because he conducted his pastoral counseling in accordance with the religious beliefs of the Assemblies of God. Chaplain Modder's commanding officer recommended firing Chaplain Modder from the Navy. First Liberty Institute and WilmerHale represented Chaplain Modder and defended his right to follow his religious beliefs in his pastoral counseling. Navy Personnel Command rejected the commanding officer's request and cleared Chaplain Modder of any wrongdoing.

MRFF Demands Court-Martial for General Who Spoke at a National Day of Prayer Event

<http://www.airforcetimes.com/story/military/2015/05/15/group-wants-two-star-court-martialed-for-speech/27317903/>

The Military Religious Freedom Foundation called for Air Force Maj. Gen. Craig Olson to be “aggressively and very visibly brought to justice for his unforgivable crimes and transgressions” of speaking at a National Day of Prayer Task Force event in which Maj. Gen. Olson credited God for his accomplishments in the Air Force. Maj. Gen. Olson also asked the audience to pray for Defense Department leaders and troops.

Navy Recruit Training Command Limits Religious Services for Non-Liturgical Religious Groups

<http://www.navytimes.com/story/military/2015/05/06/mikey-weinstein-ron-crews-boot-camp-druid-some-religious-services-denied/70905518/>

The Navy Recruit Training Command has denied access to religious services for “non-liturgical” religious groups, including the Church of Christ, Unitarian-Universalists, Buddhists, and Druids.

MRFF Demands End to Phrase, “Have a Blessed Day”

<http://www.christianexaminer.com/article/military.personnel.banned.from.telling.visitors.to.have.a.blessed.day/48532.htm>

Gate guards at Robins Air Force Base in Georgia sometimes used the phrase, “Have a blessed day,” when greeting persons at the gate. Mikey Weinstein, founder and president of the Military Religious Freedom Foundation (MRFF), contacted the unit commander for base security forces and demanded that gate guards be prohibited from using the word “blessed.” The commander for base security complied with the demand.

Department of Defense Refuses to Permit Sikhs to Wear Religious Attire

<http://christianfighterpilot.com/2014/12/30/sikhs-continue-calls-for-military-service/#more-30654>

The Department of Defense refuses to permit Sikhs to participate in the U.S. Armed Forces while following the religious dress required by their faith. One hundred and five members of the House of Representatives and fifteen senators sent letters to the Department of Defense urging an update of the DoD’s dress code to permit Sikhs to participate in the armed forces without being required to violate their religious beliefs.

Army Veteran Suspended for Seeking Religious Liberty Legal Assistance

<http://www.pacificjustice.org/press-releases/updatehospital-that-silencedgod-bless-americaresponds-with-more-censorship>

Boots Hawks, a twenty-year U.S. Army veteran, joined Dameron Hospital's Quality Management office in Stockton, California, after retiring from the military. One day, Hawks was ordered to remove the phrase "God Bless America" from his email signature block. Hawks complied, but told his supervisors that he would like to seek legal counsel regarding the situation. In response, Hawks was put on two days' leave for "insubordination." A religious liberties group came to Hawks's aid, but the hospital only changed the discipline to paid leave. Moreover, the hospital refused to back down from its stance on Hawks's email signature, but instead decided to institute a new policy with a mandatory standardized signature block for all employees.

Virginia Governor Vetoes Bill Protecting Pastors' Religious Beliefs

<http://www.alliancealert.org/2014/04/22/chaplains-encourage-va-legislators-to-override-governors-veto/>

The Virginia legislature passed SB 555, which prohibits the government from censoring the sermons of Virginia National Guard chaplains. However, Governor Terry McAuliffe vetoed the bill.

MRFF Condemns Government Involvement in National Day of Prayer

<http://christiannews.net/2014/04/19/u-s-military-not-backing-down-after-group-urges-withdrawal-from-national-day-of-prayer-event/>

The Military Religious Freedom Foundation sent a letter to the Pentagon demanding that government officials abandon all association with the National Day of Prayer. The U.S. Military responded by making clear its intention to continue its participation in the observance.

