

1 OCT 2021

From: SO1(SEAL) [REDACTED] SEAL 19 [REDACTED], USN  
To: Chief of Naval Operations  
Via: (1) Commanding Officer, SEAL Team SEVEN  
Via: (2) Commander, Naval Special Warfare Group One

Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE

Ref: (a) DoD Instruction 1300.17  
(b) SECNAVINST 1730.8B CH-1  
(c) BUPERINST 1730.11A  
(d) BUMEDINST 6230.15B  
(e) MILPERMAN 1730-020

Encl: Letter from the Pastor of [REDACTED] Catholic Church (Coronado, CA)

1. Pursuant to references (a) through (e), I hereby request religious accommodation from Navy policy SUBJ/2021-2022 DEPARTMENT OF NAVY MANDATORY COVID-19 VACCINATION POLICY// to continue with my military service without receiving the COVID-19 vaccination due to my religious belief that it would be morally wrong to receive the COVID-19 vaccine.

2. My request is based on my Catholic religion that teaches a process of personal discernment and conscious-forming. While the Catholic Church does not prohibit the use of any vaccine, and generally encourages the use of safe and effective vaccines as a way of safeguarding personal and public health, a person is morally required to obey his or her sure conscience. The Catholic Church clearly teaches that a person may be required to refuse a medical intervention, including vaccination, if his informed conscience comes to this sure judgement. As a life-long Catholic, I strive to follow God's will. After much prayer and deliberation, and considering factors like my family and future children, my teammates, science and reason, my own natural immunity, and the wellbeing of our country, I believe the Holy Spirit is affirming that taking the COVID-19 vaccine would be morally wrong.

- a. If you have any further questions in determining the sincerity of my beliefs, I am pleased to provide additional information. My beliefs are based on an honest conviction and I am willing to provide any information necessary to substantiate this fact.
- b. COVID-19 vaccination is prohibited by my sincerely held belief. Requiring me to take any COVID-19 vaccine would place substantial pressure on me to engage in conduct that is contrary to my sincerely held belief.
- c. Since the COVID-19 vaccine has been available I have not seen any impact in my

ability or my unit's ability to accomplish our mission. There has also not been any impact to military readiness, unit cohesion, good order and discipline, or my health and safety or the health and safety of other unit members.

3. I certify that I understand that any approved or partially approved waiver may not be appropriate for future duty to which I may be assigned, including operational, non-operational or training command(s), and may be suspended or withdrawn in accordance with reference (c).

4. I acknowledge having receiving the following counseling:

- a. Failure to obtain immunization poses additional risk to my health upon exposure to disease.
- b. In the event of foreign travel, I may be detained during travel across foreign borders due to international health regulations.
- c. If granted, a waiver may be revoked by my commanding officer if I am at imminent risk of disease or due to international health regulations.
- d. If my job duties change, I may need to route a new request.
- e. If I am at my permanent change of station while my waiver is in effect, I may need to route a disease, or other factors exist that could put me at imminent risk of disease.

SEAL 19

[REDACTED] CATHOLIC CHURCH  
[REDACTED]

9 September 2021

To Whom It May Concern,

I have had several in-depth discussions with [REDACTED] SEAL 19 [REDACTED] [REDACTED] regarding the moral teaching of the Catholic Church, specifically over the subject of whether to receive the COVID-19 vaccination. It is my belief that he has seriously and fully engaged in a process of discernment and conscious-forming as recommended by Catholic teaching. In this process, we have discussed the issues of personal health, and that of family members and future children in his family. We also discussed the common good, the protection of teammates and co-workers, what physicians and scientists recommend as well as the mandate of his command. Through our discussions and his personal, prayerful discernment, [REDACTED] has concluded it would be morally wrong to receive the vaccine. This process carries with it the weight of Church teaching with regard to making morally correct decisions. Therefore, it is my belief that he should receive the religious exemption from any vaccine for the COVID-19 virus.

Respectfully yours,

[REDACTED]  
Pastor

BUPERSINST 1730.11A  
21 Sep 21

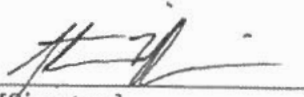
CHAPLAIN MEMORANDUM FOR THE RECORD

From: LCDR Stephen Griffin CHC, USN  
To: Commander, SEAL Team Seven

Subj: REQUEST FOR A WAIVER OF POLICY TO ACCOMMODATE PRACTICE BASED ON  
RELIGIOUS BELIEF ICO [REDACTED] SEAL 19

Ref: (a) SECNAVINST 1730.8  
(b) SECNAVINST 1730.9  
(c) BUPERSINST 1730.11A

1. SO1 [REDACTED] has submitted a request for waiver of policy to accommodate religious practice. Per reference (c), I interviewed the requestor on 21 September 2021. I explained that this interview would not be a confidential communication as defined by reference (b) and informed the requestor that referral for confidential Chaplain support was available.
2. SO1 [REDACTED] is requesting a waiver of Navy immunization policy. He is seeking this waiver to be permanently exempt from receiving the COVID vaccination in any of its currently available forms. He has not previously requested or received a waiver for religious accommodation.
3. SO1 [REDACTED] is a practicing Catholic with sincerely held beliefs which are reflected in his lifestyle choices. According to his religious tradition it is not moral/ethical to violate conscience and go against the divine leading of the Holy Spirit. SO1 [REDACTED] has a deep conflict of conscience regarding this vaccination and senses God leading him to abstain from receiving it. It is his belief that to take this vaccine in any of its current forms, would violate his faith and his conscience.
4. I am unaware of alternate means of granting this request.
5. SO1 [REDACTED] request is sincere, as is his devotion to the Catholic religious tradition. This sincerity is reflected in the members Military Record, and in his commitment to consistently keep the tenets and practices of Catholicism. It is my professional and objective opinion that this request is important to the member because of his sincerely held beliefs and his desire to exercise those beliefs more fully and accurately.
6. My contact information is 760-805-8792; [Stephen.t.Griffin.mil@socom.mil](mailto:Stephen.t.Griffin.mil@socom.mil)

  
[Signature]

Copy to:  
[REDACTED]



### CHAPLAIN INTERVIEW CHECKLIST

Requestor: <b>SEAL 19</b>			Interview Date: <b>21SEP21</b>
Name: <b>[REDACTED]</b>			Chaplain Interviewer: <b>LCDR Griffin, Stephen T.</b>
Phone: <b>[REDACTED]</b>			Phone: <b>760-805-8792</b>
E-mail: <b>[REDACTED]</b>			E-mail: <b>Stephen.T.Griffin.mil@secom.mil</b>
Command: <b>SEAL Team</b>			Chaplain's Command: <b>Naval Special Warfare Group-1</b>
<b>Interview Preliminaries</b>			
Yes	No	N/A	
X			Chaplain reviewed policy and doctrine on religious accommodation and the policy for which the requestor is seeking accommodation.
X			Applicant was notified that the interview is not confidential and will be used to advise the command.
X			Chaplain explained to the applicant that confidential support can be received from another chaplain.
	X		Applicant has been granted a religious accommodation for this practice previously.
X			Applicant's Page 2 (NAVPERS 1070/602) reflects the belief cited in the application.
<b>Type of Waiver Requested</b>			
Yes	No	N/A	
			Uniform standards
			Grooming standards
X			Immunization requirements
			DNA Sampling
			Other (Please describe):
<b>Interview</b>			
Yes	No	N/A	
			Requestor's religious beliefs seemed honestly and sincerely held using one or more of the following factors:
X			1. Requestor was credible (consistently keeps tenets, practices, etc.).
X			2. Requestor's demeanor and pattern of conduct are consistent with the request.
X			3. Requestor participates in activities associated with the belief(s).
X			4. Other persons supporting the claim are credible.
X			5. Request is supported by letter(s) of verification or endorsement from an organization espousing the beliefs which are the basis for the claim.
X			Alternate means of accommodating the practice were explored in the interview.
<b>Process Checklist</b>			
Yes	No	N/A	
X			Chaplain has prepared a memorandum documenting the interview.
X			Chaplain reviewed memorandum with applicant and provided a copy.
X			Chaplain submitted the memorandum and this document to the commanding officer via chain of command.
X			Chaplain referred applicant to command to process request.

Extracted from BUPERSINST 1730.11 CH-1  
24 Jul 2019

Enclosure (2)

Pls' Mot. for Prelim. Inj. App. 000048



## Religious Exemption Request

14 CCT 2021

From: SOC, [REDACTED] SEAL 22 [REDACTED] USN  
 To: Chief of Naval Personnel  
 Via: Officer in Charge, Naval Special Warfare Group [REDACTED] Training Detachment  
 Via: Commander Naval Special Warfare Group [REDACTED]

Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE

Ref: (a) DoD Instruction 1300.17  
 (b) SECNAVINST 1730.8B CH-1  
 (c) BUPERSINST 1730.11A  
 (d) BUMEDINST 6230.15B  
 (e) MILPERSMAN 1730-020

Encl: (1) Chaplain Memorandum For the Record.  
 (2) Archdiocese for the Military Services.

1. Pursuant to references (a) through (e), I hereby request religious accommodation from Navy policy immunization policy to be exempt from taking the COVID-19 vaccine due to my religious and personnel belief that the body is God's temple and should not be altered in any way from God's design.

2. My request is based on my religious belief and I strongly feel that this vaccine, in all its present forms, violates my belief by altering DNA and cellular function. This extreme and unproven alteration to human DNA is not warranted in a virus with a survival rate greater than 99%, as I have personally experienced after being infected and recovered from the virus with no permanent impact to my health or ability to perform my duties. I do not have tattoos, piercing, and have denied a surgery to breath better and fix sleep apnea because it would alter my face, for an unreasonable deviation from by belief. My believe is strong and long held.

3. (Required statement) I certify that I understand that any approved or partially approved waiver may not be appropriate for future duty to which I may be assigned, including operational, non-operational or training command(s), and may be suspended or withdrawn in accordance with reference (c).

4. (Required statement) I acknowledge having receiving the following counseling:

- a. Failure to obtain immunization poses additional risk to my health upon exposure to disease.
- b. In the event of foreign travel, I may be detained during travel across foreign borders due to international health regulations.
- c. If granted, a waiver may be revoked by my commanding officer if I am at imminent risk of disease or due to international health regulations.
- d. If my job duties change, I may need to route a new request.



e. If I am at my permanent change of station while my waiver is in effect, I may need to route a new request if my job duties change, my geographic region exposes me to the aforementioned disease, or other factors exist that could put me at imminent risk of disease.

