

Prepared Statement
of
The Armed Forces Chaplains Board
Before the
House Armed Services Subcommittee on Military Personnel
“Religious Accommodation in the Armed Services”

January 29, 2014

**NOT FOR PUBLICATION
UNTIL RELEASED BY THE SUBCOMMITTEE**

Chairman Wilson, Ranking Member Davis, and esteemed members of the committee, thank you for the opportunity to appear before you today to address how the military chaplaincies provide supportive religious ministry to our military members, federal civilian employees within the military Departments, and their families. Representing the Armed Forces Chaplains Board (AFCB) are Rear Admiral Mark L. Tidd, Chief of Navy Chaplains, Brigadier General Charles Bailey, Deputy Chief of Army Chaplains, and Brigadier General Bobby V. Page, Deputy Chief of Air Force Chaplains.

Before we move forward with the formal portion of our statement, we would like to extend our condolences to the members of the committee regarding the recent passing of Mr. John Chapla. His wonderful reputation extended well beyond the halls of Congress. We are grateful to have worked with him, and we recognize that you will miss him deeply. Please know that you and your staff, and the Chapla family, are in our prayers.

Department of Defense (DoD) Instruction 5120.08, August 20, 2007, governs the AFCB and its role providing advice to the Secretary of Defense and other members of the Office of the Secretary of Defense on religious, ethical, and moral matters for the Military Services. In particular, the AFCB provides advice on the best measures to protect the free exercise of religion within the Military Services. Organizationally, the AFCB is under the authority, direction and control of the Under Secretary of Defense (Personnel and Readiness). The AFCB consists of the Chief of Chaplains and the active duty Deputy Chief of Chaplains for each of the Military Departments.

Within the Military Departments, the Chief of Army Chaplains provides advice to the Secretary of the Army and the Chief of Staff of the Army; the Chief of Navy Chaplains provides advice to the Secretary of the Navy, the Chief of Naval Operations, the Commandant of the

Marine Corps, and the Commandant of the Coast Guard; and the Chief of Air Force Chaplains provides advice to the Secretary of the Air Force and the Chief of Staff of the Air Force. All of the Chiefs of Chaplains also support their Service Personnel Chiefs regarding the proper manning, training, and equipping of chaplains.

The appointment of chaplains for the Military Departments is governed by DOD Directive 1304.19, 11 June 2004, and certified current as of 23 April 2007, and DoD Instruction 1304.28, 11 June 2004, incorporating change 2 of 19 January 2012. Chaplains are religious ministry professionals (our technical term for professional clergy) from religious organizations that have met the requirements set by DoD policy. Among other qualifications, applicants for appointment within the military chaplaincies must have at least two years of leadership experience as religious ministry professionals, must have a Master of Divinity degree (or equivalent), and must be prepared to perform religious ministry in a pluralistic military environment.

We appreciate the interest, concern, support, and leadership of the Congress on this vitally important subject. The Military Departments, as you know, exist to protect and defend the Constitution of the United States. As chaplains we are honored to support our commanders and warriors as they remain on watch around the globe, protecting the many freedoms we enjoy as Americans. This includes the constitutional right to the free exercise of religion, the reason for which we, as chaplains, have been appointed to serve in the military. Many of our Service members and their families find strength and support in their religious faith, and the opportunity to practice their faith helps them develop the resilience to be ready for the challenges of military life. We share your concern for the religious freedom of Service members and chaplains, and hope that our testimony today will serve to assist Congress with its oversight of this matter.

Military chaplains are privileged to serve in the religiously pluralistic military environment. As you know, our chaplains serve with our warriors around the globe, including in combat zones. Many chaplains have lost their lives in combat and some have been awarded medals of valor including the Congressional Medal of Honor.

Nearly 200 different religious organizations endorse chaplains for ministry within the Military Departments. Chaplains are guided by the teachings of their religious bodies, and those teachings guide their ministry within this pluralistic setting. At the same time, chaplains and their endorsing religious organizations recognize that chaplains serve in an environment that is extremely diverse religiously. Chaplains work cooperatively and respectfully with Service members who have different religious convictions or no religious beliefs at all. We are committed to working together cooperatively to meet the religious needs of as many of our people as we can, and to protect the religious freedom of *all* Service members, including the chaplains with whom we serve.

Within the Departments' long standing policy and practice, the spirit of cooperation and respect for diversity does not mean compromising one's individually held beliefs. Our chaplains continue to conduct their religious ministry with fidelity and compassion in ways that meet the requirements of their endorsing religious organizations and the standards of conduct for commissioned officers.

The relationship between the Chiefs of Chaplains and the religious organizations that endorse chaplains is open, flexible, and productive. For many decades, the endorsing agents have had direct access to the Chiefs of Chaplains. This unfettered access, which is supported in policy, has helped to resolve challenges related to protecting the religious liberties of Service members and chaplains. The AFCB recently concluded two days of annual meetings, to which

all of the ecclesiastical endorsers were invited. In addition to these annual meetings, many endorsing religious organizations contact our offices throughout the year when they need to bring something to our attention. In the last eight months we have all communicated with our chaplains reaffirming the protections afforded them, by the Constitution, law, and policy, when performing their religious ministry. We have also provided guidance regarding ways to resolve the issues they face in providing ministry. Additionally, formal training has either been completed, or is in progress, to ensure that all of our chaplains understand the proper mechanisms to redress any grievances they have, in particular their ability to contact our offices directly or to work through their endorsing religious organizations. We mention this to underscore the many ways available to resolve any issues regarding religious freedom.

Each Military Department also has specific policy recognizing that its chaplains cannot be compelled to perform religious ministry contrary to the tenets of their endorsing religious organizations. The actions of the Congress have further served to ensure that Service members and chaplains are protected. We refer specifically to National Defense Authorization Act, Fiscal Year 2013 (NDAA FY13), section 533, and its amendments in NDAA FY14.

The AFCB's annual meetings with the ecclesiastical endorsers and our routine communication with them throughout the year are efforts we have made to maintain a mutually positive relationship with the religious organizations that send us their finest religious ministry professionals. As Chiefs of Chaplains, we communicate up and down the chain of command with our chaplains. We also travel regularly to meet face-to-face with our chaplains, from the most junior to the most senior. We recognize that this is a period in our history of change that includes the repeal of Don't Ask Don't Tell and the U.S. Supreme Court's decision to strike down portions of the Defense of Marriage Act. As always, we are committed to supporting our

Service members and our chaplains by honoring their religious freedom and obeying the law. Each of the Military Departments has policy in place that designates chaplains as advisors on religious matters such as these and regularly provides recommendations to chaplains and senior military leaders on how best to respond to situations where religious freedoms are questioned. When we are made aware of a situation that appears to challenge the religious freedom of Service members or chaplains, we are eager to help resolve it.

In conclusion, we expect our chaplains to obey the law, to faithfully represent their endorsing religious organizations, and provide outstanding religious ministry to Service members and their families with dignity, respect, and compassion. With well over two million Service members in the active and reserve components, we feel that our chaplains are meeting the religious needs of our people to the greatest extent possible, and it is our great privilege to serve them.

Again, Chairman Wilson, Ranking Member Davis, and distinguished members of the committee, thank you for the opportunity to appear before you today. We look forward to answering your questions.