Air Force Officials Remove Bible Verse from Cadet's Whiteboard

<http://www.theblaze.com/stories/2014/03/12/some-air-force-cadets-so-angry-over-what-happened-with-bible-verses-on-campus-they-have-staged-a-revolt/#>

A cadet at the U.S. Air Force Academy in Colorado Springs, Colorado, wrote a Bible verse on the personal whiteboard posted on his door, but officials removed the verse after receiving complaints that the mere presence of the verse was offensive. When other cadets rose up in protest by writing Bible verses on their own whiteboards, the Military Religious Freedom Foundation wrote a letter to the U.S. Air Force Academy demanding that the verses be removed. Liberty Institute responded by pointing out the cadets' religious rights.

Sikhs Seek Permission to Practice Religion

http://articles.chicagotribune.com/2014-03-10/news/sns-rt-us-usa-defense-sikh-20140310_1_sikhs-turbans-new-policy

In March, 105 lawmakers signed a bipartisan letter asking the Pentagon to allow Sikhs to wear beards, long hair, and turbans while serving in the military. The lawmakers argued that stiff regulations on religious apparel hinder Sikhs from serving in our nation's armed forces.

Humanist Group Attacks Nearly-90-year-old Peace Cross

<http://www.libertyinstitute.org/document.doc?id=153>

For almost ninety years, a cement cross stood at an intersection in Bladensburg, Maryland, without issue. The memorial honors the forty-nine residents of Prince George's County who died in service during World War I. In February 2014, the American Humanist Association filed a lawsuit in attempt to have the memorial removed. In May 2014, the American Legion, represented by First Liberty Institute, filed a motion to intervene to save the memorial. While a panel of the U.S. Court of Appeals for the Fourth Circuit upheld the memorial, the entire Fourth Circuit has agreed to review that decision.

Group Demands Removal of On-Base Christmas Displays

<http://www.foxnews.com/us/2013/12/19/nativity-scenes-removed-from-guantanamo-dining-halls-after-complaints/>

<http://radio.foxnews.com/toddstarnes/top-stories/air-force-will-not-remove-holiday-display.html>

<http://www.foxnews.com/opinion/2013/12/09/air-force-removes-nativity-scene/>

The Military Religious Freedom Foundation (MRFF) demanded that military bases around the country remove displays that reference the religious story behind Christmas.

Air Force Pressured to Punish Trainer for Christian Affirmation

http://www.jta.org/2013/11/21/news-opinion/united-states/air-force-academy-wont-discipline-trainer-who-pledged-to-proselytize?utm_source=twitterfeed&utm_medium=twitter

After Allen Willoughby, an Air Force athletic trainer, stated in a personal letter that he would continue to share Jesus with anyone he came in contact with, the Military Religious Freedom Foundation called on the Air Force Academy to punish Willoughby for his affirmation. The Air Force refused to hand down any discipline, stating that Willoughby spoke in his personal capacity and not for the Air Force Academy.

Chaplains Forced Out of Veterans Affairs Training Program

<http://www.foxnews.com/opinion/2013/11/11/veterans-affairs-forced-chaplains-from-program-for-quoting-scripture-praying-in/>

Two Baptist chaplains enrolled in a one-year Clinical Pastoral Education program that is mandatory for anyone desiring to work as a chaplain in a VA hospital. During the program, they were repeatedly subjected to harassment by the program leader and commanded to stop quoting the Bible and praying in Jesus' name. The chaplains refused to do so, ultimately resulting in the dismissal of one chaplain and the withdrawal of the other. The Conservative Baptist Association of America has filed a lawsuit on behalf of the chaplains.

Military Briefings Identify Evangelical Christians as National Threats

<http://blog.libertyinstitute.org/2013/10/shocking-new-allegations-of-hostility.html>

<http://www.breitbart.com/Big-Peace/2013/10/25/Breaking-New-Military-Docs-Raise-Possibility-Obama-Admin-Burying-Scandal-on-Anti-Christian-Material>

In an email, a lieutenant colonel at Fort Campbell in Kentucky advised his officers to be on guard against soldiers who might be affiliated with Christian organizations, which he described as “domestic hate groups” similar to Neo-Nazis and the KKK. Meanwhile, soldiers attending a pre-deployment briefing at Fort Hood reported that the briefing stated that evangelical Christians and Tea Party members are “tearing the country apart” and are threats to the United States. Soldiers at Camp Shelby in Mississippi were informed that the American Family Association is classified as a hate group and that anyone contributing to such organizations would be subject to punishment under the Uniform Code of Military Justice. Liberty Institute launched an investigation into this matter. While the military camps either denied the allegations or dismissed them as isolated incidents, soon after Liberty Institute's investigation, Army Secretary John McHugh sent out a branch-wide memo ordering leaders to stop characterizing evangelical Christians and related groups as threats.