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S AL 2



## CHAPLAIN INTERVIEW CHECKLIST

<b>Requestor:</b> S AL 2			<b>Interview Date:</b> 13 OCT 21
<b>Name:</b>			<b>Chaplain Interviewer:</b> LT Phelps, John
<b>Phone:</b>			<b>Phone:</b> 619-540-2274
<b>E-mail:</b>			<b>E-mail:</b> John.B.Phelps.mil@socom.mil
<b>Command:</b>			<b>Chaplain's Command:</b> Naval Special Warfare Group-1
<b>Interview Preliminaries</b>			
<b>Yes</b>	<b>No</b>	<b>N/A</b>	
X			Chaplain reviewed policy and doctrine on religious accommodation and the policy for which the requestor is seeking accommodation.
X			Applicant was notified that the interview is not confidential and will be used to advise the command.
X			Chaplain explained to the applicant that confidential support can be received from another chaplain.
	X		Applicant has been granted a religious accommodation for this practice previously.
X			Applicant's Page 2 (NAVPERS 1070/602) reflects the belief cited in the application.
<b>Type of Waiver Requested</b>			
<b>Yes</b>	<b>No</b>	<b>N/A</b>	
			Uniform standards
			Grooming standards
X			Immunization requirements
			DNA Sampling
			Other (Please describe):
<b>Interview</b>			
<b>Yes</b>	<b>No</b>	<b>N/A</b>	
			Requestor's religious beliefs seemed honestly and sincerely held using one or more of the following factors:
X			1. Requestor was credible (consistently keeps tenets, practices, etc.).
X			2. Requestor's demeanor and pattern of conduct are consistent with the request.
X			3. Requestor participates in activities associated with the belief(s).
X			4. Other persons supporting the claim are credible.
	X		5. Request is supported by letter(s) of verification or endorsement from an organization espousing the beliefs which are the basis for the claim.
X			Alternate means of accommodating the practice were explored in the interview.
<b>Process Checklist</b>			
<b>Yes</b>	<b>No</b>	<b>N/A</b>	
X			Chaplain has prepared a memorandum documenting the interview.
X			Chaplain reviewed memorandum with applicant and provided a copy.
X			Chaplain submitted the memorandum and this document to the commanding officer via chain of command.
X			Chaplain referred applicant to command to process request.

Extracted from BUPERSINST 1730.11 CH-1  
24 Jul 2019

Enclosure (2)





# ARCHDIOCESE FOR THE MILITARY SERVICES, USA

## The Most Reverend Timothy P. Broglio

### Statement

#### on Coronavirus Vaccines and the Sanctity of Conscience

Earlier this year, I affirmed that the Archdiocese for the Military Services, USA (AMS), clearly encourages the faithful entrusted to her care to follow the guidance of the Holy See and the United States Conference of Catholic Bishops (USCCB) with regard to COVID-19 vaccines.<sup>1</sup>

The Congregation for the Doctrine of the Faith, which is the Church's highest doctrinal authority, speaking for the Bishop of Rome, has made clear its position on the vaccines available to mitigate the Coronavirus pandemic. The USCCB Committees on Doctrine and on Pro-Life Activities have stated that it is morally permissible to receive the COVID-19 vaccinations currently available in the United States.<sup>2</sup>

On 24 August 2021, the Secretary of Defense issued a memorandum directing the mandatory vaccination of all services members against COVID-19. Since then, some service members have refused to take the vaccine and have requested a religious accommodation through the Religious Freedom Restoration Act.

This circumstance raises the question of whether the vaccine's moral permissibility precludes an individual from forming a sincerely held religious belief that receiving the vaccine would violate his conscience. It does not.

The Pfizer and Moderna COVID-19 vaccines were tested using an abortion-derived cell line. That type of a link has been for centuries considered remote material cooperation with evil and is never sinful. The Johnson & Johnson vaccine was developed, tested, and is produced, with abortion-derived cell lines. That vaccine is, therefore, more problematic. If it were the only vaccine available, it would be morally permissible, but the faithful Catholic is to make known his or her preference for a more morally acceptable treatment.

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<sup>1</sup> Timothy P. Broglio, *Statement on Coronavirus Vaccines*, 14 March 2021.

<sup>2</sup> United States Conference of Catholic Bishops Committees on Doctrine and Pro-Life Activities, *Moral Considerations Regarding the New COVID-19 Vaccines* (December 11, 2020).

<https://files.milarch.org/archbishop/bishops-statement-on-moral-concerns-of-covid-vaccine.pdf>



The Congregation for the Doctrine of the Faith examined these moral concerns and judged that receiving these vaccines “does not constitute formal cooperation with the abortion,” and is therefore not sinful.<sup>3</sup>

Notwithstanding the moral permissibility of these vaccines, the Church treasures her teaching on the sanctity of conscience. “Conscience is the most secret core and sanctuary of a man. There he is alone with God, Whose voice echoes in his depths.”<sup>4</sup> St. Paul VI wrote:

In all his activity a man is *bound* to follow his conscience in order that he may come to God, the end and purpose of life. It follows that *he is not to be forced to act in a manner contrary to his conscience*. Nor, on the other hand, is he to be restrained from acting in accordance with his conscience, especially in matters religious.<sup>5</sup>

Accordingly, no one should be forced to receive a COVID-19 vaccine if it would violate the sanctity of his or her conscience.

Individuals possess the “civil right not to be hindered in leading their lives in accordance with their consciences.”<sup>6</sup> Even if an individual’s decision seems erroneous or inconsistent to others, conscience does not lose its dignity. This belief permeates Catholic moral theology as well as First Amendment jurisprudence. As stated by the United States Supreme Court, “[R]eligious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.”<sup>7</sup>

The denial of religious accommodations, or punitive or adverse personnel actions taken against those who raise earnest, conscience-based objections, would be contrary to federal law and morally reprehensible.

Those who refuse the COVID-19 vaccine must continue to act in charity for their neighbors and for the common good by undertaking means to mitigate the spread of COVID-19 through wearing face coverings, social distancing, undergoing routine testing, quarantining, and remaining open to receiving a treatment should one become available that is not derived from, or tested with abortion-derived cell lines.

+Timothy P. Broglio  
Archbishop for the Military Services, USA

12 October 2021

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<sup>3</sup> Congregation for the Doctrine of the Faith, *Note on the Morality of Using Some Anti-Covid-19 Vaccines*, no. 2.

<sup>4</sup> Saint Paul VI, *Gaudium et Spes*, no. 16.

<sup>5</sup> Saint Paul VI, *Dignitatis Humanae*, no. 3.

<sup>6</sup> Saint Paul VI, *Dignitatis Humanae*, no. 13.

<sup>7</sup> *Thomas v. Review Bd. of Indiana*, 450 U.S. 707, 714 (1981).



BUPERSINST 1730.11A  
13 OCT 2021

CHAPLAIN MEMORANDUM FOR THE RECORD


From: LT Phelps, John CHC, USN

To: Commander, SEAL Team [REDACTED]

Subj: REQUEST FOR A WAIVER OF POLICY TO ACCOMMODATE PRACTICE BASED ON  
RELIGIOUS BELIEF ICO SOC [REDACTED] SEAL 22

Ref: (a) SECNAVINST 1730.8  
(b) SECNAVINST 1730.9  
(c) BUPERSINST 1730.11A

1. SOC [REDACTED] has submitted a request for waiver of policy to accommodate religious practice. Per reference (c), I interviewed the requestor on 13OCT2021. I explained that this interview would not be a confidential communication as defined by reference (b) and informed the requestor that referral for confidential Chaplain support was available.
2. SOC [REDACTED] is requesting a waiver of Navy immunization policy (COVID vaccine). He is seeking this waiver to be permanently exempt from receiving any COVID vaccination. He has not previously requested or received a waiver for religious accommodation.
3. SOC [REDACTED] is a practicing Christian with sincerely held beliefs which are reflected on his NAVPERS 1070/602 (Page 2). According to his religious tradition it is not moral/ethical to alter the human body as it is God's temple, and since the COVID vaccine contains mRNA that does cause unnatural and permanent changes to the body, SOC [REDACTED] has a deep conflict of conscience regarding this vaccination. It is his belief that to take this vaccine in any of its current forms, would violate his faith and his conscience.
4. I am unaware of alternate means of granting this request.
5. SOC [REDACTED] request is sincere, as is his devotion to the Christian religious tradition. This sincerity is reflected in the members commitment to consistently keep the tenets and practices of Christianity, and it is my professional and objective opinion that this request is important to the member because of his sincerely held beliefs and his desire to exercise those beliefs more fully and accurately.
6. My contact information is 619-540-2274; [John.B.Phelps.mil@socom.mil](mailto:John.B.Phelps.mil@socom.mil)

  
J. B. Phelps

Copy to:  
[REDACTED] SEAL 22

1730  
07 Oct 21

From: SO1 [REDACTED] SEAL 23 [REDACTED] USN  
To: Chief of Naval Operations, N1  
Via: (1) Commanding Officer, [REDACTED]  
(2) Commander, Naval Special Warfare Group [REDACTED]

Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE

Ref: (a) DoD Instruction 1300.17  
(b) SECNAVINST 1730.8B  
(c) BUPERSINST 1730.11A  
(d) BUMEDINST 6230.15B  
(e) MILPERSMAN 1730-020

Encl: (1) Statement of Religious Exemption Justification

1. Pursuant to references (a) through (e), I hereby request religious accommodation from Navy policy ALNAV 062/21 and NAVADMIN 190/21, to receive the COVID-19 vaccine due to my strongly held religious beliefs, moral principles, and safety against the COVID-19 vaccine. Due to my sincerely held religious belief that we are created in God's image and are formed in his image from conception to death, the use of aborted fetal cell line in the study and development of the COVID-19 vaccine goes against my faith. Also, God has allowed me to recover, through his grace, from the COVID-19 viral infection in February 2021 with relative ease. Taking the COVID-19 vaccine would go against my morals in that I would be undermining God's Blessings and Intentions in trusting him to provide for me.

2. My request is based on my religious belief that is referenced in detail in enclosure (1).

3. I certify that I understand that any approved or partially approved waiver may not be appropriate for future duty to which I may be assigned, including operational, non-operational or training command(s), and may be suspended or withdrawn in accordance with reference (c).

4. I acknowledge having received the following counseling:

a. Failure to obtain immunization poses additional risk to my health upon exposure to disease.

b. In the event of foreign travel, I may be detained during travel across foreign borders due to international health regulations.

c. If granted, a waiver may be revoked by my commanding officer if I am at imminent risk of disease or due to international health regulations.

d. If my job duties change, I may need to route a new request.

e. If I am at my permanent change of station while my waiver is in effect, I may need to route a new request if my job duties change, my geographic region exposes me to the aforementioned disease, or other factors exist that could put me at imminent risk of disease.



SEAL 23

26 Jun 20

NON-CONFIDENTIALITY AGREEMENT

WARNING ADVISEMENT ABOUT STATEMENTS MADE DURING A  
RELIGIOUS ACCOMMODATION INTERVIEW

I, SEAL 23, have been advised that statements that are made during the course of my Religious Accommodation request are not confidential and may be disclosed by Chaplain Nathan P. Grooms to further my Religious Accommodation request. If confidential Chaplain support is needed, it may be requested at any time.

