



THE UNITED STATES DEPARTMENT OF JUSTICE

RELIGIOUS LIBERTY COMMISSION

Transcript for Dec. 10, 2025 Hearing

Religious Liberty in the Military and State and Local Religious Liberty Issues



**Presidential Religious Liberty Commission
Fourth Hearing Transcript
December 10, 2025
The Debate Chamber at the Old Parkland
Dallas, Texas**

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RELIGIOUS LIBERTY IN THE MILITARY

INTRODUCTIONS

Mary Margaret Bush: Good morning. Welcome to the fourth hearing of the Religious Liberty Commission. My name is Mary Margaret Bush, and I'm the commission's director and designated federal officer. It's my pleasure to welcome you today and to turn our proceedings over to a man who needs no introduction. Our chairman, Lieutenant Governor Dan Patrick.

Chairman Lt. Gov. Dan Patrick: Thank you. Mary. Our Commission will come to order. We're going to have a prayer from Doctor Carson in a moment. And I just want to tell you that this is an extraordinary day, Harlan. Just so everyone knows, Harlan Crow. He created this incredible complex out of an old hospital because he just told us. Because he loves America and loves this country. And this is about America. And we're so grateful that you're hosting us. He saw the first hearing back in June, and he called me and he said, "I want to do a hearing in Old Parkland." So, Harlan, we're here and your staff has been terrific. So thank you very much. And your staff.

Mr. Harlan Crow: Thank you.

Chairman Patrick: Doctor Carson, would you open with a prayer?

Vice Chair Dr. Ben Carson: Absolutely. Kind, heavenly father, we're so grateful for this opportunity to gather together, to seek wisdom from you and from each other for such an important area as religious freedom. One of the bedrock of our country. We thank you for those who have worked so hard to put this together, and we thank you for all the commissioners and for the head of our commission, Dan Patrick, and for each of you and your involvement and your interest. And we thank you, Lord, that you are so accessible to us. We don't have to make an appointment to talk to you. And you're always there. And that has helped us to achieve the goodness that has come from this country. Help us to continue to lead in this fight for all freedom and particularly religious freedom. In your holy name. Amen.

Chairman Patrick: Amen. It just reminded me to turn off my phone and that was not me. But it's okay so be sure all the phones are off. Thought the Good Humor Man was coming down the street there for a second. It's all good ice cream. You have to be old enough to know that sound. I'd like for each commissioner to take 30s. Introduce yourself. And? And I think everyone knows everyone here. But we just would like to go down the row. Kelly, we'll start with you.

Commissioner Mr. Kelly Shackelford: Kelly Shackelford, president and CEO of First Liberty Institute. All we do is religious liberty cases. So.

Commissioner Bishop Robert Barron: I'm Bishop Robert Barron, the bishop of Winona, Rochester diocese in southern Minnesota, also founder of Word on Fire Catholic Ministries, which is an evangelical media ministry.

Commissioner Dr. Phil McGraw: Doctor. Phil McGraw I'm a clinical psychologist and a Christian clinical psychologist. And I'm kind of the bridge between all the clergy here and the culture. So I'm very proud to be part of the commission.

Chairman Patrick: Ryan.

Commissioner Dr. Ryan Anderson: My name is Ryan Anderson. I'm the president of the Ethics and Public Policy Center, which is a Washington, DC based think tank. And then by training, I'm a political philosopher with a specialty in religious liberty.

Commissioner Mrs. Carrie Prejean Boller: Good morning. My name is Carrie Prejean Boller. I was one of the first to be canceled for my faith. I was Miss California and competed at Miss USA and dared to say marriage is between one man and one woman. It is an honor to be here with you today.

Commissioner Rabbi Meir Soloveichik: Meir Soloveichik, director of the Strauss Center for Torah and Western Thought at Yeshiva University and Rabbi of Congregation Shearith Israel, the oldest Jewish congregation in the United States and beneficiaries of religious liberty from America's beginning.

Commissioner Mrs. Allyson Ho: Good morning. I'm Allyson Ho. I'm an attorney. I'm the I'm a co-chair of the appellate and constitutional law practice at Gibson, Dunn and Crutcher, and I am also a Dallas resident. And we're just thrilled to welcome the Commission to our hometown this morning. Thank you.

Commissioner Rev. Franklin Graham: I'm Franklin Graham, I'm a preacher of the gospel of Jesus Christ.

Chairman Patrick: He's always a man of few words and makes the point really clearly. Thank you. Thank you Reverend.

So, a quick little background.

This came out of a conversation the President and I had in November of last year, a few weeks after the election, and he had talked about religious liberty in his first term. And we had a discussion that this might be the right time, as many Christians and people of all faiths have been persecuted for the last four years, and then go back a little before that. And he immediately said, let's move forward. And he immediately said, "I want Franklin Graham on it. I want Cardinal Dolan, who is on the committee, couldn't be here today, Paula White."

And then we decided to assemble the finest minds from the world of, of law that's practiced before the Supreme Court and know some of these cases and issues, historians and then the leading people of faith, men of faith, from, from various religions. So, a denominations rather. So that's how we came about.

This is our fourth hearing. We will have several more next year.

The first two hearings are focused on well, the first hearing in June of last year was focused on what did our Founders really believe about religious liberty. And then the last two have been on K through 12 education and then higher education.

And today is focused on the military. This was originally scheduled around Veterans Day but had to be delayed. And so that's our focus today as well as some Texas cases.

And thank you all for being here.

Associate Attorney General Stanley Woodward

Chairman Lt. Gov. Patrick: I'm proud to introduce Stanley Woodward. Stanley is third in command of the Department of Justice. When this was created, we had to have a charter to create this Commission. And then we had to have an Agency that would pay some of our expenses. And so, we're under the Department of Justice. Pam Bondi has spoken our first hearing, President Trump spoke at our second hearing. And so, we're honored to have Stanley with us today. Stanley Woodward, sir.

Associate Attorney General of the United States Stanley Woodward: Thank you. I'm sorry that I'm not President Trump or Pam Bondi, but I am I am very, very pleased to be here. It's my honor. Thank you for having me. Dallas is a wonderful city. I always love coming here. And so, thank you. Thank you for hosting.

We had to postpone the last hearing because the government was shut down for 46 days, in which time I was also confirmed.

And so, I'm very honored that this is the first time that I'm able to give public remarks on behalf of the administration. And so very grateful for the leadership of President Trump and Attorney General Bondi.

Before I begin, I would be remiss if I were not to observe that Saturday is the birthday of our National Guard, a branch of our armed services that has been in the news a lot lately for less than positive reasons. And so, I hope that you would join me in a moment of silence as we pray, both for those we've lost and those who are recovering after the tragic shooting in Washington, DC before Thanksgiving.

Some, I think 366 years is their is their birthday this year. They're the first armed forces to take up the cause of defending our land here in the United States. Massachusetts, I believe, is where they were first founded.

Our service members are heroes. They deserve this designation for many reasons, but perhaps the foremost that they are is that they are entrusted with life and death matters when in combat situations, they face these matters on a near-daily basis. They are the most important decisions a person can make.

And how we make these decisions says a lot about who we are.

For people of faith, how we approach these decisions implicates what we believe will follow in the inevitable next life.

For this reason, religious liberty and military service have a unique connection.

Our service members deal with first things—"unwritten, undying truths," as Sophocles would say through the words of *Antigone*.

More so than the rest of us, service members deal directly with last things defined in the Christian tradition as death, judgment, heaven and hell.

To remain clear-sighted and courageous and compassionate in the face of constant danger and constant high stakes, our service members must have the ability to see their work through eternal perspective.

This reality has been sometimes more, and other times less appreciated over the years. In 1942, a young Quaker enlisted to serve in World War Two. He believed two seemingly inconsistent things about his duties as a citizen.

First, he believed he was obligated to serve and defend the cause of freedom. Second, he believed that to take up a weapon against a fellow man, however evil, was sacrilege, and against his creator.

He enlisted in the military, but due to his religious beliefs and convictions, he underwent severe trainings, corporal punishment, and was even court martialed for his beliefs.

This young man stayed the course, however, ultimately, he was deployed as a medic.

In one battle in Okinawa, in 1945, American forces were falling dangerously, though there was great pressure to fall back. He famously saved the lives of more than 75. In the battle for control of Maeda Escarpment, also known as Hacksaw Ridge. Among those whose lives he saved were many of the officers who had made his commitment to principles so difficult.

Yet, it was this very sense of duty and his deep conviction of his duty to protect human life that led him to risk his own over and over, remaining exposed in enemy territory for hours to save his brothers.

He was later presented with the Medal of Honor for his “outstanding bravery and unflinching determination in the face of desperately dangerous conditions.” That’s a quote.

This young soldier, Desmond Doss, was a hero, one who understood First Things and Last Things—a man worthy to be entrusted with life-or-death decisions, and one who bore profound witness to the unique American spirit and tradition of religious liberty in the military and civilian life, which has been present since our founding.

In his witness to religious faith and service in the 1940s, Desmond Doss carried a torch ignited many years earlier when, in our nation’s greatest hour of need, George Washington, perhaps the greatest of our leaders, honored the Quakers request to serve in non-combat positions, himself standing in the breach to ensure their faith was not violated.

Then-General Washington’s respect for religious liberty was rewarded as the ragtag American army, against overwhelming odds, defeated Britain, the strongest military power in the world at the time

From General Washington to Desmond Doss and through the present, the American military has from beginning shown that readiness and religious liberty strengthen each other.

I am proud to be part of an administration that takes seriously this legacy and this responsibility. President Trump, who addressed the commission earlier this year, supports religious liberty more strongly than any president in my lifetime.

And under Attorney General Pam Bondi, our Justice Department is providing unprecedented support for religious liberty through proactive litigation, interagency initiatives, special task force, special task forces, and commissions.

We frequently lend support to lawsuits strengthening the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act.

Recently, we filed a FACE Act claim holding accountable perpetrators of violence against a new Jersey synagogue. In contrast with my predecessors, who attempted to use the FACE Act to penalize citizens for speech and religious expression, we understand the FACE Act to strengthen rather than rather than abridge, First Amendment protections.

We are proud to be home of the anti-Christian Bias Task Force. This Religious Liberty Commission, the Anti-Semitism Task Force, and a number of other programs dedicated to restoring and strengthening our national heritage of religious freedom.

We prioritize this because we know that religious liberty is not merely accommodation or a policy choice, but rather a fundamental duty owed by any just government to its citizens, the root of any truly free and civilized society.

We are grateful for the support of leaders like Lieutenant Governor Patrick, who with President Trump created this commission, and whom President Trump hand-picked to lead this work. And like Vice-Chair Doctor Ben Carson, who was truly tireless in his dedication to our country together,

Our goal is simple, but it is ambitious: to restore religious liberty to its rightful place, not just now, not just for the next four years, but for generations to come.

We hope you will join us in this effort, as the as the witnesses you will hear from today have done.

Our country's greatness comes in large part from the efforts of so-called everyday Americans. They have the commitment and courage to stand up for our Constitution and for our values.

Our Founders were just such everyday Americans, people who did not stand by in the face of injustice, waiting for someone else to take action. They educated themselves, they united and they organized.

We must do likewise. Learn about the First Amendment. Discuss it with your family and your friends and those with whom you disagree. Stand up when you see the First Amendment being abridged, violated, or even not considered.

Listen carefully to the stories that you hear today. You will be hearing from the best our country has to offer.

In an era of confusion and relativism, these men and women know who they are, who they serve, and where they are going. They know and live both the both the values our country stands for and have much to offer as both in our understanding of religious liberty, but also how to live our greatest potential for our country.

I know you will be inspired as I am, by what you hear today.

Thank you and welcome to the Religious Liberty Commission's fourth hearing.

Chairman Lt. Gov. Patrick: Thank you so much. We are going to briefly reset the stage for our witness table. I'll let the crew do that. And while we're doing that quietly, I want to share a victory for religious liberty. Just last week at the Supreme Court, I'm going to turn it over to Kelly Shackelford to talk about that.

Commissioner Mr. Shackelford: Well, there's actually a victory Monday of this week in a case out of Pennsylvania regarding forcing children of the Amish faith to violate their faith and their parents to violate their faith. So that was a victory this week.

But then then there's also an argument last week on religious liberty case by our own Mrs. Ho. And I just want to congratulate her on doing an excellent job, an important case. If you haven't watched it.

The court's working on it right now, so the opinion will probably come down in the next four months at the very latest by June. It's about a man who just wanted to share his faith in public, and the city created a free speech zone of ten by ten, 800 yards away from or feet away from the amphitheater where he couldn't reach anyone. And then he was even denied his right to have a day in court, which I just wanted to bring this up to one to say that we have a preeminent Supreme Court advocate on our panel, Mrs. Ho.

But also, this is an issue that we've talked about that won't be in anyone hearing. This is the problem of judges trying to avoid deciding these controversial cases, which is probably the way most of these cases are lost, are gimmicks or rules or things that are created by judges who want to avoid controversial cases like this. And so I just want to say, Mr. Chairman, that assuming that the chair that you and the commission are in favor, I'd like to work on something that documents what is happening, including Supreme Court justices saying this is a problem so that we can maybe address it in our final report, because that probably affects every area of religious freedom more than any other area. But Allyson Ho's argument last week, I think, is a great example that this is still a problem.

Chairman Lt. Gov. Patrick: Thank you Kelly, and thank you, Allyson. Congratulations to our audio staff. Are they going to reset stage? They're coming now. All right. We will reset the stage. By the way...we're going to go all the way through 1:00 without a break. So, if you do need a

restroom break or you have a short call, you can quietly step out and step back in, because I know it's a busy day for everyone. And we'll have our first witness, David Barton, in a moment. So, as we change out the stage, this collection from David, he has museums in in Fort Worth. If you don't know the work of David, and before you leave today, take a look at these historic documents. And he's going to talk about them a little bit. But he brought some of his best about how the military.

Mr. David Barton, Historian

Chairman Lt. Gov. Patrick: Our first witness this morning is a long time friend of mine and of many people in this room. David Barton, a historian and collector of artifacts from American history. And we've asked him to come and kind of lay down the base point of where this country has been with religious liberty in the military. David Barton, we'll turn it over to you.

Mr. Dave Barton: Thank you, Governor. Secretary Carson, good to be with the Commissioners. My name is David Barton. I help operate two world-class museums here in the Dallas Fort Worth area. We have more than 100,000 items ranging from the time of Columbus up to the Apollo programs. And much of our collection relates to military history.

In recent years, there have been unprecedented attacks against traditional religious practices in the military.

As a result of this increasing hostility toward public religious expressions, there has been much confusion over what is and is not constitutional.

The U.S. Supreme Court has sought to mitigate this hostility in this confusion, by pointing to what is now called the History and Tradition Test. The court explained, quote, "long standing, religiously expressive monuments, symbols and practices require a strong presumption of constitutionality."

I'll use my time to present a brief historical overview of several long-standing military religious practices that are relevant to this hearing.

I'll also show you original military items from across the centuries, which will be available for your perusal on the breaks.

To begin with, the American military was established by Congress in 1775, with George Washington placed at his head in his first general order. George Washington formed the soldiers that quote there would he forbid profane cursing, swearing and drunkenness and that, quote, all officers and soldiers not engaged on actual duty are to be in punctual attendance on divine service.

Throughout the war, Washington issued many other orders infusing religious activities directly into military life. About the time the British surrendered in 1781, Congress approved the production of the first English language Bible printed in America. It came off the presses in 1782, and it's one of the rarest books in the world.

Chaplain John Rogers asked George Washington to give one of these to each soldier in the revolution, and Washington stated that he was, quote, "well pleased to do so," except that he had already sent the troops home.

So, providing Bibles troops did become a longstanding practice in the military. In 1816, a number of our Founding Fathers, signers of the Constitution, got together and started the American Bible Society. This is the first Bible they produced, and this is the first military Bible.

It went to sailors on the USS John Adams, moving to the Civil War. This is one of President Abraham Lincoln's orders to the military. This general order requires that, quote, "the orderly observance of the Sabbath by the officers and men in the military and naval service." He ended the order with these words. He said, "the first general order issued by the father of his country, George Washington, after the Declaration of Independence, indicates the spirit in which our institutions were founded and should ever be defended." Quoting from Washington, quote, "the general hopes and trusts that every officer and man will endeavor to live and act as becomes a Christian soldier defending the dearest rights and liberties of his country."

That's Abraham Lincoln's order that he gave in 1863.

During the Civil War, some 4 million Bibles were distributed. Here was one for Union soldiers. Here's one for Confederate soldiers.

And in World War II, more than 6 million Bibles were distributed.

On the inside cover of the World War I Bibles was a message from President Teddy Roosevelt, or a message from President Woodrow Wilson, or a message from President Six Star excuse me, from six star General John J. Pershing. That was on the inside of those Bibles.

In World War Two, millions of Bibles and New Testaments were distributed.

These, with a brown cover, were for the army, and these were the sea blue cover were for the navy.

Inside both had a message from President Franklin Roosevelt about the importance of the Bible, about the importance of the Bible.

Across from his message in both Bibles is the Christian naval pennant flying. You see a picture of it right below you there. This pennant flew above the American flag.

And for those accustomed to today's aggressively secular public square, flying a Christian pennant above the flag might be shocking.

But even today, the U.S. Flag Code still places the naval call for divine service above the American flag.

Also distributed in that war was this steel cover New Testament bearing the inscription "May this keep you safe from harm." Known as a heart shield Bible, when placed in the left breast pocket over the heart, it could stop a bullet. Multiple veterans of whom I've spoken to two acknowledged this Bible saved their lives during the war.

One of the most momentous events in World War Two was the D-Day invasion. This top-secret operation was announced to the nation in an FDR fireside chat, at which time the president personally led the nation in a six-minute prayer. A prayer prayed while the troops were landing on D-Day. That prayer was published and rebroadcast worldwide in 28 different languages, and it's called perhaps the greatest mass prayer in all history. President Roosevelt's D-Day prayer was

made into the official White House gift for 1944, which you can see framed on the right end of the displays at the end.

After D-Day came the Battle of the Bulge.

General Dwight Eisenhower placed General George Patton in charge. Patton informed Colonel James O'Neill that he wanted all 250,000 men in his famous Third Army to begin praying, because without God's direct intervention, they would not prevail against the Nazis in that battle.

The result was this--this is a prayer card signed by George Patton, distributed to every one of his 250,000 soldiers. They prayed. Patton also prayed. There's a painting of Patton praying that was printed at the end of the war that you can see on the table, and Patton and numerous of his officers openly reported that this prayer is what turned the tide in the Battle of the Bulge.

Colonel James O'Neill was actually awarded a Bronze Star for writing this prayer that God answered.

Significantly, World War II Bibles included messages from leaders such as five-star General George C Marshall, four-star General Douglas MacArthur, four-star General Omar Bradley, and four-star general Mark Clark.

Can you imagine what would happen today if a four or 5 or 6 star general were to urge troops to read the scriptures? Or if a commander such as Patton issued a prayer card and asked his troops to pray, or if a commander such as George Washington strongly urged his troops to attend divine services, yet this is completely acceptable military practice, for decades, generations, and even centuries until recent years.

There's much more that can be covered. But our history is clear there simply was no widespread historical precedent for opposing or limiting biblical beliefs or expressions in the military until the administrations of President Barack Obama and then President Joe Biden. Both implemented numerous policies attacking and restricting religious faith in the military, here are just a few.

In January 2010, tiny, coded Bible verse references that appeared for decades in the serial, numbers of popular military scopes and gun sights were required to be removed. Troops were directed to scratch off and paint over Bible verse references.

August 2011: the Air Force stopped teaching just war theory to officers in California because the course was taught by chaplains and because it was based on a Bible perspective introduced by Saint Augustine in the third century. For centuries, just war theory was taught in civilized nations across the world, including America, until Obama's action.

In September 2011, the Air Force Chief of Staff prohibited commanders from notifying airmen of programs and services available to them if they came from chaplains.

The Air Force ordered, in February 2012, the Air Force ordered the removal of the word God from the patch of the Rapid Capabilities Office.

In June 2012, the Obama administration revoked the long standing U.S. policy of allowing service emblems to be placed on military Bibles, which had been a popular practice among all of the branches.

There are many other similar incidents, and sadly, that hostility was repeated in the Biden administration.

Here's a couple of examples.

In September 2021, the Biden administration rejected First Amendment religious exemptions for military personnel of 24,000 religious objections filed against the Covid vaccine. Only four were allowed.

And then, April 2023, on Easter weekend, the Biden administration sent a cease-and-desist letter to Catholic priests, ordering that they stop providing pastoral care at Walter Reed Military Hospital.

There are many other examples, and you can imagine how presidents ranging from George Washington to Woodrow Wilson and from Franklin Roosevelt to George W Bush would have rejected the current atmosphere, decades and even centuries of military history stand in direct opposition to the religious hostility introduced in the military in recent years.

Chairman Lt. Gov. Patrick: Thank you, David. When he first shared those facts with me, it was shocking. And the question, David, I'll ask the first. And when I see your red lights, I can call on the other members. How did this go on? For eight years during the Obama administration, in four years under the Biden administration, how did this go on? I would say quietly, I think a lot of people in this room are hearing this for the first time. There were people standing up, or were they too afraid of the military?

Mr. Barton: There were people standing up, but this got very little publicity. You would find these kind of events because I would see them in legal filings or someone trying to defend them, but not because it got much active news coverage, because America, in many areas, as we see from education, through politics, through military, has become very secular and very intolerant of religious expression of others. And so that was exacerbated, I think in those particular 12 years at least, they were elevated to a degree we've never seen before in the way of legal action against soldiers, officers and others. So part of it was the fact that the public didn't know really it was going on. And another part was the fact that at that point in time, there was a lot of confusion in the courts about what could and could not be done religiously. We have fairly hostile set of federal courts at that time. I think in the last six years, the Supreme Court has sent us in a very different direction through that history and tradition test. By reintroducing that history tradition test, we're back to what we could do before.