Group Coerces Air Force into Changing Official Oath Due to Reference to God

<http://blog.libertyinstitute.org/2013/10/in-public-arena-last-week-we-reported.html>

The Military Religious Freedom Foundation (MRFF) threatened to sue the Air Force Academy unless it abolished the phrase “so help me God” from the end of the official oath. Additionally, the MRFF demanded the removal of a



29-year-old poster of the original oath. While the Air Force initially resisted removing the reference entirely, the phrase has officially been made optional.

San Antonio Air Force Base Reports Numerous Incidents of Religious Persecution

<http://www.foxnews.com/opinion/2013/09/30/airmen-say-air-force-is-punishing-evangelical-christians/>

Village Parkway Baptist Church in San Antonio, Texas, held an open-forum meeting for airmen at the nearby Lackland Air Force Base to discuss ongoing religious hostility. At the meeting, airmen reported multiple confrontations surrounding their religious liberties, including officers being commanded to “publicly affirm and promote homosexuality,” a military member being written up for having his Bible out despite open acceptance of a Muslim prayer rug, a cadet being required to repeat Basic Training for admitting he was a Christian, and many more.

Farsi Linguist in U.S. Army Harassed by Anti-Muslim Slurs

Fellow soldiers in the U.S. Army harassed Naida Hosan because her name sounded Islamic to them. The harassment included calling her “Sgt. Hussein” and asking what God she prayed to. It got so bad that she legally changed her name to Naida Christian Nova. Ms. Hosan is a Catholic, and after her family immigrated to the United States, her father changed the family name—to avoid discrimination—from Hosein to Hosan, short for the word “hosanna” that he heard so often in church.

Air Force Master Sergeant Punished for Christian Beliefs

<http://www.libertyinstitute.org/pages/issues/in-the-public-arena/liberty-institute-defends-airman-persecuted-for-his-faith>

<http://www.foxnews.com/opinion/2013/09/06/air-force-cracking-down-on-christians/>

Senior Master Sergeant Phillip Monk, a 19-year Air Force veteran at Lackland Air Force Base in San Antonio, returned from deployment and found that he had a new commander who was an open lesbian. Sergeant Monk’s commander asked Sergeant Monk what he thought about same-sex “marriage.” Sergeant Monk initially refused to answer, stating that his views on same-sex “marriage” were irrelevant to his job. When Sergeant Monk’s commander insisted that he tell her what he thought, Sergeant Monk affirmed that he believed in the biblical view of marriage. Sergeant Monk’s commander then relieved him of his duties and had him reassigned, despite Sergeant Monk’s spotless record. When Sergeant Monk reported the retaliatory religious

discrimination, Air Force investigators charged him with the crime of making false official statements. Liberty Institute stepped in to assist Sergeant Monk. The Air Force dropped their charges and awarded Sergeant Monk the Meritorious Service Medal.

Army Chaplain's Assistant Rebuked for Religious Beliefs on Biblical Marriage

<http://nation.foxnews.com/2013/08/06/fox-exclusive-airman-faces-punishment-her-religious-beliefs>

<http://www.theblaze.com/stories/2013/08/06/army-chaplain-assistant-reportedly-threatened-with-reduction-in-pay-and-rank-over-facebook-post-calling-homosexuality-a-sin/>

After a young Army chaplain's assistant posted a message on her personal Facebook page about her religious views on sexuality, she was rebuked by her commanding officer for "creating a hostile and antagonistic environment in the unit" and ordered to remove the Facebook post or face the Uniform Code of Military Justice, which entailed demotion in both rank and pay. While choosing to remain anonymous, the chaplain's assistant vowed to defend herself in court if necessary.

