

Congress of the United States
House of Representatives
Washington, DC 20515-1604

February 7, 2012

The Honorable Leon Panetta
Secretary of Defense
1000 Defense Pentagon
Room 3E880
Washington, DC 20301-1000

Dear Secretary Panetta,

The U.S. Department of Defense's recent attempt to dictate what content can be preached from the pulpit of our military chapels violates the free exercise of religion protected in the U.S. Constitution. I write to ask that you immediately clarify to the entire military community that the Obama Administration should not, and will not again, try to shape the doctrinal messages preached in military religious services.

As you know, the Catholic Church and other religious denominations are openly resisting the new Obamacare regulation that forces all employers to provide health insurance coverage for sterilization, drugs that cause abortions, and birth control—including religious institutions that oppose those practices. These rules would force millions of Americans to violate their moral convictions and church teachings. In response to this outrageous policy, archbishops from around the country asked their priests to read a letter to parishioners at mass explaining the situation and asking them to oppose this unjust law through prayer and fasting, as well as by contacting their Members of Congress.

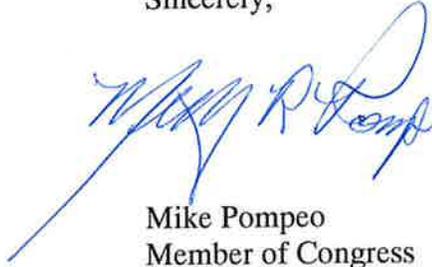
Archbishop Timothy Broglio, the Archbishop of the Military Services, USA, prepared such a letter to be read aloud at masses across the military. It has been reported that the Secretary of the Army ordered Catholic military chaplains not to read this letter and that the Army Chief of Chaplains complied with this directive. I understand that the other military chaplain corps received the same order but refused to comply on grounds of religious freedom. That order clearly violated the First Amendment.

Historical and legal precedent on this question is clear and consistent as shown by the 1997 case, *Rigdon v. Perry*. In that case, the court held that the U.S. government could not prevent a military priest from distributing anti-abortion postcards. Likewise, the government may not prevent a military priest from delivering an anti-abortion sermon or counseling against compliance with an abortion law that violates conscience. For the U.S. government to attempt to influence what is preached in any pulpit, including military pulpits, would curtail free exercise of religion and is plainly unconstitutional.

Mr. Secretary, I ask that the Department of Defense issue an unequivocal statement that government interference with core religious speech is unconstitutional and unacceptable. In addition, please reaffirm to all military chaplains that they have the Constitutional right to speak freely from the pulpit to their parishioners on all religious matters.

I look forward to your prompt action and reply.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike R. Pompeo", is written over the typed name. The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Mike Pompeo
Member of Congress