

Religious Symbols in VA Facilities

- 1. REASON FOR ISSUE:** To update the Department of Veterans Affairs (VA) policy for including religious symbols in passive displays, including holiday displays, at VA facilities.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This directive sets forth policies, roles, and responsibilities for including religious symbols in passive displays at VA facilities.
- 3. RESPONSIBLE OFFICE:** Office of the Director, National Chaplain Center (111C), Veterans Health Administration (10).
- 4. RELATED HANDBOOK:** None.
- 5. RESCISSION:** VA Directive 0022 dated November 8, 2016.

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
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Assistant Secretary for
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Robert L. Wilkie
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1. **PURPOSE.** This directive revises Department of Veterans Affairs (VA) policy and procedures for including religious symbols in passive displays at VA facilities. This policy ensures that VA will comply with both the Free Exercise Clause and the Establishment Clause of the First Amendment to the U.S. Constitution.
2. **POLICY.** Religious symbols may be included in a passive display, including a holiday display, in public areas of VA facilities (see subsection a. below), if the display is of the type that follows in the longstanding tradition of monuments, symbols, and practices that simply recognize the important role that religion plays in the lives of many Americans. Such displays should respect and tolerate differing views and should not elevate one belief system over others. This policy does not govern displays in VA chapels during and in-between religious services. It also does not apply to displays in employees' workspaces that are not generally accessible to the public.
 - a. Public areas of VA facilities include: lobbies, public entrances, security desks, information desks, grounds, nursing stations, and other places where the general public may see a display.
 - b. VA is committed to inclusivity and nondiscrimination and evaluates all displays in public areas on a case-by-case basis in accordance with the policy stated above. VA particularly encourages the placement of diverse religious symbols together in passive displays in public areas.
 - c. The top official at each VA facility is encouraged to form a local committee representing diverse faith traditions to implement displays in a manner consistent with this policy. For Veterans Health Administration (VHA) facilities, these committees must include chaplains. The committees are encouraged to seek individual input from representatives of community stakeholders, such as Veterans Service Organizations (VSO).
 - d. If a question or concern arises at any VA facility from either an internal or external source regarding a proposed display, local officials must contact the Director of the Chaplain Service at the National Chaplain Center (NCC) for guidance, and the Director must consult with Office of General Counsel (OGC) before providing advice to local officials. This will ensure the following occurs:
 - (1) All facilities obtain advice from the same sources to ensure consistency.
 - (2) All VA facilities are guided by the top subject matter experts in VA, who are familiar with the advice given to other facilities.
 - (3) National offices are made aware of questions and concerns that may receive national attention.
 - e. VA facilities are also encouraged to seek advice from the Office of Diversity and Inclusion (ODI) on related diversity and inclusion issues.

3. RESPONSIBILITIES.

- a. **Under Secretaries, Assistant Secretaries, and Other Key Officials.** Under Secretaries, Assistant Secretaries, and Other Key Officials shall:
 - (1) Ensure that displays within their immediate offices and facilities are in accordance with this policy; and
 - (2) In consultation with the NCC, implement the policy set forth in this directive by developing consistent internal policy and procedures.
- b. **Office of General Counsel.** Office of General Counsel shall advise VA officials and managers, upon request, on legal issues and the interpretation of and applicability of court decisions pertaining to placement of religious symbols in displays in public areas of VA facilities.
- c. **Office of Diversity and Inclusion.** Office of Diversity and Inclusion shall provide guidance to VA officials and managers, upon request, about relevant diversity and inclusion issues.
- d. **Office of the Director, National Chaplain Center, Veterans Health Administration.** Office of the Director, Chaplain Service shall:
 - (1) Advise VA officials and managers, upon request, about the religious significance of symbols and practices of various faith groups;
 - (2) Consult with OGC on matters of national policy and questions and concerns that may arise regarding displays of religious symbols at particular facilities; and
 - (3) Review and update this directive every 5 years.
- e. **Directors of VA Medical Centers, Regional Offices, Cemeteries, and other Free-Standing Facilities** shall ensure that holiday displays under their supervision comply with this policy.

4. REFERENCES.

- a. Free Exercise Clause and Establishment Clause of the U.S. Constitution (<https://www.govinfo.gov/content/pkg/GPO-CONAN-REV-2014/pdf/GPO-CONAN-REV-2014-10-2.pdf>).
- b. VHA Directive 1111 "Spiritual and Pastoral Care in the Veterans Health Administration" <https://www.va.gov/vhapublications/publications.cfm?pub=1>.
- c. Federal Law Protections for Religious Liberty (<https://www.justice.gov/opa/press-release/file/1001891/download>).

- d. American Legion et al. v. American Humanist Association
(https://www.supremecourt.gov/opinions/18pdf/17-1717_j426.pdf).

5. DEFINITIONS.

- a. **Passive display.** Refers to a display of symbols, imagery, or text, typically on a wall, table, cemetery monument, or other structure.
- b. **Religious symbol.** Refers to a text, material object, emblem, or image that is representative of a religious or spiritual belief.
- c. **Secular.** Denotes attitudes, activities, or other things that are not pertaining to or connected with religion.
- d. **VA facility.** Any facility, or part thereof, that is under the jurisdiction or control of the Secretary for the provision of health care, benefits, and memorial services. This term includes but is not limited to medical centers, nursing homes, domiciliaries, outpatient clinics, Vet Centers, regional offices, cemeteries, auxiliary structures, garages and parking areas, and recreation facilities.