DOJ Defunds Young Marines Group for Emphasizing the "Love of God and Fidelity to Our Country"

<http://blog.libertyinstitute.org/2013/07/doj-violates-law-to-defend-young-marines.html>

The Bossier Parish Young Marines and Youth Diversion program is a program for at-risk youth that the Bossier Parish Sheriff's Office in Bossier, Louisiana, has operated for over ten years. The program had received federal funds to purchase uniforms and supplies, but the U.S. Department of Justice (DOJ) and the Louisiana Commission on Law Enforcement denied funds for the program after a DOJ audit of the program noted its "special emphasis on the love of God and fidelity to our country." Liberty Institute sent a demand letter on behalf of the Bossier Parish Sheriff's Office seeking a reversal of the DOJ's decision.

Military Seeks to Punish National Guard Veteran for Stance on Biblical Marriage

<http://townhall.com/columnists/toddstarnes/2013/07/11/airman-punished-for-objecting-to-gay-marriage-in-military-chapel-n1638648>

http://www.pointofview.net/site/News2?page=NewsArticle&id=23298&news_iv_ctrl=1181

Technical Sergeant Layne Wilson, a 27-year veteran of the Utah Air National Guard, wrote a letter objecting to the performance of gay weddings in West Point chapels. Lieutenant Colonel Kevin Tobias responded to Wilson's email, informing him that his letter constituted a failure to "maintain a standard of professional and personal behavior that is above reproach," even though the Defense of Marriage Act was still the law at the time of the letter. Additionally, the Air National Guard terminated Wilson's six-year reenlistment contract, replacing it with a one-year extension. Wilson took action against the religious discrimination, and his six-year contract was reinstated.

Atheist Group Seeks to Stop Spiritual Assistance for Recovery from Dept. of Veterans Affairs

<http://ffrf.org/news/news-releases/item/18275-don%E2%80%99t-subject-us-veterans-to-%E2%80%98spiritual-healing%E2%80%99>

The U.S. Department of Veterans Affairs (VA) notes that recovery of health includes treatment of mind, body, and spirit, and provides veterans with VA chaplains if they desire spiritual guidance. The Freedom From Religion Foundation already lost a 2006 lawsuit complaining about the provision of chaplains to aid recovery. Nonetheless, the FFRF continued its seven-year war against the VA's provision for its veterans by sending a letter to Eric Shinseki, the Secretary of the Veterans Affairs, demanding that the VA eliminate any association with religion or spirituality.

Military Chaplain Forced to Remove Christian Blog Post

<http://radio.foxnews.com/toddstarnes/top-stories/chaplain-ordered-to-remove-religious-essay-from-military-website.html>

Lieutenant Colonel Kenneth Reyes, a chaplain for the Joint Base Elmendorf-Richardson in Alaska, wrote a column on the origin of the phrase "There is no such thing as an atheist in a fox hole," concluding the essay with a reflection on his own faith. When the Military Religious Freedom Foundation found out about the column, they accused Reyes of embarking on an "anti-secular diatribe" and demanded that the article be removed and that Reyes be punished for his essay. The base commander subsequently ordered the removal of the piece.

Atheist Group Tries to Silence Prayer in the Navy

<http://ffrf.org/news/news-releases/item/17785-sailors-forced-to-hear-shipboard-prayer>

The Freedom From Religion Foundation (FFRF) issued a demand letter to the Secretary of the Navy insisting that any and all ship-wide prayers be stopped. According to the FFRF's complaint, prayers are broadcast throughout the entirety of a naval ship, thus subjecting sailors to "coercive" activities.

President Obama Opposes Religious Protection for Soldiers

<https://www.redstate.com/toddstarnes/2013/06/12/obama-strongly-objects-to-religious-liberty-amendment/>

http://www.whitehouse.gov/sites/default/files/omb/legislative/sap/113/saphr1960r_20130611.pdf

John Fleming, a Louisiana state representative, proposed an amendment to the National Defense Authorization Act to protect the religious rights of soldiers amid growing hostility. Although the proposal received bipartisan support, the Obama administration "strongly objected" to the amendment, stating that it would have a "significant adverse effect on good order, discipline, morale, and mission accomplishment."