07 OCT 2021  
Date

07 OCT 2021  
Date

SEAL 23

Counselor

Nathan P. Grooms  
Chaplain

7 Oct 2021

CHAPLAIN MEMORANDUM FOR THE RECORD

From: LT Nathan P. Grooms, Tactical Chaplain, Naval Special Warfare Group [REDACTED]  
To: Commander, Naval Special Warfare Group [REDACTED]

Subj: REQUEST FOR A WAIVER OF POLICY TO ACCOMMODATE PRACTICE  
BASED ON RELIGIOUS BELIEF ICO SO1 [REDACTED] SEAL 23

Ref: (a) SECNAVINST 1730.8  
(b) SECNAVINST 1730.9

1. SO1 [REDACTED] has submitted a request for accommodation of a religious practice per reference (a). Per BUPERSINST 1730.11A, I interviewed the requestor on 07 Oct 2021. I explained that this interview would not be a confidential communication as defined by reference (b) and informed the requestor that referral for confidential chaplain support was available.
2. SO1 [REDACTED] is requesting an exemption from receive the Pfizer-BioNTech COVID-19 vaccine as required by SECDEF Memo on 24AUG2021. He has not previous requested any exemptions from the Navy.
3. SO1 [REDACTED] request is based in his Christian faith tradition which holds to the sanctity of all human life, opposes the practice of abortion, and the use of aborted fetal tissue. The Pfizer-BioNTech vaccine was developed from research tested on a human stem line (HEK-293) extracted from an aborted fetus. He in good conscience cannot continue to receive vaccines due to the way they were created and the health risk associated with them. SO1 [REDACTED] previously contracted COVID-19 and believes his natural immunity given by God is sufficient. My interview with SO1 [REDACTED] was extensive; our conversation focused on the subject of his religious beliefs and the confliction he faces between his sincerely held religious beliefs and the current DOD requirement. This belief is congruent with SO1 [REDACTED] stated religious affiliation as listed on NAVPERS 1070/602.
4. To date, none of the COVID-19 vaccines provide an alternate means for immunity as they were all developed with a fetal stem cell line. SO1 [REDACTED] is willing to undergo testing to show that he has natural immunity due to a previous infection.
5. I believe SO1 [REDACTED] request to be sincere and is consistent with his religious faith. He displays a manner of life and practice of faith that supports that belief.
6. My contact information is 757-763-5964 and Nathan.p.grooms.mil@socom.mil.



N. P. GROOMS



## CHAPLAIN INTERVIEW CHECKLIST

Requestor:	SEAL 23		Interview Date: 07 OCT 2021
Name:			Chaplain Interviewer: NATHAN GROOMS
Phone:			Phone: 757-763-5964
E-mail:			E-mail: Nathan.p.grooms.mil@socom.mil
Command:			Chaplain's Command: NSNG-2
Interview Preliminaries			
Yes	No	N/A	
✓			Chaplain reviewed policy and doctrine on religious accommodation and the policy for which the requestor is seeking accommodation.
✓			Applicant was notified that the interview is not confidential and will be used to advise the command.
✓			Chaplain explained to the applicant that confidential support can be received from another chaplain.
	✓		Applicant has been granted a religious accommodation for this practice previously.
✓			Applicant's Page 2 (NAVPERS 1070/602) reflects the belief cited in the application.
Type of Waiver Requested			
Yes	No	N/A	
	✓		Uniform standards
	✓		Grooming standards
✓			Immunization requirements
	✓		DNA Sampling
	✓		Other (Please describe):
Interview			
Yes	No	N/A	
			Requestor's religious beliefs seemed honestly and sincerely held using one or more of the following factors:
✓			1. Requestor was credible (consistently keeps tenets, practices, etc.).
✓			2. Requestor's demeanor and pattern of conduct are consistent with the request.
✓			3. Requestor participates in activities associated with the belief(s).
		✓	4. Other persons supporting the claim are credible.
		✓	5. Request is supported by letter(s) of verification or endorsement from an organization espousing the beliefs which are the basis for the claim.
✓			Alternate means of accommodating the practice were explored in the interview.
Process Checklist			
Yes	No	N/A	
✓			Chaplain has prepared a memorandum documenting the interview.
✓			Chaplain reviewed memorandum with applicant and provided a copy.
✓			Chaplain submitted the memorandum and this document to the commanding officer via chain of command.
✓			Chaplain referred applicant to command to process request.

Extracted from BUPERSINST 1730.11 CH-1  
24 Jul 2019



28 September 2021

MEMORANDUM FOR ALL REVIEWING AUTHORITIES

FROM: SEAL 23

SUBJECT: Religious Accommodation Request re; Vaccine Waiver

1. I request an accommodation waiver of the COVID-19 vaccine requirement based upon my religious beliefs and my belief of conscience.

a. My DoD ID Number is

b. Rank/Rate:

c. My unit of assignment is

**Background**

2. 1. I am a Navy Special Operator (8 years 10 months), currently serving as an . I am making a request for accommodation based on my sincerely and deeply held religious belief in the sanctity of human life. In addition, the specific factual circumstances of my case demonstrate that a religious accommodation will not have a negative impact on military readiness, unit cohesion, good order, and discipline, or pose a health risk to myself or any other individual.

**Request**

3. Per the Joint Instruction (AR 40-562, BUMEDINST 6230.15B, AFI 48-110\_IP, CG COMDTINST M6230.4G) Immunizations and Chemoprophylaxis for Prevention of Infectious Disease, Section 2-6, I am seeking at least a 365-day religious exemption or in the alternative a religious accommodation.<sup>1</sup> Section 2-6(b)3(a) states that immunization exemptions for religious reasons may be granted according to specific service policies to accommodate religious beliefs of a service member. This is a command decision made with medical, judge advocate, and chaplain input.”

**Applicable Legal Guidance**

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<sup>1</sup> A 365-day exemption or accommodation is sought in the hopes that one of several new vaccines in development will not involve the use of fetal cell tissue in testing and development and that I would be able to take one of those vaccines as soon as they become available without offending my conscience or abandoning my religious faith.

4. Department of Defense (DOD) Instruction 1300.17, “Religious Liberties in the Military Services,” conveys support for religious beliefs in the following statement: “In accordance with Section 533(a)(1) of Public Law 112-239, as amended, the DOD components will accommodate individual expressions of sincerely held beliefs (conscience, moral principles or religious beliefs) which do not have an adverse impact on military readiness, unit cohesion, good order and discipline, or health and safety. A service member’s expression of such beliefs may not, in so far as practicable, be used as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment.”

5. A mandatory vaccination policy must provide exemptions to comply with the Federal Civil Rights Act of 1964 (“Title VII”). In general terms, an employer must accommodate an employee’s sincerely held religious belief or practice if the following are true: the employee has a religious belief; the religious belief is sincerely held; the employee provides notice regarding the need for accommodation; and the employer can accommodate the belief without undue hardship.

6. Title VII prohibits covered employers from denying a requested reasonable accommodation of an employee’s sincerely held religious beliefs or practices if that accommodation will not impose an undue hardship for the employer. Title VII defines “undue hardship” as anything more than a minimal burden on the employer’s business operation. It may include modifications to workplace policy or practices. 42 USC 2000e-2; MCL 37.2202. Therefore, Title VII may require an employer to excuse an individual from a mandatory vaccination policy as a requested religious accommodation especially in those cases where there is little to no impact on business operations.

7. Title VII defines “religion” to include “all aspects of religious observance and practice as well as belief.” An employee’s belief or practice can be “religious” under Title VII even if the employee is affiliated with a religious group that does not espouse or recognize that individual’s belief or practice or if few—or no—other people adhere to it. 42 USC 2000e(j). Because the definition of religion is broad and protects beliefs and practices with which the employer may be

unfamiliar, the employer should ordinarily assume that an employee's request for religious accommodation is based on a sincerely held religious belief.

### **Sincerely and Deeply Held Religious and Moral Conviction**

8. I am seeking this exemption based on my strongly held and well-informed historical Christian faith and conscience.<sup>2</sup> Specifically, I am seeking an exemption from taking the COVID vaccine because all three COVID vaccines on the market have a direct connection to abortion and the use of aborted fetal cell tissue in testing and development. The knowing use of medicine or a vaccine that used cell tissue derived from an aborted child in any phase of development directly violates my conscience and sincerely held religious beliefs. I will note that I have not knowingly taken any vaccine or received any medical treatment with a direct connection to abortion. Further, I do not believe any vaccine I have received since 1987 has been related to aborted fetal cell lines. I have deployed and taken deployment related vaccines. In addition to my own convictions, I would add that no member of my immediate family has knowingly received any vaccine with direct ties to abortion since 1986. Traditional historical evangelical Christianity has long held that abortion is an intrinsic evil, which means it can never be justified in any circumstances. Similar to the approach of many in the Catholic Church, my faith defines Abortion as the innocent taking of a human life and teaches that abortion (murder) is one of four sins that "cry to heaven for vengeance."<sup>3</sup> More specifically my church and personal faith align with the "New City Catechism" which is a religious document we use in our church for teaching and that I use in my home for teaching my children. Within this catechism is clear teaching on the image of God. This is central to my belief in the sanctity of human life.<sup>4</sup> An example of several biblical texts that form my conviction that life begins at conception and that abortion is the taking of innocent human life are as follows:

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<sup>2</sup> See attached letter from two Pastor-Elders at Community Evangelical Free Church.

<sup>3</sup> <https://www.catholic.com/qa/what-are-sins-that-cry-to-heaven-for-vengeance-and-sins-against-the-holy-spirit>; <https://www.desiringgod.org/topics/abortion#>

<sup>4</sup> Question one teaches, "[t]hat we are not our own but belong, body and soul, both in life and death, to God and to our Savior Jesus Christ. Question four teaches "God created us male and female in his own image to know him, love him, live with him, and glorify him. And it is right that we who were created by God should live to his glory." <http://newcitycatechism.com/new-city-catechism/#4>



a. Then God said, “Let us make man in our image, after our likeness. And let them have dominion over the fish of the sea and over the birds of the heavens and over the livestock and over all the earth and over every creeping thing that creeps on the earth.” <sup>27</sup> So God created man in his own image, in the image of God he created him; male and female he created them. Genesis 1:26-27 ESV.<sup>5</sup>

b. Now the word of the LORD came to me, saying, <sup>5</sup>“Before I formed you in the womb I knew you, and before you were born I consecrated you; I appointed you a prophet to the nations.” Jeremiah 1:4-5 ESV.

c. And for your lifeblood I will surely demand an accounting. I will demand an accounting from every animal. And from each human being, too, I will demand an accounting for the life of another human being. <sup>6</sup>“Whoever sheds human blood, by humans shall their blood be shed; for in the image of God has God made mankind. <sup>7</sup> As for you, be fruitful and increase in number; multiply on the earth and increase upon it.” Genesis 9:5-7 ESV.

d. Yet you brought me out of the womb; you made me trust in you, even at my mother’s breast.<sup>10</sup> From birth I was cast on you; from my mother’s womb you have been my God. Psalm 22:9-10 ESV.

e. For you created my inmost being; you knit me together in my mother’s womb. <sup>14</sup> I praise you because I am fearfully and wonderfully made; your works are wonderful, I know that full well. <sup>15</sup> My frame was not hidden from you when I was made in the secret place, when I was woven together in the depths of the earth. <sup>16</sup> Your eyes saw my unformed body; all the days ordained for me were written in your book before one of them came to be. Psalm 139:13-15 ESV.



f. But when God, who set me apart from my mother's womb and called me by his grace, was pleased <sup>16</sup>to reveal his Son in me so that I might preach him among the Gentiles, my immediate response was not to consult any human being. Galatians 1:15-16 ESV.

g. Listen to me, you islands; hear this, you distant nations: Before I was born the LORD called me; from my mother's womb he has spoken my name. <sup>5</sup>And now the LORD says—he who formed me in the womb to be his servant to bring Jacob back to him and gather Israel to himself, for I am<sup>[a]</sup> honored in the eyes of the LORD and my God has been my strength. Isaiah 49: 1,5 ESV.

h. There are six things the LORD hates, seven that are detestable to him: <sup>17</sup>haughty eyes, a lying tongue, hands that shed innocent blood, <sup>18</sup>a heart that devises wicked schemes, feet that are quick to rush into evil, <sup>19</sup>a false witness who pours out lies and a person who stirs up conflict in the community. Proverbs 6:16-19 ESV.