Chairman Lt. Gov. Patrick: Members of the committee. Questions? Comments, Doctor Carson?

Vice-Chair Dr. Carson: Yeah. David, good to see you.

Mr. Barton: You too. Sir.

Vice-Chair Dr. Carson: How did people avoid the Establishment Clause when George Washington was telling the troops that they should attend services?

Mr. Barton: You know, it's interesting, the Establishment Clause, I think one of the best explanations of the Establishment Clause was actually given by Thomas Jefferson in his famous Separation of Church and State letter, 233-word letter, and people quote eight words from it, "a wall of separation between church and state." And it was Jefferson that explained that the Establishment Clause, the wall of separation, kept the government from establishing a single national denominational religion, as had been done in Europe, where the government says "you're all going to be Catholics or Anglicans or Lutherans or separatists or whatever," but the government had no problem with any type of religious expression that was not coercive.

And so, the fact that Washington issued orders might be considered coercive, but it was not trying to establish a single national denomination. And that's how they got around it, because their understanding of separation of church and state is very different from ours.

I'll point out that earlier courts, when they used Jefferson's phrase "separation," they actually quoted all of the letter as an 1878 *Reynolds versus U.S.* And starting in 1947, the courts no longer quoted Jefferson's full letter. They only quoted eight words. Eight words we hear today involve "separation of church and state." When you read the whole letter and you see all that they did before, they were only after not having an America what they had in Europe. And that is the government telling you what religion you will be and then punishing you if you don't do what they say.

Chairman Lt. Gov. Patrick: Rabbi Soloveichik.

Commissioner Rabbi Soloveichik: Thank you. Chairman, I just wanted to add, I thought it would be relevant historical note because I'm so interested in so many of the stories that you cited, and particularly obsessed with the tale of the patent prayer that in my own research regarding it, I chanced upon a website that's dedicated to the 134th Infantry Regiment, and they have their one image of the patent prayer card that was distributed.

I think, as you mentioned, there's hundreds of thousands of cards distributed. And this one is unique because it was sent home by a Jewish service member of the Third Army to his parents.

His name is Stanley Spiller, and he was writing to his clearly immigrant parents, telling them the whole story, that there was terrible weather during the Battle of the Bulge and that they all prayed together. And then he wrote, in a mix of sort of English and Yiddish, explaining to his immigrant parents. He wrote. "And then the rain stopped," and then he signed it, "Your son Stanley, who was part of the Third Army."

And you see as both an American and a Jew, how proud he was, of course, to be serving and fighting for freedom, but of course, to be taking part, to take part in this prayer.

Mr. Barton: Thank you. That is an awesome account. And if I may add a historical note that might be enjoyed by all, George Washington's inauguration included seven religious activities, and those activities were put together by a group of rabbis and Christian ministers. And so, it was rabbis and Christian ministers that Washington had at the very beginning, put together the religious activities in his administration.

Chairman Lt. Gov. Patrick: Bishop Barron.

Commissioner Bishop Barron: Yeah, thank you. I thought the presentation was really interesting and eye opening to me. The most surprising thing was certain prohibitions against the teaching of just war theory, because it's being proposed by a chaplain, I mean, strikes me as an extremely helpful way to provide a framework for these issues. And also, as developed by Augustine and Thomas Aquinas and others. It's not a very sectarian approach. It's a very philosophical, reason-based approach. Just surprised by that and wondering how widespread that prohibition might be.

Mr. Barton: That's a good question. It was clamped down on. Certainly at that point in time, I have not seen anything to reverse that. But I cannot imagine that those who teach in our military academies would not be referring to just war, because it has been so long part of what we've done, helping soldiers even understand that killing can be justified, and all the things that go with the psychological side of that. So, Bishop, I don't know the answer to that specifically. I just can't imagine that it's not there to some degree. Although, I do know that in particularly in the Obama administration, they made radical changes in the service academies and the instructors. There was a time when they cleaned out military instructors and put in civilian instructors in the military academies, which is not a great idea. So, it may be gone. I cannot speak to that, but that is a great concern.

Chairman Lt. Gov. Patrick: Thanks, Carrie.

Commissioner Mrs. Boller: Thank you Chairman, I got teary eyed when you were talking about the Battle of the Bulge because my grandfather fought in that battle. Yeah, and I remember the stories he would tell us when we were little, and he would just have tears flooding from his eyes.

And he said, you know, "the loudmouth atheist, as the bullets were flying, they believed in God."

And so thank you for reminding me of my grandfather who served, who got a Purple Heart and a Bronze Star in the Battle of Bulge.

One question I have for you, actually, two. One, would you be able to read that prayer from that prayer card?

And then my second question is, why do you think that people back then didn't fight against what was going on, this obvious Christian country that we were living in? Why do you think they weren't fighting against it like we would be seeing today?

Mr. Barton: And to answer your first question, read the card. If I may give a bit of background. Patton had, we had air superiority, our tanks were not nearly as good as the German tanks, and our air superiority, particularly P-47s P-51s, allowed our air to knock out the German tanks. But if we got in a tank-to-tank battle, we were in trouble and Patton had six weeks of rain where he could not get planes off the ground. And so, his casualties were extremely high.

And at that point in time, he called in. Colonel James O'Neill, and O'Neill wrote this down.

He said that when he came in, Patton was looking out the window at all the rain coming down, had his arms behind his back and said, "Colonel, do our men pray?"

And Colonel said, "of course we have chaplains."

"I didn't ask the chaplains prayed."

I asked, if the men prayed.

He said, well," there's no atheists in foxholes. Sure."

They said, that's not what I'm asking.

He said, "I want to know if our men are praying about this weather right now. This weather needs to change." And he said, "do you have any prayers on weather?" And Colonel O'Neill said, "I don't know. I'll check the prayer books and let you know. And he checked the prayer books, came back, said, don't have a prayer on weather," said, "I'll, write you one." And so Patton said, "I want every one of the soldiers praying, we have to change this weather." And so this was the result. This is how they battle. The bulge is how they spent Christmas of 1944.

So, on the other side, it has a Christmas Holly down the side it has a Christmas greeting signed by Patton. So, this is how they spent Christmas.

But here's the prayer they prayed. "Almighty and most merciful father, we humbly beseech thee of thy great goodness to restrain these immoderate rains with which we've had to contend. Grant us fair weather for battle. Graciously hearken to us as soldiers who will call upon thee, that armed with thy power, we may advance from victory to victory, and crush the oppression and wickedness of our enemies, and establish thy justice among men and nations. Amen."

That's the prayer. As would you. The second question you had.

Commissioner Mrs. Boller: Why do you think that people weren't fighting against it like we would see today?

Mr. Barton: What we see in the 1960s is the Supreme Court takes a radically different direction and says, no more voluntary prayer and Bible in schools. People think that was coerced. The Supreme Court specifically said that neither the fact that prayers voluntarily participated in, nor the fact that it's denominationally neutral serves to free it from constitutional defects. That prayer in schools violates separation of church and state. So, the court acknowledged it was a voluntary

prayer. It was a nondenominational prayer. And they just said, we're not having any of that anymore. And so that introduction of hostility in '62, '63 is what is really spun up to where the intolerance today is, such that people cannot tolerate any presence of activity or even of a religious person, often, in a setting. And that's what hopefully the court is starting to turn back, try to take back. But it's gone decades of us having educated in an ardently secular manner with intolerance toward any type of religious expression.

Chairman Lt. Gov. Patrick: Kelly Shackelford.

Commissioner Mr. Shackelford: David, I think you know this, but our charter is for us to give specific recommendations to the president. And I'm thinking of the Military Chaplains Act, which is going through right now. That might be one type of thing that would protect our chaplains. But I'm just wondering, do you have any recommendations of what we could ask the president to do? And if you don't, you know, even if you send them in later, we'd like to have them. But I'd love to know if you have any right now that you have on your mind.

Mr. Barton: You know, I would say, Kelly, when this was happening with the Obama administration for four years, I kept a list of every activity, actually.

And then I got tired after four years because I had pages and pages of those things that had been done, and it was still going.

Part of it, I'd say a great thing to do would be to repeal a lot of the stuff that was done, then put military emblems on Bibles.

If soldiers want them, put the scripture back into the serial numbers of scopes, the Trijicon scopes that are so popular.

Allow just war theory to be taught in all the academies, all the things that were done.

Check to see if they're still being followed in the way that was introduced by that administration back then and reverse much of that.

But getting back to having chaplains, and there was a period of time in the Obama administration, I talked to a number of chaplains. Obama administration was actually looking at outsourcing chaplains. They were going to make them no longer part of the units, but they were going to outsource them as contract people that could be wherever they needed. So, they were no longer going to be embedded with the troops.

That kind of hostility drove the chaplains back from the aggressive teaching positions they'd had for a long time. And so, they're still in. But even today, they no longer teach and instruct in the way that they used to even 10 to 12 years ago. There's not the boldness on the chaplain staff because of that. So, I would say that many of those things that were done at that period of time, including what was done in the Biden administration's, well, the Obama administration, take that as a checklist and make sure all that's turned around. But the word "God" back on the Rapid

Capabilities Office patch, no reason not to have. If “in God we trust” is our motto, why can’t we have that on our patch?

Chairman Lt. Gov. Patrick: Any other questions for David? I will tell you that when you sent me that long list, I did have a discussion with the president. He’s aware of all of this. And. I would anticipate our president moving forward. Don’t want to speak for him, of course, but this was eye opening, I think, to his staff and everyone else. Would it be fair to say that the government, at their expense, provided all of these Bibles? From 1775 until 2012.

Mr. Barton: There was actually three ways that Bibles were provided. Sometimes they were printed with congressional endorsement as this one was, sometimes they were printed by an outside group and given to the soldiers with full blessing of the military. Other times, down on the table you’ll see Bibles that are printed by the Government Printing Office: Jewish, Roman Catholic, Christian, or Protestant scriptures there. So, there’s three ways that historically we’ve seen it happen, but the government has always been supportive of and partnering with, sometimes actually bearing the cost of it. So, whether it’s a shared kind of partnership or the government doing it or just allowing others to facilitate it, all three of those have been used in our history.

Chairman Lt. Gov. Patrick: So, that all came to an end in basically in 2012.

Mr. Barton: The hostility that was introduced in actually 2009 is when it started. The emblems came off the Bibles in 2012, but 2009 is when we saw dramatic change in the role of chaplains, and particularly the Air Force. The Air Force was beat down more than any of the other branches. What happened to the Air Force Academy and other places was just unthinkable compared to what they had been previously. So they’ve not recovered all the way from that. There’s been a lot of timidity and fear of lawsuits, others that have kind of driven people back. And so the ability to come back in a more bold way, even as we’d been maybe 15 to 18 years ago, would be a dramatic change in military. But certainly what happened starting in 2009 with Bibles encouraging that again. And I was talking to a chaplain just this past week. He said his five deployments, he was the chief of chaplains on the force that was sent out, his five deployments. They did not have enough Bibles. They were not able to get enough Bibles. Soldiers wanted Bibles, and they were just not able to get their hands on them because of that kind of limitation that’s come.

Chairman Lt. Gov. Patrick: Kelly said. We’ll be making our recommendations to the president as our charter commands, and this has been tremendous testimony. Thank you for sharing your history with us, and thank you for preserving history with your 100,000. Harlan, I thought you had a lot of story items in your home and in your businesses, but that’s quite a collection. So, David, thank you very much. We appreciate it.

Mr. Barton: Thank you.

Chairman Lt. Gov. Patrick: Thank you. Yes, sir.

TESTIMONY ON RELIGIOUS LIBERTY FOR SERVICEMEMBERS

Brandon H. Wheeler

Chairman Lt. Gov. Patrick: Our next two witnesses, Sukhbir Singh Toor, and Brandon Wheeler is up next.

Mr. Wheeler: Good morning. Thank you, Mr. Chairman. And members of the commission for allowing me the opportunity to testify today.

I would like to state for the record that I am appearing in my personal capacity. And any testimony I provide are my personal views and do not necessarily represent the official views of the Department of War or any of its components.

It must be stated that we are all here today because of our great and courageous President, Donald J. Trump. His commitment to protecting faith in this nation and around the world has given hope to millions and saved countless lives.

America is the only nation in history founded not on bloodline, historical happenstance, or geography, but on a philosophical idea that human life has inherent worth and that freedom is the metaphysical state of human existence endowed by God, not granted by government.

Our Founders built a system to protect that freedom from foreign enemies, from each other, and from the temptations within ourselves. From that conviction, America was born not as a product of accident or inheritance, but as the greatest political experiment in human history, an experiment we still live today, a country where we experience freedom and the pursuit, never the guarantee of happiness.

But here's the paradox: because most Americans were born into this reality, our Founders fought and died to create, it is almost unavoidable to take those freedoms for granted, not because we are ungrateful, but because we are human.

We cannot understand what we have never seen, and most Americans have never seen tyranny.

I have. Over 38 years and across 115 countries. I have had a front row seat to its reality. I witnessed the turmoil and disarray of entire peoples post the collapse of the Soviet Socialist Republics. I walked the farms and back roads of Afghanistan, where Taliban justice meant men beaten for dissent, women disappeared for learning, and families terrorized into silence. I stood in the ancient Christian homelands of the Nineveh plains, in Iraq and along the river in Syria. I have heard firsthand accounts from mothers inside the recently ravaged villages by Turkish backed militias and ISIS, whose young, Christian daughters were dragged away by ISIS fighters as prizes, kidnaped, forced to convert, forced to bear children to be future fighters for ISIS. I watched Iranian-backed militias seize Christian lands, demanding families convert to Shia Islam or lose

their homes and perhaps their lives, all within the eyeshot of U.S. bases, while Americans insisted they were only there to fight ISIS.

These are not stories from another era.

They are the daily realities of people born outside the protection of freedom.

Over the decades, I have seen the stark contrast between what it means to be an American and what it means to be almost anyone else, and we are forgetting that this distance exists.

Somewhere along the way, we have stopped knowing what America is. America is not a piece of land. It is not the machinery of government, and it is not whatever we decide it is.

And it is clearly not a breeding ground for the ideological poisons of socialism, communism or Islamic fascism.

America is the people and the philosophical manifestation of a way of life that only those can make real. It does not exist without us.

It is the realization of an abstract idea, one that is only as real as we are able to make it.

Our Founders, our Founders, understood that human beings were given inalienable freedoms by God, and that government must protect those freedoms from the threats abroad, within and within ourselves.

And they understood something else: the single most essential freedom, the one without which none of the others can survive, is the freedom of thought.

You do not see these words written explicitly in the Bill of Rights, because they are embodied in the First Amendment.

Freedom of religion is the protection of conscience, the freedom of the human mind.

Today, we are not at war with nations. We are at war with cultures. The Communist Chinese, the Russian Empire, the Iranian Shia militia and the Islamic fascists.

Enemies who disagree on almost everything except one truth. America's belief in freedom is a direct threat to their control. They are cultures of tyranny. We are a culture of freedom and self-expression.

But an idea as powerful as freedom survives only when those who believe in it are willing to stand guard over it. Which brings me to our warriors.

No volunteer fighting force in history has been more diverse than the United States military.

Different races, different beliefs, different origins, all united not by sameness, but by a shared commitment to that founding idea: freedom.

But freedom is not a slogan. It's not a feeling we summon when it's convenient.

It is a discipline, a hard, one way of life that must be studied, practiced, and lived, especially by those we send into the darkest corners of the earth.

And here's the truth we rarely have the courage to say out loud. War does not merely test a human being, it unveils him down to the marrow. And sometimes what it unveils is terrifying. When you watch your brothers fall, when you stare directly into the abyss of human cruelty, when the rage in your chest rises like a tide and threatens to overtake you. You come to face a version of yourself you never imagined. You learn that you are capable of anything, including the very evil you were sent to confront.

And in that moment, stripped of illusion, every warrior is confronted with a choice. Will I become the thing I despise? Or will I rise above instinct and embody the ideals I swore to defend?

The very ideals that make America different from the tyrannies we confront.

A battalion commander of mine once told me, "Be able to kill, but do not become a killer. Carry compassion in your heart until the final second your finger tightens on the trigger. Remember, even in the chaos of combat, that the life in your sights was created by the same God who created yours. Because morality is not forged in the instant a weapon fires, morality is forged long before that moment in the discipline of conscience, the cultivation of love, and the refusal to let darkness make you in its image."

That moral clarity does not appear by accident. It must be cultivated, practiced, and strengthened. The way one strengthens a muscle or sharpens a mind.

And, over the years, I have learned an undeniable truth: if you do not fill your heart with good, evil will fill the void.

Good and evil are not abstractions. They are real and we are seeing more of that evil inside our own borders.

If Jesus taught anything, it is to love. Love your enemy. Love those who betray you. Love those who hate you, love no matter what. Love with every fiber of your being.

As a Marine, I learned to treat that love as an armor, a proactive practice to protect my own soul against the evil I knew I would face.

This is why fostering faith, freedom of thought, and freedom of conscience in the military is not optional. It's not a cultural preference. It's not a political issue. It's an operational necessity, a philosophical necessity, a moral necessity.

Because if our warriors do not live the idea of America, they cannot defend it. And if they do not understand what makes us different, they cannot stand against those who wish to erase that difference.

The world is full of people risking everything to come to this country. They are not sneaking into China. They are not fleeing into Russia or Iran because freedom is a metaphysical part of human existence, and America remains its greatest expression.

We have allies in every country. The evidence of this is that we have Americans from every country in the world. No other nation can say that our warriors must embody that truth. They must know what an ally looks like, talks like, and behaves like.

If we protect freedom of conscience in those who defend us, we protect the very idea that makes America a reality.

Thank you for your time today and God bless the United States of America.

Chairman Lt. Gov. Patrick: Brandon. That was unbelievable. Thank you for coming today and sharing your heart and your experience. You're a marine. Tell us a little bit in terms of faith on the front lines, that even though in the last number of years, in the last 15 years, depending on who was in the white House, that your religious liberty was taken from, you, have the soldiers changed or are they still looking for the Bible and looking for Scripture and looking for the Word of God to get them through these terrible times? That was, by the way, that was so well written and well said. It's one of the finest I've ever heard.

Mr. Wheeler: Thank you, sir.

Chairman Lt. Gov. Patrick: So, tell, tell me about the soldiers of today and religious liberty and how important that is for our soldiers to have it.

Mr. Wheeler: Yeah. My personal experience inside the military was actually a positive one.

Most of what I've heard that's transpired since I left active duty in 2015 is different.

So, I can speak from what I've heard, not what I've experienced. But I think that the biggest issue is that we're shying away from the practice of religion in some kind of attempt to be politically correct.

And what we don't realize is the consequence that has on the minds and the souls of our Marines and soldiers when they have to go abroad and face these environments that are immensely evil.

I can give one small vignette in the Battle of Baghuz, which was the last ISIS stronghold in the southern part of Syria and the Euphrates River. There was a evangelical based NGO that had gone there to provide care and food to the people that were fleeing the battle. As the US military forces were going through. And I hate to say that the special operators there were actually preventing this NGO from providing care and feeding to the people that were fleeing, being shot by ISIS as they fled, as they fled. And the only description that I had was that they didn't see the NGO who was, as I said, Christian based, and they were also former military themselves, did not see any compassion for the humanity of the people fleeing, because as you can imagine, these environments are very complicated. Women and children who were taken by ISIS or forced into

that lifestyle. It wasn't they weren't given a choice, you know, would you like to be the wife of an ISIS fighter or the child of an ISIS fighter? And so when they were fleeing, I mean, they were as much victims as anybody, in some cases more so. Right. And they were being shot in the back by ISIS as they fled.

And so, this NGO was trying to provide for them. And the active-duty military in that moment was preventing the care of these people. And it wasn't because they were bad people, it was because they had lost all sense of compassion and love in their hearts. And they were thinking in the context of a very black environment.

I remember one of the former Green Berets told me, he said, "I just saw this sense of evil in their eyes." And so I think that, you know, we think about this in terms of the politics or, you know, the political correctness or the optics of it. And what we don't realize is it has significant operational impact on how effective we are in defending our nation and what our nation stands for.

Chairman Lt. Gov. Patrick: Members. Any other questions? Comments? Bishop Barron.

Commissioner Bishop Barron: Yeah, thank you very much. I thought it was very moving testimony and you were touching upon really spiritual issues, the danger of becoming what we're fighting and losing our own sense of spiritual integrity.

And that brought me right back to what we just talked about, which is the just war theory. Think of, you know, just cause, right intention, proportionality, least possible means all these criteria for just war are not just theoretical principles. They're kind of a spiritual discipline so that those who are engaging in warfare are doing so in a spiritually and morally responsible way. So if that theory is not being taught in our military academies, shame on us. You know, that's a real danger to the spiritual status of our soldiers. So I really appreciated that.

Chairman Lt. Gov. Patrick: Carrie?.

Commissioner Mrs. Boller: Thank you. Brandon. I looked a little bit into your background and you are a, I guess, a member or president of the Freedom Research Foundation, is that correct?

Mr. Wheeler: I'm currently a board member, as I'm in a government role, so I'm not active in the running of the foundation, but I am still a member of the board. Yes.

Commissioner Mrs. Boller: Okay. Can you tell us what the Freedom Research Foundation does?

Mr. Wheeler: Sure. The Freedom Research Foundation was started in 1984 at the request of President Reagan by actually my father, who was a personal friend of the president. And the purpose of it, particularly during the height of the Cold War, was to find people across the world inside Soviet occupied areas and help support them by any means possible, whether it was through the support of their religion and faith, their political freedoms, freedom of speech, freedom of, you know, protection and support those entities throughout the Soviet Union. And so the founder was

attributed or has been attributed as the chief architect of what you know today as the Reagan Doctrine.

