

MSC POLICY AND GUIDANCE FOR CIVILIAN MARINERS SERVING AS RELIGIOUS LAY LEADERS ABOARD MSC SHIPS

From: MSC Force Chaplain (N00C)
To: MSC Chaplains, Ships Masters, and Civilian Mariners
desiring or invited to serve as Religious Lay Leaders

1. Background

A. The accommodation of the religious and faith needs of Civil Service Mariners onboard MSC ships is not only a constitutional right, it is vital to the health and well-being of individuals, their families, and a ship's crew. To the best of his ability, COMSC will seek to provide opportunities for the free exercise of religion for all members, uniformed or civilian, of the MSC workforce afloat. Because of the lack of MSC Chaplains, this is best accomplished through the use of Religious Lay Leaders.

B. On June 5, 2009, MSC's Force Chaplain, CAPT Burmeister, requested legal guidance for expanding religious services available onboard MSC ships for Civil Service Mariners. This paper sets forth the guidelines for permissible actions that facilitate religious exercise for MSC civilian employees onboard MSC ships. The paper also includes restrictions of actions that are inconsistent with the First Amendment's prohibition of the establishment of religion.

2. Policy and Guidance

A. MSC Chaplains and Ships Masters can facilitate religious exercise for Civilian Mariners (CIVMARS) by:

- (1) Allowing CIVMARS to attend military lay leader training on a space available basis, and only when in an off-duty status.
- (2) Accommodating requests for time and space aboard ship for CIVMARS to conduct religious services without discriminating between requests from different religious groups.
- (3) Supplying ships with religious materials, including instructions for conducting religious services, for personnel to read in their free time.

B. MSC Chaplains and Ships Masters cannot endorse private religious exercise by:

- (1) *Formally* appointing CIVMARS to be Religious Lay Leaders. Only members of the military can be officially appointed as Religious Lay Leaders. CIVMARS may *volunteer* for this function, but may not be formally appointed by the command.
- (2) Holding lay leader training sessions *solely* for the purpose of training CIVMARS. As indicated in section A.(1) above, CIVMARS may only attend such training when it is being provided for *military* lay leaders.
- (3) Giving or withholding benefits to CIVMARS who choose to attend lay leader training or religious services.
- (4) Discriminating between religious groups by accommodating some groups more than others.
- (5) Refusing to accommodate requests for time and space for private religious exercise (e.g. divine services, Bible studies, prayer gatherings) unless doing so would put an undue burden on MSC and/or the ship's mission.
- (6) Allowing CIVMARS to use official channels of communication (e.g. the "1-MC", published "Plan of the Week" etc.) for promoting religious activities.

3. Additional Resources

A. Further clarification of the above can be found in the following documents, both located on the MSC website/CIVMAR page/Religious Life/Spiritual Resources:

- (1) MSC "Office of General Counsel Memo of 14 JUL 2009 re: Lay Leader Program;" and in
- (2) "Navy Tactical Reference Publication 1-05-1, Religious Lay Leader Manual," of March 2010.

P.I. BURMEISTER

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