9. I am providing the following information in an attempt to prove and justify my strongly held religious conviction and formed conscience. In other words, my request is not a recent response to COVID and the mandatory vaccine but something I have been forming and solidifying for more than 30 years. Specifically, I fully converted to Christian Faith while I was living in Lexington, TN as a child. My life's work and purpose is formed by my faith and my desire to serve God, my family, my Country, and my fellow humanity.

10. As a testament to my faith and the development of my conscience, I have been involved at [REDACTED] in Virginia Beach since 2018 upon the return of my second deployment to Africa.

11. One of the main reasons I converted to the Episcopal Church<sup>6</sup> is because of an unbending

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<sup>6</sup> I believe that all humankind is created in the image of God and that our bodies are the "Temple of Christ." I Corinthians 6:19-20. This conviction informs my belief that Christians have an obligation to respect and care for their bodies and that each Christian is endowed by their created with certain inalienable rights. These rights include the individual bodily autonomy of adults to make medical and health care decisions. Further, my conviction that our bodies are the "Temple of Christ" influences my belief that knowingly ingesting or injecting anything developed through the murder of innocents will defile the body and violate the conscience.

commitment to individual autonomy<sup>7</sup> and my Church's unbending stance against the crime of abortion. My beliefs regarding abortion are perhaps best summarized in this statement, "Abortion has become the greatest destroyer of peace, because it destroys two lives, the life of the child and the conscience of the mother." Mother Teresa of Calcutta (1988). Based on this belief it would violate my conscience and my faith to knowingly participate in or knowingly benefit from any abortion. To do so would be the equivalent of knowingly benefiting from any other murder to include benefiting from an organ transplant where the organ obtained by force on the black market. Similarly, I draw a parallel to knowingly benefiting from any medication or medical procedure that is developed based on forced medical experimentation such as occurred in the "Tuskegee Experiment." I would not knowingly take today any medication or accept medical treatment that resulted or benefited from medical experimentation that violated the individual autonomy of the participants through deception. Just as I believe the participants in the Tuskegee Experiment<sup>8</sup> should have been protected from harm and it would be wrong to knowingly benefit from any medical advances made as a result that experimentation, I believe the same applies to unborn children.

12. Since I took oath in December 2012, I have never had a known conflict between my faith and my proud military service until now. Unfortunately, all of the COVID vaccines currently on the market are tainted by abortion<sup>9</sup> and I strongly protest taking one of these vaccines because I, in all good conscience, do not desire in the least to knowingly benefit from the purposeful destruction of any innocent human life (current research indicates it takes up to 100 abortions to create a cell line used in vaccine development).<sup>10</sup> I joined the military to protect innocent life and not to benefit from the murder of innocent children.

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<sup>7</sup> I believe that all humankind is created in the image of God and that our bodies are the "Temple of Christ." I Corinthians 6:19-20. This conviction informs my belief that Christians have an obligation to respect and care for their bodies and that each Christian is endowed by their created with certain inalienable rights. These rights include the individual bodily autonomy of adults to make medical and health care decisions. Further, my conviction that our bodies are the "Temple of Christ" influences my belief that knowingly ingesting or injecting anything developed through the murder of innocents will defile the body and violate the conscience.

<sup>8</sup> <https://www.cdc.gov/tuskegee/timeline.htm>

<sup>9</sup> [Cogforlife.org](https://www.cogforlife.org)

<sup>10</sup> <https://www.lifesitenews.com/opinion/a-hill-worth-dying-on-expert-explains-how-aborted-baby-cells-taint-covid-vaccines>



13. My local church leadership and other leaders within traditional, Christianity support my request for a religious exemption. Specifically, Pastor John Piper who is influential in the teaching of our church and in many similarly congregationally led reformed churches has outlined why many Christians should have a moral objection to receiving any vaccine developed using fetal tissue or through cloned fetal cells.”<sup>11</sup> Specifically, he stated, in an interview four reasons why a Christian may have a moral and religious objection to the vaccines. I fully agree and personally adopt his views.

First observation: in Romans 3:8, some of Paul’s adversaries accused him of “do[ing] evil that good may come.” Paul responded to this, that it was a slanderous charge. In other words, he distanced himself from that kind of ethical stance. And I think we should too. We shouldn’t do evil that good may come. God alone has the infinite wisdom to manage an entire world of sin in which he can turn horrible things for wise and good purposes. He never tells us that we have such wisdom; we don’t. We are to live our lives guided by the principles he reveals in his word, not by our calculations about how much evil we can join in for some greater good. So, if we really believe that the killing of unborn children is abhorrent to God and falls into the category of the shedding of innocent blood, for which God’s judgment fell, we should not think of turning this wickedness into a wonder drug to save our lives. We should not do evil that good may come.

Second, God frequently, in the Bible, calls us to do things and avoid things that are very costly to us personally, in order to demonstrate that Christ and his ways are more precious to us than safety or security or comfort, and that we sacrifice in order to do what’s right. When we are told not to return evil for evil (Matthew 5:38–39), or that we should love our enemies (Matthew 5:43–44), or turn the other cheek (Matthew 5:39), or go the extra mile (Matthew 5:41), or do good to those who hate us (Luke 6:27), all of those kinds of commands are designed to show that we are not in bondage to this world,

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<sup>11</sup> <http://web.colby.edu/coronaguidance/2021/01/04/piper-can-i-take-vaccine-abortion/> and <https://www.desiringgod.org/interviews/can-i-take-a-vaccine-made-from-aborted-babies>



and that the deepest contentment of our lives does not flow from needing to avoid risk or show vengeance. By denying ourselves comfort or satisfaction or safety for the sake of testifying to Christ's value to us, and testifying to the sanctity of another person's life, or testifying to our hope for another person's well-being, or testifying to our confidence in God's reward beyond the grave, when we deny ourselves in that way, we aim to exalt Christ and his ways over mere self-preservation. So, if a scientist avoids using tissue and organs harvested from babies killed in abortion, or if an ordinary citizen avoids using a medication that they know has been developed specifically through such harvesting and research, the aim is that the Christian conscience is preserved, and Christ is made much of as more valuable than any security or safety or health we might get through sin. Third, avoiding such research and avoiding the use of the products of such research is only one way of testifying to the truth and value of Christ in the sanctity of the unborn persons. But another way that should be added is the proactive engagement in whatever way we can to speak and act against the taking of innocent human life in the womb and the use of those children for research and experimentation. So, I'm saying renunciation (that is, the avoidance part of our ethics), which is being asked about — Do we avoid the medication? — the renunciation of the use of such drugs has value. Yes, it does. And supplementing that value should also be the proactive engagement of resisting and discouraging abortion and the use of aborted babies in research.

And the final observation, the fourth one that I would make, is the one that's most difficult to articulate, but may be the most important. The observation is that acting on principle — in this case, the principle that we do not want to be complicit in the desecration of dismembered human beings — acting on principle often does not look like the most obvious way to be a blessing to the greatest number people. For example, if you try to act on the principle of not participating in the desecration of these children by avoiding medicines developed from their dead bodies, someone will say, "But look, look at all the good that is coming through the medication." And they will say that they can't see the good that may be coming from your principled action. So, what I'm saying here is

this: God has ways of honoring and blessing and multiplying the effectiveness of principled action in his name, which, to the human calculation, may appear futile.<sup>12</sup>

14. Further, many in my faith agree with prominent Catholic Bishop Athanasius Schneider who wrote a compelling article on 1 April 2021 explaining why taking these particular COVID vaccines tainted by abortion is morally wrong. I encourage all to read this article as my thoughts and formed conscience on the topic closely mirror Bishop Schneider's. I will highlight several sections of the article.<sup>13</sup>

a. "Anti-Christian world powers that promote the culture of death are seeking to impose on the world's population an implicit — though remote and passive — collaboration with abortion. Such remote collaboration, in itself, is also an evil because of the extraordinary historical circumstances in which these same world powers are promoting the murder of unborn children and the exploitation of their remains. When we use vaccines or medicines which utilize cell lines originating from aborted babies, we physically benefit from the "fruits" of one of the greatest evils of mankind — the cruel genocide of the unborn."

b. "The souls of the murdered babies, from whose body parts people are now benefiting through these medicines and vaccines, are living and have a name before God. "

c. "How can we, with a maximum of determination, be and proclaim to be against abortion, when we accept abortion-tainted vaccines, when their origin lies in the murder of a child? Both logic and common-sense demand that we not accept such vaccines or medicines."

d. "But we still cannot accept the use of these cell lines even for testing, as it brings us closer to the crime of marketing the cells from murdered babies. In this case, too, there is an accumulation of horrible crimes. The first crime is to have killed a child. The second

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<sup>12</sup> See id.

<sup>13</sup> <https://www.lifesitenews.com/opinion/the-blood-of-murdered-unborn-children-cries-to-god-from-abortion-tainted-vaccines-and-medicines>

is to have used and processed these cell lines. To then use these cell lines for testing is yet another crime. We cannot collaborate in this accumulation of crimes and we cannot benefit in any way from their “by-products.”

15. Additionally, American Catholic Bishop Joseph Strickland in the Diocese of Tyler, tweeted the following on 16 November 2020: “. . . Unborn children died in abortions and then their bodies were used as ‘laboratory specimens.’ I urge all who believe in the sanctity of life to reject a vaccine which has been produced immorally.”

