

Congress of the United States
Washington, DC 20515

February 5, 2015

The Honorable John McHugh
Secretary of the Army
101 Army Pentagon
Washington, DC 20310-0101

Dear Secretary McHugh:

We are very concerned to learn about the recent disciplinary action taken against Chaplain (Captain) Joseph "Joe" Lawhorn while he was stationed at Fort Benning.

On November 20, 2014 Chaplain Lawhorn conducted a mandatory suicide awareness and prevention briefing for the 5th Ranger Training Battalion. It is our understanding that during this briefing Chaplain Lawhorn presented both spiritual and secular behavioral health resources available to soldiers for managing depression on a double-sided handout, making clear that the spiritual options were just some of many available resources. Subsequently, Colonel David Fivecoat issued Chaplain Lawhorn a Letter of Concern stating "this made it impossible for those in attendance to receive the mandatory resource information without also receiving the biblical information." The Letter of Concern was filed despite the absence of a formal Equal Opportunity complaint within the chain of command and although Chaplain Lawhorn had not violated any Army regulations.

We believe this administrative action sets a dangerous precedent for Army suicide prevention initiatives, the role of Army chaplains, and most importantly, the ability for service members to exercise and express religious beliefs, as protected under the First Amendment and reinforced by current law and DoD regulations.

Army health experts, in conjunction with the American Association of Suicidology, have correctly acknowledged that spiritual health is an integral component for developing a soldier's resiliency when combatting depression. *Suicide Prevention*, a United States Army Center for Health Promotion and Preventive Medicine resource manual, clearly encourages not only chaplains, but also secular behavioral health providers to at least reference, if not stress, the importance of spirituality and religion during suicide prevention training. In short, Colonel Fivecoat's disciplinary action is not only unwarranted given current Army guidance, but the resulting implication that spirituality is incompatible with this training also undermines the recommendations made by Army health professionals.

Furthermore, Chaplain Lawhorn's Letter of Concern erodes the pivotal role of chaplains within Army units. Army Pamphlet 600-24 clearly states that chaplains are to be integrated as a member of a unit's Suicide Prevention Task Force, with duties including, among others, advising commanders on moral, ethical and other stress factors that increase risk, acting as a first responder in crisis situations, and developing policies and procedures for monitoring high risk soldiers. Chaplains have historically taught mandatory suicide awareness and prevention courses, serving the Army in a vital capacity to protect soldiers from suicide.

Established by George Washington in 1775, the chaplaincy fills many vital roles in the military that could not be accomplished by any other means, including offering a unique and inherently religious perspective on life and death issues. During consideration of the Fiscal Year 2015 National Defense Authorization Act (NDAA), Congress affirmed the spiritual leadership chaplains provide to service members and military commanders alike as well as the role of chaplains in facilitating the free exercise of religion. The Army's administrative action sends the wrong message not only to chaplains of all faith traditions throughout the Army, but also to soldiers as well, that spirituality and religion are not welcome in the Army as viable methods for coping with suicidal thoughts or other personal issues more broadly.


Finally, we are concerned that this disciplinary action violates First Amendment free speech protections that are undergirded by statute reflected in the FY2013 and FY2014 NDAA's, along with the accompanying DoD regulations. In fulfilling his duties as a chaplain, Captain Lawhorn shared both his personal struggle with depression as well as biblical references and materials in accordance with the views of his endorsing agency and complementary to personal convictions. It is our understanding that Chaplain Lawhorn's actions were in line with the NDAA protections, DoD regulations, as well as Army policy and guidance.

To date, we have yet to receive any indication from the Army that these religious freedom protections were considered before issuing the Letter of Concern. We request that you provide the Army's review of this incident as it relates to federal law, DoD regulations and Army policy. Additionally, we request that you provide an explanation of a chaplain's role in conducting Army training.

We appreciate your previous engagement on matters related to religious freedom within the context of Army training. We fully expect Army to take the steps necessary in protecting the religious freedom of all soldiers while affirming the vital role of chaplains in ensuring the well being of our soldiers.

Thank you for your prompt attention to this matter and we look forward to your response.


Sincerely,




John Fleming, M.D.
United States Representative



James Inhofe
United States Senator




Mike Lee
United States Senator



Tom Cotton
United States Senator



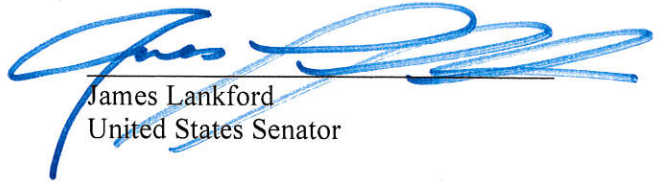
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United States Senator



David Vitter
United States Senator




Roy Blunt
United States Senator



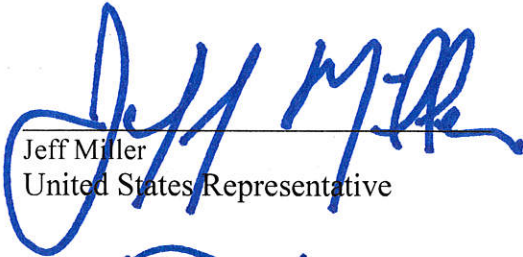
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