Chairman Lt. Gov. Patrick: Any other comments? Once again, thank you. And as Kelly always likes to ask this question, the recommendations you would make if you are writing the report that we delivered to the president next spring.

Mr. Wheeler: I think the biggest recommendation would be to have chaplains throughout the military take their commitment and their obligation into identifying and reinforcing the sense of belief in each member of their unit, that they should make a concerted effort to engage in the most proactive way possible. What it means to believe in something, and what is the scope and the thought of their faith.

We do not put enough effort into the actual study and the belief process. How do you--It's something you have to practice. You have to pray. You have to read, you have to study in order to embody that.

And so, we do not commit enough effort, and we don't take that responsibility very seriously.

And really the biggest challenge and the threat is our enemies are using the idea as faith, as a weapon against their own people and as a weapon against us.

And it is a false idea because they are proselytizing religions based on tyranny, not based on freedom. And your freedom was given to you by God. No man has the right to take that away from you. And they're using religion as a facade, as a weapon against their own people to do that.

So, it's even more important that we understand what it is and how it functions, and how do we engage people of other faiths and find commonality amongst them so that they become our allies in the fight against evil, not enemies, just by the difference of faith.

Capt. Sukhbir Singh Toor, USMC (Ret.)

Chairman Lt. Gov. Patrick: Thank you again, Brandon. Our next witness, Sukhbir Singh Toor. I hope I have that right. Microphone is yours.

Capt. Sukhbir Singh Toor: Awesome. Thank you. Good morning chairman. Good morning. Commission commissioners and members of the chamber.

My name is Sukhbir Singh. I'm a resident of Dayton, Ohio. I served as an artillery officer in the United States Marine Corps from 2016 until my medical retirement this year, ultimately achieving the rank of captain. Thank you for the opportunity to speak with you today on the issues of religious freedoms in the US Armed Forces.

I'm a Sikh, a follower of the world's fifth largest organized religion. Sikhism is a monotheistic, independent faith founded in the 15th century in India. Six maintained distinct articles of faith, including a turban, unshorn hair and a beard. Essential expressions of our religious identity. These articles of faith and my experience serving in uniform are what bring me before you today.

From a young age, I knew I wanted to be a Marine. I never saw a conflict between my faith and my calling. Sikhism teaches the concept of Saint-Soldier, someone committed to confronting injustice both morally and physically.

For me, the Marine Corps is the most effective fighting force in the world, representing the pinnacle of military excellence.

Yet when I chose to serve in 2016, I knew I would face a painful choice to cut my hair, remove my turban, because at the time the Marine Corps, unlike other branches, had not made meaningful progress towards accommodations for members of the Sikh faith. Only years into my career, just before my promotion to Captain, did I feel I had proven myself enough to even request a religious accommodation, an accommodation already routinely granted in the Army and the Air Force.

Ultimately, it took a lawsuit in 2021 to compel the Marine Corps to recognize the Constitutional right of myself and several other Marines, and in doing so, to reinforce those same rights on certain Muslims, Orthodox and Hassidic Jews and other religious minority groups.

I also want to be clear about what happened after I received my commission, my accommodation, my ability to lead Marines did not diminish in any way.

On the contrary, serving as my full-self made me more comfortable, more confident and more driven to excel. I am living proof that having a marine with a beard and a turban does not create chaos, undermine unit cohesion, or hinder mission accomplishment.

My Marines judge me as they should on my competence, my character, my commitment, not the articles of faith I wear, allowing me to serve authentically strengthened rather than rather than weakened our team.

This was not a personal fight for me. It was an American one.

No young American from a religious minority should have to choose between their faith and their service to their country, especially when they are willing and able to wear the uniform of the United States Marine Corps.

That promise of equal opportunity is not only Constitutional, it is quintessentially American.

Today, that promise is at risk. Again, as many of you know, the Department of War is revising grooming and accommodation policies related to beards in the military. On September 30th, Secretary Hegseth announced his desire for, and I quote, “no more beardos,” end quote, referring to facial hair, even when religious, as I quote, “superficial religious expression.” End quote.

A subsequent memo provided directives that raise significant concern.

First, it requires recruits to meet grooming standards before requesting an accommodation, forcing religious minorities to violate their faith in order to request permission not to violate their faith.

Second, it calls for the return to pre 2010 standards, a period before the modern era of religious accommodations began and before the first two sick officers had received their waivers, one of which, immediately after receiving his waiver, did serve in combat effectively.

Third, it proposed limiting religious waivers to non-deployable roles. Depending on how deployable is defined, this could effectively bar minorities from full participation in military operations.

Each of these proposals threatens to reverse more than 15 years of progress. Progress that allows Sikhs and other religious minorities to serve honorably, capably, and without compromising their identity or beliefs.

For these reasons, I respect and urge the Commission to defend the rights of Sikhs and all service members of Faith and elevate this respectful request to the highest levels of our government. It is vital that any new policy that the Department of War and the Service Secretaries preserve fair, constitutional, and functional religious accommodation processes.

Thank you for considering my perspective.

God bless America and I look forward to your questions.

Chairman Lt. Gov. Patrick: Doctor Carson.

Vice-Chair Dr. Carson: Well, thank you for your service to our country. We appreciate it very much. Where do you find most of the resistance in terms of turbans and beards? Is it from the upper echelons of the military or from fellow soldiers?

Capt. Toor: Fellow soldiers have been more than welcoming. I’ve had zero rub at the at the ground troop, the trigger puller level, all the way up to the o-6 level. Really, I think some of some of the

difficulties do come up at the higher echelons. When you get to the general level or higher levels of command.

Vice-Chair Dr. Carson: And, and maybe some of the resistance comes from ignorance. Can you just fill us in on why turbans and why facial hair is an important aspect of Sikhism?

Capt. Toor: Yes, sir. So for Sikhs, the turban and our beards are our outward expression of our faith. It's our connection to God. The reason we wear a turban is to protect our hair. Cleanliness. We don't cut our hair. We maintain our beards because to us that is God made man the way he did. And we maintain that appearance. And this appearance is what we fought battles 500 years ago when the religion was founded or faith was founded in in war at the time in India, fighting what was a extreme Islamic government and extreme policies, kind of similar to what what Brandon was talking about. That's how we were created.

Chairman Lt. Gov. Patrick: Kelly.

Commissioner Mr. Shackelford: Can you tell us a little bit? I mean, I know there was an old case that went to the Supreme Court on a Jewish soldier who wasn't allowed to wear his yarmulke. And then you said it was changing within the other branches, but you filed a lawsuit. So is it still that I mean, I think this is the case, but I don't know. I'm sure you know a lot better that basically there are no there are no legal decisions currently protecting people. But this is just been something that our military has realized was good. And now they're about to take it away. Or where have there been some victories in court on whether it's a yarmulke or, or your situation that would help in the process?

Capt. Toor: Yes, there was. It's currently under litigation. Some of it hasn't all been flushed out, specifically the deployability and the hostile combat environment ability to enter that. The Army has made those accommodations internally. Army has altered their policy. So as the Air Force, we're airmen and soldiers can basically proceed their service unimpeded. And they have been there are Sikhs with turbans and beards deployed across the world currently. One of them's my good friend, just got promoted to Lieutenant Colonel.

And but the Marine Corps and the Navy are a little behind on that process, the accommodation process, after we did win, the lawsuit had changed. They did start to make exceptions, but currently all policies are granted by the Deputy Commandant of Manpower and Reserve Affairs, every single one of them, which is the three star level, which creates significant delays for the service member, as well as bogs down that department.

You know, they have really important things to do to run the organization, whereas the Army and the Air Force grants these accommodations, it's in their policies at the O-6 level, at the regimental level, which makes things a lot more expedient.

Chairman Lt. Gov. Patrick: Ryan.

Commissioner Dr. Anderson: Yeah. Thank you. I was wondering, could you share with us a little bit about the history of religious accommodations? And it's weird not being able to see your face as I ask the question. But, you know, I was thinking about what the associate attorney general shared about how George Washington made sure to accommodate the Quakers in finding a non-combat role for Quakers to serve in the military. You know, we just heard about a Jewish case with yarmulke, I imagine, kosher meals for Catholics, meatless Fridays. Can you kind of give us the scope of how the military has accommodated a variety of religious believers, given not just appearance and grooming concerns, but dietary concerns or, you know, worship concerns? Help us think about the whole the whole picture here.

Capt. Toor: Yes. So I think America as a whole, right. This is where the land of immigrants comes for freedom, right? For the constitutional values that that this country provides. And as time progresses, right. The population base and those minorities do change. Right? I think the military has done and done a good job, sometimes a little slower from regular society. On keeping up with the changes. But yes, like you said. Mrs. You can get kosher MREs, meatless meals, those those do exist for the larger minority populations. But as you know, the image of of the country changes, right? We represent the world. And I think we should equally take all of those other minority populations into account as well. And, you know, the conversation then comes into like military standards, right? These are the standards. Well, if you look at the warfighters that, you know, want us, our victories in World War Two look completely different from the standard that we have set today. So the country and the standard continues to evolve as as the society evolves, as our populace evolves.

Chairman Lt. Gov. Patrick: Any other questions or comments? So we heard your recommendation in your closing. So we will surely pass that forward. And my dad was a marine in World War two, and he would be proud of the generation of Marines today. Thank you, thank you, thank you very much.

Capt. Toor: Thank you.

Blake Martin, Former Navy SEAL

Chairman Lt. Gov. Patrick: Our next witnesses are Blake Martin and Kenny Vaughn. And Blake, I understand you're going to lead. And tell them who you represent a little bit about yourself. Thank you.

Mr. Blake Martin, Former Navy SEAL: First. First off, I just want to say thanks to you guys up here, to the to the members. And thank you to my local Montana community, one who came with me today. Thank you to my family, my wife and kids who've been supportive through this whole period and have backed me through all the hard decisions the last couple of years. And lastly, thank you to God for this opportunity to share my story and speak to all of you here.

Throughout my career, I didn't really see myself being in a position like this to speak and share my story. You know, I was trained to be the humble professional, not take recognition for my actions. And that's kind of how I was the whole time in my service.

But I think there's a reason I'm up here to share my story and speak to you guys. I just pray it's all not for nothing.

My name is Blake Martin. I served as a Seal in the Navy and I was active for 17 years. I submit this testimony to document the religious discrimination I faced for refusing to take what we all know now to be the unsafe and ineffective Covid 19 vaccine and the coercive actions that led to my involuntary separation from the Navy. In late 2021.

I pursued a both a medical and religious accommodation request, and while I was denied the chance to even start the medical exemption because of an extremely biased evaluation from a Navy medical officer, my religious exemption that I had submitted was denied, and my appeal to this day has never been answered. I was separated prior to any closure on my case.

Throughout this period, I received no meaningful engagement for the sincerity of my religious beliefs. Yet instead, I was called into my commanding officer's office many times to sign page 13s, which are a permanent administrative remark stating that I'm disobeying a lawful order and will be subject to punishment under the UCMJ if I didn't take the job.

After filing my request, I experienced escalating administrative and operational restrictions that hindered my ability to serve. I was placed on a "no travel" list for the remainder of my time in the Navy.

I requested to re-enlist, but it went ignored and therefore I'll never be able to transfer G.I. benefits to my dependents.

I was required to perform weekly PCR tests. The long swabs we'd shove in our brains. I was taking those weekly to maintain badge access, even though having a top secret security clearance. There were mornings where I'd drive up to the security checkpoint badge in and get the red light of shame and be escorted off base in front of all my teammates going into work.

I had no ability to use Skill Bridge because I was restricted from traveling. And Skill Bridge is a government approved transition program for all separating military members to integrate with their hiring companies that they're going to be working for outside the military.

And ultimately, after the Navy invested in upwards of \$2 million into me and all my training, I was separated from the service, despite my honorable record and desire to re-enlist. These actions create an environment of coercion and isolation, leaving me effectively forced out of the Navy because of my sincerely held religious beliefs, and not because of misconduct or failure to perform.

This mandate was implemented and enforced in ways that violated longstanding protections for religious liberty. This nation demands accountability from the willfully ignorant, conformist leaders who blindly enforced and upheld an unlawful policy, disregarding service members constitutional rights and their own sworn obligations. The harm done professionally, personally, financially and spiritually deserves retribution, and I insist those responsible be held accountable.

Thank you.

Chairman Lt. Gov. Patrick: Thank you. Kelly. Yes.

Commissioner Mr. Shackelford: It's good to see you in person. I mean, you're aware we did the big Navy SEALs case, and I guess we got it was a little too late for you, is kind of what happened, but I just want to bring out some things that I think are probably true.

Seventeen years, meaning your pension was going to invest in a few years. They took that.

They took that away from you, right? Yes. And you've never they've never restored it? No, sir. The a number of the guys I, we represented, I mean literally they, they have brain trauma from their service and they called the doctors and said don't see him until he gets the job.

Just for what you guys did have done for our country. I mean, the SEALs, of all people. I just get so angry at this. It's wrong.

And I want to apologize on behalf of our country for what they did to you and all the other SEALs, and we won the case eventually.

And I'll point out, the federal judge over in Fort Worth was where this was. One of the first lines of his decision was, "there is no COVID exception to the United States Constitution." And this was just a massive violation of federal law. The RFRA is their Religious Freedom Restoration Act specifically applies to those in our military, yet they refuse to follow it.

It was just blatant lawlessness by those in charge.

And. I don't know the answer to this. I know in our lawsuit we couldn't there were certain limitations on what we could get for the military because of law protecting against suing the military for damages.

And I know President Trump, one of the first executive orders he gave was to restore pay to the people. But that still doesn't solve your situation, your loss of your pension, everything you gave.

And so, we need to do something for those of you who we didn't save in the lawsuit, we need to—they need to be restored.

And I just again, I just want to say I'm sorry for what you had to go through.

And thank you for your courage, you all, these guys who stood up and risked everything.

Some of our clients were 19.5 years in. They were literally six, six months away from their pension. And what they went through was just horrible. Every one of them had a time. They sat down with their wives and they said, we're about to lose everything. And one of the coolest things to me was every one of their wives said, "don't you back down and violate your conscience." That's the kind of people we have serving this country.

So, thank you. And we need to do something about this.

Mr. Martin: Well, I'd like to point out just. I was going to point out I'm one of thousands, you know, I'm the one sitting here in front of you and I, I share my story, but there are so many others affected, and I, I say I landed on my feet better than a lot of others. And I'm fortunate to have a good community and good family and friends behind me when it comes to getting back in and serving and earning that retirement based on current regulations and how they're written after the executive order. And, correct me if I'm wrong, but when you get back in, if entitled to back, pay all your civilian earnings and VA disability is subtracted from that amount. So it really make nothing going back in to get that back pay that they speak of. But that's just a detail to it. Yeah.

Chairman Lt. Gov. Patrick: Doctor Carson.

Vice-Chair Dr. Carson: Well first of all Blake, thank you so much for your service and courage that you and so many others have manifested. Thank you, Kelly, for helping them with this process. Often not only the military but in other areas, hospital workers, people have said that they didn't want to take the Covid shot for religious reasons. What are those religious reasons?

Mr. Martin: What drove me that decision was after doing a lot of research on how these how these things were developed and what was used during the process using aborted fetus tissue. And, and, you know, a practice that I don't believe in and goes against my religious beliefs, that was one of the many reasons that I chose not to do it.

Chairman Lt. Gov. Patrick: Carrie.

Commissioner Mrs. Boller: Thank you, Chairman Blake. I want to say you are a hero to all of us. If it wasn't for people like you, we wouldn't be able to be up here today. People fighting for their religious freedom to not receive an injection. That should never happen in the United States of America. And I represent so many young mothers with young children who are discriminated against and not able to go to school because of this same reason, religious exemptions denied.

Which will we be? We will be talking about at a further hearing. But I want to commend you. I want to commend you for your courage and your bravery. You said something earlier about retribution. What would be justice? What would be retribution for you to ensure that this never, ever happens again?

Mr. Martin: I'd say it starts at leadership, you know, from the top down. It needs to be something that's I don't know if it's the individual's moral convictions and having, you know, individuals that have a, a firm sense of what's right and what's wrong, holding those high, high up ranks. And then what implements what policies are implemented to restrict things like this from happening? I think there's a much larger presence behind why this was pushed. But yeah, that's kind of. Does that answer your question?

Commissioner Mrs. Boller: What would you like to see? What would be justice for you?

Mr. Martin: I'd love to see accountability. I don't know if anyone's been had any anything negative happen to their careers for forcing this on all the military members, and it's hurt our force. We've lost thousands. I've heard upwards to, you know, 19,000 that were affected, not directly kicked out or forced out, but that includes individuals that just decided to get out. And maybe they're past retirement or maybe they were only in for one, one enlistment. But yeah, people need to be held accountable.

Commissioner Mrs. Boller: I agree.

Commissioner Rev. Graham: I guess my question is to. Kelly and maybe to you, Lieutenant governor. I understand the President said that you have to be back. Pay has to be given. Does that back pay include pension? I wasn't clear on that. Okay.

Commissioner Mr. Shackelford: That's what that's what he was just mentioning. It doesn't the pension is not restored or anything. They would have to re-enlist. And because of some of the subtractions that really isn't even much back pay.

Commissioner Rev. Graham: Okay. So now my question to you, Lieutenant Governor, can this committee make a recommendation to the president to make this whole to make to make him whole? Yes, sir. Good. Okay.

Mr. Martin: Thank you. Thank you. Thank you.

Chairman Lt. Gov. Patrick: You know, for those of you here who haven't watched the other hearings on education or higher ed, we've had so many of these situations and testimony, whether it's children or parents or school teachers, that you actually sit here and your jaw drops and says, is this happening in America? Is this happening in America? Our religious liberty be taken away in every state, every year, in every walk of life? And that's reverend, that's what the president wanted us to address, because he wants to restore religious freedom to America. So everyone knows their rights and where they can pray and when they can pray. And we've talked about it before. Can you have a nativity scene in your town square? Can you have a religious symbol in

your yard? Can you get your pension back? So I think we'll have a few pages on this in the recommendation, I think. Any other questions? Any other comments? Now go to Kenny Vaughn with a different story. Sir. Another amazing story. Go ahead Kenny.

Mr. Vaughan: I guess first I'd like to say I don't think I've ever wanted to fight for a Navy Seal, but. I'll try, you know? Thank you. Appreciate it.

Mr. Kenny Vaughan, Shields of Strength, Scriptural Dogtags

So, I'm a long-distance ski jumper.

I want to honor my wife, Tammie. She's here with me today. She's the driving force behind. I wouldn't be here without her, that's for sure. Definitely not in this place.

Spent most of my life chasing national championship. I'm a small guy. I was. I had a lot of injuries. Spent accumulated some months in the hospital. I fell a lot and eventually became terrified. And so, I was trying to win a national championship, afraid. And our sport--we're going 70 miles an hour when we hit a ramp. We're rising three stories, going about three quarters of a length of a football field. And I was afraid.

And when I needed a sound mind...and my girlfriend at the time, of course, you don't tell your girlfriend that you're afraid, but she figured it out. They always do.

And so, she wrote scriptures on my equipment. Like "I could do all things through Christ who strengthens me" or "God hadn't given me the spirit of fear, but of power, of love and of a sound mind."

And I was at a national championship. I had crashed. We get three jumps. I crashed on my second jump, I broke my equipment. We get three minutes for repairs. It's a forced forfeit. I didn't have time to repair my gear.

It was a time I'd have been more afraid than I'd ever been in my entire life.

And I saw the scriptures she wrote on my equipment, and I decided I was just going to do the best I could for the Lord, whether I won or not.

And when I acted on God's Word for the first time in my life, I was unafraid. I jumped further than I'd ever jumped in my life.

I won the National Championship and I got home, and I was a dad, I was in business trying to be a good neighbor, and I was afraid, and I couldn't carry my equipment around with me.

So, I engraved those words on a dog tag, and I just walked around my neck as a reminder, and I gave some of them away, and I would see people still wearing them.

And after a couple of years, they spread a few gift shops. In 2001, you know, we had 9/11 and one of the first battalions deploying to Afghanistan reached out to us and said—the colonel's name was David Dodd—they wanted to know if they could get 600 of them?

It had Joshua 1:9 on it: "I will be strong and courageous. I will not be terrified or discouraged, for the Lord my God is with me wherever I go."

And man, I just thought, are you kidding me? Absolutely. And so, we overnighted them 600. They carried them into Afghanistan. Other troops saw them.

We started getting more requests. One of the soldiers that got one in Afghanistan.

By the time we went into Iraq, I think we had, I don't know, 100,000 of them. We'd probably made for the military.

One of the guys who got one was a Army Ranger by the name of Russell Rippetoe. He was killed in Iraq by IED, a bomb, and somehow President Bush found out about it, and he spoke about him in his Memorial Day address to the nation. And then he found out that Russell was wearing one of our dog tags. And so, he read to the nation Joshua 1:9.

That night, we had 2,000 not requests for dogtags, 2,000 requests for multiple dogtags each.

They spread throughout the military. They became, according to Stephen Mansfield, who wrote a book called the "Faith of the American Soldier," he said it was the most worn emblem in Afghanistan and Afghanistan and Iraq, aside from their official insignias.

We had made them almost 4 million of them. 2 million of them. We gave them to them. Secretary of Defense Lloyd Austin. I think we made more for him than anyone. Upwards of 60,000 of them.

About that time, I was invited to the Pentagon. I spoke there and we came home.

Then the military reached us out to us and said, "hey, you should get a license." And I thought, "hey, if we need a license, we'll get a license." We've been doing it for about ten years.

At the time it, was around 2011. I said, yes, sir. Well, we'll get a license. Then they then they stalled and took time, and then they came back and said, hey, we can't license you.

And I said, why can't you license us? And they said, well, maybe we can license you if you won't put your company's name, shields of strength on your packaging or on your product.

And I said, "why can't we put our name on our packaging and our product?"