### **Well-Informed Conviction**

16. My conviction that all three currently available vaccines are tainted by abortion is the result of careful and considered research focused on unbiased university and governmental sources. This is not a new or unique objection. There were many who raised concerns as early as the summer of 2020 when all of the lead candidates for government funding relied on testing the using the HEK-293 cell lines.<sup>14</sup> In other words, prior to the 2020 election, or the politization of the issue, scientists and ethicists warned of the potential moral issue with the currently available vaccines. Based on this research it is clear that the Johnson & Johnson (Janssen Pharmaceuticals) COVID shot “did require the use of fetal cell cultures, specifically PER.C6, in order to produce and manufacture the vaccine.”<sup>15</sup> Multiple state department of health “FAQs” confirm that while mRNA vaccines by Pfizer-BioNTech and Moderna do not “contain” fetal cells, “[e]arly in development of mRNA vaccine technology, fetal cells were used for ‘proof of concept’ (to demonstrate how a cell could take up mRNA and produce the SARS-CoV-2 spike protein) or to characterize the SARS-CoV-2 spike protein.”<sup>16</sup> It is clear that Pfizer and Moderna used abortion-derived cell lines to “to test the efficacy of both vaccines.”<sup>17</sup> The statement that Pfizer and Moderna “do not require the use of any fetal cell cultures in order to manufacture

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<sup>14</sup> <https://www.science.org/news/2020/06/abortion-opponents-protest-covid-19-vaccines-use-fetal-cells>

<sup>15</sup> [https://www.health.nd.gov/sites/www/files/documents/COVID%20Vaccine%20Page/COVID-19\\_Vaccine\\_Fetal\\_Cell\\_Handout.pdf](https://www.health.nd.gov/sites/www/files/documents/COVID%20Vaccine%20Page/COVID-19_Vaccine_Fetal_Cell_Handout.pdf)

<sup>16</sup> [https://ldh.la.gov/assets/oph/Center-PHCH/Center-PH/immunizations/You\\_Have\\_Qs\\_COVID-19\\_Vaccine\\_FAQ.pdf](https://ldh.la.gov/assets/oph/Center-PHCH/Center-PH/immunizations/You_Have_Qs_COVID-19_Vaccine_FAQ.pdf)

<sup>17</sup> [https://www.health.nd.gov/sites/www/files/documents/COVID%20Vaccine%20Page/COVID-19\\_Vaccine\\_Fetal\\_Cell\\_Handout.pdf](https://www.health.nd.gov/sites/www/files/documents/COVID%20Vaccine%20Page/COVID-19_Vaccine_Fetal_Cell_Handout.pdf)



(produce) the vaccine” is in conflict with the statement that “such a cell line was used to test the efficacy of both vaccines.” “Testing the efficacy” is certainly a part of the research and development process. It is confirmed fact that both Moderna and Pfizer used the HEK-293 cell line in the testing phase of their vaccines’ effectiveness.<sup>18</sup> Further, both vaccines rely on highly ethically questionable research done at the University of Pittsburgh.<sup>19</sup> All HEK-293 cells are descended from tissue taken from a 1973 abortion that took place in the Netherlands.<sup>20</sup> The HEK-293 cell line is well known in medical research and bioethics and the living and healthy child that was aborted so that her organs could be harvested has even been given a name by bioethicists.<sup>21</sup> The process for obtaining these cells and tissues involves the vivisection of a fetus while it is still alive and the child’s heart is beating.<sup>22</sup>

17. According to vaccine expert and biologist, Pamela Acker, not only were the mRNA vaccines (Pfizer and Moderna) originally tested on aborted fetal cell lines, but the vaccine companies are likely continuing to use these aborted fetal cells for quality control testing each new batch as is their Standard Operating Procedure.<sup>23</sup> Thus, use of these vaccines continues to encourage the need and desire for abortion and the availability of fetal cell tissue for medical testing and development.

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<sup>18</sup> <https://www.science.org/news/2020/06/abortion-opponents-protest-covid-19-vaccines-use-fetal-cells>

<sup>19</sup> “Researchers at the University of Pittsburgh use HEK-293 cells to manufacture the coronavirus’ spike protein—a vital part of its structure—which is used to trigger an immune response. The vaccine is delivered through a skin patch with 400 tiny needles...David Prentice, vice president and research director at the Charlotte Lozier Institute, which opposes abortion, notes researchers making adenovirus vaccines have modified HEK-293 cells to be adept at packaging new genes—such as those that direct cells to assemble the coronavirus spike protein—into adenoviruses. But he adds that other technologies are available, including using cells captured from amniocentesis that are engineered to make replication-deficient adenoviruses. ‘The use of cells from electively aborted fetuses for vaccine production makes these five COVID-19 vaccine programs unethical, because they exploit the innocent human beings who were aborted,’ Prentice and a co-author—molecular biologist James Sherley, a Lozier Institute associate scholar and director of the adult stem cell company Asymmetrex—wrote in a position paper published last month.” <https://www.science.org/news/2020/06/abortion-opponents-protest-covid-19-vaccines-use-fetal-cells>

<sup>20</sup> <https://www.nebraskamed.com/COVID/you-asked-we-answered-do-the-covid-19-vaccines-contain-aborted-fetal-cells>

<sup>21</sup> <https://stream.org/the-abortion-ties-of-the-covid-vaccines-a-deal-killer-or-no-big-deal/>

<sup>22</sup> <https://stream.org/the-abortion-ties-of-the-covid-vaccines-a-deal-killer-or-no-big-deal/>

<sup>23</sup> Supra, <https://www.lifesitenews.com/opinion/a-hill-worth-dying-on-expert-explains-how-aborted-baby-cells-taint-covid-vaccines>

18. Dr. Gabriele Kuby, a distinguished German sociologist told Church Militant in an interview regarding being a signatory to an 8 March 2021 statement titled *The Voice of Women in Defense of Unborn Babies and in Opposition to Abortion-Tainted Vaccines* that "I will not use a vaccine that has been developed by using fetal cell lines of aborted babies." Dr. Kuby, who converted to Catholicism in 1997, emphatically stated, "I do not want to protect my own health by making use of the death of others." Dr. Kuby has been lauded by Pope Emeritus Benedict XVI as "a brave fighter against ideologies that ultimately lead to the destruction of mankind."<sup>24</sup>

19. The first line of the above referenced statement, *The Voice of Women in Defense of Unborn Babies and in Opposition to Abortion-Tainted Vaccines*, is also compelling:

"Abortion is the modern-day Massacre of the Innocents. We, as women, wish our feminine cry to be heard round the world. This declaration comes from the depth of our maternal hearts, which are devoted to defending the cause of life and combatting the culture of death. We therefore wholeheartedly affirm: "We will not be complicit in the modern-day Massacre of the Holy Innocents and we therefore refuse to accept any and all vaccines made using cells derived from aborted human fetuses."

20. Rev. Dr. Tadeusz Pacholczyk, director of education at the National Catholic Bioethics Center and member of a federal ethics advisory board on the matter, told ABC: "The decision by companies to intentionally utilize these problematic cell lines results, if there are no alternatives, i[s] a kind of moral coercion."<sup>25</sup>

### **Additional Religious Conviction**

21. In addition to a religious objection based on the testing and development of the available vaccines. My belief that Christians are called to treat their body as the temple of the Holy Spirit, love their neighbor, and strive to protect and preserve innocent life, informs this decision. It would violate my conscience and my convictions to take the currently available vaccines based

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<sup>24</sup> <https://www.churchmilitant.com/news/article/holocaust-survivor-fights-abortion-tainted-vaccines>

<sup>25</sup> *Id.*



on the absence of long term (5-10) year data on the safety of the vaccines and mRNA technology. As a Christian created in the image of God, I have concerns that the technology may alter my God given immune system and “shedding” may create a risk of asymptomatic spread if I take the vaccine when I have natural immunity. This seems critical as natural immunity appears to create little to no risk to others via asymptomatic spread. It is an offense to me and many Christians to be forced to inject their bodies with a man-made substance in an effort to “improve” the immune system when I have already survived COVID-19 by the grace of God. While Christians are deeply thankful for scientific advancements, most also believe that God has already created the body with natural mechanisms to fight off disease and that the choice about use of specific vaccinations or other medications remains solely in the hands of the individual. As Christians I believe their bodies are the temple of God’s Spirit (1 Cor. 3:16-17, 6:19).<sup>26</sup>

**Impact of Accommodation on Readiness, Cohesion, Good Order and Discipline, or Health and Safety**

22. My individual religious accommodation will not interfere with military readiness, unit cohesion, good order and discipline, or health and safety. I tested positive for symptomatic COVID-19 in February, 2021. While I recognize that official guidance indicates that those with natural immunity are not necessarily exempt from the vaccine mandate, the fact that I have at least temporary natural immunity reduces the risk that this accommodation would pose to my health or the health of anyone I interacted with while on military orders. Because according to the National Institute of Health (NIH) natural immunity greatly reduces the risk of infection, there is little to no risk posed by an accommodation in my case. This is a factor that should weigh heavily in evaluating whether this religious accommodation will have any negative impact on the Navy or furthermore, Naval Special Warfare.<sup>27</sup>

23. In conclusion, I joined the military to protect human life, not to be complicit in or benefit from the taking of innocent human life or create potential risks to others through the medical

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<sup>26</sup> This position is held by prominent Christian theologians such as Dr. James White.

<sup>27</sup> <https://www.nih.gov/news-events/nih-research-matters/lasting-immunity-found-after-recovery-covid-19>.



treatment I receive. **Thus, I respectfully request an exemption from taking these morally objectionable vaccines or an accommodation to allow me to delay taking the vaccine while alternative vaccines are in development.** Based on the nature of my service and natural immunity to COVID, that reduces any risk associated with an accommodation, all legal and regulatory factors weigh in favor of granting this request. I pray that I am not asked to choose between my conscience and my ability to serve fully in the military that I love and respect.

24. I understand that I have temporary exemption from vaccinations while my request is being processed. I also understand that I will be counseled by my commander and a military physician regarding: the diseases concerned; specific vaccine information including product constituents, benefits, and risks; and potential risks of infection incurred by unimmunized individuals. They must determine that I am making an informed decision and fully understand that my request may have an adverse impact on my deployability, assignment, and/or international travel.

25. I waive my privilege to this communication only and authorize the Chaplain to advise my leadership with regard to this request and only this request. I understand that my request will be processed according to timelines outlined in official guidance. I am in an active duty status.

26. I therefore respectfully request exemption from the COVID-19 vaccination requirement. I understand I have a temporary exemption from complying with the COVID-19 vaccination requirement while this request is being considered. I further understand that if my request is approved, the approved accommodation is not “permanent,” per AFI 48-110\_IP, para. 2-6.b.(3).(a).1, in that the approved accommodation continues throughout my career but may be suspended, modified, or revoked by authorized authorities IAW DAFI 52-201, para. 5.7.4.

27. If you have any questions, please contact me at:

[REDACTED]  
[REDACTED]  
[REDACTED]

Respectfully Submitted,

SEAL 23

**Statement of Faith**

**SWCC 2**

**SEP 29,2021**



As nearly 90% of the Polish population, my family and I have strong roots in Catholicism. I'm currently attending [REDACTED] largely due to its Jesuit/Catholic identity. My beliefs as a Catholic complement and harden the virtues I hold as an American. That being said, given the amount of "false" religious claims made during these unusual times to gain exception, I feel perplexed by the need to justify and validate my Faith to other men/women and institutions.

As a traditional Roman Catholic, I believe that abortion is a heinous crime, that is, in fact, the murder of an innocent human being. Therefore, it is against the fifth commandment, "You shall not murder." Exodus 20:13 and against my core beliefs as well as my beliefs as an NSW operator to "defend those unable to defend themselves".

