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Secretary of Defense Lloyd Austin is seen in Washington on Sept. 29, 2021. (Olivier Douliery/Pool/Getty Images)

JUDICIARY

Pentagon Ordered to Specify How It Treats Religious Exemption Requests to Vaccine Mandate

By [Zachary Stieber](#) | November 1, 2021 Updated: November 1, 2021

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The U.S. Department of Defense has been ordered to outline in detail how service

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Pentagon officials must in detail explain how troops can apply for a religious exemption, the procedure for resolving the request, the criteria by which applications are judged, and the procedure the persons deciding on each request use to judge them, U.S. District Judge Steven Merryday, a George H. W. Bush nominee, **ordered** on Oct. 29.

The Pentagon must file the details on Nov. 12 at the latest.

In addition, military officials must give “a precise statement of the number of requests in each branch for a religious exemption from injection of a COVID-19 vaccine; the number of requests granted, denied, and pending; the number of persons in the armed forces who are unvaccinated and who have submitted no request for exemption; the number of persons whose application is resolved and who have received some change in the terms and conditions of their service, including separation of any kind; and the categories of results that have occurred and how many of each kind of result has occurred,” Merryday wrote.

Some of those details, including how many religious exemption requests have been granted and denied, would be new. The military has rejected requests to disclose those figures.

The order came in a case **brought against** the military and other parts of the federal government. The class-action lawsuit alleges federal vaccine mandates violate multiple laws.

At issue is the fact that COVID-19 vaccines are being mandated but the only version with Food and Drug Administration approval was not available in the United States **as of Oct. 13**.

Liberty Counsel, a law group representing the plaintiffs, says that means defendants, including Defense Secretary Lloyd Austin, are in violation of the Federal Food, Drug, and Cosmetic Act. Plaintiffs also say the Religious Freedom Restoration Act and the First Amendment are being violated.

Plaintiffs include members of the Army, Navy, Marines, Air Force, and Coast Guard.

The first military mandate deadline [is Tuesday](#).

Defendants are set to file a response to the plaintiffs' motion for a preliminary injunction, or a temporary block of the mandates, by Nov. 4.

Lawyers for the government said in [a separate filing](#) that they will address the claims that the mandates are in violation of the law.

“In addition to addressing these claims, defendants' memorandum will also address numerous threshold constitutional questions of jurisdiction under Article III, none of which were addressed by plaintiff,” they wrote.

A hearing in the case is scheduled for Nov. 15 at the federal courthouse in Tampa.



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Zachary Stieber covers U.S. news, including politics and court cases. He started at The Epoch Times as a New York City metro reporter.



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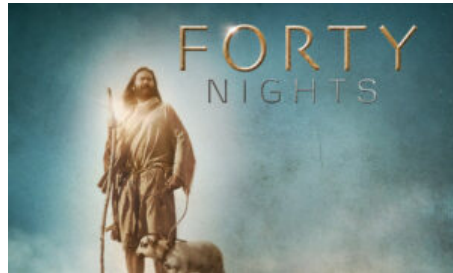
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