Former Serviceman Criticizes the Prevalence of Christianity in the Armed Forces

http://www.centerforinquiry.net/uploads/attachments/For_God_and_Country_Parco.pdf

A former Air Force Lieutenant Colonel wrote a thirty-five page paper criticizing the influence that "fundamental" Christianity has on the armed forces and calling for regulations that would restrict servicemen's abilities to openly express their faith.

United States Air Force Removes "Commando Prayer" from Air Force Plane

<http://ffrf.org/legal/other-legal-successes/item/17336-ffrf-removes-prayer-from-us-air-force-plane-march-8-2013>

The Freedom From Religion Foundation complained to the United States Air Force that a "commando prayer" on the side of an airplane threatened the religious freedom of nonreligious service members, causing their freedoms to be "trampled upon." The U.S. Air Force bowed to their wishes and removed the prayer.



President Obama Opposes Conscience Protections for Military Chaplains

<http://www.alliancealert.org/2013/01/03/chaplain-alliance-calls-on-obama-administration-to-honor-chaplain-protections-passed-by-congress/>

<http://www.whitehouse.gov/the-press-office/2013/01/03/statement-president-hr-4310>

Congress passed a provision with strong bipartisan support that prohibits the armed forces from requiring chaplains to perform “any rite, ritual, or ceremony that is contrary to the conscience, moral principles, or religious beliefs of the chaplain” or from discriminating against a chaplain for that chaplain’s refusal to perform such a rite, ritual, or ceremony. President Obama, however, called the provision “ill-advised.”

Army Training Materials Label Christians “Extremists,” in the Same Category as Al-Qaeda

<http://radio.foxnews.com/toddstarnes/top-stories/army-labeled-evangelicals-as-religious-extremism.html>

In U.S. Army training materials provided for an Army Reserve unit in Pennsylvania, Evangelical Christians and Catholics were labeled “religious extremists,” along with Hamas and Al-Qaeda. After religious groups complained about the presentation, the Army trainer who prepared the material apologized.

Group Demands Court-Martial of General for Promoting Christian Military Marriage Counseling

<http://159.54.242.91/news/2012/08/gannett-watchdog-group-says-indiana-national-guard-chief-martin-umbarager-promoted-religion-082112/>

The Military Religious Freedom Foundation called for Maj. Gen. R. Martin Umbarger to be court-martialed for promoting Centurion’s Watch, a nonprofit Christian organization that offers marriage counseling to military families. The MRFF also called on the National Guard Bureau to investigate the president of Centurion’s Watch as well.

Air Force No Longer Encourages Officers to Attend Chapel

<http://religionclause.blogspot.com/2012/04/air-force-drops-course-reading-that.html>

The U.S. Air Force recently complied with a letter sent by the Military Religious Freedom Foundation that asked them to remove a reading from the Squadron Officer School course that encouraged officers to attend chapel as a spiritual example to their men.

Navy Chaplain Sued by Military Religious Freedom Foundation for Content of His Prayers

<http://www.dallasnews.com/news/religion/20120403-judge-dismisses-lawsuit-against-dallas-based-group-former-chaplain-for-use-of-curse-prayers.ece>

The founder of the Military Religious Freedom Foundation, Mikey Weinstein, filed suit against the former Navy chaplain and the chaplaincy of Full Gospel Churches for saying prayers that Weinstein claimed incited threats of violence against him. The district court judge disagreed, however, and dismissed the suit on the grounds that there was no proof of a connection between the prayers and the threats.

Army Removes Cross from Chapel to Avoid Offending Other Faiths

<http://radio.foxnews.com/toddstarnes/top-stories/military-crosses-removed-out-of-respect-for-other-faiths.html>

The Army dismantled and removed the cross from a chapel at an Army forward operations base in Afghanistan “out of respect for the beliefs of other faiths.” Cross-shaped windows on the building were boarded up until they can be replaced. These actions occurred following a complaint from an atheist soldier.