According to the Catholic Code of Canon Law, "The Catholic Church opposes all forms of abortion procedures whose direct purpose is to destroy a zygote, blastocyst, embryo or fetus since it holds that human life must be respected and protected absolutely from the moment of conception" (Canon 1398). The Catechism of the Catholic Church further states, "Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable. Direct abortion, that is to say, *abortion willed either as an end or as a means*, is gravely contrary to the moral law" (Catechism 2271). My sincere and firmly held conscientious belief is that to derive any benefit from any form of abortion is a proximate and grave violation of my Religion, Faith, Morals, and Core Beliefs.

The scriptures reveal that God knows us even before we are conceived. See Jeremiah 1:4-5 "The word of the Lord came to me, saying, 'Before I formed you in the womb I knew you, before you were born I set you apart; I appointed you as a prophet to the nations.'" And God's creative powers are effectively at work while we are yet in the womb. See Psalm 139:13- 16 "For you created my inmost being; you knit me together in my mother's womb. I praise you because I am fearfully and wonderfully made; your works are wonderful, I know that full well. My frame was not hidden from you when I was made in the secret place, when I was woven together in the depths of the earth. Your eyes saw my unformed body; all the days ordained for me were written in your book before one of them came to be."

The Church has condemned abortion – the killing of human infants while in the womb – from earliest times. The Didache, a conduct code of the early Church, dated by some as being as early as 70 AD, is in accord with Scripture, stating: "Do not abort a foetus or kill a child that is born." Loeb Edition of the Apostolic Fathers also translated this as, "Thou shalt not murder a child by abortion nor kill that which is begotten." A Plea for Christians, written around AD 177 by Athenagoras, stated, "We say that those women who use drugs to bring on abortion commit murder, and will have to give an account to God for the abortion." Tertullian, in his

Apologeticum, written in 197 AD, wrote: "Murder being once for all forbidden, we may not destroy even the fetus in the womb. . ." Hence, it is my sincerely held religious belief that abortion is murder, a violation of one of the Ten Commandments, "You shall not murder" (Exodus 20:13), and, for that reason, it would violate my sincerely held religious belief to cooperate with or be complicit in abortion in any way. The COVID-19 vaccines were developed or tested using cell lines that were generated or derived from tissues of aborted fetuses. J&J used an aborted fetal cell line to manufacture its COVID- 19 vaccine, while Moderna and Pfizer used aborted cell lines to test the efficacy of their vaccines. See James Lawler, MD, *You asked we answered: Do the COVID-19 vaccines contain aborted fetal cells* Nebraska Medicine, August 4, 2021, <https://www.nebraskamed.com/COVID/you-asked-we-answered-do-the-covid-19-vaccines-contain-aborted-fetal-cells> . After becoming aware of this knowledge, I have also found out that other vaccines I've received, such as the MMR vaccine and hepatitis, were also made possible by utilizing a murdered fetus. With this new knowledge, I cannot proceed in good conscience and in accordance with my Faith to willingly/knowingly violate my fundamental religious beliefs about the sanctity of life" For if we go on sinning deliberately after receiving the knowledge of the truth, there no longer remains a sacrifice for sins" Hebrews 10:26. My request is based on my firmly held belief in the sanctity of life of the unborn. It is my sincerely held religious belief that in being vaccinated with any of the currently available COVID-19 vaccines, I would be cooperating with and complicit in abortion – the ending of an innocent human life – and that such would constitute a sin against God and a violation of His Commandments, for which I would be held morally accountable by God.

I have received the Sacraments of Baptism, First Communion, and Confirmation. I have lived and am continually struggling to live an exemplary life in accordance with my Catholic Faith. As a result, I have been selected and approved to sponsor another person's first communion, as represented by the documents and pictures below. In order to be deemed eligible to sponsor another Catholics First Communion, the Catholic Church has requirements. I have been vetted and approved by the Catholic Church and have been found to meet the following criteria:

- The sponsor must be at least sixteen years of age.
- Your sponsor must be Roman Catholic, Baptized and confirmed, and have received the first communion.
- Your sponsor must be practicing his/her Faith, that is, a faithful Catholic who attends Sunday mass regularly.

As someone who has sponsored another in their Confirmation, I have the religious obligation to "bring the candidate to receive the sacrament, presents him to the minister for the anointing, and will later help him to fulfill his baptismal promises faithfully under the influence of the Holy Spirit" (*Rite of Confirmation* 5). Getting the vaccination would violate this obligation for reasons continuously stated above. Having been and remaining a sponsor/role model, I am under an additional obligation to reflect my religious beliefs through living a life in accordance with my religious beliefs. By doing so, I realize the promises I have made to God and the sponsored individual.

Again, I don't agree that it is ethical for me to have to prove my Faith to an institution in order to be allowed to practice or grow in my Faith. If any more proof is needed, you can freely ask anyone I have associated with if they have ever seen me consume alcohol or swear. The answer will be no because I do neither for reasons I can relate to my Faith.

Very Respectfully,

SWCC 2



1730  
16 Oct 21

From: NDC [REDACTED] ND 1, USN  
To: Chief of Naval Personnel  
Via: (1) Commanding Officer, Advanced Training Command  
(2) Commander, Naval Special Warfare Center  
  
Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE  
ICO NDC [REDACTED]  
  
Ref: (a) DoD Instruction 1300.17  
(b) SECNAVINST 1730.8B CH-1  
(c) BUPERSINST 1730.11A  
(d) BUMEDINST 6230.15B  
(e) MILPERSMAN 1730-020  
  
Encl: (1) Chaplain Interview Checklist  
(2) Chaplain Memorandum  
(3) Non-Confidentiality Agreement  
(4) Medical Counseling (Printed E-mail)  
(5) NAVPERS 1070/613 (COVID-19 Vaccination Administrative Counseling/Warning)  
(6) NAVPERS 1070/613 (COVID-19 Religious Exemption Request)

1. Pursuant to the references, I hereby request religious accommodation from any Navy Regulation, policy, or duty that requires me to obtain immunization or vaccination against SARS-CoV-2 (Covid-19).
2. My request is based on my sincerely held religious belief, which forbids me from obtaining the Covid-19 vaccine. In accordance with reference (a), "DoD Components will normally accommodate practices of a Service member based on sincerely held religious belief. Accommodation includes excusing a Service member from an otherwise applicable military policy, practice, or duty. In accordance with reference (b), if such a military policy, practice or duty substantially burdens a Service member's exercise of religion, accommodation can only be denied if:
  - a. The military policy, practice, or duty is in furtherance of a compelling governmental interest.
  - b. It is the least restrictive means of furthering that compelling governmental interest.

In applying [this] standard, the burden of proof is placed upon the DoD Component, not the individual requesting the exemption."

Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE  
ICO NDC [REDACTED] USN

3. The U.S. Supreme Court very recently addressed a case in which the government refused to grant a religious accommodation request. In *Fulton v. City of Philadelphia*, the court struck down the government's refusal to grant a religious accommodation request, stating "where [] a system of individual exemptions exists, the government may not refuse to extend that system to cases of religious hardship without a compelling reason." *Fulton v. City of Philadelphia*, No. 19-123, slip op. at 2 (June 17, 2021).

4. In order to satisfy the requirements set forth in reference (a) and *Fulton*, the government must demonstrate why it is unable to grant my religious accommodation request despite the fact that it has granted other exceptions to its vaccine requirement. The government must further demonstrate that there are no alternatives to mandatory vaccination that are less restrictive on my sincerely held religious beliefs. Examples of possibly less restrictive means include testing for Covid-19 antibodies that might already be present from previous exposure or infection, allowing for remote or tele-working, or the use of masks.

5. Finally, in accordance with reference (a), a Service member's expression of such beliefs may not in so far as practicable, be used as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment.

6. I certify that I understand that any approved or partially-approved accommodation may not be appropriate for future duty to which I may be assigned, including operational, non-operational or training command(s), and may be suspended or withdrawn in accordance with reference (a) and my Service-specific regulations.

ND 1

Religious Exemption Request

06 OCT 2021

From: ND/E-3, ND 2 Navy Diver USN

To: Chief of Naval Personnel

Via: Commander M.T Williams, Naval Construction Battalion

Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE

Ref: (a) DoD Instruction 1300.17

(b) SECNAVINST 1730.8B CH-1

(c) BUPERSINST 1730.11A

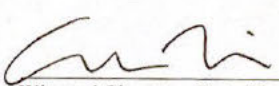
(d) BUMEDINST 6230.15B

(e) MILPERSMAN 1730-020

1. Pursuant to references (a) through (e), I hereby request religious accommodation from Navy policy regarding COVID-19 Vaccine Mandate. I am declining the Covid-19 vaccination because I believe it is morally wrong to be forced to be inoculated with experimental vaccines that is in-line with my religious beliefs.
2. I certify that I understand that any approved or partially approved waiver may not be appropriate for future duty to which I may be assigned, including operational, non operational or training command(s), and may be suspended or withdrawn in accordance with reference (c).
3. I acknowledge having received the following counseling:
  - a. Failure to obtain immunization poses additional risk to my health upon exposure to disease.
  - b. In the event of foreign travel, I may be detained during travel across foreign borders due to international health regulations.
  - c. If granted, a waiver may be revoked by my commanding officer if I am at imminent risk of disease or due to international health regulations.
  - d. If my job duties change, I may need to route a new request.
  - e. If I am at my permanent change of station while my waiver is in effect, I may need to route a new request if my job duties change, my geographic region exposes me to the aforementioned disease, or other factors exist that could put me at imminent risk of disease

ND 2



ADMINISTRATIVE REMARKS NAVPERS 1070/613 (REV. 08-2012) PREVIOUS EDITIONS ARE OBSOLETE SUPPORTING DIRECTIVE MILPERSMAN 1070-320			
SHIP OR STATION: NCTC [REDACTED]			
SUBJECT: COVID-19 Vaccination Administrative Counseling/Warning		<input checked="" type="checkbox"/> PERMANENT <input type="checkbox"/> TEMPORARY AUTHORITY (IF PERMANENT): BUMEDINST 6230.15B and [Implementing Service Directive]	
1. On <u>24AUG21</u> (date) all U.S. service members were mandated to be vaccinated against COVID-19. Your current medical records indicate that you have not been vaccinated against COVID-19.  2. The following information is provided for your consideration: a. Your health and safety are the Navy's number one concern. b. The COVID-19 vaccines are safe and effective. c. The threat from COVID-19 is deadly and real. d. Vaccination has proven to be the most effective defense against serious illness caused by COVID-19. e. Healthcare providers are available to discuss your medically related objections/concerns with the COVID-19 vaccines. f. DoD will administer COVID-19 vaccinations consistent with FDA approved dosing schedules and current standards of medical practice. g. Administration of the COVID-19 vaccine is in the interest of national security and protection of the force. Receiving the vaccine helps protect your family and dependents as well as fellow Sailors and Marines and associated DoD civilians.  3. Unless medically or administratively exempt, any refusal to be vaccinated may constitute a Failure to Obey a Lawful Order and may be punishable under the Uniform Code of Military Justice (UCMJ) and/or administrative action for Failure to Obey a Lawful Order (UMCJ, Article 92).  4. The following corrective action is required:  Within 35 days of this administrative counseling, you will complete receipt of the COVID-19 vaccination using an FDA approved vaccine. Of note, the Pfizer vaccine is a two-shot series. Proof of vaccination is required and must be entered into your medical record.  5. Member must initial all that apply below:  [REDACTED] acknowledge the above counseling/warning and understand its contents. [REDACTED] I have been informed of my right to submit a statement in response to this counseling/warning (initial one below). [REDACTED] I intend to submit a statement. I will submit my statement within 10 days of this date. [REDACTED] I do not intend to submit a statement. [REDACTED] I intend to seek an exemption as indicated in para. 3 above. My exemption request will be submitted within 10 days of this date.  <div style="text-align: right;">             _____              Commanding Officer               ND 2 [REDACTED] 10/12/21              [REDACTED] s Signature Date/Signed           </div> <div style="text-align: right;">               BUC 12OCT21              Witness' Signature Date/Signed           </div>			
ENTERED AND VERIFIED IN ELECTRONIC SERVICE RECORD:			
VERIFYING OFFICIAL RANK OR GRADE/TITLE:	DATE:	SIGNATURE OF VERIFYING OFFICIAL:	
NAME (LAST, FIRST, MIDDLE):	SOCIAL SECURITY NUMBER:	BRANCH AND CLASS:	
ND 2 [REDACTED]	[REDACTED]	USN	
FOR OFFICIAL USE ONLY PRIVACY SENSITIVE			

