

Liberty Counsel Challenges Biden Administration Over Unlawful Actions

Liberty Counsel recently filed a class-action lawsuit along with a motion for a temporary restraining order and injunction against Joseph R. Biden, U.S. Secretary of the Department of Defense and U.S. Secretary of the Department of Homeland Security on behalf of members from all five branches of the military, federal employees and federal civilian contractors, who have been unlawfully mandated to get the COVID shots or face dishonorable discharge from the military or termination from employment. The preliminary injunction hearing will be on Monday, November 15 at 9 a.m., in the Middle District Court of Florida.

Liberty Counsel's plaintiffs hold sincere religious beliefs against the COVID shots that their body is the temple of the Holy Spirit and to defile it is a sin against God. They do not want to participate directly or indirectly or otherwise be associated with the destruction of human life through abortion by injecting a product that contains or was tested or developed with aborted fetal cell lines. The plaintiffs have all submitted religious exemption requests but have been told there are no religious exemptions. For the military plaintiffs, they have been told that merely submitting such a request will subject them to dishonorable discharge. The federal employees and civilian contractors similarly have faced opposition and none of the civilian contractors have received any guidance on where or how to file a religious exemption.

The military plaintiffs include two Navy SEALs, a Navy EOD Officer, a Navy Senior Chief Petty Officer, a Navy Chaplain, two Marine Lt. Colonels, two Marine Lance Corporals, an Air

Force Major, an Air Force Technical Sergeant, an Army National Guardsman, an Army Colonel and a Coast Guard Lieutenant.

All of them are exemplary representatives of America's military force. However, because of this unlawful COVID shot mandate, they are now placed in the position of having to choose between their job and their faith.

For example, one of the lieutenant colonels in the Marine Corps served in the reserves and volunteered for active duty following the attacks on September 11. In 2003, she wanted to be a role model for other women and completed officer candidate school where she received her commission as a second lieutenant in the Marine Corps. As a company grade officer, she served in several leadership roles including duties as a platoon commander during Operation Iraqi Freedom. As a field grade officer, she was selected and served as a Department of Defense Fellow and helped conduct research to integrate women into ground combat arms roles. Later, she was selected for command and staff college where she earned her master's degree.

However, this lieutenant colonel's decision not to receive the COVID shot is grounded in her experiencing God's forgiveness and healing from her own abortion. In 1995, she was raped and became pregnant. The anger and humiliation of the sexual assault led her to have an abortion which made her even more ashamed. In fact, after her abortion, she felt like a murderer. However, her husband helped her realize that through repentance God forgave her for the abortion. The COVID shot mandate places her in the position of reliving her rape and subsequent abortion, by being forcibly injected with a product tested on or made with aborted fetal cells or being dishonorably discharged from the service she loves.

Another military plaintiff, a coast guard lieutenant, has spent 14 years in service to her country. She felt the call to serve as a young child and followed in the footsteps of two

generations of her family. She submitted a request for a religious accommodation and exemption from the Coast Guard outlining her sincerely held religious objections to receiving one of the injections. While breastfeeding her child born earlier this year, she is currently under a temporary medical exemption while undergoing testing for allergies to vaccine components. Now she has been informed that should these waivers be denied, she may face an other-than-honorable discharge, loss of benefits and other disciplinary measures if she does not accept the shot.

Liberty Counsel's non-military plaintiffs include a Department of Defense contractor who has conducted Intelligence, Surveillance, and Reconnaissance (ISR) quantitative and qualitative assessments and studies, whose assessments are briefed to DOD senior leadership to inform decisions on future employment, allocation and procurement; a federal civilian engineer employed by a large military defense contractor that provides LCD screens used in United States armed forces aircraft; a federal civilian contractor employer whose company develops and supports military weapons systems, including current and next generation land vehicles for the Army and next generation Navy vessels; a federal nuclear contractor employee who is a young woman opposed to abortion and who desires to have children of her own one day; and a Department of Energy civilian nuclear technician who works at the Los Alamos National Laboratory.

The COVID shots cannot be mandatory under the federal Emergency Use Authorization law (EUA). While BioNTech's COMIRNATY is FDA approved, it is not available and will not be for at least many months. There is no FDA-approved COVID shot available. Under the EUA, individuals have the "option to accept or refuse" the products. Every COVID shot mandate is illegal.

The plaintiffs' free exercise of religion is protected under the federal Religious Freedom Restoration Act of 1993 (RFRA).

Regarding RFRA, the Supreme Court wrote, “That statute prohibits the federal government from substantially burdening a person’s exercise of religion unless it demonstrates that doing so both furthers a compelling governmental interest and represents the least restrictive means of furthering that interest. *Because RFRA operates as a kind of super statute, displacing the normal operation of other federal laws, it might supersede Title VII’s commands in appropriate cases*” (emphasis added).

In addition to RFRA, the plaintiffs’ free exercise of religion is also protected by the First Amendment.

“The Biden administration has no authority to require the COVID shots for the military or for federal employees or civilian contractors. Every COVID shot mandate is illegal under the Emergency Use Authorization law,” Liberty Counsel Founder and Chairman Mat Staver says. {eo}

For the original story, visit our content partners at .

Read articles like this one and other Spirit-led content in our new platform, CHARISMA PLUS.