Air Force Pressured to Remove God from Logo

<http://christianfighterpilot.com/blog/2012/01/18/atheist-gets-secretive-agency-to-changemotto/>

The Military Association of Atheists and Freethinkers (MAAF) successfully removed God from the U.S. Air Force Rapid Capabilities Office (RCO) logo on its official patch. It pressured the RCO into replacing “Doing God’s Work” with “Doing Miracles.” The MAAF claimed that the logo, which was written in Latin, constituted government establishment of religion in violation of the First Amendment.

Air Force Academy Withdraws Support of Operation Christmas Child

<http://www.gazette.com/articles/religious-127840-academy-christmas.html>

The Freedom From Religion Foundation wrote a letter to the U.S. Air Force Academy complaining about the support the Academy gives Operation Christmas Child by encouraging cadets to participate in the project. Operation Christmas Child is a charity that sends children Christmas presents along with a religious message. The Academy responded to this letter by no longer directly encouraging the project, and only allowing school chaplains to promote participation.

Military Association of Atheists and Freethinkers Attacks Memorial Cross to Fallen Marines

<http://latimesblogs.latimes.com/lanow/2011/11/camp-pendleton-cross-marinesatheists.html>

Private parties put up a thirteen-foot cross at Camp Pendleton in memorial of four Marines who died and as a general memorial for all fallen Marines. The Military Association of Atheists and Freethinkers has complained about the memorial.

Obama Administration Fights to Keep Prayer off World War II Memorial

<http://www.foxnews.com/politics/2011/11/04/obama-administration-opposes-fdr-prayer-at-wwii-memorial/>

The Obama administration initially opposed the World War II Memorial Prayer Act, which would put a copy of Franklin D. Roosevelt's D-Day prayer on the World War II Memorial in Washington, D.C. The act was eventually passed, however, and President Obama signed it into law.

Army Prohibits Jewish Man from Keeping His Beard and Becoming a Chaplain

http://www.chabad.org/news/article_cdo/aid/1696300/jewish/Faced-With-Chaplain-Shortage-Army-Letting-Rabbi-Keep-Beard-After-All.htm

Rabbi Menachem Stern filed suit against the Army for not allowing him to be in the Army without shaving his beard. As a Chabad rabbi, Menachem's beard carries important religious significance. The rabbi claimed that the Army's refusal to let him keep his beard was a violation of his equal protection rights. The Army eventually relented, allowing Stern to keep his beard and enter the reserves.

Groups Oppose Christian Concert at Ft. Bragg, North Carolina

<http://religionclause.blogspot.com/2010/09/ft-bragg-christian-concert-draws-church.html>

Billy Graham Ministries put on "Rock the Fort" at Ft. Bragg, North Carolina, as it has done at many other military bases. "Rock the Fort" is a Christian music festival that the Army allows to occur on base, but does not pressure soldiers to attend. Americans United for Separation of Church and State and the Freedom From Religion Foundation both wrote letters to the U.S. Army complaining that its allowance of the festival violated the Establishment Clause. The Army let the festival go on as planned.

Military Religious Freedom Foundation Opposes Franklin Graham's Speaking for the National Day of Prayer

<http://religionclause.blogspot.com/2010/04/objections-raised-to-pentagons-speaker.html>

The Pentagon asked pastor Franklin Graham to speak for the National Day of Prayer. The Military Religious Freedom Foundation complained about this invitation, saying that Graham had offended Muslims in the past. The organization also complained that the National Day of Prayer Task Force, a Christian organization, was too closely tied to the military.

Minister's National Prayer Luncheon Invitation Revoked Because of His Comments on Homosexuality in the Military

<http://blogs.cbn.com/thebrodyfile/archive/2010/02/24/exclusive-tony-perkins-disinvited-to-military-prayer-breakfast.aspx>

An ordained minister and Marine Corps veteran was punished for speaking out on a topic unrelated to his planned comments at the National Prayer Luncheon at Andrews Air Force Base outside of Washington, D.C. The minister criticized President Obama's call to end "don't ask, don't tell," resulting in his invitation to speak at the National Prayer Luncheon being rescinded. The minister criticized the action as "blacklisting" to suppress unwanted viewpoints.