And they said, because on your website, it says your mission statement is to share the love, the hope and the truth of God's Word.

They said that if we put them on our website, we couldn't have crosses on our website, we couldn't have scriptures on our website, and we had to get our mission statement off of our website.

2018 someone officially complained. We fought for that for years. More than y'all want to hear.

But, and the one license or the couple licenses we did get were revoked because someone complained because we were making dog tags and First Liberty stepped up to the plate.

We were done and left for dead. And they stepped up to the plate and fought for us.

We've been in a lawsuit since then, and this just wrapped up some really good news, I think. I guess it's okay if I share it.

The 2011 Obama policy that was used to discriminate against us and all the chaplains you're hearing about and all that stuff, it just got changed. Thanks. Thank you, Kelly. And for First Liberty Institute. So, we settled that. And part of the settlement was that that policy would be changed.

But we're shell of what we once were. But we're going to do everything we can to bring it back and to provide, you know, you may wonder, like what difference does it make if a soldier has a dog tag with a scripture on it?

Now I'll just close with one example. There's a chaplain named Don Williamson. I talked to him, and he was operating in one of the most dangerous areas in Afghanistan. A lot of these guys were getting blown up or killed, and they had a explosion one night and medevac came and they were taking guys out. And there was one young man who didn't get on the chopper. So, Chaplain Williamson was staying with him, and he said he didn't really know what to tell him. So, he was just making small talk. He asked him where he was from, and it turned out they were from the same area. And Chaplain Wilson said, hey, you ever go to the some carnival they go to? He said, yes, sir, I do. And he said, you know, when you get home, I heard they're letting they're letting y'all in free. I got a son. And I think about this and let y'all in for free. And the medevac chopper returned and they went to take him. And Chaplain Williamson said, I said, like, what do you say? You know, what do you do? Even as a chaplain? I'm thinking this young man's bleeding. He's about to go. And he said, I remembered I had that dog tag around my neck.

He said, I put it around his neck, and I read the scripture to him and put it in the palm of his hand. "Be strong and of good courage. Do not be afraid. Do not be discouraged, for the Lord your God is with you wherever you go."

He said, they load him in the chopper. He said he never let go of it. And I just thought, who? Would want to take that away from military? I don't understand it.

Thank you for your time.

Chairman Lt. Gov. Patrick: Bishop Barron.

Commissioner Bishop Barron: Yeah. Thank you. I'm very powerful, both of you. Very powerful testimony. You know, it strikes me I've been now a number of these hearings, and there's a philosophical issue which is secularism proposing itself as some kind of neutral ground, but it's not neutral ground. Secularism as an ideology is a totalizing system. It wants to dominate the whole of life and therefore to exclude religion from healthcare, from education. Now, in this case, the military, we're not demanding. Everyone's got to have the scripture on the dog tags. It's the other side of the ideological spectrum that's being aggressive and being totalizing. It seems to me, going back to the Founding fathers, that's what we're fighting against. The Non-establishment clause has nothing to do with eliminating religion from public life. And so I think it's that philosophical issue that we have to address. I'm not sure we can make a recommendation to the president about philosophy, but I think there really is a competing vision of life, and it's a totalizing secularist ideology that we have to stand athwart. But thank you for the testimony.

Chairman Lt. Gov. Patrick: Rabbi.

Commissioner Rabbi Soloveichik: Thank you, Chairman. I want to thank both of you for your service to our country and for your powerful stories. I just wanted to add, given Mr. Vaughn's powerful story, just one historical note, which is that verse from Joshua, which you described as having such a powerful effect on being on the dog tags and such a moving way that figured in probably one of the most famous speeches in American history about what we owe the American military, which was President Reagan's speech at Puente de Hoc on the 40th anniversary of, of of D-Day, because what he spoke about was Matthew Ridgway listening in the night before D-Day. For those words and hearing in his mind, "I will not fail thee, nor forsake thee." And President Reagan concluded by saying, let our actions say to them, meaning those that have served our country, let our actions say to them the words for which Matthew Ridgway listened, "I will not fail thee nor forsake thee." And I think this hearing that the Chairman has put together really highlights in the spirit of what President Reagan said, what we owe, what we owe, all those soldiers that want that scriptural passage on their dogtags. So thank you.

Chairman Lt. Gov. Patrick: Reverend Franklin. And first of all, let me go to Allyson first. And I want to ask you a question, Reverend, since you asked me one before, I want to ask you one back. But, Allyson.

Commissioner Mrs. Ho: Thank you, Mr. Chairman. And thanks to both of you gentlemen for sharing your powerful stories with us today. I think it's important to underscore that in your persecution and your prosecution, the target wasn't just you. It was to make an example of anyone who dares to have the courage to stand up. And in many cases, the process is the punishment. And I just want to express my admiration and gratitude, because in standing up, you stood up not just for yourselves, but for every other person. And when the forces of the prosecution and the persecution tried to make an example of you to defeat your faith and courage, you stood up and you made an example for all of us. And so I just want to express my gratitude, all of our gratitude to you. And I want to ask each of you in your lowest moments, what kept you going? What was it that in those moments of the dark night of the soul, that you turned to and it allowed you to keep going where I think others, understandably might have said, it's just it's too much.

Mr. Martin: Well, thank you, I appreciate it. What gave me that? That strength and courage, that low times? I was raised in a Christian family and had amazing parents growing up, so I had that that good foundation to start with and understanding how how heavily faith affects and and determines the outcome of your decisions is huge. And, you know, through these recent battles just in the military and what happened the last couple of years, it's been my family, my wife constantly reminding me that I am doing what's right. And. Reminding me that, you know, God is behind us and in those decisions. So that's what's given me that strength.

Mr. Vaughan: For me, it was love, you know, fear. And this is this is one of the big problems that we have. Most of the people who told us what they told us didn't want to tell us. They knew it was wrong. They highly supported us. They were our best friends for years. But they were told to stand

down or they knew they would lose their pension or their or their retirement or whatever it was. So they were afraid. And so, I don't know who's making them afraid, but that needs to be addressed. But love. That's what kept me going. Because fear will do what is best for itself without regard for others. Love will do what's best for others without regard for itself. Christ was my example next to my wife, and so I would say we had to make a decision. We're not fighting the Department of Defense. We're fighting for them. That kept us going.

Chairman Lt. Gov. Patrick: Ryan. Ryan.

Commissioner Dr. Anderson: Thank you. I wanted to build on what Bishop Barron shared, because he's right. You know, we can't make philosophical recommendations in one sense, but in another sense, I think we can and we should, because what you've rightly described and what we saw in both of these testimonies and in previous testimony, is, is this all encompassing secularism that claims it's neutral? And then I think on the flip side, you can have. So this would be what Father Richard John Neuhaus described as the naked public square. And then he always would contrast that with the sacred public square, which we would have the, you know, the the Church of England or the Lutheran Church as the established church or the Presbyterian Church, the Catholic Church. And he said, no, what I'm proposing is neither of those extremes. It's the civil public square where all of the religious traditions have an equal seat at the table. And I think the American founding and the American practice at our best is precisely that. You see this in Arlington National Cemetery. Some of the tombstones have crosses, some of them have stars of David, some of them have the crescent moon. It's not as if we're just going to have plain old white tombstones, because those would be neutral. It was like, no, we're going to have particularity. And so I think the overarching philosophical recommendation in the Trump administration would be that religion is a force for good. It's a positive human good. It's a human right. It's the first right in the Bill of Rights. But it's pluralistic, right? We're not just Protestants any longer. Right. And I thought, you know, the previous the captain from the Sikh tradition would say, look, at first, you know, it was just Jews and Catholics were the religious minorities. And as the nation has grown now, Sikhs are religious minorities. And so we have to think through. We accommodated Jews and Catholics. How do we now accommodate Sikhs? I think that's that's America at its best. It's pro-religion religion's a positive force for good, but it's pluralistic. We're not just Presbyterians or Lutherans or Quakers or Catholics or Jews. Right. And I think that's what we have to figure out. How do we operationalize that? You know, the prior two hearings in the education space, this hearing in the military space, future hearings in health care? Etc., etc. How can we both pro religion and pro pluralistic understanding of that?

Chairman Lt. Gov. Patrick: Thank you, Ryan. And I think it's a great challenge for our committee. And we have to discuss this in our recommendations to the president. Reverend, I'll come back to you, but I see another red light. Doctor Phil.

Commissioner Dr. Phil McGraw: Yeah, thank both of you for your testimony because it's truly inspirational. And I've learned over 50 years in this profession that crises and challenges don't

make heroes. They reveal who people are. They're already heroes. It just reveals who they are. It gives them an opportunity to show who that is. And it's dramatic stories that folks like the two of you have lived that bring this to the forefront. And the fact is that not every story can serve the purpose. And you've paid a high price and you're using it to bring this into sharp focus, because the encroachment of religious liberty is silently creeping insidiously into so many different walks of life. And that's really so dangerous. And, you know, from a clinical psychology standpoint, I can tell you and I, and I don't remember exactly what I said when I was introducing myself. My training is in clinical psychology, but I'm not functioning as a clinical psychologist right now because the state has made that a legal term to be a clinical psychologist in Texas and other states, you've got to be licensed, hang out your shingle, be seeing patients and that sort of thing, which I retired from a long time ago. But the the distinction is important because those people that are doing that and God bless those that are, many of those who are doing that, they're doing it as folks in in your life with authority, with government authority. And what and I haven't done that for 30 years now. And what research is telling us is that right now, the ratio of the liberal, left woke ideological professors to conservative professors on our college campuses is anywhere from ten to 80 to 1. And in the humanities, for example, it's like 60, 70 to 1, and that's who's teaching those in the, the humanities. And so we're beginning to have patients, clients, however you want to refer to them, reporting that they are seeing therapists that are refusing to see them firing them as patients or clients if they have a differing point of view. And one of the reasons they're saying I can't see you or treat you is because they're Christians, because they are people of faith, or that they don't agree on their views about trans athletes or prayers in school. And so they say, I can't see you if they resist certain terminology which has led to such organizations as the Open Therapy Institute on the East Coast right now to try and find those people help. I mean, they go to them in desperate times, and that doesn't get the kind of attention it needs to get. But your stories do because they're so dramatically, tragically unjust. And but it's creeping into everyday walk of life. It's just people that are having trouble, perhaps with a child with autism or a parenting issue or a marital issue and and they can't get help for it. So just know that it goes beyond military. It goes beyond because those that, you know, issue a license in Idaho or Washington or Texas or wherever they come with the authority of the government, and they're and these people are not doing their job justly. They're saying, I won't see you because you don't think like I do. I won't render the care that I've been licensed to do, because you don't have the right ideology that's wrong. And that is an encroachment on religious liberty. And we have to call that out. And you guys bring into sharp focus what we have to do at every level of life. And thank you for calling this out so much, because when you've got the the power of the government behind you, you got to pay attention to what how they're using it. Thank you. Thank you for your service, both of you.

Chairman Lt. Gov. Patrick: Thank you. Thank you, Doctor Phil. So, Reverend Graham, I wanted to ask you in your lifetime of in the pulpit, your lifetime of Samaritan's Purse, helping people around the world. Where do you think we lost our way? And when did we lose our way? That we are, that we hear this testimony that would not have happened. And I hate to put you on the spot about that, but all of you at the table are experts. As I've told them before, I'm the pair of brown

shoes in a room full of tuxedos. These are all very accomplished people, but I'm sitting here asking this question, "How does this happen in America? What caused all this? When did, if you saw it, when did you see it turn?"

Commissioner Rev. Graham: I see the failure of the pulpit. And the pulpit. Not preaching the Word of God. And you have people who are ignorant of God's laws and his standards. And the pulpits have gone quiet, many of them. They'll get up and preach a nice message on social issues or whatever. But as far as the authority of the Word of God, that is--and maybe a very simple, concise, where I see it, but I have kind of another question. We and, I think Doctor Phil addressed it to a degree, but we keep talking about "they" did this and "they" did that. And, and is there any way we can help put some definition on "they," who "they" is? Because I think Blake talked about holding people accountable. How can we hold people accountable if we don't know who "they" are? And it's important, I think that accountability and you talk about restoring pensions and things like this, but there needs to be some accountability. And. So I would hope that this Commission, we can maybe put some definition on who "they" are. So that's just thank you.

Chairman Lt. Gov. Patrick: We always come to you for clarity. Kenny and Blake, thank you for your testimony. Really outstanding. And you are both defined as heroes. You stood for the faith. And we'll do all we can on both of these issues. We'll do the best we can. Thank you. Blake.

Mr. Vaughan: Thank you. Thank you all.

Mr. Martin: I've got names for you, Reverend.

Chairman Lt. Gov. Patrick: They said they have some names for you. If you'd all like to take two minutes just to stand, stretch your legs.

2LT Rao Harish

Chairman Lt. Gov. Patrick: And our next panel is Mike Berry and Second Lieutenant Harish Rao, who is going to go first. Harish you're up.

2LT Rao Harish D.: Good morning ladies and gentlemen. Chairman. And the panel.

Thank you for allowing me to speak on the importance of Hindu religious in the US military.

My testimony is not a shaped only by my faith, but also my personal experience through as a soldier who lived both challenges and extraordinarily support from the Chaplain Corps.

I will speak on the three areas: respect and recognition of Hindu religious symbol, such as the Tilak Chandlo; understanding and accommodating Hindu vegetarian diet discipline, including avoiding tamasic food; expanding chaplain endorsement opportunities, including support for Hindu chaplaincy.

Before I begin, at this point, I want to share my own story.

I joined the Army in 2015. During my basic training at Fort Jackson, South Carolina. I faced significant challenges because my chain of command did not understand my religious practice, especially the Tilak Chandlo I wear on my forehead.

I was told that if I want to keep wearing Tilak Chandlo, I will be deported back to India.

I was removed from the training and placed among the non-trainers. One day a chaplain walked by and asked each of us why we did not want to be a soldier and when my turn came, I explained if I was not allowed to keep my faith and practice my religion, then what exactly I am defending.

I told him "I have been instructed that I will be deported and now I'm just waiting for the process."

The chaplain then asked me two questions that changed my life.

First, does your religious practice affect your training? I said "no."

Second, if you are permitted to practice your faith, do you still want to be serve? I said "yes, absolutely."

That chaplain stood for me.

He spoke to my drill sergeant, first sergeant and company commander. He explained clearly that I have a right to practice my religion. He arranged for me to be transferred to another unit, gave me a memo of recommended religious accommodation and made sure I continued my training.

Before I moved to eight Advanced Individual Training at Fort Lee, Virginia. I asked, "what will happen if I face a similar issue?"

The chaplain then contacted the Fort Lee Chaplain and told me to always keep the memo with me.

Because of that support, I successfully completed my advanced individual training with no problem and even on to Certificate of Achievements, one for leadership as a squad leader and another for a class leader.

This experience shaped me profoundly.

My first topic was Tilak Chandlo as a of practice religious faith. The Tilak Chandlo is not just a symbol. It is central to my identity as a Swaminarayan Hindu.

The tilak--that is a thin line, U-shaped from my forehead to eyebrows--represents God's faith. That is, purity, and a Chandlo--a red dot in the center--are symbolizes a devotion by the devotee, and is a twofold combination of a devotee offering service in the feet of God.

Across Hindu tradition there are similar symbols, whereas in shape, size and color, depending on the deity and lineage to the devotee, follow.

But in 2015 it nearly removed me from the army.

Today I'm speaking, I'm speaking so future Hindu soldiers never faced the same experience. Recognition of the Tilak Chandlo and other Hindu faith symbols, as long as they do not interfere with the training and the safety, ensure soldiers can serve authentically and proudly.

My second topic was Hindu Dietary practices as a pure vegetarianism and avoiding of tamasic food.

Many Hindu, especially those in Swaminarayan Sampraday, Vishnu and Jain, follow strict vegetarian. That means they don't eat: no meat, no seafood, no eggs, no even in among the vegetables, no onion and no garlic, onion and garlic are considered tamasic. Food in the Hindu philosophy refers to the quality of promote. It refers to quality to promote anger, agitation, lack of focus and spiritual dullness. Because Hindu spiritual emphasizes mental clarity, purity of thought and emotional control. Avoiding onion and garlic is deeply religious practice, not a personal preference.

A service member following this discipline requires pure vegetarian meal, no egg content and alternatives during the field exercise.

Even when it comes to vaccination, many Hindu prefer egg free or preservative free version when available, such as cell-based vaccines.

This allows soldiers to maintain readiness while respecting sincerely held beliefs.

Understanding these dietary principles ensure Hindu soldiers remain healthy, focus and spiritually grounded, without compromising mission readiness.

And my third topic was expanding Hindu Chaplains' endorsement opportunities. During my assignment at the 18 Fort Shafter, Hawaii, Chaplain Bannigan and, under the leadership of Colonel

San Martinos, supported me deeply. We created a seven-day interfaith pilgrimage to the Big Island for all enlisted and below soldiers learning Hawaiian, Christian, and Hindu faith.

That experience was so successful that I brought that idea to the president of BOSS program (that stands for Better Opportunities for Single Soldiers), which then expanded in statewide across the military branch.

But I soon realized a bigger issue. There are very few Hindu chaplains, even though many Hindu servicemembers across the military branch.

In 2022, I learned about an airman, Darshan Shah, who waited nearly two years to get religious accommodation.

Cases like this and my own shows how much we need chaplains who understand Hindu faith and tradition.

This past summer, during CST cadet summer training at Fort Knox, Kentucky, a chaplain approached me and asked me if I like consider to be a Hindu chaplain, mentioning that the army is actively looking to hire.

On September 26th, I was commissioned as a logistic officer, and now I feel called to pursue the Chaplain Corps because a chaplain stood up for me. And now I want to do the same thing for other soldiers.

I also want to emphasize that the BAPS Swaminarayan Sanstha, a global Hindu organization with a strongly leadership structure, is fully and willingly ready to become one of the endorser for the Hindu chaplains, if given the opportunity. This will significantly expand pathways for Hindu soldiers seeking spiritual support.

My journey from almost being removed from the army to become an officer aspiring to join the Chaplain Corps, proves the power of religious liberty and the importance of understanding in the military. The US military can ensure that no service member must choose between faith and service. The Army gave me the chance to serve something bigger than myself. Now I hope to help ensure that every Hindu soldier, present and future can serve with dignity, confidence, and devotion.

Thank you for your time and consideration.

Chairman Lt. Gov. Patrick: Thank you sir. Members of the Committee, we're going to go back to our format like we've had before. We'll have both witnesses give their 6 or 7 minutes and then we'll ask both questions. So, Michael.

Mike Berry, USMC, Attorney, First Liberty Institute

Mr. Michael Berry, JD, USMC: Thank you. Chairman Patrick, distinguished commissioners, thank you for the opportunity to testify on religious liberty in the military.

We have heard this morning from a diverse group of patriots. And although we may differ in appearance, speech and religious belief, we are united in our commitment to a cause that is much greater than ourselves: our oath to uphold and defend the Constitution.

Having served both in uniform as a constitutional attorney, I offer this testimony as a recognized expert on religious liberty in the military.

But I am also here today as one who has experienced the very religious hostility that I have dedicated much of my professional career to eradicating within our military.

My path to service began in the immediate aftermath of the terrorist attacks of September 11th, 2001. Our nation was hurting and I knew I had to do something. My faith in God and my love of America motivated me to join the United States Marine Corps.

Becoming a Marine Corps officer remains one of my life's greatest achievements. I love being a Marine and I love serving with Marines.

But I am also a proud Texan, and like any good Texan, I often daydreamed about returning to the Lone Star State. Unfortunately, there are no Marine Corps bases in Texas now. There are a lot of Air Force bases in Texas. So, I thought briefly about transferring to the Air Force. But my wife, who is here, says that those Air Force uniforms just don't have the same effect as our Marine Corps dress blues.

In 2013, I left active duty to join First Liberty Institute, where I get to fight for religious freedom every day.

I have often quipped that I am still upholding and defending the Constitution. I just wear a different uniform, and I have even less hair than I did when I was in the Marines.

But I remained in the Marine Corps Reserve because of my desire to continue serving our great nation.

By 2021, I had nearly two decades of service that included a combat deployment to Afghanistan, a tour as a professor of law at the US Naval Academy, and enough memories and friendships to last a lifetime. I could also see the opportunity to retire just over the horizon.

But 2021 is also when the previous administration imposed the COVID vaccine mandate on our military.

Like tens of thousands of my uniformed colleagues, I had a sincere religious objection to the COVID vaccine. As a religious liberty attorney, I knew the law permitted me to request a religious accommodation, which I dutifully submitted.

My immediate chain of command enthusiastically endorsed my request, all but pleading with higher echelon authorities to approve my religious accommodations, so that I could continue to serve.

But like tens of thousands of my uniformed colleagues, my religious accommodation fell upon deaf ears. And what we soon learned was a rubber stamp process. It was denied.

Then, without warning, notice or an opportunity for my command to intervene, the Marine Corps unceremoniously placed me into “inactive status.”

This meant that I was no longer a part of my unit, and I could no longer perform my duties to earn credit towards my military retirement. The manner in which I learned I had been placed on “inactive status” defies the basic decency and respect that we should provide to those who serve our nation.

I only learned of my removal to inactive status when I was notified by Tricare. Tricare, the military’s health care insurance provider, who notified me that my family was no longer eligible for coverage. For many families, this would present a problem. For my family, this created a crisis.

My wife and I have four children. We adopted our oldest daughter, Emma from China. Emma has a severe, permanent disability that requires significant medical care and costs. She was left at an orphanage as a newborn because in China, those with severe disabilities are often considered undesirable.

Losing Tricare without warning or notice plunged my family into immediate financial turmoil. We now had to pay for Emma’s substantial medical bills out of pocket.

Meanwhile, my attempts to appeal the Marine Corps decision were dismissed. I even received an email from a senior Marine Corps official stating that because I was unvaccinated, I, quote, “had interests adverse to the United States.” End quote.

