

Friday Afternoon, September 18, 2020

Happy Birthday United States Air Force  
September 18, 1947

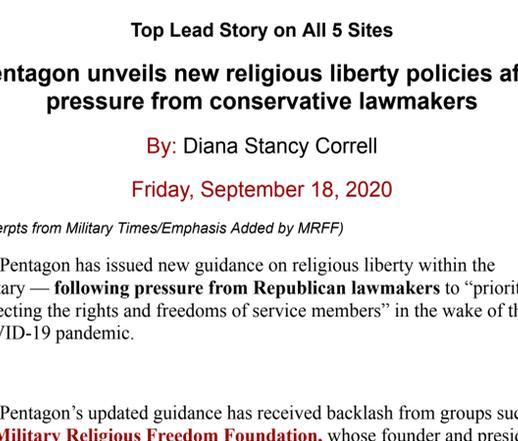


MILITARY RELIGIOUS FREEDOM  
foundation

**MRRF APPALLED BY  
DEFENSE DEPT. UNDER SECRETARY  
REWRITING RELIGION REGS TO  
APPEASE FUNDAMENTALIST LAWMAKERS**

**Matthew P. Donovan, Under Secretary of Defense for Personnel and Readiness, champion of the Space Force, is now the champion of the fundamentalist Christian lawmakers who are on a mission to obliterate the wall of separation between church and state in our military.**

**Under Secretary 1300.17, "Accommodation of Religious Practices Within the Military Services," into an all new DoD Instruction 1300.17, now titled "Religious Liberty in the Military Services," will allow all manner of otherwise prohibited religious behavior.**



**MILITARY TIMES, AIR FORCE TIMES,  
ARMY TIMES, NAVY TIMES,  
MARINE CORPS TIMES  
COVER MRFF**

Top Lead Story on All 5 Sites

**Pentagon unveils new religious liberty policies after pressure from conservative lawmakers**

By: Diana Stancy Correll

Friday, September 18, 2020

(Excerpts from Military Times/Emphasis Added by MRFF)

The Pentagon has issued new guidance on religious liberty within the military — following pressure from Republican lawmakers to “prioritize protecting the rights and freedoms of service members” in the wake of the COVID-19 pandemic.

...  
The Pentagon’s updated guidance has received backlash from groups such as the **Military Religious Freedom Foundation**, whose founder and president, **Mikey Weinstein**, argues that the revised regulation will “obliterate the wall of separation between church and state in our military.” Others, like First Liberty, a conservative legal firm that advocates for religious liberty and First Amendment rights, have lauded it as a “great victory for America’s brave service members” and claim it reflects the principles included in President **Donald Trump’s 2017 executive order** “Promoting Free Speech and Religious Liberty.”

...  
The new regulation implements requirements of the **The Religious Freedom Restoration Act**, which was passed in 1993. The law states that “governments shall not substantially burden a person’s exercise of religion.”

...  
But **Mikey Weinstein**, president and founder of the **Military Religious Freedom Foundation**, argued that those who serve in the military are under a different standard than their civilian counterparts. He pointed to a 1974 U.S. Supreme Court case, **Parker v. Levy**, which says the court “has long recognized that the military is, by necessity, a specialized society separate from civilian society.”

“While the members of the military are not excluded from the protection granted by the First Amendment, the different character of the military community and of **the military mission requires a different application of those protections,**” the Supreme Court wrote.

Specifically, **Weinstein slammed the incorporation of RFRA and argued that it is the “sick epitome of the right-wing Christians’ tortured view of the First Amendment’s religion clauses.”** He argued those who back RFRA **fail to recognize the First Amendment’s Establishment Clause** that bars the government from making any law regarding an establishment of religion.