Honor Guardsman Fired for Saying "God Bless You and This Family, and God Bless the United States of America"

"'God Bless You' Suit Prevails," WorldNetDaily, available at <http://www.wnd.com/2003/08/20198/> (Aug. 8, 2003)

Military veteran and honor guardsman Patrick Cabbage was fired from the New Jersey Department of Military and Veterans Affairs (NJDMVA) for saying "God bless you and this family, and God bless the United States of America" to families as he presented a folded flag in honor of a fallen veteran. Though the families did not object to the practice, one of Cabbage's co-guardsmen complained to their supervisor, and Cabbage was warned not to say the blessing to the families. Later, Cabbage gave the blessing to a family after a request from the fallen veteran's son. Shortly thereafter, Cabbage was terminated. Cabbage settled with the NJDMVA for ten months' back pay and his job back.



MANAGING EDITORIAL TEAM



Kelly Shackelford, Esq., has been President, CEO, and Chief Counsel of First Liberty Institute (formerly Liberty Institute) since 1997. He is a constitutional scholar who has argued before the U.S. Supreme Court, testified before the U.S. House and Senate on constitutional issues, and won landmark First Amendment and religious liberty cases. He was named one of the 25 greatest Texas lawyers of the past quarter-century by *Texas Lawyer*, and he is also the recipient of the prestigious William Bentley Ball Award for Life and Religious Freedom Defense for his leadership and pioneering work protecting religious freedom. He is on the Board of Trustees of the U.S. Supreme Court Historical Society.



Justin Butterfield, Esq., graduated from Harvard Law School in 2007. He served as the student coordinator for the well-known Veritas Forum, was a member of the Federalist Society, and was heavily involved with the Harvard Law School Christian Fellowship. A native Texan, Mr. Butterfield completed his undergraduate studies at the University of Texas at El Paso where he earned a bachelor's degree in Electrical Engineering. He graduated *summa cum laude*, with honors, and was a University Banner Bearer.

The Managing Editorial Team also wishes to acknowledge the outstanding contributions of the attorneys, research fellows, and interns at First Liberty Institute, who both know the legal landscape of religious liberty and strive to keep religious liberty as America's first liberty.



RESOURCES FROM FIRST LIBERTY INSTITUTE



Religious Liberty Protection Kit for Churches

Read this simple but high-quality tool for helping you guard our most precious freedom.

Religious Liberty Protection Kit for Ministries

Get legal protection for your nonprofit ministry—so you can stay in ministry!

Religious Liberty Protection Kit for Students and Teachers

Don't believe it when told you don't have religious rights in the public school—learn the surprising facts that have set millions free!

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Protect your faith-based school against increasingly hostile legal threats to your freedom to believe and to act upon your beliefs.

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For free copies and to learn more, visit
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Your most basic rights are being gravely threatened. This threat is embodied in the rising tide of institutional hostility to free exercise of religion in America. And it is occurring despite the fact that America's Founders established religious freedom as the foundation for all other freedoms and it is the first liberty identified in the Bill of Rights.

UNDENIABLE: The Survey of Hostility to Religion in America, 2017 Edition, is an alarming compilation of more than 1,400 documented instances of hostility towards free religious exercise. It offers irrefutable evidence of this growing crisis in four key areas:

- The Public Arena (government, public places, and the workplace)
- Education
- Religious Institutions
- The U.S. Military (active and retired)

Legal action can help save religious liberty for all Americans. But Americans must first awaken to the crisis. That is the challenge of *UNDENIABLE*.

This mini-version focuses on the U.S. Military.

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"[First Liberty is] the best. Students, churches, and people of faith depend on them to stop those who would silence faith."

~ **Rick Perry, U.S. Secretary of Energy, former Governor of Texas**

UNDENIABLE, 2017 Edition is published by First Liberty Institute, the largest legal organization in the nation dedicated exclusively to defending religious liberty for all Americans. First Liberty Institute's President, CEO, and Chief Counsel is Kelly Shackelford, Esq., a constitutional scholar who has argued before the U.S. Supreme Court and is a recipient of the William Bentley Ball Award for his pioneering work protecting religious freedom.

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