

FREEDOM FROM RELIGION *foundation*

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July 16, 2019

Robert L. Wilkie
Secretary of Veterans Affairs
U.S. Department of Veterans Affairs
810 Vermont Ave. NW
Washington, DC 20420

Re: Unnecessary new VA religious displays policy encourages religious promotion

Dear Secretary Wilkie:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to object to the U.S. Department of Veterans Affairs' recent adoption of a new policy on religious displays at all VA facilities. FFRF is a national nonprofit organization with the purposes to protect the constitutional separation of church and state and to educate the public on matters relating to nontheism. We are writing on behalf of the 24% of our more than 31,000 members who are in the military or are veterans.

Under your direction, the VA recently announced a change to VA Directive 0022: Religious Symbols in VA Facilities. A July 3 VA news release suggests that the policy changes are meant to "protect religious liberty."¹ But as a government agency releasing guidelines on government speech at government-run facilities, it's nonsensical to invoke the idea of "religious liberty," as if the VA itself has a religion in need of protection. Instead of protecting religious freedom, the new guidelines will embolden misguided government employees to promote religion with government-endorsed displays on VA property, a problem that is already regularly reported to FFRF by nonreligious veterans.

The VA's actions undermine our Constitution, which intentionally establishes a *secular* government in order to preserve religious freedom, a right *enjoyed by individuals*. Were the VA truly concerned about protecting the religious freedom of veterans, it could simply do what the Constitution prescribes and keep its facilities free from government-endorsed religion. Instead, the guidelines state explicitly that the VA "particularly encourages the placement of diverse religious symbols together in passive displays in public areas." With the recent history of VA facilities promoting Christianity to the exclusion of all other religions and nonreligion, this policy change will almost certainly be interpreted as a green light to place more Christian symbols front and center.

¹ *VA overhauls religious and spiritual symbol policies to protect religious liberty* (July 3, 2019), www.blogs.va.gov/VAntage/62668/va-overhauls-religious-spiritual-symbol-policies-protect-religious-liberty/.

Troublingly, the VA's news release cites a 2014 opinion piece by Todd Starnes as evidence that the VA's previous policies caused "unfortunate incidents that interrupted certain displays." But Starnes is no journalist and his piece is not about religious displays at all. It's about four incidents involving Christmas gift donations being rejected at different VA facilities, issues that were corrected. The VA also cited one legitimate news report from 2015, where the Salem VA briefly considered not placing a Christmas tree in its facility before ultimately allowing one.

Obviously none of these isolated, resolved incidents from over three-and-a-half years ago prompted this recent change in VA policy. The VA's inability to come up with recent examples of incidents involving religious expression at all—and its failure to cite more than one example involving a display in the past four years—is telling. The new policy *does* come after a lawsuit was filed in May against the Manchester VA Medical Center for adding a Christian bible to its POW/MIA table display.² The bible, of course, was not part of the original display and no one took issue with the POW/MIA table when it was a secular display. Now, however, with the addition of one religion's holy book, the display has become an unfortunate symbol that the VA honors the sacrifice of Christian service members above all others. And that message is what the VA's new policy will encourage at other facilities.

If the VA truly cares about the religious freedom of its veterans, it will rescind its new directive and instead instruct its facilities to post displays that honor *all* of our veterans, regardless of their religious or nonreligious beliefs. Protecting religious liberty means preserving each individual's right of conscience. It does not mean catering to a loud minority of Christians who insist on seeing their personal religious articles displayed by the government.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Grover". The signature is fluid and cursive, with a large initial "S" and "G".

Sam Grover
Associate Counsel

² See Kent Miller, *Lawsuit filed over Bible display at New Hampshire VA hospital; uproar ensues*, AirForceTimes (May 7, 2019), <https://bit.ly/2JB9LTv>.