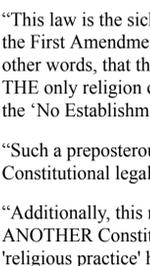
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**MRRF OP-ED  
ON DAILY KOS**

**Trump Defense Dept. Appointee Changes Military Religion Regulations to Allow Just About Anything**

By: Chris Rodda, MRFF Senior Research Director

Thursday, September 17, 2020



It seems that **Matthew P. Donovan, Under Secretary of Defense for Personnel and Readiness**, champion of the Space Force, is now the **champion of the fundamentalist Christian lawmakers who are on a mission to obliterate the wall of separation between church and state in our military.**

Under Secretary Donovan’s recent action in transforming DoD Instruction 1300.17, “Accommodation of Religious Practices Within the Military Services,” a regulation that, as its name implies, made exceptions to the usual regulations to accommodate religious practices, into an all new DoD Instruction 1300.17, even changing the Instruction’s title to “Religious Liberty in the Military Services,” **makes the allowing of all manner of otherwise prohibited religious behavior the rule rather than the exception.**

Donovan’s far-reaching regulation changes come on the heels of demands from **twenty fundamentalist Christian members of the House of Representatives**, who wrote a letter to Secretary of Defense Mark Esper attacking the **Military Religious Freedom Foundation (MRFF)** for successfully stopping a number of unconstitutional promotions of religion by military chaplains and one Air Force officer, and a **similar letter to Secretary Esper from Sen. Ted Cruz (R-TX).**

At the core of Under Secretary Donovan’s changes in the revamped and renamed DoD Instruction is the greatly increased prominence of the “Religious Freedom Restoration Act” (RFRA). As I previously wrote about the RFRA:

The “Religious Freedom Restoration Act” — sounds like a good thing, right? Well, it isn’t, as religious freedom advocates well know. In recent years, **this 1993 act has become the go-to law for fundamentalist Christian legal organizations in their defense of completely unconstitutional promotions of religion.**

This law is the epitome of the right-wing Christians’ view of the First Amendment’s religion clauses as creating only a **one-way wall** — that the “Free Exercise” clause is only religion clause that matters, and that the other direction of the wall, the “Establishment” clause, doesn’t exist.

...  
The most deleterious changes in Under Secretary Donovan’s new regulation are the definitions of what a “religious practice” is and what a “substantial burden” is.

...  
In Under Secretary Donovan’s new regulation, however, a “religious practice” has been redefined as (emphasis added):

“An action, **behavior**, or course of **conduct** constituting individual expressions of religious beliefs, whether or not compelled by, or central to, the religion concerned.”

And the definition by which a “governmental act is a substantial burden to a service member’s exercise of religion” now includes anything that (emphasis added):

“Prevents participation in **conduct** motivated by a sincerely held religious belief”

**Behavior and conduct? This could include just about anything. Is God motivating you to proselytize your fellow service members? Go ahead! That’s “conduct motivated by a sincerely held religious belief.” Want to pray loudly at your desk? No problem! That’s just behavior “constituting individual expressions” of your religious beliefs!**

...  
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**MRRF Founder and President Mikey Weinstein's Statement on Under Secretary Donovan's Outrageous Changes to DoD Religion Regs**



“The deliberate and all-encompassing incorporation and prominence of the ‘Religious Freedom Restoration Act’ in DoD Instruction 1300.17 is extremely concerning to MRFF. In recent years, this 1993 Act has become the go-to law for fundamentalist Christian legal organizations in their ignoble and wholly reprehensible defense of completely unconstitutional promotions of uber-conservative Christianity in the United States armed forces.

“This law is the sick epitome of the right-wing Christians’ tortured view of the First Amendment’s religion clauses as creating only a one-way wall — in other words, that that the ‘Free Exercise’ clause of the First Amendment is THE only religion clause that matters, and that the other direction of the wall, the ‘No Establishment’ clause, simply doesn’t even exist.

“Such a preposterous position is utterly bereft of any semblance of Constitutional legality and allowance.

“Additionally, this new version of DoD Instruction 1300.17 has yet ANOTHER Constitutionally abhorrent ticking time bomb. The critical term ‘religious practice’ has now been almost infinitely expanded to include ‘An action, behavior, or course of conduct constituting individual expressions of religious beliefs, whether or not compelled by, or central to, the religion concerned.’

