

(UNCLASSIFIED)

INFORMATION PAPER

DACH-ISZ
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SUBJECT: Funding Religious Support and the Free Exercise of Religion

1. Purpose. To answer the request for information, "Can local commanders use their Appropriated Funds, including Operations and Maintenance, Army (OMA) funds, for religious support and the Free Exercise of Religion?"

2. References. 10 USC § 1789; 10 USC § 2245a; 10 USC. § 3547; DoDD 1304.19, Appointment of Chaplains for the Military Departments; 11 June 2004; AR 165-1, Army Chaplain Corps Activities, 23 June 2015.

3. Discussion. Soldiers, Family Members, and authorized DOD Civilians are entitled to religious support and the free exercise of religion as guaranteed by the First Amendment to the US Constitution, Title 10, United States Code (10 USC), Department of Defense directives and regulations. The religious program for the Army is the commander's program. Commanders establish and maintain a climate of high moral and ethical standards. Commanders will provide equitable support for religious, moral, and ethical activities of all personnel in their commands, and provide opportunity, time, and facilities for the free exercise of religion in accordance with law, regulations, and mission requirements (AR 165-1, §§1-10, 2-1). The appropriate funding sources are as follows:

a. Support to Religious Services for Service Members – Chaplains advise the command on all matters pertaining to the free exercise of religion and assist the commander in providing for the accommodation of religious practices. It is DoD policy that chaplains "advise and assist commanders in the discharge of their responsibilities to provide for the free exercise of religion in the context of military service as guaranteed by the Constitution" and "provide comprehensive religious support to all authorized individuals within their areas of responsibility." (DoDD 1304.19) Service commanders shall provide facilities, to include necessary transportation, to assist the chaplain in performing his/her duties. (10 USC § 3547). Implicit within the command's support is the necessity to provide personnel, training, equipment, and supplies, for chaplains to perform their religious mission. Funding for religious support to service members may be funded from available OMA funds (subject to the Investment/Expense threshold of 10 USC § 2245a) to include Functional Area (Sub Activity Group (SAG), Army Program Element (APE), etc.), Budget Activity Group (BAG), and OPTEMPO funds.

b. Support Services for Members of Armed Forces and Immediate Family Members - Commanders may provide support services to support chaplain-led programs to assist members of the armed forces on active duty and their immediate Family Members in building and maintaining a strong Family structure. Authorized support services are costs of transportation, food, lodging, child care, supplies, fees and training materials. (10 USC § 1789).

(1) Commanders may provide funding to support members of the armed forces and immediate Family Members to build and maintain a strong family structure from available OMA funds (subject to the Investment/Expense threshold of 10 USC § 2245a) to include Functional Area (SAG, APE, etc.), BAG, and OPTEMPO funds.

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(2) Alternatively, commanders may request funding for training events through the HQDA Army Strong Bonds program in furtherance of the objectives outlined in 10 USC § 1789.

4. Points of Contact (POC). Please refer questions to the following POCs:

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