1730  
N00R  
6 Oct 21

From: Command Chaplain, Naval Construction Battalion Center [REDACTED]  
To: Commanding Officer, Naval Construction Training Center

Subj: REQUEST FOR A WAIVER OF POLICY TO ACCOMMODATE PRACTICE BASED ON  
RELIGIOUS BELIEF ICO [REDACTED] ND 2

Ref: (a) SECNAVINST 1730.8B CH-1  
(b) SECNAVINST 1730.9A

1. NDSN [REDACTED] has submitted a request for accommodation of a religious practice per reference (a). Per BUPERSINST 1730.11A, I interviewed the requestor on 5 October 2021. I explained that this interview would not be a confidential communication as defined by reference (b) and informed the requestor that referral for confidential chaplain support was available.

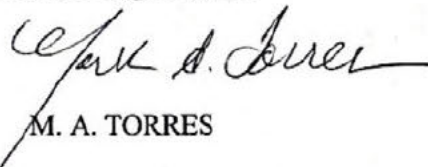
2. Nature of the request. [REDACTED] is requesting a waiver from the required COVID-19 vaccine based on his religious beliefs. [REDACTED] has not submitted this type of request in past.

3. Basis. [REDACTED] is a Baptist Christian and attended [REDACTED] Baptist Church, [REDACTED] [REDACTED] believes the New Testament teaching that human life is sacred, that his body is the "temple of the Holy Spirit" (1 Corinthians 6:19), and that taking care of his body is an act of religious expression. NDSN Dalton believes that the COVID-19 vaccines present unnecessarily high risk and are potentially harmful to his body. [REDACTED] further believes that his decision to refuse the vaccine is a matter of freedom of conscience, or the belief that God guarantees him the freedom to act according to his conviction. Therefore, [REDACTED] concluded that receiving the vaccines could cause harm to his body, cause him to willfully sin, and violate his freedom of conscience.

4. Alternate Means. During our interview, we discussed the possibility of alternate means of religious accommodation. [REDACTED] concluded there are no alternate means that do not violate his religious beliefs while meeting the Navy's current COVID-19 vaccine policy.

5. Sincerity. I believe [REDACTED] is sincere in his religious conviction concerning the COVID-19 vaccine. Due to his religious beliefs, which guide every aspect of his life, receiving the COVID-19 vaccine could violate his conviction concerning the sanctity of human life and freedom of conscience.

6. My contact information is (228) 871-3080 or mark.a.torres@navy.mil.

  
M. A. TORRES

Copy to:  
[REDACTED]



BUPERSINST 1730.11A

16 Mar 2020

CHAPLAIN INTERVIEW CHECKLIST TEMPLATE

Requestor:			Interview Date: 5 OCT 2021
Name: [REDACTED]			Chaplain Interviewer: LCDR MARK A. TORRES
Phone: ND 2			Phone: 228-871-3080
Email: [REDACTED]			E-mail: mark.a.torres@navy.mil
Command: [REDACTED]			Chaplain's Command: NCBC Gulfport
Interview Preliminaries			
Yes	No	N/A	
✓			Chaplain reviewed policy and doctrine on religious accommodation and the policy for which the requestor is seeking accommodation.
✓			Applicant was notified that the interview is not confidential and will be used to advise the command.
✓			Chaplain explained to the applicant that confidential support can be received from another chaplain.
	✓		Applicant has been granted a waiver for this practice previously.
✓			Applicant's Page 2 (NAVPERS 1070/602) reflects the belief cited in the application.
Type of Waiver Requested			
Yes	No	N/A	
		✓	Uniform standards
		✓	Grooming standards
✓			Immunization requirements
		✓	DNA sampling
		✓	Other (Please describe):
Interview			
Yes	No	N/A	
✓			Requestor's religious beliefs seemed honestly and sincerely held using one or more of the following factors:
✓			1. Requestor was credible (consistently keeps tenets, practices, etc.).
✓			2. Requestor's demeanor and pattern of conduct are consistent with the request.
✓			3. Requestor participates in activities associated with the belief(s).
		✓	4. Other persons supporting the claim are credible.
	✓		5. Request is supported by letter(s) of verification or endorsement from an organization espousing the beliefs which are the basis for the claim.
✓			Alternate means of accommodating the practice were explored in the interview.
Process Checklist			
Yes	No	N/A	
✓			Chaplain has prepared a memorandum documenting the interview.
✓			Chaplain reviewed memorandum with applicant and provided a copy.
✓			Chaplain submitted the memorandum and this document to the commanding officer via chain of command.
✓			Chaplain referred applicant to command to process request.



Enclosure (2)

Pls' Mot. for Prelim. Inj. App. 000084



**WARNING ADVISEMENT ABOUT STATEMENTS MADE  
DURING A RELIGIOUS ACCOMMODATION INTERVIEW**

I, ND 2, have been advised that statements that are made during the course of my religious accommodation interview are not confidential and may be disclosed by Chaplain MARK A. TORRES to further my religious accommodation request.

10/05/21  
Date

[REDACTED]  
Counselor

10/5/21  
Date

CPA M. A. Torres  
Chaplain

From: EODCS, [REDACTED] EOD 1 [REDACTED] USN

To: Commanding Officer, Naval School Explosive Ordnance Disposal

Subj: REQUEST FOR WAIVER OF POLICY IN SUPPORT OF RELIGIOUS PRACTICE

Ref: (a) DoD Instruction 1300.17 of 10 February 2009  
(b) SECNAVINST 1730.8  
(c) BUPERSINST 1730.11  
(d) MILPERSMAN 1730-020

Encl: (1) Personal Statement of Belief  
(2) NAVPERS 1070/613 medical counseling

1. Pursuant to references (a) through (d), I hereby request religious accommodation from Navy policy outlined in BUMEDINST 6230.15B for all mandatory routine and non-routine vaccinations due to my religious belief that vaccinations are in violation of God's Word and my sincerely held beliefs.

2. Enclosure (1) describes in detail the sincerity of my belief and the religious conflict I have with vaccinations.

3. I certify that I understand that any approved waiver may not be appropriate for future duty to which I may be assigned, including operational, non-operational or training command, and may be suspended or withdrawn in accordance with reference (c).

EOD 1

MEMORANDUM FOR RECORD

SUBJECT: Religious Vaccine Accommodation for EODCS

EOD 1

I, Explosive Ordnance Disposal [REDACTED] permanent resident of the state of [REDACTED] currently stationed at [REDACTED] am exercising my rights under the First Amendment of the U.S. Constitution to declare Religious Accommodation. This declaration is based on sincerely held beliefs that are contrary to the practice of vaccination.

I profoundly believe that the Bible is the inerrant word of God which has authority over every aspect of my life. Genesis 1:1 says, in the beginning, God created the heavens and the earth and John 1:1 says "in the beginning was the Word and the Word was with God and the word was God. If I believe those two statements to be true, which I do, God is the perfect designer and author of all creation including the Bible and all mankind. I do not pick and choose of the Bible I am willing to submit to, rather I submit to the entirety of God's word. All Scripture is breathed out by God and profitable for teaching for reproof, for correction and for training in righteousness" (2Tim 3:16). As a Christian, I am called to investigate and act upon Holy Spirit led convictions through earnest prayer and God's word (1Thes 5:19). John 15:26 says this about the Holy Spirit, "He is the Helper whom will be sent to me from the Father." By idly standing by and by blindly conforming I am quenching what the Holy Spirit has led me to address, I am deliberately sinning. "For if we go on sinning deliberately after receiving the knowledge of truths there no longer remains a sacrifice for sins, but a fearful expectation of judgement, and a fury of fire that will consume the adversaries" (Heb 10:26). As a Christian man, my utmost desire and pursuit is righteousness and holiness through obedience to God's precepts and statutes which are revealed to me through the Bible. Below I describe in detail that allowing vaccines to be injected into my body is in direct violation of God's word and the precepts and statutes that I am called and commanded to obey.

As God worked through six days of creation, He took a step back "and God saw everything He had made, and behold, it was very good" (Gen 1:31). God designed us to be "fearfully and wonderfully made" (Psalm 139:14) with no need for man to intervene. From the Complexity of our DNA to the anatomy of our eyes it is very clear that God designed us exactly how He wanted. He provided us with a complex immune system that consists of cells and proteins that naturally defend the body against infection and, in simple terms, keeps a list of all attacks against the body. The immune system then naturally produces antibodies that will help defend the body from subsequent attacks. God's perfect design of the human body, which takes into account all aspects of form and function, needs no finite man or woman to improve what an infinite God has made. I am called to treat my body as a living sacrifice to God, holy and acceptable (Rom 12:1). Holy and acceptable to God means without blemish and thus not allowing toxins, viruses, bacteria, animal blood, animal protein, aborted fetal tissue, mercury, aluminum, formaldehyde, and an array of other harmful chemicals that are found in vaccines to be injected into my body. Malachi 1:8 describes in detail Israel's offense of bringing God blemished sacrifices. In Leviticus 22, God addresses acceptable offerings and that anything less would profane His name. By allowing vaccine injections into my body, I would be forced to live my life in direct contradiction and in violation of God's word and my sincerely held convictions and beliefs.

