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May 4, 2017

The Honorable John McCain  
Chairman  
Senate Armed Services Committee  
Russell Senate Building, Room 228  
Washington, DC 20510

The Honorable Jack Reed  
Ranking Member  
Senate Armed Services Committee  
Russell Senate Building, Room 228  
Washington, DC 20510

**OPPOSE THE POTENTIAL NOMINATION OF MARK E. GREEN TO BE  
SECRETARY OF THE ARMY**

Dear Chairman McCain and Ranking Member Reed,

On April 7, President Trump announced his intent to nominate Mark E. Green to be Secretary of the Army. Mr. Green is a Tennessee state senator and right-wing culture warrior who has made divisive and offensive comments about marginalized and vulnerable communities in America. He has supported legislation and policies that would harm the LGBT community, Muslims, immigrants, and women. We urge the Senate Armed Services Committee to oppose him if he is formally nominated to be Secretary of the Army.

The Leadership Conference on Civil and Human Rights, a coalition of more than 200 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, believes that federal departments must be led by individuals who have tolerance and respect for the diversity of employees whom they employ. Those who sacrifice for our country through military service deserve to have leadership that is worthy of that sacrifice. Mr. Green would not be such a leader.

As a state senator, Mr. Green has backed radical legislation that would undermine marriage equality and the legitimacy of Supreme Court decisions. Earlier this year, he cosponsored a bill, S.B. 752, which attacks the Supreme Court's 2015 *Obergefell v. Hodges* decision holding that gay and lesbian Americans have a constitutional right to marry. Mr. Green's bill declares that the *Obergefell* decision "is contrary to the public policy of this state and shall be void and unenforceable in Tennessee" and "flies in the face of reality, the created order, and the law of nature, just as if the Court were to claim authority to strike down the law of gravity or other natural laws."<sup>1</sup> It also asserts that "unlawful orders, no matter their source –

<sup>1</sup> <http://www.capitol.tn.gov/Bills/110/Bill/SB0752.pdf>.

whether from a military commander, a federal judge, or the United States Supreme Court – are and remain unlawful, and should be resisted.”<sup>2</sup> The bill condemns Justices Elena Kagan and Ruth Bader Ginsburg because they “failed to recuse themselves from consideration of the case, after demonstrating personal bias in its outcome, by officiating at and advocating for same-sex ‘marriage’ ceremonies.”<sup>3</sup> The bill goes on to state: “the United States Supreme Court is not infallible, and has issued lawless decisions which are repulsive to the Constitution and natural law, including *Scott v. Sandford*; *Buck v. Bell*; *Korematsu v. United States*; *Roe v. Wade*; and most recently *Obergefell v. Hodges*.”<sup>4</sup>

Mr. Green has demonstrated great hostility to transgender Americans, an estimated 15,000 of whom serve in our armed forces.<sup>5</sup> In a September 15, 2016 speech to the Chattanooga, Tennessee Tea Party, Mr. Green asserted that “if you poll the psychiatrists, they’re going to tell you that transgender is a disease” and he mocked transgender people as “guys or gals with question marks.”<sup>6</sup> In a May 16, 2016 letter urging the Governor of Tennessee to disregard the Obama Administration’s guidance on protecting transgender students’ rights to use restrooms matching their gender identity, Mr. Green wrote: “the unconstitutional decree issued by the Obama Administration must not only be stopped, but exposed as a reckless post-constitutional approach to our government.”<sup>7</sup> He argued that the Obama guidance would result in criminal attacks, writing: “The deviancy driving rapists and pedophiles has been dismissed and would most certainly impact and endanger a much larger segment of the public in an irrational fear of media criticism and opposition by a radical political activist subgroup.”<sup>8</sup> Earlier this year, Mr. Green was a cosponsor of a bill, S.B. 771, which would require students in public schools to use restrooms and locker rooms based on the gender listed on their birth certificates.<sup>9</sup>

Mr. Green has also demonstrated antagonism toward Muslims, thousands of whom serve bravely and honorably in our nation’s military. In his September 15, 2016 Tea Party speech, he said it was “a great question” when a man spoke of his worry regarding an armed insurrection by people who he claimed “don’t belong here, like Muslims in the United States.”<sup>10</sup> At the same event, Mr. Green said people must “take a stand on the indoctrination of Islam in our public schools” and “when you start teaching the pillars of Islam ... we will not tolerate that in this state.”<sup>11</sup> In a 2013 tweet he derisively referred to the President as “B Hussein Obama.”<sup>12</sup> And in a June 3, 2016 radio interview, Mr. Green expressed disdain for the United States taking refugees from Syria. He stated: “As a state senator, my responsibility very clearly in Romans 13 is to create an environment where people who do right are rewarded and the people who do

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<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Id.

<sup>5</sup> <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Transgender-Military-Service-May-2014.pdf>.

<sup>6</sup> Tin Ship Productions, *Senator Mark Green, MD Speaks at the Chattanooga Tea Party*, YouTube (Sept. 15, 2016), <https://www.youtube.com/watch?v=aa8ujuV8VQs>.

<sup>7</sup> <https://assets.documentcloud.org/documents/2838097/Senators-letter-to-Haslam-on-transgender-bathrooms.pdf>.

<sup>8</sup> Id.

<sup>9</sup> <http://www.capitol.tn.gov/Bills/110/Bill/SB0771.pdf>.

<sup>10</sup> Tin Ship Productions, *Senator Mark Green, MD Speaks at the Chattanooga Tea Party*, YouTube (Sept. 15, 2016), <https://www.youtube.com/watch?v=aa8ujuV8VQs>.

<sup>11</sup> Id.

<sup>12</sup> <https://twitter.com/DrMarkGreen4TN/status/362539412367736832>.

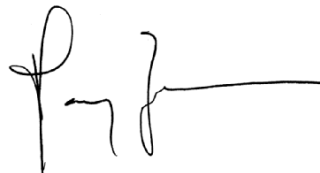
wrong are crushed. Evil is crushed. So I'm going to protect women in their bathrooms, and I'm going to protect our state against potential infiltration from the Syrian ISIS people in the refugee program."<sup>13</sup>

Mr. Green's disturbing legislative record and public comments reveal that he lacks the temperament and tolerance to lead the U.S. Army. We urge this committee to reject him if he is nominated to be Secretary of the Army. If you have any questions or would like to discuss this matter further, please contact Mike Zubrensky, Chief Counsel and Legal Director, or Nancy Zirkin, Executive Vice President, at (202) 466-3311.

Sincerely,



Wade Henderson  
President & CEO



Nancy Zirkin  
Executive Vice President

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<sup>13</sup> <http://www.blogtalkradio.com/wor/2016/06/03/the-hotwash-with-cj-and-alex-presents-tn-state-senator-dr-mark-green>.