

Religious Ministry Support  
REFERENCE / AUTHORITYSOURCE DOCUMENT  
Information Sheet

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TITLE: ACCOMMODATION OF RELIGIOUS PRACTICES  
Date: 31 DEC 97  
Purpose: To provide policy and guidance for the accommodation of religious practices within the Department of the Navy under DOD Directive 1300.17  
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OFFICE OF THE SECRETARY  
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SECNAVINST 1730.8A  
N097  
31 December 1997

SECNAV INSTRUCTION 1730.8A

From: Secretary of the Navy  
To: All Ships and Stations

Subj: ACCOMMODATION OF RELIGIOUS PRACTICES

Ref: (a) DOD Directive 1300.17 of 3 Feb 88 (NOTAL)  
(b) SECNAVINST 1730.7A (NOTAL)  
(c) U.S. Navy Regulations, 1990  
(d) DOD Pay Manual, Article 30101ff  
(e) DOD Directive 5154.24 of 28 Oct 96 (NOTAL)

1. Purpose. To provide revised policy and guidance for the accommodation of religious practices within the Department of the Navy under reference (a).

2. Cancellation and Supersession. SECNAVINST 1730.8 is hereby cancelled. This instruction supersedes provisions of all previously issued regulations and memoranda giving guidance on religious accommodations other than guidance on the exercise of religion in references (b) and (c).

3. Applicability

a. This instruction applies to all members of the Navy, Naval Reserve, Marine Corps, Marine Corps Reserve, midshipmen at the U.S. Naval Academy and Reserve Officer Training Corps, officers and officer candidates in all officer accession programs and applicants for entry into military service with the Department of the Navy.

b. The policies and procedures in this instruction apply solely to the accommodation of religious practices within the Department of the Navy and no other context.

4. Policy. Department of the Navy policy is to accommodate the doctrinal or traditional observances of the religious faith practiced by individual members when these doctrines or observances will not have an adverse impact on military readiness, individual or unit readiness, unit cohesion, health, safety or discipline.

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a. Accommodation of a member's religious practices cannot be guaranteed at all times but must depend on military necessity. Determination of necessity rests entirely with the commanding officer.

b. The guidelines in this instruction shall be used in the exercise of command discretion concerning the accommodation of religious practices. Nothing in these guidelines, except as expressly provided herein, shall be interpreted to require a specific form of accommodation in individual circumstances.

5. Religious Observance. Worship services and observance of Sabbath and holy days shall be accommodated, except by reason of necessity, as provided in reference (b). A calendar of significant holy days and days of religious observance is published under reference (b) bi-annually for command use in applying this guideline.

6. Dietary Observance. Enlisted personnel normally will be subsisted in kind, but may be authorized separate rations within the guidelines of reference (d). In acting on requests for separate rations, the religious doctrines and traditions of the member's religious faith should be considered on the same basis as other personal reasons for separate rations. To the extent that health, safety, or readiness in the unit is not compromised, commanding officers may authorize individuals to provide their own supplemental food rations at sea or in the field environment to accommodate the doctrinal or traditional observances of their religious faith.

7. Immunizations. Immunization requirements may be waived when requested by the member based on the doctrinal or traditional practices of the religious faith practiced by the member.

a. The religious objection of the member must be balanced against the medical risk to the member and the military unit, and military requirements such as alert status, deployment potential, and availability of the member for reassignment to units requiring full medical readiness. To provide for consistent application of these guidelines, immunization waivers will be decided by the Surgeon General or headquarters level designee. Individual requests shall be submitted to Chief, Bureau of Medicine and Surgery (Medcom-24) via the commanding officer and Chief of Naval Operations (CNO) (N1) or Commandant of the Marine Corps (CMC) (DCS (M&RA)), as appropriate.

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b. Commanding officers may subsequently revoke waivers for members at imminent risk of disease due to exposure or to conform to international health regulations incident to foreign travel or unit deployment. The guidance in paragraph 10b on unresolvable differences must be considered in such circumstances.

#### 8. DNA Specimen Sampling

a. Requests for waiver of the DNA specimen sample requirement will be decided by CNO (N1) or CMC (DCS (M&RA)). Individual requests shall be submitted to CNO (N1) or CMC (DCS (M&RA)), as appropriate, via the commanding officer.

b. When determining whether to grant a request for waiver on religious grounds, the five factors contained in paragraph 10a as supplemented by the following shall be considered:

(1) Regarding the importance of the military requirement, the Armed Forces DNA Repository is designated to carry out the military need to quickly and accurately identify remains of service members. The Repository fulfills a particularly strong purpose for service members assigned to combat units and hazardous duty positions, or who are in a deployment status.

(2) Regarding the religious importance of the accommodation to the requester, emphasis should be placed on evidence, particularly that provided by third parties, of the member's well established adherence to religious beliefs that conflict with the provision of specimen samples to the DNA Repository. Also consider that the overriding use of the specimen sample in the Repository is for the identification of remains, that DNA analysis is not conducted on the specimen unless necessary for identification of remains or for other narrowly defined purposes, and that the specimen sample will be destroyed at the request of the member upon completion of service.

(3) Regarding the cumulative impact of repeated accommodations of a similar nature and previous treatment of similar requests, consider whether granting an accommodation sets precedent that could adversely impact on other Department of Defense medical policies and programs, including mandatory pre-deployment processing, medical screening activities, HIV testing and medical surveillance program serum collection.

