

SECOND REGULAR SESSION

# HOUSE RESOLUTION NO. 4210

## 102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BILLINGTON.

5646H.011

DANA RADEMAN MILLER, Chief Clerk

1           **WHEREAS**, on August 24, 2021, the Secretary of Defense issued a mandatory  
2 vaccination policy against coronavirus disease 2019 (COVID-19) for all members of the  
3 Armed Forces under Department of Defense authority who were on active duty or in the  
4 Ready Reserve, including the National Guard; and

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6           **WHEREAS**, the mandatory vaccination policy was implemented consistent with  
7 Department of Defense Instruction 6205.02, "DoD Immunization Program," effective July 23,  
8 2019; and

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10           **WHEREAS**, mandatory vaccination of military service members was subject to any  
11 identified contraindications and any administrative or other exemptions established in  
12 Military Department policy allowing the promulgation of appropriate guidance to carry out  
13 the requirements of such mandate; and

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15           **WHEREAS**, military service members are entitled to protection of free speech and  
16 free exercise of religion under the First Amendment, which states, "Congress shall make no  
17 law respecting an establishment of religion, or prohibiting the free exercise thereof; or  
18 abridging the freedom of speech, or of the press; or the right of the people peaceably to  
19 assemble, and to petition the Government for a redress of grievances."; and

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21           **WHEREAS**, such First Amendment rights are not stripped away when one enters the  
22 military; and

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24           **WHEREAS**, military service members are entitled to exercise their First Amendment  
25 rights; and

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27           **WHEREAS**, on May 4, 2017, United States President Donald J. Trump issued  
28 Executive Order 13798, "Promoting Free Speech and Religious Liberty", which states in part  
29 that it "shall be the policy of the executive branch to vigorously enforce Federal law's robust

30 protections for religious freedom" and requires that "all executive departments and agencies .  
31 . . shall, to the greatest extent practicable and to the extent permitted by law, respect and  
32 protect the freedom of persons and organizations to engage in religious and political speech";  
33 and

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35 **WHEREAS**, the Executive Order's reference to "all executive departments and  
36 agencies" clearly includes the Department of Defense; and

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38 **WHEREAS**, in keeping with the President's Executive Order, on September 1, 2020,  
39 the Department of Defense issued Department of Defense Instruction 1300.17, "Religious  
40 Liberty in the Military Services", which provides that service members "have the right to  
41 observe the tenets of their religion, or to observe no religion at all" and declares the following  
42 policy: "In accordance with Section 533(a)(1) of Public Law 112-239, as amended, the DoD  
43 Components will accommodate individual expressions of sincerely held beliefs (conscience,  
44 moral principles, or religious beliefs) which do not have an adverse impact on military  
45 readiness, unit cohesion, good order and discipline, or health and safety. A Service member's  
46 expression of such beliefs may not, in so far as practicable, be used as the basis of any adverse  
47 personnel action, discrimination, or denial of promotion, schooling, training, or assignment.";  
48 and

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50 **WHEREAS**, some COVID-19 vaccines are made from, or were developed from, cells  
51 or cell lines from aborted human fetuses, and taking the vaccine makes the recipient an  
52 accessory to abortion, which many believe to be against God's laws; and

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54 **WHEREAS**, those military service members who sincerely hold pro-life, Bible-based  
55 beliefs that abortion is wrong and sinful should be exempted from being required or coerced  
56 to accept any COVID-19 vaccines; and

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58 **WHEREAS**, the Department of Defense and the courts do not need to agree with  
59 these religious objections, but they must recognize that such religious objections are protected  
60 by the First Amendment; and

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62 **WHEREAS**, the military has utilized vaccinations in the past, but none have involved  
63 the complex and controversial medical, scientific, religious, sociological, and religious issues  
64 triggered by the COVID-19 vaccine; none have involved such serious and divisive questions  
65 as to the vaccine's origin, its effectiveness, or its likelihood to produce adverse reactions; and

66 none have engendered the serious religious and other objections that have arisen from the  
67 COVID-19 vaccine that was released:

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69 **NOW THEREFORE BE IT RESOLVED** that we, the members of the Missouri  
70 House of Representatives, One Hundred Second General Assembly, Second Regular Session,  
71 hereby:

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73 (1) Recognize that many military service members were wrongfully denied their  
74 constitutional rights under the First Amendment when they were denied religious exemptions  
75 to the COVID-19 vaccine requirement;

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77 (2) Recognize that many military chaplains' lives and careers were damaged, and  
78 many military careers were damaged, by the denial of promotions and wrongful termination  
79 of their service;

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81 (3) Recognize that the Department of Defense erred in its application of the First  
82 Amendment; and

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84 (4) State our support for remedies to fully compensate the military service members  
85 who were wrongfully terminated for their choice not to receive the COVID-19 vaccine  
86 including, but not limited to, reinstating such members to active duty.

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