“This shocking, sudden definitional expansion, specifically the ‘whether or not compelled by, or central to, the religion concerned’ may well allow military superiors to proselytize their lower-ranked troops without ANY cognizable Constitutional constraints as to time, place and manner. Such a diabolical alteration is clearly designed to serve as a force multiplier for dialing, senior ranking military personnel to utilize the hyper tribal, adversarial, communal and ritualistic environment of the U.S. armed forces to impel and pressure their subordinates to convert to and accept their superiors’ own faith/worldview concepts. And, in MRFF’s considerable civil rights advocacy experience, gleaned from our over 70,000 MRFF client cases (95% of whom are practicing Christians themselves), the oppressors in this precise dynamic are fundamentalist/dominionist Christian military superiors approximately 99.9% of the time.

“These miserably wretched, instantaneous DoD Instruction 1300.17 mauling actions by Trump’s DoD cannot be allowed to tar and feather the Constitution’s clear and incontrovertible, foundational prohibition of allowing the State to ‘establish’ religion!

“MRFF will fight tooth and nail, day and night to stop this new, twisted and perverted version of DoD Instruction 1300.17. Indeed, MRFF will never allow this brand new regulatory provision to illicitly buttress the already repugnant and omnipresent efforts of the fundamentalist Christian religious right from perpetuating its pervasive and pernicious pattern and practice of forcing its weaponized version of the Gospel of Jesus Christ upon otherwise defenseless military subordinates.”

**THE CHRISTIAN POST  
COVERS MRFF**

**Pentagon guidance strengthens religious liberty protections for service members**

By: Ryan Foley

Wednesday, September 16, 2020

(Excerpts from The Christian Post/Emphasis Added by MRFF)

The U.S. Department of Defense issued new guidance this month bolstering military service members’ religious freedom rights, a move praised by advocates who have voiced concern for years.

Instruction 1300.17 was issued on Sept. 1 establishing “DoD policy in furtherance of the **Free Exercise Clause of the First Amendment**” and the **Religious Freedom Restoration Act**.

The instruction **falls in line with President Donald Trump’s 2017 executive order** on religious liberty and free speech.

...  
The guidance comes four months after the First Liberty Institute, which describes itself as “the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans,” wrote a letter to Secretary of Defense Mark Esper.

...  
First Liberty wrote the letter in response to the **Army’s compliance with demands from the Military Religious Freedom Foundation** to remove social media posts featuring Army chaplains offering words of prayer and encouragement to service members amid the coronavirus pandemic.

...  
MRFF founder **Mikey Weinstein** said in a statement shared with CP that the “**all-encompassing incorporation and prominence of the ‘Religious Freedom Restoration Act’ in the instruction is “extremely concerning”** for his organization.

He vowed that MRFF, which advocates for the strict adherence to the principle of separation of church and state, will fight “tooth and nail” to stop the new instruction. He claimed that the new guidance buttresses the efforts of a “fundamentalist Christian religious right” that seeks to force its “version of the Gospel of Jesus Christ upon otherwise defenseless military subordinates.”

...  
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**Under Secretary Donovan's New Fundamentalist-Christian-Inspired DoD Instruction 1300.17**



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**Background on Sen. Ted Cruz and GOP Congress Members' Ongoing Attacks Against MRFF:**

8/4/20 – Desperate and Laughable GOP Senator Ted Cruz (R-TX) Still Railing Against MRFF’s Constitutional Victory!!

7/21/20 – Another MRFF Victory “Appalls” Fundamentalist GOP Congressman Doug Collins, Fox News Reports

7/20/20 – GOP Congressman Collins Proposes Absurd Amendment to Protect Christians in the Military From MRFF’s Victories!

7/15/20 – GOP U.S. Congress Members Continue Unmitigated Assault on MRFF and Religious Freedom

7/6/20 – National Defense Authorization Act to Include Military Training on How to Force Religion on Others

6/10/20 – GOP Senator Ted Cruz Condemns MRFF in Press Release and Letter to Secretary of Defense Mark Esper

5/14/20 – 20 GOP Congress Members Write to Secretary of Defense Mark Esper Condemning MRFF!



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(505) 250-7727

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