The moral authority in my life is established by the word of God. It draws distinction between right and wrong and good and bad behavior. God has given me two ways to discern His law: revelation and conscience. It is through an intimate relationship with God that I



know and understand His laws and precepts. This revelation comes through the 10 Commandments (Exod 20) and God's Word. Secondly, it is through my conscience. I was made in God's image (Gen 1:27) and His laws are imprinted on my heart (Psalm 119:11) as He formed me in the womb (Psalm 139:15-16). I carry out this inherent morality through my conscience with guidance from the Holy Spirit (Romans 2:15). My beliefs, how I treat others, and how I act is solely based off revelation and my Spirit-led conscience. This leads me to the profound moral conflicts that I have concerning the evil, wrong, and unethical behavior that Pharmaceutical companies have demonstrated throughout the past two decades. These crimes consist of but are not limited to the failure to disclose safety information, physician incentives, making false and misleading statements, under paying rebates owed, Medicare fraud, poor manufacturing process, safety violations, ethical issues, and crimes against humanity. Between 1991 and 2017, pharmaceutical companies entered into 412 settlements and had \$38.6 billion in criminal and civil penalties. All of this is public knowledge and can be found at [www.citizen.org](http://www.citizen.org). The most recent settlement being July 20, 2021 when Johnson and Johnson paid \$26 billion for their role in the Opioid crisis that took the lives of countless people across the globe. Their greed, disregard for the lives others, blatant lying, and failure to follow federal laws further establishes the deeply held conflicts within my biblically grounded moral beliefs which are firmly anchored in God's word. As a Christian man, I am expected by God to hold fast what is good, to act in my spirit led convictions, and to abstain from every form of evil (1 Thes 5:20-22), and again in 1 Timothy 6:11-12, I am called to flee what is evil and pursue righteous actions, "for you, oh man of God, flee these things. Pursue righteousness, godliness, faith, love, steadfastness, gentleness. Fight the good fight of faith". By submitting to the use of vaccinations, it is my conviction that I am living in sin, direct contradiction to the clear teachings and expectations of God, by supporting unethical and utterly debased behavior that is void of a moral compass and fueled by greed. This, in no way, is the pursuit of righteousness and godliness and is, according to scripture, living in sin. John summarized this in 1John 3:4, "everyone who makes a practice of sinning also practices lawlessness, sin is lawlessness". Making a practice of sinning is habitually sinning. John goes on to say in verse 6, "no one who abides in him keeps on sinning; no one who keeps on sinning has either seen him or known him". Force vaccination leaves me with only two possible courses of actions: to either comply and live in the practice of sin or to abstain from all things evil, as God's word calls me to do, ultimately forcing me to stand in defiance of mandatory vaccines. Anything less would cause separation from God with eternal consequences.

On January 11, 2018, Dr. Stanley Plotkin, a renowned vaccinologist and a consultant to vaccine manufactures and governments, disclosed under oath during a deposition in the Michigan Circuit Court, heinous admissions to the unethical and inhuman studies conducted with vaccines. His admission to pharmaceutical companies using orphans, mentally handicap, and children of imprisoned mothers to conduct clinical tests and efficacy studies is extremely disturbing. This information is open source and can be found by searching "Stanley Plotkin's deposition". Dr. Plotkin proceeds, under oath, to confirm that vaccines do contain aborted fetal tissue (WI-38 and MRC-5) as well as human and animal DNA. The God of scripture is crystal clear on His pro-life stance. The words "You shall not murder" can be found in Exodus 20:13. Further, God ascribes value to all human life in Psalm 139:13-16, "my frame was not hidden from you when I was being made in secret, intricately woven in the depths of the earth. Your eyes saw my unformed substance; in your book were written every one of them, the days that were formed for me, when as yet there was none of them." In 1 Corinthians 3:16-17, God refers to our bodies as temple and the dwelling place of the Spirit of God and that if anyone destroys God's temple, God will destroy them. Abortion is

abhorred by God and therefore is and must be abhorred by me. To knowingly allow the cells of aborted fetal tissue to be injected into my body, I am directly supporting the continued practice of abortion which through my spiritual conviction I cannot condone.

In Exodus, God hears the groans of the Israelites underneath the slavery of the Egyptians and through a series of plagues, God begins to set His people apart from the world. He calls us to be in the world but not of the world. Ancient Pagans practiced the rituals of the drinking of animal and human blood, and in Acts 15:20-21, Luke reminds us that we are to abstain from blood continuing the act of God separating Christians from a godless world. Given the evidence that human and animal DNA is used in the production and found in vaccinations, I will be in direct violation of God's word and I will no longer be separating myself from the world but conforming to it. The blood poured out by Jesus Christ on the cross for the atonement of my sins and redemption is the only blood that separates me from the world. Additionally, it is an abomination to allow animal DNA to be injected into my body. God on numerous occasions throughout scripture speaks specifically to this sin. In Leviticus 17, God lays out His laws against eating blood saying, "For the life of every creature is its blood: its blood is its life. Therefore I have said to the people of Israel, you shall not eat the blood of any creature, for the life of every creature is its blood. Whoever eats it shall be cut off." the fact that vaccines were not used in the Old Testament, does not invalidate this law in regards to vaccinations. In its purest meaning, God is saying that no blood from humans or animals should enter my body and in modern medical times, this includes the injections of vaccines. This again puts me in direct violation of God's law and has eternal consequences.

This decision is based on my individual spiritual conscience and commitment to live by God's word. I am submitting this accommodation for all routine and non-routine vaccinations:

Adenovirus  
Anthrax  
Covid-19  
Hib  
Hep A  
Meningococcal  
Pertussis  
Pneumococcal  
Poliomyelitis  
Hep B  
Influenza  
Japanese  
Encephalitis  
MMR  
Rabies  
Small Pox  
DTaP/TDaP  
Typhoid  
Varicella  
Yellow Fever

I expect my leaders to uphold the oath to support and defend the United States Constitution and protect my right to free exercise of religion clause of the First Amendment in declaring

religious accommodation from vaccination in accordance with DODINST 1300.17 and BUPERSINST 1730.11A. Please take notice that Title VII of the Civil Rights Act of 1964 as amended November 1, 1980; Part 1605.1 – Guidelines on Discrimination Because Of Religion, employers are prohibited from discriminating in the form of treating an employee with professed religious beliefs differently and cannot impose different work requirements for an employee with professed religious convictions.

The U.S. Supreme Court held in *Frazee v. Illinois Department of Security*, 489 U.S. 829, found that a state may not deny an accommodation simply because a person is not a member of a formal religious organization and I trust that my service to our country which bears the hardship of rooting within a congregation will not be held against me. Furthermore, applicable law has been interpreted to mean that a religious belief is subject to protection even though no religious group espouses such beliefs or the fact that the religious group to which the individual professes to belong may not advocate or require such belief.

EOD 1



# Exhibit 2

**AFFIDAVIT OF LTC. THERESA LONG M.D. IN SUPPORT OF A MOTION FOR A PRELIMINARY INJUNCTION ORDER**

I, Lieutenant Colonel **Theresa Long**, MD, MPH, FS being duly sworn, depose and state as follows:

1. I make this affidavit, as a whistle blower under the Military Whistleblower Protection Act, Title 10 U.S.C. § 1034, in support of the above referenced MOTION as expert testimony in support thereof.

2. The expert opinions expressed here are my own and arrived at from my persons, professional and educational experiences taken in context, where appropriate, by scientific data, publications, treatises, opinions, documents, reports and other information relevant to the subject matter and are not necessarily those of the Army or Department of Defense.

**Experience & Credentials**

3. I am competent to testify to the facts and matters set forth herein. A true and accurate copy of my *curriculum vitae* is attached hereto as **Exhibit A**.

4. After receiving a bachelor's degree from the University of Texas Austin, completed my medical degree from the University of Texas Health Science Center at Houston Medical School in 2008. I served as a Field Surgeon for ten years and went on to complete a residency in Aerospace and Occupational Medicine at the United States Army School of Aviation Medicine, Fort Rucker, AL. I hold a Master's in Public Health, and I have been trained by the Combat Readiness Center at Ft. Rucker as an Aviation Safety Officer. Additionally, I have trained in the Medical Management of Chemical and Biological Causalities at Fort Detrick and USAMIIRD.

5. I am board certified in flight Aerospace Medicine and board eligible in Occupational Medicine.

6. I am currently serving as the Brigade Surgeon for the 1<sup>st</sup> Aviation Brigade Ft. Rucker, Alabama and am responsible for certifying the health, mental and physical ability, and readiness for all nearly 4,000 individuals on flight status on this post.

7. My appended *curriculum vitae* further demonstrates my academic and scientific achievements by me over the past thirteen years.

8. Prior to the outset of the pandemic, I received specialized military training from Infectious Disease doctors from the Army, Navy and Air Force on emerging infectious disease threats, FEMA training, Emergency preparedness training, Medical effects of Ionizing Radiation, OSHA, Aerospace Toxicology, Epidemiology, Biostatistics, medical research and disaster planning. More recently I have functioned as a medical and scientific advisor to an Aviation training Brigade seeking to identify risk mitigation strategies, and bio statistical analysis of SARS- Cov-2 ("Covid 19") infections in both vaccinated and unvaccinated Soldiers. In so doing, I have identified, diagnosed and treated Covid 19 pathogenic infections. I have observed vaccine

adverse events following the administration of EUA vaccines, and followed the success of Soldiers who obtained various Covid 19 therapies outside the military. The majority of the service members within the DOD population are young and in good physical condition. Military aviators are a subset of the military population that has to meet the most stringent medical standards to be on flight status. The population of student pilots I take care of are primarily in their 20s-30s, males and in excellent physical condition. The risk of serious illness or death in this population from SARs-CoV-2 is minimal, with a survival rate of 99.997%.

9. In observing, studying and analyzing all the available data, information, samples, experiences, histories and results of these treatments and inoculations provided, I have formulated a professional opinion, which requires me to report those findings to superiors in the chain of command and colleagues in the military. I have done so with mixed results in terms of acceptance, rejection and threats of punishment for so sharing.

10. The application of risk management is critical to the safety and success in both medicine and aviation. Aerospace Medicine is a specialty devoted to safety of flight by the aeromedical dispositioning and treatment of flight crew members, as accomplished by the consistent and careful application of risk mitigation and management strategies. ATP 5-19, 1-3. Risk Management (RM)<sup>1</sup> outlines a disciplined approach to express a risk level in terms readily understood at all echelons.

<sup>1</sup> [adminpubs.tradoc.army.mil/regulations/TR385-2withChange1.docx](https://adminpubs.tradoc.army.mil/regulations/TR385-2withChange1.docx) 4

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11. 1-6. States, “A risk decision is a commander, leader, or individual’s determination to accept or not accept. The risk(s) associated with an action he or she will take or will direct others to take. RM is only effective when specific information about hazards and risks is passed to the appropriate level of command for a risk decision. Subordinates must pass specific risk information up the chain of command.”

12. “When the specific information about hazards and risks is passed to the appropriate level of command for a risk decision. Subordinates must pass specific risk information up the chain of command. Conversely, the higher command must provide subordinates making risk decisions or implementing controls with the established risk tolerance—the level of risk the responsible commander is willing to accept. RM application must be inclusive; those executing an operation and those directing it participate in an integrated process”.

13. 1-7. States, “In the context of RM, a control is an action taken to eliminate a hazard or to reduce its risk. Commanders establish local policies and regulations if appropriate”.

14. The five steps of Risk management include; 1. Identify the hazards, 2. Assess the hazards, 3. Develop controls and make risk decisions, 4. Implement controls, 5. Supervise and evaluate.

15. It is therefore my responsibility and that of every leaders to apply the steps of risk management to the current pandemic and countermeasures used. **The CDC and the FDA are**