The message was clear. It was me and my religious beliefs that motivated me to serve in the first place that were now undesirable.

But if the Marine Corps taught me anything, it’s how to fight, and fight we did.

Over the next two years, I would twice be involuntarily removed to “inactive status.”

Each time I fought my way back in, a friend referred to me as a nuclear cockroach. I just couldn’t die.

Today, I’m still a proud Marine Corps reservist. I will never be promoted again. That was made very clear to me the day I submitted my religious accommodation, and my retirement is now approximately two years delayed.

But I didn’t join the Marines so that I could acquire a particular rank or even a pension check. I joined because like each like each of us here this morning, I wanted to make a difference.

People often ask me how we got to this point, or perhaps more importantly, how do we fix it? I think that's why this hearing is so vitally important.

If I had to summarize what the Commission needs to take away from this hearing, it would be that religious liberty within the military isn't merely an esoteric concept. It's not a punchline or a cliché. It is a matter of national security.

Fortunately, our nation has a strong historical and legal basis for upholding religious liberty within the military.

For over 50 years, America's military has been an all-volunteer force. We ended the draft in 1973.

Sustaining an all-volunteer force means that enough young people in our country decide that military service presents an attractive alternative to college, vocation or some other pursuit. People join the military for many reasons. Studies show that young Americans who identify as highly religious are substantially more likely to join the military than their nonreligious counterparts.

So, the clear implication is this: if our military becomes hostile to faith, recruiting and retention will suffer, and our military will become soft and weak.

History confirms this--from George Washington requesting chaplains for his troops to Congress, mandating divine services, as we heard this morning, from David, to President Roosevelt, ensuring Bibles were distributed during World War II, as we also heard from David.

Our leaders have always recognized that spiritual fitness strengthens military readiness.

After World War II, a Presidential Commission on Religion in the Military, perhaps similar to this one, concluded that religious conviction is the source of America's moral strength, and it is essential to preparing our forces ideologically as well as physically.

Legally speaking, our courts agree. In one case, a federal court held that the Constitution obligates Congress to make religion available to service members, especially those who are deployed where their faith communities are not readily accessible. And in a separate case, another federal court affirmed that chaplains, when acting in their religious capacity, enjoy full First Amendment protections.

These cases underscore that religious liberty in the military is not optional. It is required.

Yet challenges persist. Commanders, chaplains, and lawyers do not receive sufficient training on the very constitution they've sworn to uphold and defend.

And what little training they do receive has been un-American, to say the least. Some training materials have labeled Catholics and evangelicals as, quote, "religious extremists" alongside Hamas and al Qaeda. That is unacceptable.

If we treat deeply held beliefs as a threat, we undermine the very values of service our service members are sworn to defend.

So, as I wrap up, I offer the Commission three recommendations:

1. First, improve education and training. There are law school courses that spend entire semesters on the First Amendment. As a young Marine Corps lawyer, I received one. Our commanders, chaplains, and Jags need annual training on constitutional foundations, including religious liberty.
2. Second, eliminate misguided materials. We have an entire generation of Americans who, K through 12, has been indoctrinated that America is evil, it's racist, it's imperialist, or it's fascist. Is it any wonder that they are unwilling to sacrifice for a nation that they've been taught to hate? We must remove any content that is inconsistent with American values, and especially content that is hostile to religious liberty.
3. And third, we must reaffirm religious liberty within the national security strategy. The Department of War develops its strategy, plans, and operations based on the president's national security strategy. We must ensure that our first freedom remains a strategic priority.

So, in closing, servicemembers surrender many freedoms when they put on the uniform. Religious liberty is not one of them.

If America's military is to remain the most formidable fighting force in history, we must ensure that religious liberty continues to flourish, because, at its core, religious liberty is and always has been, a matter of national security.

Thank you.

Chairman Lt. Gov. Patrick: Thank you for both of your testimonies, Mike. Let me ask you this. Do you have a sense—and I asked Blake this, actually, I didn't take the time when he was witness, but as he walked away—do you have a sense that your superior officers believe in the orders they're passing down and how you were treated? Are they just following orders? Or do you think the breakdown is somewhere between the top of the military, rising to the level of the White House under previous administrations, who really took away religious liberty, or is it somewhere lost in the higher ranks of the military?

For example, we had our education hearing. We heard time and time again where principals or school board members clearly didn't know the Constitution, clearly didn't understand the First Amendment, and they were punishing teachers because they thought they were following the Constitution. So, where is this emanating from? Who's the "they," as Reverend Franklin said?

Mr. Berry: Well, the answer to that is somewhat twofold.

On the one hand, when First Liberty, when we were litigating the Navy SEALs case, and it went to the Supreme Court for at least a portion of the case. And one of the things the Supreme Court said was, look, we need to be very deferential to the military because it has such it occupies such a unique function and place in our society. And so, we want to make sure it's the command. They

said it's the commanders on the ground who have the best viewpoint, the best perspective on how to operate their unit. We should be deferential to them.

But the problem is they were being told by people way up in the leadership, not the commanders on the ground, like, yeah, yeah, be deferential to us, right? Just, "there's nothing to see here." We've--this rubber stamp process is legit.

But, when you when you dig into the case, and you actually start looking at what the commanders on the ground were saying is, for example, in my case, my immediate commander, my immediate chain of command was screaming from the rooftops. This is literally what they said. They said we would if Mike gets COVID, right, if Lieutenant Colonel Barry gets COVID, he's quarantined for two weeks. So, we lose him for two weeks, which is not great, but okay, we can deal with that. But if you kick him out, we lose him permanently. What?

And now think about that in the context of Navy SEALs. Who I mean, Blake can speak to how many years and how many millions of dollars of training go into just creating one Navy SEAL, and you're going to get rid of them. It's not just that you've gotten rid of that SEAL. It's the replacement cost now. Right? And the experience, I mean, we don't have a generation who are entering the military service right now who are going to be going off and fighting in Iraq, Afghanistan and places like that.

And so, it's the warfighters who have that experience that they can pass on to future generations. They were the ones that were being cut out.

So, to answer your question, Mr. Chairman, the senior echelons in the military, they were the ones who the phrase I coined was they were far more concerned with COVID compliance than they were with Constitutional compliance.

They wanted to make sure that their when they received what we call an alpha roster. Right. It's just the roster of everyone in their command.

And, the commanders would compete with each other. Well, my unit has 99.8% COVID compliance, you know, vaccine compliance. And the guy would say, you know, all right, that's it. I you know, I want 99.9% in my unit.

And so they would and the Marine Corps would brag they would literally brag about no religious accommodations because they thought it was somehow like, we're saving the world because we're making sure everybody's getting vaccinated.

And they would they would not listen to, I mean, the saying "follow the science." When we presented evidence about this thing called natural immunity, which is like when I was growing up, if a kid got chickenpox, you sent him home for a week and he came back and it's like, well, he doesn't need the chickenpox vaccine because he just had chickenpox.

Well, it's kind of the same thing with other illnesses. If you just came back and you have COVID, all the medical doctors, I went to a doctor and they said, well, you're showing a significant presence of COVID antibodies in your blood. Like what the medical term is. The vaccine would be contraindicated. In other words, like we advise against getting it because it's going to do more harm than good to you.

The military just said, no, you have you have to get it because we have been ordered from the president and the Secretary of Defense, 100% compliance.

Chairman Lt. Gov. Patrick: And. Harish, your thoughts of where this is all coming from in your in your experiences.

2LT Rao: So, about the, what are you asking about--the vaccine?

Chairman Lt. Gov. Patrick: Yeah. About where these orders are coming down to you in your experience of where you were denied your religious liberties and not necessarily the vaccine, yours was a little different. But you said you had the one chaplain that helped you and now, and you eventually became a Hindu chaplain. But where did that resistance come from? Was it within the ranks or you think above?

2LT Rao: Sir, I think it's like the company level because, chaplain, I understand there are very few Hindu soldiers in the military, and those who want to follow their practices are like very less. So, even the minority consider we are minority. And so there are different attitudes and different ways to follow.

So, I can understand that if they don't know if my chain of command or drill sergeant approach to chaplain and ask that, "hey, we have some, one of the soldier can you look into it if he can continue?"

But I think they say, "what's on your forehead" or you know, "we are not allow you."

So, I think at the entry level, that's what from my experience and those chaplains who don't understand because they are not familiar with this kind of situation, they ask me like "how you can find the information and context."

So, what I provide to them, the websites and personal number. So, they reach out to them and they confirm with what's going on. And then they give me the memo. So, every unit, when I transfer to it in my military reserve, I just my first day at my briefing, I just showed to my company commander that I need sign. So, I have to keep every unit I have just transferring to. So, my question is like I'm trying to if goes across the army or the military wise, it's making easy for the future soldiers so that they can continue without any kind of issue, sir.

Chairman Lt. Gov. Patrick: Any questions? Comments? Yes. Carrie.

Commissioner Mrs. Boller: Thank you so much, both of you, for your testimonies. Mr. Berry, I wanted to ask you what was it like with the other servicemen and women when they heard about

what was going on with you? Were they, you know, wanting to receive the vaccine? What was the common sort of, you know, understanding of religious exemptions? Were you aware that certain exemptions were accepted? Some were denied. What was kind of going on between your peers?

Mr. Berry: So, in the very early days of the of the vaccine, when it was simply made available. So this would have been sometime in 2021, when it became mandatory. And there was a lot of hesitance. Right.

Because as information, there was a lot of great organizations out there that that put a lot of information out about in this case, it was kind of it was an experimental vaccine and some of the potential negative side effects that people could suffer as a result, just the lack of, of, of testing because it had been developed so quickly and so rapidly and people began to reach out and say, well,

You know, initially there's a there's different categories.

There's people who are hesitant for medical reasons, which is one category, and then there are people who are hesitant for religious reasons, which is a very different category.

And what was fascinating to me was how the military treated those two categories.

In fact, that became one of the central arguments in the Navy SEALs litigation was the Navy had a regulation that said, if you have a medical reason why you can't get the vaccine, then you're exempt and you just continue to serve, right. You continue to serve. But if you have a religious reason why you can't get the vaccine, sorry, it's unavailing. Like you, you will not get that accommodation.

I talked to one particular naval enlisted member who has a religious objection to all vaccines, and he's he was at close to 20 years, I think he was at 18 or 19 years of service.

And he actually he sent to me his documentation showing he had received a religious accommodation to--I lose count, I think it was 17 or 18--mandatory vaccinations by the Department of Defense. And he had I mean, it was like a big packet of, of essentially approvals for his religious accommodation when he when the COVOID vaccine became mandatory, he submitted like, oh, well, hey, you know, I've received my religious accommodation to all 17 vaccines. Now there's an 18th. I'm requesting that one too. They returned. He sent me the documentation. So I saw it with my own eyes and it said, "Your religious accommodation request for all the other 17 vaccines is approved, but not for COVID. And he was like, what's so special about, you know, COVID? Well, we all know it's so special about COVID.

And so yeah, it was just there was a lot of skepticism, and the problem wasn't so much so. So the problem the military had, I remember there was a commander of a naval vessel as well. And his situation, how he was asking me what is what, why are they doing this? And I said, they're the Navy doesn't have a problem with unvaccinated sailors on their ships because they have unvaccinated sailors on their ships.

It's why are they unvaccinated--if you're not vaccinated for a medical reason? Oh, well, that's completely understandable. We wouldn't want to, you know, HIPAA, we don't want to get involved, you know, but oh, if it's a religious reason, you are like you. I mean, you are an undesirable. Yeah. You know, as I said, you're an undesirable.

Chairman Lt. Gov. Patrick: Ryan.

Commissioner Dr. Anderson: Yeah. I just wanted to share an insight I had as Mike was answering that question when you mentioned that for the Navy, they would grant you an exemption if it was for a medical reason, but not if it was for a religious reason. It strikes me that what that embodies is we're prioritizing physical, mortal well-being over spiritual and eternal well-being, that they actually have the hierarchy there precisely upside down.

And I think that frequently happens in these religious liberty cases where we're prioritizing physical, mortal considerations above spiritual and eternal considerations. So, again, I don't know how we give philosophical advice to the president, but I think that that somewhere should show up in how we operationalize getting the order of priority correct.

Chairman Lt. Gov. Patrick: Well.

Mr. Berry: May I respond to that?

Commissioner Dr. Anderson: I'll phrase it as a question. Yes, please.

Mr. Berry: So, the vaccine mandate is merely a symptom of a much deeper problem.

The vaccine mandate wasn't the thing. It was just a manifestation of the thing. And to your point, we represented a chaplain who was giving suicide, who was tasked. He was directed by his commander. You are to give suicide prevention awareness training to your unit because you're the chaplain. That's your job. And he literally had a handout that on one side had faith-based resources for mental health issues. On the other side, it had non-faith based secular, you know, psychologists and whatnot. And he was punished for that.

Why? Why? Because one person complained and said that might offend.

And to your point, Ryan, so that they completely lost sight of the fact that he's trying to save lives. Right? We are about saving lives.

So, the recommendation I would offer to the president is we need to place spiritual fitness right up there. With physical fitness like that.

It is it's a non-negotiable that if we want if like in the Marines, we always joke, like if you want to get promoted, just run fast and do a lot of pull ups and you will make Colonel without, you know, unless you object to the vaccine.

But well, then the ability to run fast and do a lot of pull ups like spiritual fitness should also be right there. Next to that is like, are you spiritually fit as much as you are physically fit?

Chairman Lt. Gov. Patrick: I know we have your written testimony. I want to be sure we have it. What you just said there, I think is really important. Somewhere in the report we'll go back and watch the tape.

But we want to how you said that is really important before we let you go. How is your daughter?

Mr. Berry: Well, that's a different story, Mr. Chair. So, she just turned 21 and, she lives at home with us, you know, and what's interesting is speaking of Tricare, when you turn 21, and you're not a full time student, she's not a full time student because she's permanently disabled. They drop you from Tricare. So, but she's doing great. And we're you know.

Chairman Lt. Gov. Patrick: And how did you handle those finances.

Mr. Berry: With through the Lord, just like we do with everything else. We just trust in the Lord. And you know, he multiplies in ways that we can't.

Chairman Lt. Gov. Patrick: If you need help, let us know. All right. Thank you. Thank you both.

Mr. Berry: Thank you. Thank you, thank you.

TESTIMONY ON THE MILITARY CHAPLAINCY

Chap (Maj. Gen.) Doug Carver, USA (Ret.)

Chaplain (Maj. Gen.) Doug Carver, USA (Ret.): Thank you. Lieutenant Governor Patrick, distinguished committee and guests, thank you for this opportunity to give my public testimony about religious liberty in the armed forces.

It was my humble honor to have worn the uniform for 38 years, eight years as a field artillery officer and 30 years as a Chaplain, appointed as a 22nd Army Chief of Chaplains during the Bush era, I asked God for a scripture that I could use during my time as the Chief of Chaplains. It was from Psalm 28:9, which basically I prayed and continued to pray over the members of the armed services. Basically, “Lord, save your troops, bless your troops, shepherd your troops and carry them forever.”

That remains my prayer today for those who serve have answered the call to duty.

Less than 1% of our population ever wears the uniform.

And so, they are very, very, very important to me. And one of the important resources that exist within the armed services is that of the military Chaplain.

We’ve just celebrated 250 years of our heritage. And so, in my remarks today, I’d like to kind of talk about three things:

- One, the legacy of the military Chaplaincy.
- Secondly, the landscape of what it sort of looks like today.
- And then maybe with some lessons learned.

In 1775, the new Continental Army commander in Chief George Washington, one of his first requests of Congress was that a religious leader—Chaplain—might be appointed to serve the needs of this new military.

And if I can move forward to December the 17th, 1777. It was a distinctive point. On that particular day, a day of prayer and fasting took place before the Continental Army moved into Valley Forge, where they would spend a six-month hard winter and a deployment. On that particular day, a young 30-year-old Chaplain, Israel Evans, was asked to speak and his message was from Psalm 115, verse one, not to us, O Lord, not to us, but to your name be the glory, because of your love and faithfulness. And he went on to say in a very lengthy sermon, which I will summarize, that it’s not the size of the military. It’s not the brilliance of the strategists who lead the military. It’s not the fierceness of the warriors who fight our battles, but it all—all of the glory, all the power, all the honor—belongs to the Lord.

When General Washington heard the sermon, he said, “we need the blessing and the protection of heaven at all times for success, especially in times of public distress and danger.”

And he summarized some things that he wanted his Chaplains to instill in the lives and the heart of the Continental Army soldiers: one, that they trust in a supreme being, the providence of God in their lives; and, also, that they would do their best to reflect through their moral character and conduct the nature of that supreme being of which they worshiped.

And so, for 250 years, our Chaplains have always been there with in respect to their faith, beliefs and practices as they are sent out by their religious institutions.

Of about 225 endorsing agency or religious bodies who send Chaplains into the armed services, I would say one of their missions is always to be there and provide a ministry of presence in the lives of our troops to remind them, should they need to be reminded, especially in times of danger and pain, that a Supreme Being, that God is there with them.

Our Chaplains have endured the winners of Valley Forge. They've comforted the wounded in action the first time that opposite forces of Union and the Confederate Chaplains all prayed over and buried the respective individuals from that particular battle. We've braved trench warfare, stormed the beaches of Normandy, endured the cold winters of the Korean War, slugged through the Battle of Vietnam, traveled the most dangerous roads in Southwest Asia.

Our Chaplains were there, and as our Chaplains have been with troops, they have felt convicted to ensure that they are with them, that they are honoring them, that they are caring for them, that they are nurturing the living, that they are tending to the wounded. They're honoring the fallen.

One of our Chaplains, Chaplain Charles Pierce, in the early 1900s, saw something that was taking place that needed to be corrected. He noticed that during the Civil War that over 40% of those who had were killed during the war were unidentified, and his desire was to ensure that we show the respect and dignity to those who have fallen in battle. And he came up with something called "identification tags"—name, rank, serial number, also in the faith of that particular individual, so that we might show the dignity to the fallen.

There's another Chaplain by the name of Oliver Nave. He wanted to ensure that our troops read the Bible, that they read the Sacred Scripture. And so, he worked on a 14-year study classifying various topics in the Bible—22,000 topics, by the way, and Chaplain Oliver Nave produced the Nave's Study Bible, which some of us are aware of.

We had 13 Chaplains jump into Normandy.

Four Chaplains on the USS Dorchester as that was sinking. There's a beautiful picture of a rabbi, a Roman Catholic priest, a United Methodist Chaplain, and a Dutch Reformed Chaplain, all linking arms after they had cared for the troops, many of whom perished. As the as this ship was going down, they also went down, but they stood in unity to their very death, because they had given up their life preservers to those who did not have them.

Chaplain Robert Taylor, you may never have heard of him, but he was a POW and was with his troops on a 65-mile Bataan Death March.

Emil Kapaun, Chaplain Emil Capan, who was a POW in the Korean War, and he served their particular needs until his own demise and death, ensuring that they again experienced the presence of God through his ministry to them even as he was dying.

Chaplain Charlie Waters in the Battle of Dak To during Vietnam, again out front, serving the needs of our troops, ensuring that they were being brought close to the presence of God and receiving spiritual nourishment as God would give that to them.

Some of you may have never heard of Dale Goetz. Dale Goetz was our first Chaplain killed in action since Vietnam? He was killed in action in Kandahar in 2010 while supporting a sister battalion, ensuring that they had an opportunity to reflect on the things of God.

And even today in Congress, we have two former Chaplains, Navy Chaplains Barry Black and Margaret Kibben, who often, as they serve the 119th United States Congress, ensure that even our congressional leaders have an opportunity to reflect on the things of the Lord.

So, my point is, our Chaplains have always been there. And by the way, Chaplains are noncombatants. They don't carry a weapon, but they are there with our troops performing religious services within their own faith, beliefs and practices, and ensuring that those who are not within their own faith and belief background have the opportunity also to be respected for their particular religious beliefs.

A Chaplain is a religious leader and an advisor to the chain of command.

A Chaplain is a prophetic voice, one who hopefully will speak truth to power.

The landscape—I entered the army in 1973. At that time, Chaplains taught character guidance classes. They'd been doing it since 1953. Because of some of the challenges of our veterans in World War II and the Korean War, Chaplains had the opportunity to have a duty day with God, one day a month where Chaplains would take troops on fly fishing, hiking, some adventuresome training, and it would include an opportunity to have some spiritual reflection.

Our military chapels on the weekends were decorated with flags from units that actually sponsored a military chapel for that particular weekend service.

In 1977, I signed for. Field Artillery Battery, a company of 110 soldiers, and part of my requirement was to look in their eyes to ensure they had the ID card, their dog tags, that they were actually present for duty. And after that took place, I had to sign a government document, not for 110 soldiers, but as I recall it, and that was some time ago, I signed for 110 souls. I was responsible as a young 26-year-old officer, for the souls of all those within my chain of command, and that's why I needed a Chaplain.

I was raised in a Christian home. I accepted Jesus Christ as my Savior and Lord when I was 11 years old, but I needed some help working with those who were not from my particular religious

background. And I looked to my Chaplain to advise me on how properly to ensure the free exercise of religion in my ranks.

As I look at the challenges of the day in the landscape, we are losing ground—as many of you have already mentioned—in the area of religious liberty.

And, as a good Baptist. I'll kind of alliterate a couple of things.

There is a defiance to Almighty God, or to the authority of God, or to authority in general. We can read that and see that every day in the news. There's a degradation to the Supreme Being having any input into our lives. I'm not sure how we can change that direction without serious repentance. 2 Chronicles 7:14, "If my people, which are called by my name, shall humble themselves, and pray and seek my face, and turn from their wicked ways, then then God will hear from heaven and forgive their sin and cleanse their land."

We need that kind of repentance, especially as we face the 250th celebration of our nation in 2026.

