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Attorney General Steve Marshall Hails Federal Appeals Court Ruling Upholding Air Force Service Members Religious-Liberty Exemptions to COVID Vaccine Mandate

(MONTGOMERY) – Attorney General Steve Marshall hailed a federal appeals court decision Tuesday in a case supported by the State of Alabama that upheld the right of service members to seek religious exemptions to the U.S. Air Force’s COVID-19 vaccination mandate.

“An Airman may sacrifice much serving his country,” said Attorney General Marshall. “That sacrifice should not include his right to religious liberty. We have protections in place to ensure that an Airman enjoys largely the same rights to religious liberty as his fellow citizens. Those include the Free Exercise Clause and the Religious Freedom Restoration Act. This appeals court ruling underscores that the religious liberty of Air Force personnel cannot be trampled by the government.

“After the Air Force ordered all their personnel receive COVID-19 vaccinations, nearly 10,000 service members sought religious exemptions. However, the Air Force has only granted 135 exemptions, with most of those involving personnel already scheduled to retire soon. In February, a lawsuit was filed on behalf of Air Force service members seeking religious-liberty exceptions to the vaccine mandate. In March, a federal district court ruled in their favor, placing a preliminary injunction barring the Air Force from disciplining any member for claiming a religious-liberty exemption to the vaccine mandate.

“After the Air Force appealed the federal district court ruling, I joined with 20 fellow attorneys general in supporting the statutory and constitutional rights of the Airmen who were denied their rights. The victory this week in the U.S. Sixth Circuit Court of Appeals ensures the injunction protecting religious exemptions will continue in effect for Air Force members, including those on active duty, in the reserves, in the Air National Guard, and in the Space Force.”

In similar cases, Attorney General Marshall joined 22 attorneys general in filing a [brief](#) in April before the U.S. Supreme Court in support of U.S. Armed Forces service members challenging the U.S. Defense Department’s similar failure to grant religious exemptions for DoD personnel from COVID vaccinations. Attorney General Marshall also filed a [brief](#) in August supporting U.S. Navy personnel’s right to seek religious exemption from the Navy’s COVID vaccination mandate.

In defense of Air Force service members, Attorney General Marshall was joined by attorneys general from Alaska, Arizona, Arkansas, Florida, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming in filing a brief in September.

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A copy of the Attorneys General brief may be read [here](#).

A copy of the U.S. Sixth Circuit Court of Appeals ruling may be read [here](#).