FREEDOM FROM RELIGION foundation

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May 15, 2025

The Honorable Pete Hegseth Secretary of Defense U.S. Department of Defense 1000 Defense Pentagon Washington, D.C. 20301

Re: "Secretary's Prayer Meeting"

Dear Secretary Hegseth:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding concerns that you are planning to hold an official monthly "Secretary's Prayer Meeting" at the Pentagon. FFRF is a national nonprofit organization with more than 41,000 members across the country, including many active-duty personnel and veterans. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

Christian nationalist pastor Brooks Potteiger recently revealed on a podcast¹ that he's been invited to the Pentagon to preach at the inaugural "Secretary's Prayer Meeting." It is our understanding that this event will include Christian preaching and proselytizing from Mr. Potteiger as well as a recitation of the Lord's Prayer.

While you are free to participate in religious events and promote your personal religious beliefs in your capacity as a citizen, you cannot use government resources or the Department of Defense to advance your personal religious beliefs.

The Supreme Court has held that public officials may not seek to advance or promote religion, specifically stating, "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception, they do not now occur to us." W. Va. Bd. of Educ. v. Barnette, 319 U.S. 624, 642 (1943). Hosting a "Secretary's Prayer Meeting" in your official capacity as Secretary of Defense, and using Department resources to organize and promote the event goes beyond these bounds.

Citizens and military personnel have a constitutional right to be free from government coercion to observe religious practices. As the Supreme Court has put it, "the First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion." *McCreary Cty. v. ACLU*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985);

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¹ https://x.com/RightWingWatch/status/1922344671730184704.

Epperson v. Arkansas, 393 U.S. 97, 104 (1968); Everson v. Bd. of Educ. of Ewing, 330 U.S. 1, 15–16 (1947). The Supreme Court has struck down prayers at state-sponsored events. See e.g., Lee v. Weisman, 505 U.S. 577 (1992). "It is beyond dispute that, at a minimum, the Constitution guarantees that government may not coerce anyone to support or participate in religion or its exercise[.]" Id. at 587. Furthermore, government-led prayer "has the improper effect of coercing those present to participate in an act of religious worship." Santa Fe Indep. Sch. Dist. v. Doe, 530 U.S. 290, 312 (2000).

By holding an official Christian prayer meeting, the Department "sends a message to nonadherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community." *Santa Fe*, 530 U.S. at 310 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O'Connor, J., concurring)). This is not only unconstitutional, but it also alienates the growing number of religiously unaffiliated military personnel. In a tightly knit and hierarchical institution like the military, such exclusion can have serious effects on morale, cohesion, and trust.

We request that your office provide clarification about the nature of this meeting, including who is organizing and promoting it, whether attendance is voluntary or expected, and whether public resources such as facilities, communications, or personnel are being used.

In accordance with the Freedom of Information Act (5 U.S.C. § 552), we formally request the following records:

- 1. Any documents, communications, or calendar entries referring to or planning a "Secretary's Prayer Meeting" or similar religious gatherings within the Pentagon or under the auspices of the Department of Defense since January 20, 2025;
- 2. Any correspondence between the Department of Defense and Pastor Brooks Potteiger or his affiliated organizations regarding participation in such events;
- 3. Any materials prepared for or distributed in conjunction with these meetings;
- 4. Any list of invited or expected speakers and/or attendees for the inaugural and subsequent "Secretary's Prayer Meetings."
- 5. Any internal guidance or legal review relating to the establishment or authorization of these meetings.

In order to determine our status under FOIA for the purpose of assessing fees, please be advised that the Freedom From Religion Foundation (FFRF) is a registered 501(c)(3) not for profit organization. We are willing to pay fees associated with the costs of the search and duplication of records, but request that we first be alerted to the total estimated amount. If possible, any responsive documents can be sent via email to records@ffrf.org.

We look forward to your prompt response and hope the Department will take this opportunity to affirm its commitment to religious neutrality and the rights of all service members, regardless of belief.

Sincerely,

Christopher Line Legal Counsel

Freedom From Religion Foundation