Wouldn't it be wonderful to have a spiritual awakening that moves across our nation?

Secondly, there is a dilution of religion's importance in the lives of people.

You hear the common phrase, now "I'm spiritual, but I'm not religious." We're almost afraid to use that word religion and religious.

And what we now have is this loose spirituality that does not have necessarily a religious leader to lead you in, that there's no Sacred Scripture in which you can walk together in that particular faith group. In some cases, if you're only spiritual without a religious community to grow in your faith and to be accountable, that's where a lot of isolation and alienation comes.

So, I would say that religious community is very therapeutic and helpful, as we all learn to grow in the fear and the reverence of Almighty God.

And finally, there is a depreciation or denigration of the importance of Chaplains, military Chaplains as religious leaders.

According to United States Code Title 10, which appoints and pays for Chaplains, we pay for religious leaders. That's what our government does.

What I see a trend that we're almost losing that identity within the context of the armed services.

As a religious leader, Chaplains are called, and I just wrote a few of these down spiritual readiness "coaches, combat multipliers, morale officer, the spiritual technician, values facilitator." "Resident philosopher." I added that one.

And there's nothing wrong with us taking on other opportunities and duties that Chaplains obviously do. You'll not find someone better counselor in the area of crisis than Chaplains. They know something about crisis and traumatic moments. They know something about family life.

They know something about marriage. They know something about working with parents. They know something about working with others and being a reconciliation agent.

And yet, bottom line, their primary role in the context of the United States armed services is that they are religious leaders first and foremost. But the role of Chaplain seems to have been diminished.

You've asked what happened in the last 15 or 20 years.

I noticed it when I first came in the Army in the early 80s that we would be told, you can only pray a nonsectarian prayer, whatever that means.

No one, to my knowledge, even today, tells the Chaplain how to pray.

They can pray within the context of their faith, beliefs, and practices.

If a Chaplain is told how not to pray or how to pray, you've just established religion and you've violated the religious liberty.

And yet, Chaplains have also, maybe they can't share their theological beliefs or thoughts on the sanctity of human life, or biblical sexuality, or marriage or family.

In some respects, Chaplains have been removed from some of these discussions where they need to be front line and center, including in the area of religious accommodation.

Our religious apparel, our dietary requirements or grooming standards, or Covid shots. But some something happened that it gets too complicated when you get the Chaplain engaged. And yet that's why you absolutely need to hear from this individual who has another set of eyes and experience about what most benefits and helps and can speak to the particular issue. Chaplains who are providing ministry of presence and they are truth bearers and they bring soul care in two days.

Chairman Lt. Gov. Patrick: General, can I have you kind of come to a conclusion just so we can stay on time?

Chap. Maj. Gen. Carver: Yes, sir.

In two days, Fort Campbell will observe the 40th anniversary of the worst airplane crash in history. December the 12th, 1985. The plane crashed on takeoff at Gander, Newfoundland. There were no survivors. And I still remember our commanding general, who basically, as he looked at a room full of Chaplains and commanders, he said to the senior Chaplain, "Chaplain, tell us what we need to do."

And I close my remarks. Basically, with this, there is still, within the context of the armed services, those questions that are being asked that I believe Chaplains have an answer to soul questions. "Chaplain, what I need to do to take away the guilt, the pain, what I need to help me sleep or to ease my conscience, or to forgive others, or to forgive myself." "Chaplain. What will help me

break addiction? What will help my marriage? What will help me love my family? What gives me hope?"

And I believe that's why we need to really emphasize within the context of this, of this Commission and this hearing, to reemphasize the critical role that Chaplains play as religious leaders within the context of the armed services.

Chairman Lt. Gov. Patrick: Thank you. General. Rabbi.

Chap. Rabbi (Col.) Dresin, USA (Ret.)

Chap. Rabbi Col. Dresin: So, I'm sort of grateful that I am following Chaplain Carver because to some degree, I'm going to echo much of what he said. I may find myself being critical of the Chaplaincy, but hopefully in a positive way.

So let me begin by, ladies and gentlemen of the Commission, I greatly appreciate the opportunity to testify before you to assist in your mission, to mend the very broken and dysfunctional spiritual environment in today's US military.

To be sure, President Trump and Congress have taken steps to support religious liberty in the military, such as policy changes under the first Trump administration that protected religious accommodation for beards, for Jewish service members, and legislation by Congress in the 2012 and 2020 National Defense Authorization Act that required protection for religious liberty and mandated military training on religious freedom—mandatory.

But as you will see from my testimony today, more work is necessary.

Even the existing protection that are at risk at being rolled back, with Jewish service members being forced to choose between serving their country or their religion.

That dilemma runs counter to the very values on which this nation was founded.

At every stage of his service member's career, beginning at the recruiting office and continuing through basic training, deployment and beyond, we see mounting obstacles to Jewish religious accommodation and free exercise rights.

Given the central place of the First Amendment in our constitutional framework, we believe that religious accommodation should not be treated as an exception to policy. It should be policy.

My name is Rabbi Sanford Dresin. I served for over 26 years as an active duty Army Chaplain, retiring in the rank of colonel. I have been the Chaplain endorser for the Aleph Institute for nearly 20 years. The Aleph Institute was founded in 1981 to serve the needs of Jewish men and women who find themselves distant from the support of a Jewish community. In the 1990s, Aleph served as the US military, first by providing religious supplies and materials, and then in 2007, becoming a Department of Defense-recognized Chaplain endorsing agency. We now endorse over 50 Jewish Chaplains and contract rabbis. We also advise and advocate for Jewish service members to ensure their free exercise rights are respected. We estimate that 50 to 75% of the religious accommodation needs that come to our attention require our intervention. Yet while our advocacy has been strong, Aleph's power is only advisory.

All too often, Jewish needs are dismissed outright. The cases we see each year number in the hundreds, and that does not include those who never reached it reach us because they are in basic training, deployed, or have a simple or simply given up.

Let me walk you through what Jewish service members experience. Starting with the earliest stage recruitment, recruiters are rarely familiar with religious accommodation, rarely familiar. Moreover, they are incentivized to meet recruiting quotas. It's a numbers game.

Because of that, recruiters fail to advise recruits about receiving exceptions to policy. Religious exceptions to policy. Many recruits who do request accommodations are told that will be taken care of in basic training, or you will request that when you arrive at your unit, when in fact it is not.

Testimonies in the packet you will receive illustrate this chronic situation. We have packets for many of you here which have the anecdotal material, so to speak, of what I'm talking about.

At basic training, these problems intensify. Trainees are intimidated easily by cadre, and the religious liberty rights are routinely disregarded.

Many troops report that during basic training, the religious preference on the dog tags and personal records is automatically set to a generic "none." That's the kind of default or non-denominational, and they are told to fix it at their first duty station. This is unacceptable.

In addition, kosher meals ready to eat (the field rations) are not consistently available. The need for Jewish Sabbath and holiday worship is regularly not acknowledged. Non-Jewish Chaplains rarely advocate for their Jewish personnel, and most training bases do not have a Jewish Chaplain or contract rabbi assigned to them, so the burden is left to the individual recruit.

Unfortunately, the struggles do not end. After basic training. Jewish service members face regular impediments to their religious observance at all stages of their careers. They could be a private, they could be an officer, a field grade officer, or even higher. They need to fight for accommodation for every Sabbath and holiday, and fight to receive kosher MREs at every field, training, exercise and deployment.

That brings me to our first major area of concern: food rations. Religiously observant, and even many less observant, Jews keep a kosher diet. The parameters of kosher diet are complex and beyond the scope of these proceedings. The US military does provide kosher memories. However, there are many problems with the availability and distribution of these emissaries. Pre-session, or pre movement requests for kosher memories are not taken seriously and orders don't get processed. The process of acquisition of kosher memories is complex and lends to breakdowns in communication. This ordering process must be simplified.

Who is responsible to order these rations? No, no one has identified clearly in the regulations—supply chains, the unit or the Chaplain? How does the information flow to the Jewish Service member? How can the servicemember follow up to ensure their food will be available? A Jewish soldier who currently who is currently deployed, wrote us to just wrote to us last week. Most of my calories are stuff like chips, honey buns and chocolates because they can't get MREs. Why is that okay? Why is that acceptable?

Even when supplies exist, how do personnel get them?

A command Chaplain, a senior command Chaplain in the Middle East told us that he has a warehouse full of kosher MREs in his area of responsibility. But our Jewish service members arriving on station can't easily access them.

In one case, an officer in the Space Force was interrogated by a wing Chaplain when she requested kosher MREs. It was only when Aleph intervened that she was given the MREs.

In addition, there is a lack of training as to what constitutes kosher. As you will see in your packets, many supply sergeants have substituted non-kosher alternatives—vegetarian, halal or porkless food instead of kosher.

I can only recall anecdotally when I was the command Chaplain for the seventh Medical Command in Germany, when we deployed to at the beginning of the Iraq War, our medical teams went in there and they decided to drop MREs to the Kurds. And not knowing that Kurds do not eat pork. And what, lo and behold, what was in the MRES? Pork products. Well, our doctors, when this came out were scared stiff because they thought the Kurds were going to wind up shooting them. So, there is a lack of education here when it comes to things like that.

Finally, the quality of kosher memories is far below nutritional standards. Thanks to an amendment in the 2026 National Defense Authorization Act, which is was shaped by Aleph in concert with Representative Abraham Hamadeh, the law now requires functional parity and equitable treatment for kosher MREs.

We look forward to seeing that requirement implemented before July 2026 as required.

And, focusing on commissaries. You know, commissary is like a military supermarket, but few substantive kosher products are found in their facilities in comparison with the average American supermarket. I know down south here, I can walk into a Piggly Wiggly and get bagels and lox and cream cheese and find a lot of kosher food. That doesn't hold true in many of our commissaries. This is because commissaries in the United States are limited by local distributors. For commissaries outside the United States, the situation is exacerbated by.

Chairman Lt. Gov. Patrick: Rabbi. Excuse me, can I have you kind of conclude and wind up recommend you wind up?

Rabbi Col. Dresin: Yes, I will wind it up. Basically, there is a lot of ignorance in terms of the role of Chaplain. You know, many commanders will accept the Chaplain if they see him as a combat multiplier. Yes. You know, but otherwise, if he functions in traditional spiritual domains, it's he's like a fifth wheel. And so I have much more to share with you. But I would, you know, given the pressures of time and so forth and the patients and the bladders of our people here, I would I'm willing to relinquish my time. And if there are any questions, be happy to answer them.

Chairman Lt. Gov. Patrick: Thank you. Rabbi, any questions? Yes. Bishop Barron.

Commissioner Bishop Barron: Yeah, thank you both very much for the presentations. And this has been eye opening in many ways. To me, this whole hearing today, one thing I'm intrigued by, I've been following this whole question of disaffiliation for a long time. Young people, especially going away from the faith. But in recent years, we've seen a halting of that, even a little bit of an uptick of interest. I spoke at the Naval Academy a couple of years ago, and was met with this extraordinary enthusiasm from these young kids. My question is, do you sense a resistance to the religious dimension among the soldiers and sailors themselves, or is it higher up in the chain of command, like where is the where is the institutional opposition coming from? If you sense, you know, things have shifted. My guess is among the young, you know, soldiers and sailors themselves. It's not there. But I'd be curious to know.

Chap. Maj. Gen. Carver: I work with our Chaplains at our basic training out installations. Let's take Fort Jackson, I think, which averages the highest number of new recruits, and also on the service academies. And both of them, I can say the same thing. They are hungry for truth. Any truth. They are hungry for relationships. They are interested in spiritual things, and they are interested in religion and community.

And you find that within the context of, of, of a religious community of which we can provide.

And so I can tell you, there seems to be an uptick, especially in that initial entry training.

But something happens as they go forth from their basic training outfits to the new units.

And I could argue that it might be, as the Rabbi has mentioned, it could be training that does not take place within the within the context of units that they go to, or any mandatory training discussions on, on RFRA, discussions on the worldview. Just there are so many things that could take place.

And I do remember back in the 70s, at least, we used to have some of these philosophical discussions on race relations or on character guidance. But something's happened. It's like, no, it's all about war fighting. We don't have time to talk on some of these soft areas of which there is an interest, including in the area of religion.

Chap. Rabbi Dresin: Yeah. I would just like to add to Chaplain Carver that I was a race relations facilitator in the early 70s following the Vietnam War, where we did experience a lot of racial conflict there. And so Chaplains were the facilitators doing this type of work. And I would like to also point out that I find the average troop is quite amenable to the Chaplain. I think a lot of it is top down. The problems that we're experiencing are top down. So if we have mandatory training in RFRA or free exercise issues, then I would demand that senior officers be required to attend, not simply be able to sign off on a site and say they were present, but I would like to see them there as a requirement.

Chairman Lt. Gov. Patrick: So fine. We'd love your recommendations to what you think we should put in the report for the president. Because again, our charter is to report not to Congress,

but directly to the president. So, if you will do that, thank both of you for your long service. And thank you for your testimony. And I apologize for having to hurry you along a little bit, but we lose the room at a certain time, and I have a few more witnesses. So, General. Thank you, Rabbi. Thank you.

Rabbi just said, in a crazy way, he may be related to me. So that's a whole 'nother story. We got to go back there. That's very funny. Thank you. Rabbi. Our next two witnesses. Our next two witnesses.

Amy Vitale, Government Affairs Counsel, Becket

Amy Vitale: Thank you.

Chairman Lt. Gov. Patrick:: Please tell us who you are and why you're here.

Amy Vitale: Mr. Chairman, thank you for the honor of this invitation and the chance to be in this incredible building. The love of history and attention to architectural detail is around every corner. It's delightful. My name is Amy Vitale, and I serve as government affairs counsel with the Becket Fund for Religious Liberty.

It's fitting that we're here today to talk about military Chaplains, because the Army Chaplaincy turned 250 years old this July, military Chaplains have been meeting the religious needs of our service members since before the very founding of our nation. We've heard so much about this this morning.

Many of us do not understand the duties of a military Chaplain, because we will never encounter the challenges of deployment or the harsh realities of war. Chaplains are an often unseen but critical part of the support structure needed by the brave men and women and their families who take up that burden. They follow service members directly into harm's way, and they do so unarmed as noncombatants.

Because the military Chaplaincy is unique, I'd like to highlight three components of the Chaplain Corps and its supporting legal structures.

First, the Chaplaincy is necessary to fulfill the government's constitutional obligation of providing for the religious exercise of service members. Religious liberty is core to what makes America a great nation. In the context of military service. That First Amendment promise creates an additional duty to provide for religious exercise. That's because those who answer the call to defend our nation, leave their faith communities and support structures to deploy to new and foreign places. They are asked to take on challenging, stressful, grueling duties far from home. And that's why the Chaplaincy exists to bring God to soldiers and soldiers, to God on the front lines, where no one else can.

George Washington understood this, which is why, in 1775, as the general of the Continental Army, Washington created the Chaplaincy that is still in existence to this day.

The Chaplaincy ensures that the government is meeting this constitutional duty to provide for the religious needs of our men and women in uniform. It is not optional. It is an essential element of support for our military service members.

Second, the role of a Chaplain is inherently religious.

The panel before us touched on this as well. Of course, the government isn't qualified to decide who can be a Jewish rabbi or a Catholic priest or a Muslim imam. So, all Chaplains are endorsed or certified by their own religious groups, who are best fit to judge those religious qualifications.

These Chaplains then perform two roles. They are both commissioned officers in the United States military, and they are religious leaders. But, at all times, they represent the ecclesiastical bodies that certify them to the military branches as fit to provide pastoral care.

Military Chaplains distinctively serve members of all faiths, not just their own.

There are approximately 3,000 Chaplains across the entire United States military, and they are responsible for supporting almost 1.32 million active-duty personnel, counseling them, providing pastoral support, and leading congregational worship—3,000 Chaplains, 1.32 million active-duty personnel.

If there is a religious need that a Chaplain cannot meet, they work to connect the service member with somebody who can.

When Chaplains perform their duties, they are doing so as pastors, priests, rabbis, imams of their own faith groups.

This means that the Chaplains Council is inherently religious, and it's protected by the First Amendment, which places a structural protection around Chaplains' performance of their religious duties.

Chaplains, along with all service members, are additionally protected by multiple federal statutes, including the Religious Freedom Restoration Act or "RFRA," and conscience protections that the National Defense Authorization Act has that Congress has passed in the NDAA. Collectively, these laws ensure that Chaplains are not forced to abandon the very religious beliefs that animate their service.

These federal protections are not just window dressing. In the mid-1990s, after President Clinton had vetoed the Partial Birth Abortion Ban Act, the Pentagon issued a gag order forbidding military Chaplains from speaking about important moral issues and legislation.

It was RFRA that protected the ability of a Catholic priest, Father Vincent Rigdon, and a Jewish rabbi, Rabbi David Kaye, to speak to their congregations about protecting life. It was RFRA that stood in the gap between military orders and sermon censorship. Chaplains are religious ministers who exist to meet the religious needs of soldiers. Congress has repeatedly reaffirmed the Chaplaincy's religious role, and it's imperative that the religious distinctives of the Chaplaincy be maintained for the future.

Third, Chaplains are an essential part of advising the chain of command. We've heard a lot about this today as well. Chaplains advise commanding officers and JAGs to ensure they're meeting the legal obligations of providing for religious exercise, but they best fulfill this role when they are fully integrated into the decision-making process by the officers that they serve. Ensuring the proper integration and support of Chaplains through all levels of command improves the quality of our military force.

Chaplains are able to help provide advice that both protects the rights of service members, and that ensures we're able to maintain the best and brightest recruits of the highest moral character.

A Chaplain can advise on the sincerity of a Jewish or Sikh member's desire to have a neat and conservative beard, consistent with their religious beliefs. They can help provide modest accommodations for this. They can weigh in and should be weighing in on questions of COVID vaccinations.

And, of course, they help to ensure they can help ensure that the command is not running roughshod over these religious beliefs.

With all of this in mind, I'd like to propose four recommendations that this Commission can consider to maintain the Chaplaincy effectiveness:

1. First, the executive and legislative branches can ensure the role of a Chaplain that it remains fundamentally religious. Chaplains are pastoral, and they should not be diluted to something more general than that.
2. Two, the President can support and Congress can maintain full application of RFRA to protect religion in the military. Proactive support for RFRA's consistent application from the highest levels—the Secretary's office, military brass, down. That will cultivate a culture that is protective of religious liberty first. If we prioritize it, it will change.
3. Congress can work with the Secretary as well to better integrate Chaplains as advisors in the chain of command, and to implement training for commanding officers, JAGs, Chaplains on constitutional and statutory protections for religious freedom. If they know about the protections, they can better enforce them.
4. And, last but not least. Congress can ensure that an adequate number of Chaplains and the necessary commission and contract staffing are maintained. Prioritizing something means funding it and backing it so that the resources that need to be there are there.

Thank you for your time and your commitment to protecting religious liberty for all.

Chairman Lt. Gov. Patrick: Thank you. Amy. Monsignor.

Monsignor Anthony Frontiero, S.T.D., Vicar General and the Moderator of the Curia, Archdiocese for the Military Services, USA

Monsignor Anthony Frontiero: Thank you very much. My name is Monsignor Anthony Frontiero and I serve as the Vicar general and the moderator of the Curia of the Archdiocese for the Military Services, USA.

So, Mr. Chairman and distinguished members of this Commission, ladies and gentlemen, thank you for this opportunity to be with you. I am with the Archdiocese for the Military Services of the United States is headquartered in Washington, D.C., and the Archdiocese provides pastoral and spiritual care to the nearly 1.8 million Catholic men and women and their families serving in the military installations in the United States and overseas to Catholic release staff and patients at Veterans Health Administration facilities, and to staff and other federal services located abroad.

And I'm pleased to speak with you today, particularly about the importance of Catholic sacraments and the military Chaplaincy.

As Vicar-General of the Archdiocese, I offer my testimony as someone who intersects with the realities of constitutional law, pastoral practice, and military readiness on a daily basis.

My testimony will be limited to a few brief but fundamental points.

First, constitutional foundations and military realities. Religious liberty, as has been said here by every speaker, is not a luxury good.

It's a constitutional right with direct implications for morale, cohesion and ethical conduct within the ranks.

The First Amendment protects the free exercise of religion, and the Supreme Court has repeatedly emphasized that this protection does not disappear upon entry into military service. Nevertheless, the military's unique institution, hierarchical, mission driven, and necessarily restrictive in many aspects of personal liberty.

The challenge, therefore, is not whether service members enjoy free exercise rights—because they do—but how those rights are operationalized in the demanding environment of military life.

The more control the military exercises over an individual, the greater the military's responsibility becomes to ensure the free exercise of religion of service members and their families, especially during deployments or assignments abroad.

Catholic service members and their families, currently one of the largest religious groups in the Armed Forces, rely on Chaplains not simply for spiritual encouragement, but for sacramental access. This is an essential distinction for the Catholic tradition. Sacraments such as the Eucharist, confession, anointing of the sick are not symbolic gestures or optional rites. They are indispensable channels of grace instituted by Christ himself. So, denying access to the sacraments denies full

religious practice. The role of Catholic Chaplains. The US military Chaplaincy exists precisely to bridge the gap between constitutional principle and operational need. Chaplains serve the religious needs of their own faith communities, while facilitating the free exercise rights of all personnel in a pluralistic environment.

We know this. Catholic Chaplains bear an additional burden, though, because many sacraments require a priest, they are the sole providers of those rights. In deployed a remote environment, no other personnel, religious or secular, can substitute for sacramental ministry of a Catholic priest, such as the celebration of the Holy Mass, the Sacrament of Penance, confession, the Sacrament of anointing of the sick, and the dying.

This creates a critical dependency when Catholic Chaplains are in short supply or overly restricted in their movements. Catholics service members may effectively lose access to their faith. This is not an abstract concern. In forward-operating bases, ships at sea, submarines, and expeditionary medical units, the absence of a priest can mean weeks or months without mass of the ability to receive absolution before dangerous missions.

The military has long recognized that such deprivation harms morale and undermines the spiritual resilience essential for those serving under extreme stress.

Spiritually, souls are at risk without the sacraments. The stakes cannot be higher.

In recent years, the constraints and pressures, several pressure points have emerged. Personnel shortages. The number of Catholic priests entering the Chaplaincy has declined dramatically, creating coverage gaps across all branches. This shortage strains the ability of Chaplains to provide minimum levels of sacramental access. Operational restrictions, increased security protocols, transportation limitations, and bureaucratic hurdles sometimes impede Chaplains from traveling to remote units or from conducting services in field conditions.

While safety is paramount, the unintended result can be de facto suppression of sacramental practice. Conscious protections Catholic Chaplains must be allowed to minister according to their faith tradition.

This includes adhering to Catholic teachings and counseling, sacramental practice and liturgical conduct, clear and forced conscience protections ensure Chaplains are not coerced into actions that contradict their sacred and ecclesial commitments.

Pluralism and misunderstanding.

Genuine religious pluralism is a strength of our armed forces. We all agree with this.

However, misunderstanding arises when Catholic sacramental needs are viewed as mere preferences rather than doctrinal obligations. The Chaplaincy model must maintain room for faiths with non-interchangeable rites.

Decreased budgeting for religious support.

To Amy's point, the dietary shortage and requirements for priests to serve in operational units also necessitates adequate staffing of installation chapel communities with administrative staff and religious education professionals to support the daily activities of Catholics and priests in their ministry.

It is impossible for priests to fulfill the work of operational unit and equally demanding roles of pastoring the installation chapel community without proper support.

We've recently had a challenge with this with the Army, they're canceling contracts, all over the place. Now, as a result of the intervention of Archbishop Broglio, we've seen some positive movement towards rectifying the situation. And that should be noted.

Mission readiness and human dignity.

The military has long recognized that providing reliable access to religious support is not a distraction from mission readiness. It's mission enhancing soldiers, sailors, airmen, Marines and Coast Guardsmen carry enormous burdens.

They face life and death decisions, separations from family, exposure to moral injury, and the psychological weight of operating in high-risk environments.

For Catholics, the sacraments offer not only spiritual meaning, but profound emotional stability. Confession, for example, helps address guilt and moral injury. The Eucharist strengthens a sense of identity, community, and purpose. Anointing of the Sick provides comfort and hope in medical crises. Pastoral counseling grounded in Catholic moral teaching helps guide difficult ethical decisions.

A military that preserves the sacramental life of its Catholic members is one that respects their dignity, supports their resilience, and reinforces the moral fabric essential to honorable service.

Finally, recommendations,

To ensure the robust religious liberty for our service men and women and their families, I respectfully offer several recommendations:

- Strengthen recruitment and retention of Chaplains, including Catholic Chaplains through improved outreach, career pathways, and collaboration with the Archdiocese of Military Services;
- Reduce unnecessary barriers to Chaplain mobility and deploy to isolated settings, allowing priests to reach personnel who rely on them;
- Ensure rigorous enforcement of conscience protections, preventing Chaplains from being pressured into activities that conflict with their religious obligations;
- Integrate religious liberty impact assessments into operational planning, to identify situations where sacramental access may be impaired,

- And finally, educate commanders and staff on the non-substitutable role of Catholic sacraments to foster informed accommodation at every level, and to encourage adequate support staff to equip the priest to succeed in ministering to service members and their families.
- Finally, the United States military has a proud tradition of defending religious freedom, often in the most difficult of circumstances. Upholding that tradition today requires a clear recognition that Catholic service members cannot fully practice their faith without access to the sacraments, and that Catholic Chaplains are indispensable for providing them for preserving this access honors the Constitution, supports the moral and psychological health of the force, and strengthens the readiness of our armed forces.

Thank you very much for your attention.

Chairman Lt. Gov. Patrick: And just questions, comments, questions, comments. I just had a thought as I'm listening, and we've had a number of witnesses on this issue, because it's important if we're talking about religious liberty, what all of you are talking about, you can't deliver that opportunity to the soldiers if you're not there.

It would be like taking a community in America and removing all the churches and all the synagogues for what we might say are a part of the population, particularly at war, or even just away from their families that are very stressed individuals.

So, in the area of some of the most stressed individuals we have in performing their duties, without a strong Chaplaincy, we have removed the church, we've moved the synagogue, we've removed all these opportunities from them.

That only makes compounds that issue.

And I think this is really important part of the testimony today. So, thank you very much for being with us.

Msgr. Frontiero: Thank you very much.

Ms. Vitale: Thank you.

Chairman Lt. Gov. Patrick: Thank you.

STATE AND LOCAL RELIGIOUS LIBERTY ISSUES

Pastor Dr. Robert Jeffress

Chairman Lt. Gov. Patrick: We're going to move to some Texas issues now of religious liberty since we're here in Texas and many of you know, Pastor Robert Jeffress from First Baptist, I've been there a few times with you. And it's one incredible church. It is, and we're going to stay on the clock. So I'm going to give you the majority of this time here. Dr. Ben may be short on your time, but I want you to have your full testimony on what happened to your church.

Pastor Dr. Robert Jeffress: Well, first of all, thank you, Governor Patrick, for this opportunity. Doctor Carson, thank you. It's good to see you again. And we thank this Commission.

With me today is Doctor Ben Lovvorn, our executive pastor and attorney himself, who helped lead our legal team in the case that we're going to talk about today for just a moment.

And I promise, governor, nine minutes and no more. I've got a timed out, but we want the bulk of the time to be for you to ask any questions.

On June 8th, 2020, our church, the First Baptist Church of Dallas, hosted its annual Celebrate Freedom Patriotic Service to celebrate our nation's Christian heritage.

Every year, at this service, we honor the various branches of the military. And then we invite a guest speaker to talk about our nation's Christian heritage.

In 2017, we held this service at the Kennedy Center in Washington, DC, and President Trump was our guest speaker

For this service, in 2020, President Trump sent his Vice President, Mike Pence, and the cabinet member, Doctor Ben Carson, to represent him.

Although neither Vice President Pence nor President Trump was the official nominee of their party yet that would come later in the Republican convention, we carefully followed the guidelines the IRS had for treating potential candidates who speak in a church.

Neither I nor anyone else during the service officially endorsed Vice President Pence, President Trump, or anyone else. Instead, the Vice President and Doctor Carson shared their faith journeys of how they came to faith in Jesus Christ.

Shortly after the service, the Freedom from Religion Foundation filed a complaint with the Internal Revenue Service against our church for that patriotic service.

It's interesting that we did not hear anything from the IRS for 11 months, and four months after Joe Biden became president.

It was on May 6th, 2021, that the IRS informed our church that they were initiating an inquiry into the tax-exempt status of our church because of our patriotic service.

It's important to note that our church has never had an issue with the Internal Revenue Service.

I have a history of encouraging pastors to follow IRS regulations and not endorse candidates from the pulpit.

In fact, on Sunday, November 1st, three days before the 2020 election, I appeared on Fox and Friends and explained why our church does not endorse candidates but instead urge our members to vote their biblical convictions.

Later that morning of November 1st, during our worship service in our church, I reiterated to our congregation that we do not endorse candidates. We encourage Christians to vote their biblical conviction.

On that very same Sunday, November 1st, while I was speaking in our church, Joe Biden was speaking at another Baptist church in our country, the Sharon Baptist Church in Philadelphia, where he and the church's pastor openly encouraged members to vote for Biden, while both men were standing in front of a campaign banner in the church.

When we pointed out the contrast to the IRS between our non-endorsement policy, and this church's flagrant disregard for the Johnson Amendment, the IRS officials conducting the examination had no response.

As a result of the church tax inquiry, we enlisted several attorneys to help us. One of those attorneys in Washington, DC, was the former head of the tax-exempt division of the Internal Revenue Service. He said this investigation was unprecedented. He had never seen anything like it before. And he said it's the first time, he believes, the IRS ever threatened a church for anything that happened in the worship service of that church.

After we carefully provided all the information the IRS requested, we were notified that the IRS was not satisfied with that information and announced that they were going to pursue a complete church examination that would last more than a year and end up costing our church hundreds of thousands of dollars in legal fees.

After months of discussion and attempts to try to resolve the matter with the IRS, the IRS apparently recognized the constitutional issues inherent in threatening a church's tax exempt status based on concerns about the worship service, so the IRS abruptly expanded its focus to statements I had made in support of President Trump on Fox News, where I serve as a contributor.

Now, our church has always posted my television interviews on our website on a variety of topics, with a clear disclaimer that these interviews are posted for information purposes only for our members, and that my views do not represent the views of the First Baptist Church of Dallas. And we reiterated on the website that our church does not endorse candidates.

Our church's YouTube page contains hundreds of interviews I've done on a variety of topics, including my November 1st appearance on Fox and Friends when I said our church does not endorse candidates.

Ironically, while the IRS actively pursued our church for statements I had made supporting President Trump, the IRS area manager overseeing the church tax examination had regularly posted comments and images on her social media pages supporting Joe Biden and Kamala Harris Throughout the IRS examination. Our church announced our resolve to pursue this matter to it's just conclusion, including going to the United States Supreme Court if necessary.

We believe that our church's steadfast resolve not to waver on this issue and vigorously defend the rights of all churches is what led the IRS to suddenly close the examination.

And a letter dated July 8th, 2022, the IRS acknowledged that the First Baptist Church of Dallas did not engage in any improper political intervention or violate the US tax code.

So then why am I here before you this morning, before this Religious Liberty Commission?

Although our church could afford to spend hundreds of thousands of dollars defending ourselves, most churches could not do that. And no church should have to do that.

The government has absolutely no business determining what is proper and improper speech in the worship service of any church, the IRS and any government agency lack the ability to distinguish between political speech and biblical conviction.

And that's illustrated in the case of my friend, and fellow Texan, Bunny Pounds, the founder of the organization Christians Engaged, which educates and motivates Christians to vote.

In May of 2021, the very same month the IRS announced they were coming after us, the IRS also denied Bunny's organization, Christians Engaged, their application to become a tax exempt nonprofit organization because of their desire to educate voters on what the Bible says about the sanctity of life, the definition of marriage, and US-Israel relations.

In their letter of denial, the IRS identified these beliefs as, quote, "Bible teachings typically affiliated with the Republican Party and candidates." End of quote.

Although the IRS reversed their decision against Christians Engaged after a public outcry, this initial decision by the IRS to equate biblical beliefs with forbidden political speech illustrates how easily the Johnson Amendment could be misused to silence churches directly or cause them to engage in self-censorship to avoid costly litigation.

I want to make it clear I am not arguing against any government regulation about how a church spends tax exempt money or doesn't spend on political campaigns, but what I am saying is the government has absolutely no right to regulate what is said in a church. What I preach from the

pulpit of the First Baptist Church of Dallas, or any pastor preaches from his church, is none of the government's business.

Governor Patrick and Vice Chairman Doctor Carson, I want to thank you. I want to thank our great President, Donald Trump, for appointing you to this Commission to safeguard our most cherished freedom, the freedom that has been called our first freedom. And that is the free exercise of faith. God bless each one of you.

Chairman Lt. Gov. Patrick: Thank you. Pastor. We had a case in Houston where I live from a former mayor, and there was a sermon that this mayor didn't like. And, you know, the story. She actually said they should send the sermons to her office. And my pastor responded, "I'll send them if she'll read them." They didn't send them. Dr. Lovvorn, if you want to add to this and we'll open for some questions on this.

Dr. Benjamin Lovvorn: Thank you, Mr. Chairman, and members of the Commission, just to provide some additional context for our discussion today.

The issue at hand really is what is known as the Johnson Amendment, the Johnson Amendment, when amendment was adopted in 1954 as an amendment to the Internal Revenue Code, specifically section 501(c)(3).

Now, as you know, for almost the first two centuries of our nation's history, it was churches that served as the primary source to which our citizens would turn to learn about politics and the most important issues of the day. It was churches, and it was pastors that served as the driving forces for positive societal change.

But in 1954, then Senator Lyndon B Johnson from Texas was unhappy because two secular nonprofit organizations were opposing his candidacy.

And so he proposed this amendment in three sentences, and it was adopted without hearing or debate.

And since that time, it has been used to silence and threaten and chill free speech and the free exercise of religion.

It was never intended to apply to churches, and yet churches were swept up in this issue simply because we are classified as 501(C)(3) organizations. The Johnson Amendment is unconstitutional on its face, and it's unconstitutional as applied.

And yet it has rarely been challenged because it has rarely been enforced, when it has been enforced, or when the IRS has threatened to enforce it. It has always been inequitably enforced, unfairly enforced, and applied only to those churches that support conservative values and conservative, conservative leaning candidates.

It is currently being challenged in federal court in a lawsuit that was filed by the National Religious Broadcasters Convention. They have actually entered a consent decree in which the IRS acknowledges that the Johnson Amendment should not be enforced against churches.

The IRS, in that consent decree, notes that this is based on our nation's history and the normal practice that churches should be permitted to instruct their congregants in political matters, and that an enforcement of the Johnson Amendment against those churches would, in fact, be a violation of their constitutional rights. That consent decree, though agreed upon by the IRS, is still being challenged by third party in that federal court, and that order is currently under consideration.

Now, even though the Johnson Amendment has rarely been enforced against churches--though it was, they attempted to enforce it against the First Baptist Church of Dallas for something that happened in a worship service--it's not so much the enforcement of the Johnson Amendment that has infringed upon our freedom of speech. It is the threat of enforcement.

For too long, the Johnson Amendment has served as the Sword of Damocles that is hanging over the head of Bible minded pastors, and it's that threat that chills free speech and chills the free exercise of religion.

As our pastor has said, no pastor and no church should have to spend every Sunday concerned about whether what they say may rise the ire of the Internal Revenue Service.

And, in fact, Justice Clarence Thomas recognized this in a concurring opinion in a recent religious liberties case. He actually cited back to a 1987 opinion by the Supreme Court. He said it is a significant burden on a religious organization to require it on pain of substantial liability to predict which of its activities a secular court will consider religious. The line is hardly a bright one, and an organization might understandably be concerned that a judge would not understand its religious tenets and sense of mission. Fear of potential liability might affect the way an organization carried what it understood to be its religious mission.

Chairman Lt. Gov. Patrick: Thank you. Doctor. I want to open up for some questions--Kelly Shackelford, you're up first.

Commissioner Mr. Shackelford: Yeah. I just want to bring out one point that I think some people know, and I want to make sure we all know. We had three cases over the last year, big churches and small churches where they got this kind of inquiry letter, threatening letter. They're going to look through all your records and all this. Every time we sent a letter to the IRS saying you have zero authority in the pulpit of a church in the United States of America, we cite a lot of cases, and we say, "get lost." Every time they drop heir case because they do not want this in front of a federal judge. So, the constitutional issues can't be decided because then their fear approach, you know, would, would, would be lost.

And so, the question is how to--and this is I think the real question for us is --how to do something that will be permanent, that will stop this.

Obviously, you've got the lawsuit that's in front of Judge Barker that you mentioned with the NRB. Of course.

Will that just apply to those parties before it? Right?

So we've really got to be creative in our thinking and do something to take care of this because it's just blatantly unconstitutional, but we can never get in court.

And that's the problem with the churches. So, we can't get a precedent that then will protect all the churches and religious organizations. So anyway, I don't know if y'all thought about that, but that's the problem we have.

Pastor Dr. Jeffress: And by the way, I have to note, Governor Patrick, that Kelly, 30 years ago defended my daughter, who's on the front row, when she was eight years old, her right to share water bottles that had a Bible verse on them in school.

So, we're always grateful to you, Kelly, for that.

You know, this is going to have to have a legislative fix of some kind to it, whether it's complete abolition or rewriting or carve outs.

But, here's the challenge that you all are going to face as a Commission.

Polls overwhelmingly show that pastors do not want to endorse candidates, and congregations don't want their pastors endorsing candidates. That's very clear.

But that's not the issue here. The issue is not whether they should, but whether they can. And if you ask in the same poll people, do you believe the government ought to be able to regulate what is said in any church? The overwhelming number of people will say no. So it's how you frame it that's going to be important. But we do think legislative fix is important. You know, I talked to President Trump like you do. And he says, you know, we've got this thing taken care of as long as I'm in office. But there'll come a day when there'll be another person in office and it can be weaponized again.

Dr. Lovvorn: And in that regard, we have three specific recommendations, if you will.

1. First, of course, we would support a repeal of the Johnson Amendment, but if not, repeal an amendment of the Johnson Amendment. This is not unprecedented. For example, an application of the substantial amount test which is applied in lobbying cases would be appropriate consideration of funds that are directly attributable to political speech being nondeductible to those donors would even be more appropriate than a complete blanket prohibition against political speech that cost you not a portion of your funds, but your entire tax exempt status. If you violate it in any sense, or at least a narrowly tailored and specific application of the Johnson Amendment, so that it is not so broad and vague that the IRS itself serves as judge, jury, and executioner and how to interpret and apply it.

2. Secondly, challenge it in the courts. We mentioned that pending consent decree, but churches are harmed today because they're not able to exercise their free speech.
3. And finally, to advance legislation like the Fair Speech Fairness Act, which is currently pending before the House and the Senate for their consideration.

Chairman Lt. Gov. Patrick: I'm going to go down to Doctor Phil and I'll come back to you, Bishop Barron. Doctor Phil.

Commissioner Dr. Phil McGraw: You know, part of this is, you know, we've talked about that the secular is not neutral.

And the strategy here is management by intimidation. The whole approach is you may beat the rap, but you're not going to beat the ride. You in the end, they drop it before it goes to court.

So their weakness is not shown, but they're going to make it so painful that church that's not as blessed as the First Baptist Church of Dallas is going to say we, you know, we can't do this.

So they're intimidated and step back from it. And that's why your recommendations about the amendment are so critical. Where and, you know, there can be some kind of element where if it gets to that point where they drop it, they've got a 10x your fees back, attorney fees back in some way, where they start having a little trouble making their numbers.

There's got to be some way where they have a hard time making the ride also. But it's just management by intimidation. They just think you're not going to get a conviction here. You're not going to get their status pulled. But we can sure make it painful. They know it when they start. They know they're not getting there.

Right, Kelly? They know they can't sustain this.

Dr. Lovvorn: Well, we felt strongly that they viewed the First Baptist Church of Dallas as an example case. And we knew that if they prevailed against us, churches across the nation would be intimidated and scared to speak out. And so, we felt that the Lord had called us to stand in the gap to defend those churches against that type of intimidation.

Chairman Lt. Gov. Patrick: Bishop Barron.

Commissioner Bishop Baron: Yeah, thanks very much for the presentations, and, you know, the Catholic policy is very much in line with what the pastor mentioned, that we don't advocate candidates from the pulpit. I mean, so that's very clear.

But I do worry a lot--a lot of us do--about the kind of creeping influence of the Johnson Amendment.

And I go back--if we're going to add to the philosophical section of our recommendations--it was Tocqueville who famously said, democracy cannot function without a moral religious foundation. And it comes, he said, from fiery pulpits, you know, that he witnessed when he came to America.

And to Reverend Graham's point, you know, about our pulpits being silenced. So that's our problem.

But also, we can't let the government silence our pulpits because that's how the people are formed.

And then to the general point, too, about the non-neutrality of secularism, there's a moral ideology attached to that, and it's being very aggressively foisted upon our people.

And if we're silenced in our own pulpits and we can't articulate a moral vision, we're in some serious trouble.

So, I think it'd be good to talk about Tocqueville, maybe a bit the philosophical section, but to see this as a real case in point.

Chairman Lt. Gov. Patrick: Thank you. Bishop. Doctor Carson.

Vice-Chair Dr. Carson: Thank you all very much for your courage in doing this. You know, I'm reminded of the Congressional Record, January 10th, 1963: The 45 Goals of Communism in America. I think we may have found out who "they" are. That 27th one is "infiltrate the churches and replace real religion with social religion." And that seems to be what's going on.

Pastors putting their finger in the air and saying which way the wind is blowing, and trying to tailor the sermons to that rather than preaching the Gospel of God.

How can we get more pastors?

Pastor Jeffress, you're very courageous man. How can we get more of them to have courage?

"God has not given us a spirit of fear, but of power and of love and of a sound mind."

Pastor Dr. Jeffress: I wish it's something we could legislate, but we can't. And you know that as well.

I just think it has to begin inside that people realize if they've been called to preach, they've been called to God, and they've been called to preach not what's popular but what is true.

And that has to be the beginning point for everyone.

Chairman Lt. Gov. Patrick: Ryan.

Commission Dr. Anderson: So I wanted to float an idea to see what Kelly and Allyson think about this, but, you know, put it on the table for something we could deliberate about in our formal recommendations, because it strikes me that we're never going to get 60 votes in the Senate to get rid of the Johnson Amendment, or to modify or to amend the amendment right.

So as long as the legislative filibuster is in existence, nothing is changing.

But what about going through the formal rulemaking process when we have a favorable administration, like right now, and the IRS was to explicitly go through the notice and comment

period, put out a regulation saying the Johnson Amendment does not apply to churches or synagogues or any house of worship precisely because of First Amendment protections. Right. They cite that as the reason that they're making this formal rule. Then when you get a hostile presidential administration, they would have to go through the formal rulemaking process to rescind that rule.

If they get it through, it strikes me you can then sue them that they've just issued a regulation that violates the First Amendment, and that could be how we could actually get a fix to this, not just for, you know, this four year administration, but for future administrations as well, without having to go through the legislative process.

So anyway, I just wanted to--something we should mull over, because I'm not a lawyer, but I know something about the administrative state. And, you know, it's worth kicking the tires on.

Chairman Lt. Gov. Patrick: Any other questions? So I'm going to hesitate to ask this question. But it is a committee and we're here to ask questions. Have all of the times that the IRS has come in? I think you said it's been towards churches that seem to support conservative issues and Republicans. Is that the history?

Dr. Lovvorn: Well, of course, we don't know every investigation they've undertaken. What we do know is those churches who have pushed back against the Johnson Amendment have always been those conservative minded churches. We also know that Joe Biden, Barack Obama, Hillary Clinton all made campaign stops at churches on a regular basis. And there's certainly no record of those churches ever being investigated.

Chairman Lt. Gov. Patrick: So, here's where I want to be careful. So, if a Republican in the White House were to instruct the IRS, or the IRS on their own would go and do the same thing, to one of those churches where President Biden or whomever it was, was speaking and put them through the wringer like they put you through the wringer.

Do you think that would bring a little bit more of attention to maybe where you get 60 votes because they're being threatened, and we don't want to see any church threatened? You should every pastor, every priest, everyone should be able to say what they want in the church. As people gave you a standing ovation, but one side is getting away with it and the other side's being punished.

It seems to me that it'd be interesting to see how the other side would react if suddenly, when a Democrat presidential nominee showed up, if they heard from the IRS like you did and you didn't even do anything wrong.

Pastor Dr. Jeffress: I think it would certainly make news.

But I agree with what you said. We don't want to see that happen. We don't want the IRS coming into any church. But this is not being uniformly enforced.

I mean, let's all be honest here.

Ethnic churches, minority churches have candidates all the time, and nobody says a word about it because they don't want to be called racist.

But the fact is, I mean, can you imagine what if the IRS had gone after Martin Luther King Jr for mixing politics with civil rights? Well, he should mix them. He was preaching out of his heart what he believed was the truth.

We don't want to see them coming into anybody's church. And I would just stay with that.

Chairman Lt. Gov. Patrick: Yeah, well, I totally agree. And that's why I was a little hesitant in asking the question. But I did want to point out it's not an even playing field.

Pastor Dr. Jeffress: No it's not.

Chairman Lt. Gov. Patrick: And so it's being enforced in an uneven playing field. And only one side is being pursued. And things might change otherwise. So again, thank you. I had to ask the question. Any other questions. Thank you. Always great to see you. And the fiery pulpits that Tocqueville talked about. Thank you for bringing one here today. We appreciate it. All right.

Pastor Dr. Jeffress: Thank you so much. Thank you. Thank you. Thank you.

: Yeah. We are. This is our last panel of the day.

Chaplain Dr. Andrew Fox, Former Chaplain, Austin Fire Department

Chairman Lt. Gov. Patrick: As we bring our two last witnesses forward. And we have Doctor Andrew Fox, and we have Phyllis Morris. So thank you for joining us today. And I like to do ladies first. So if it's okay with you do you want to go first or you okay. They want you to conclude. So you'll be the final voice of this day of great witnesses. Doctor Fox.

Chaplain Dr. Andrew Fox: Thank you.

Well, thank you to this Commission and President Trump for the honor of speaking with you today. I'm profoundly grateful for this administration's commitment to protecting religious freedom, not as a partisan priority, but as a foundational duty for anyone entrusted with a measure of power. It is my conviction that government should be freedom's best friend and not its worst enemy.

Now, you can probably tell by my accent that I was not born in Texas. I was not born here, but I was adopted and raised in England. It makes July the 4th a very interesting day for me concerning tea taxes, monarchy, and just about everything else.

Now, 26 years ago, my wife and I packed up our young family and we came to the United States.

I arrived on a religious worker's visa, eager to live in a nation where religious freedom is written into the Bill of Rights, into its very first few lines. In other words, right into the heart of the Constitution.

I've come to know, and I'm proud to say, that the United States has the most enduring Constitution in the world. It's what makes America great, and it's the best refuge for people who want to live and work here, consistent with their deepest beliefs.

Now, this promise drew us here with a strong sense of God's calling. And that's why, along with my family, we are now proud citizens of the United States of America. And they are watching live on this feed, this moment.

I've always had a fire in my bones, so to say, from the Book of Jeremiah, for serving others, especially the least of my brethren, as Jesus would say.

I've learned that from my own father and his peers. Now, as a teenager in England, I volunteered at my local church and learned many more things and was in trouble for chasing girls and a number of other things that included stealing from the offering. As a teenager, I got reprimanded, disciplined. But that was all for my good.

I married my wife eventually, and I've been married to her for 33 years and began planting churches in the south of England and settled in the county of Devon. That's right near Cornwall. Pastoring a church in 1999.

That fire in my bones carried my family and myself across the Atlantic Ocean. I pastored a church in Washington state for ten years, where I became very good friends with the chief of police in the city of Kennewick. He asked if I'd consider serving as the department's volunteer chaplain.

I responded positively, and that not only reshaped me, but it changed the trajectory of my life.

I walked with officers through scenes of gang violence, suicide, shooting, death in all of its gruesome ways, and especially fires. I saw moments where the fragility of human life was laid bare behind the iron steel of first responders.

My calling was to be the hands and feet of Christ to everyone I met within the department and outside in that priestly role.

And then in 2013, my family and I moved to the great state of Texas.

And in many ways, I wish I'd have moved straight here and avoided the other two states that I lived in. But that's a story for another day. I mentioned one state, I won't mention the other, but I'm looking for a lobotomist to remove it from my head.

I met the then-chief of the Austin Fire Department, and she told me that they'd been without a chaplaincy program for 15 years. Now, she had no observable or discernable faith, but she valued what chaplaincy could bring to the uniformed personnel under her command.

I had the privilege of building Austin's first chaplaincy program at the Fire Department from the ground up, that served 1,400 uniformed, civilian and uniformed and civilian members and their families for about eight years.

You know, and I know, that firefighters run towards danger.

But when the smoke clears, what you're left with is human beings who carry the weight of trauma and loss that they've seen in others.

They need prayer.

We've heard that from chaplains today--counsel, support, and sometimes someone just to have a drink with them and listen and they will talk about anything except the very thing that they need to talk about.

The value of this is priceless, and it takes a lot of effort to become part of that, usually with a firefighter trying to wrestle with trauma and loss.

There are extramarital affairs, violence and substance abuse, and all of that has to go to the grave with you. You cannot disclose that to anyone else.

That was my privilege to walk alongside some of the most courageous men and women I've ever met. And I miss them, I do, I miss them.

I remember Austin's devastating ice storm years ago. Two battalion chiefs got on the phone and called me from Georgetown, where I live.

When I arrived, I found that there was a family just trying to stay warm, a poor family that had perished. As firefighters were pulling the bodies out of the house, it was my job to cover them on the sidewalk and stand with them with your back to the media, so no one can misinterpret your face, and prayerfully stand there. And there is mystery in that. The presence of the unseen Christ with us. Firefighters are able to carry out their duties when those human capacities are dealt with.

I went back to the fire station with many of the firefighters, and during that night, some would want prayer, they'd want to talk, or they'd simply want help before the end of the shift, before they go home to their wife, their husband, and to their children. I was able to serve those first responders because I'd spent time building trust with them.

And those in the military and paramilitary groups, now, the more polite people are to you, the less you are accepted, the more insults and sarcasm that is thrown at you, the more welcome you are.

You can imagine again July the 4th being a wonderful day for me amongst firefighters.

I was able to serve these good men and women, and I served every firefighter, every family, every person in need. I knew those that identified as LBGTQ and all the other letters as well, but the same compassion that I had for everyone was shared with everyone.

When someone is grieving, when someone is afraid, you never, ever ask, how do you identify? You simply ask, how can I help you? You serve those who serve themselves selflessly, selflessly.

But exactly four years ago yesterday, the ministry that I loved and founded from the ground up and was considered my contribution to the country that accepted me came to an abrupt end when the City of Austin fired me.

And this is why I miss my brothers and sisters in uniform and the civilian personnel.

They fired me simply because of my Christian faith.

You see, on my own time, I shared on my own personal blog the history of women's athletics and the importance of protecting women's sports.

In short, I argued that a biological man transitioning to become a woman competing against women was yet another onslaught against the beauty of what God created in a woman.

I express myself and my beliefs rooted in Scripture, that God created men and women in his image equal, distinct, and beautiful.

But Austin officials. But Austin officials disagreed with me. They found my words in a private blog that had nothing to do with the Fire Department an offense, and so they demanded that I write a letter of apology open for the city to read.

I could not believe this was the America that it had become. It wasn't the America that I'd moved to. I told them that my intent was to foster respectful dialog, not hurt anyone, and if someone felt offended, I was truly sorry. I could not renounce God's truth precisely because the Gospel is for everyone, every person made in the image and likeness of God with inherent dignity and worth, and needs to know about Christ, mostly by actions, and sometimes with words.

I am clear what Scripture teaches me to love God and love my neighbor as myself. And as Jesus said, "upon these two things depend all the law and the prophets," the whole canon of Scripture.

Now I got terminated anyway. Regardless.

Now I'm a big fan of C.S. Lewis. I've been to his house, sat at his desk where he wrote The Chronicles of Narnia, been to his college, his grave, and so much more. I've got everything he ever wrote and some very rare recordings on tape.

One thing that he shared highlights my own convictions. "Courage is not simply one of the virtues, but the form of every virtue at its testing point." My testing point came when it became very clear that to keep the ministry that I felt God was leading me into, the very reason I moved to the United States--not to get a job, I had one--but to serve the country that accepted me. The only way I could keep that was to renounce my faith and apologize for biblical convictions about gender.

I couldn't do that. I won't do that, and I will never do that.

For eight years, I'd served in the Fire Department with compassion and equal treatment, with no exceptions.

I knew I had to be faithful to God and not to Caesar. So, with the help of the Alliance Defending Freedom, I sued the city of Austin for violating the First Amendment.

It was not an easy decision, but one I stick to. I knew, I knew I had no choice.

You see, my children are watching this broadcast. I want them to know, and my three beautiful grandchildren to know, what it is to inherit an America that was, that is moved off base, and needs to come back to the central base.

To be American is to be courageous, curious, civil, and most of all free in what you have to say.

However, if government can punish clergy for posting something on a personal blog about Scripture and the importance of preserving women's sports, then all American rights are in jeopardy.

After all, religious liberty ensures that no political regime can ever have ownership of the human soul. Only God has that.

Today, my prayer is that my story will infuse courage to us all, that we remain a nation where people can disagree passionately and live peaceably with pastors, clergy, where they can preach, citizens can speak in the government remains in its rightful place as freedom's greatest protector.

Again, I did not move to the United States for a job; I had one in England. I moved here out of a sense of calling.

And it seems to me over these 26 years, the Christian voice has been pushed back into the wilderness. However, it is from the wilderness that there is a strong voice, "Prepare ye the way of the Lord."

God bless you at this Christmas time abundantly. Thank you.

Chairman Lt. Gov. Patrick: To all your grandkids out there. Be proud of pop-pop. What do they call you?

Chap. Dr. Fox: Many things I can't mention publicly, but it's usually Grandpa-saurus just like any other grandpa, but better.

: Well, you've made them proud. Thank you.

Mrs. Phyllis Morris, Sweetwater, Texas

Chairman Lt. Gov. Patrick: Phyllis, you will be our last witness today. And the microphone is yours.

Mrs. Phyllis Morris: Okay. Thank you for the honor of just a normal citizen being able to come and tell a little Christmas story.

Nativity scenes have always been very meaningful to me. I was reared in Dallas, which always had great Christmas displays. The most memorable one was a live presentation with the Holy Family along with shepherds, wise men, the lamb, sheep, oxen, and even camels, which I'd only seen before in a zoo.

And so my mother loved Christmas, and she also initiated a manger scene for many years in her neighborhood. Perhaps due to my father's advice.

Also, my love for the nativity presentation was inspired by a visit to the Holy Land in 1971. In the town of Bethlehem, there were workers who worked on carving various objects from olive wood. One of the most popular items was the nativity set that was produced. Assembly line style, with the most proficient carvers advancing to the face carving. My husband and I purchased a large set that was central in our home for many years, and we also later purchased several versions for our daughters.

Over the years, Sweetwater, Texas has provided many types of Christmas activities, including Santa Claus decorations, various booths, and parades.

A number of years ago, the parade theme pertained to the Christmas story. My church had a float commemorating the birth of Christ, which was a standard depiction of Mary and Joseph, Baby Jesus, etc. but none of the other entries had any religious significance at all. The focal point was Christ's birthday, so why was not the emphasis there? I began to wish our town would include a nativity scene along with other secular Christmas displays.

A few years later, I became part of the Sweetwater Women's Forum. During a general meeting, the Civic Improvement and Beautification Committee asked for suggestions for funding, so we decided to start Christmas projects. I made a motion to purchase an outdoor nativity set.

The vote to do that was unanimously approved, but the committee's approval was just the first step.

Next, I had to contact the county judge to see if we could place it at the courthouse.

I knew the judge might be apprehensive and might oppose the proposal, so I wanted to be thoroughly prepared, knowing our First Amendment rights.

So, I researched some documents, and I learned that in 2020, in the case of *Woodring vs. Jackson County, Indiana*, the Seventh Circuit of Appeals held that a nativity scene on government property

did not violate the Establishment Clause of the First Amendment. The court reasoned that the display fit with a long national tradition of using the nativity scene in a broader holiday displays to celebrate the origin of Christmas, a public holiday and this holding, the court departed from the long standing doctrine that evaluated holiday display cases using the Lemon Test, which required any holiday display to have a secular purpose. In compliance with the First Amendment, Jackson County was able to continue the display of a creche model representing the scene of Christ's birth in a public place.

My conclusion was that the Sweetwater Nativity was not only permissible, but it was, was, and is protected.

After doing this research, I met with the judge in our meeting, and I shared what I had learned about the First Amendment's protections.

After hearing about the current cases, the county judge was somewhat satisfied but said that it also would have to get permission from the county commissioners.

At that point, I became apprehensive myself because I know how things go.

I requested that the forum receive written approval prior to continuing the project, and we did receive that.

Yet almost immediately after the scene was set up, a letter to the editor of the local newspaper, The Sweetwater Reporter, was published, decrying the exhibit and requesting that the religious display be removed from the Nolan County Courthouse. The letter claimed that religious expression, like the Nativity, violated the separation of church and state, allegedly according required by the Constitution.

However, because of my research, I knew better, so I quickly drafted and hand-delivered a response to the editor. I hope the letter would answer questions raised by the malcontent and others.

But after the public meeting was announced, many groups and churches in the area developed an interest in the situation. After county commissioners decided to call a public open meeting.

So, there was a large public outcry when the day of the public meeting came, the room was overflowing out of the hearing room, into the halls and clear to the entrance. Representatives from Abilene, Texas. News and television stations from neighboring counties came to report and televise information about the situation.

Many people spoke during the public meeting, and the vast majority were in favor of keeping the display.

In the end, the commissioners did not remove the Women's Forum nativity set. They simply clarified that if other citizens wanted to display religious representations or secular ones, they could do so with the same permission. But the story was not over yet.

As an aftermath. What a surprise.

On Christmas Eve, the Sweetwater reporter had a large front-page headline and article reading Citizens of Sweetwater Recognized with Religious Freedom Award. We were honored to receive Becket's Tiny Tim toast for inspiring hope and perseverance in the face of adversity during the Christmas and Hanukkah season.

And I'm grateful to say that the Women's Forum Nativity is now a permanent part of our annual Christmas display and is out in the courtyard outside of our courthouse, even as we speak.

In addition to commemorating the Christmas season, the Women's Forum desires that will continue to be a staple in our hometown celebration to give joy to many lives in this major victory for religious freedom. While we talked a lot today about law and policy, I would like to close by remembering the person I believe is the reason for it all, with this poem by Doctor James Allen Francis, it begins.

He was born in an obscure village, the child of a peasant woman.

He grew up in another obscure village, where he worked in a carpenter shop until he was 30.

For three years he was an itinerant preacher.

He never had a family or owned a home. He never set foot inside a big city.

He never traveled 200 miles from the place he was born.

He never wrote a book or held an office.

He did none of these things that usually accompany greatness.

But while still a young man, the tide of popular opinion turned against him.

His friends deserted him.

He was turned over to his enemies and went through the mockery of a trial.

He was nailed to a cross between two thieves.

While he was dying, his executioners gambled for the only piece of property.

He had his coat.

After he died, he was taken down and laid in a borrowed grave.

Twenty centuries have come and gone, and today he is the central figure for much of the human race.

All the armies that have ever marched, all the navies that have ever sailed, and the parliaments that ever sat, and the kings that ever reigned put together, have not affected the life of man on earth as powerfully as this one solitary life.

Thank you. Is there any questions?

Chairman Lt. Gov. Patrick: Questions? Comments? Carrie.

Commissioner Mrs. Boller: Well, I need a tissue now. You are such a beautiful example to us. You're just a normal woman. I don't know you well, but I can tell you're a good woman. And I want to thank you because you did exactly what we should all be doing. We need to go on offense as Christians, and we need to thank God for the lemon test for liberty and won that case. That said, lemon is is dead. It's bad law. So now nativity scenes need to be going up. Now. They need to be going up everywhere. And we as Christians have to really rise to the occasion and stop playing nice. We're so nice and it's a good quality and I'm grateful for that quality. But you are just such a beautiful example to all of us and such. I love that we ended with this story because it's a success story of just an everyday, average woman who decided to stand and look at what has happened because of you. So you have really encouraged me to go back to my crazy town in California. I didn't think things like this happened in Texas, but they happen everywhere. So I'm so sorry what happened to you? That should never happen to anyone. And thank you. As someone who has a daughter in in girls sports, thank you for standing up for women and for my daughter. Thank you so much.

Chairman Lt. Gov. Patrick: Kelly.

Commissioner Mr. Shackelford: Yeah, I think it's great that you found the *Jackson County* case as you had a case in your favor. And I think that was before we won the Coach Kennedy case and overturned the lemon test. So it was it was even legally allowed then. But now it should be obvious because of what happened at the Supreme Court and the Coach Kennedy case. And so the problem is people don't know. And so but what's going to be great is when your county puts up display, the next county is going to go, we can do that. And we have lost so much as a country to not have more as up for Hanukkah, to not have our religious heritage is so important to our country. And to push all that into the closet is just the secularization of our landscape is why we've suffered so much. And if we can bring those values, those truths back, I just really appreciate you are the example for what we're hoping is going to happen this Christmas season all across the country.

Mrs. Morris: Thank you.

Chairman Lt. Gov. Patrick: Thank you, Kelly, for the people watching. Just give a brief explanation of the Lemon test because a lot of people say, well, what was that Lemon?

Commissioner Mr. Shackelford: It's a test 50 something years ago that, I won't go through all the steps of the test, but it was based on the this concept of the wall of separation led to all kinds of hostility to religion. For 50 years, over 7000 citations to that opinion through the years. And in the Coach Kennedy case, they said *Lemon* is bad law. And they threw it out and they said the test from now on under the establishment clause is it consistent with our nation's tradition and history? And if it is, it's presumptively constitutional. And so, a lot of things that we've had since the beginning of this country that were taken out, maybe in the 1960s or 70s from these bad cases

following lemon, that's not the law anymore. And so it's up to citizens to bring faith back in their community. They have the freedom now to do it. They just have to be willing to stand up like Phyllis did. Thank you.

Chairman Lt. Gov. Patrick: Rabbi.

Commissioner Rabbi Soloveichik: Thank you, chairman, and thank our witnesses. And just to build on what Kelly just said, it seems that one of the opportunities that we have as commissioners and one of our obligations as commissioners is, is to serve as educators as to the demands of religion, because throughout the day, we have heard of about how so many do not really understand what the demands of faith actually are.

And so often those in a bureaucratic role treat those demands as guidelines rather than rules. And as well as educators as to what the true relationship between American history and the fostering of faith has always been about.

As the bishop referenced in the past during Doctor Fox's moving testimony, referenced C.S. Lewis, big fan of C.S. Lewis as well. Not to be competitive at all, Doctor Fox, but I went I went to pay pilgrimage to the Eagle and Child, the pub where Lewis would read all of his writings to Tolkien, you know, and of course, you know, if I had to also support that institution by having a beer there, that was a sacrifice I was willing to make. But as you spoke, I thought of Lewis's great work, *The Abolition of Man*, where among many, many other noteworthy quotes, he said that "The task of the modern educator is not to cut down jungles, but to irrigate deserts. The right defense against false sentiments is to inculcate just sentiments." And it seems that having this commission, as we're prepared to mark the 250th anniversary of this country, provides us with the opportunity to rediscover American history itself. So thank you both very, very much.

Chairman Lt. Gov. Patrick: Carrie, to your point, and I think it was either Reverend Graham or Doctor Phil in one of our earlier hearings about we need more combatants. I believe one of you said that to your to your point and in the book of Jude, right before revelations, I still love this phrase. Jude said, we have to contend earnestly. I think I said it at that time, that hearing in today's parlance, it would be we have to fight for what we believe in. But from the very beginning, Jude said, we have to contend earnestly to protect the church. From what you talked about in the articles from the communists, it's all comes back together.

So, this concludes the hearing. I want to thank again, Harlan, thank you for hosting us. Thank you so much. I hope we met the expectations that you had. Thank you. And I want to thank Lauren of your staff and your entire staff for letting us come in. I want to thank Mary Margaret Bush, who heads up our committee for us. From the White House we have Brittany Baldwin. Mary's parents are here, came in from Chicago. We need for you to move to Texas. That's what we need.

And I want to thank all the witnesses. I want to thank all the Commissioners because you came from all over the country. We had to reschedule this because of the government shutdown.

So, you had to all change your schedules. And so it's been wonderful.

And, Phyllis, you said you were just an average citizen. You're not an average citizen. If all of all of our citizens were as average of you, we wouldn't be here to have this hearing. So from all of us, merry Christmas.

Thank you for being here. God bless you all and we will see you in the New Year. All right. Thank you all.