#### 9. Uniforms

a. Religious items or articles not visible or otherwise apparent may be worn with the uniform, provided they do not

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interfere with the performance of the member's military duties or interfere with the proper wearing of any authorized article of the uniform.

b. Visible items of religious apparel may be authorized for wear with the uniform, except when the item is not neat and conservative, its wearing will interfere with the performance of the member's military duties or is specifically prohibited in subparagraphs 9d, 9f, and 9g.

c. Religious apparel is defined as articles of clothing worn as part of the doctrinal or traditional observance of the religious faith practiced by the member. Hair and grooming practices required or observed by religious groups are not included within the meaning of religious apparel.

d. In the context of the wearing of a military uniform, "neat and conservative" items or religious apparel are those that:

(1) Are discreet, tidy, and not dissonant or showy in style, size, design, brightness, or color.

(2) Do not replace or interfere with the proper wearing of any authorized article of the uniform.

(3) Are not temporarily or permanently affixed or appended to any article of the uniform.

e. The standards in subparagraph 9d, and the prohibitions in subparagraphs 9f and 9g, are intended to serve as a basis for determining a member's entitlement to wear religious apparel with the uniform. For example, unless prohibited by subparagraph 9f or 9g, a yarmulke may be worn with the uniform whenever a military cap, hat, or other headgear is not prescribed. It may also be worn underneath military headgear as long as it does not interfere with the proper wearing, functioning, or appearance of the prescribed headgear.

f. Whether an item of religious apparel interferes with the performance of the member's military duties depends on the characteristics of the item, the circumstances of its intended wear, and the particular nature of the member's duties. Factors in determining if an item of religious apparel interferes with the military duties include but are not limited to, whether the item may:

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(1) Impair the safe and effective operation of weapons, military equipment, or machinery.

(2) Pose a health or safety hazard to the wearer or others.

(3) Interfere with the wearing or proper functioning of special or protective clothing or equipment (e.g., helmets, flack jackets, flight suits, camouflage uniforms, gas masks, wet suits, and crash and rescue equipment).

(4) Otherwise impair the accomplishment of the military mission.

g. Visible items of religious apparel shall not be worn while wearing historical or ceremonial uniforms; participating in review formations, parades, honor or color guards, and similar ceremonial details and functions.

h. Jewelry bearing religious inscriptions or otherwise indicating religious affiliation of belief may be worn subject to the same uniform regulations prescribed for jewelry that is not of a religious nature.

i. Chaplains may wear any religious apparel required by their faith groups with the uniform while conducting worship services and during the performance of rites and rituals distinct to their faith groups.

j. Service members may wear any required religious apparel distinct to their faith group with the uniform while in attendance at organized worship services.

k. To ensure consistency of application, the CNO and CMC may authorize visible items of religious apparel, within the guidelines in this instruction. This authority may be delegated within their headquarters staffs. Requests to authorize a type of religious apparel not previously authorized shall be submitted to service headquarters for approval under procedures specified by CNO or CMC. CNO and CMC will provide an information copy of the approval or denial to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)).

l. Subject to the guidelines in subparagraph 9c, and the limitations in subparagraphs 9d, 9f, and 9g, commanding officers may approve individual requests for wearing authorized visible

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religious apparel with the uniform. In any case in which a commanding officer denies a request to wear an item of religious apparel with the uniform, the member shall be advised of the right to request a review of that refusal by CNO or CMC, as appropriate, via the chain of command. When such review is requested, the review shall occur within 30 days following the date of request for cases arising in the United States, and within 60 days for all other cases. Exceptions to these deadlines shall be limited to unusual circumstances. Visible items of religious apparel may not be worn with the uniform until approved.

#### 10. Procedures

a. Commanders and commanding officers may approve requests for religious accommodations within the guidelines of this instruction. To promote standard procedures for resolving difficult questions involving accommodation of religious practices, commanding officers shall consider the following factors. These factors recognize that each command may be affected by different conditions and require individual consideration of each request. These factors are:

(1) The importance of military requirements, including individual readiness, unit readiness, unit cohesion, health, safety, morale, and discipline.

(2) The religious importance of the accommodation to the requester.

(3) The cumulative impact of repeated accommodations of a similar nature.

(4) Alternative means available to meet the requested accommodation.

(5) Previous treatment of the same or similar requests, including treatment of similar requests made for other than religious reasons.

b. When requests for accommodation are not in the best interest of the unit but continued tension between the unit's requirements and the individual's religious beliefs is apparent, administrative action is authorized, but not limited to:

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(1) Reassignment, reclassification, or separation consistent with Secretary of the Navy (SECNAV) and Service regulations.

(2) Nothing in this instruction precludes action under the Uniform Code of Military Justice in appropriate circumstances.

11. Information and Education

a. The CNO and CMC shall provide the statement of DON policy on accommodation of individual religious practices and military requirements in paragraphs 4 and 4a of this instruction to applicants for commissioning, enlistment and reenlistment, and shall require the member's signature acknowledging the DON policy.

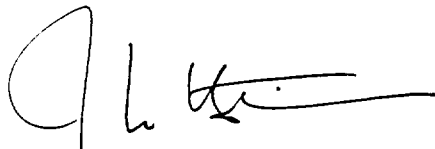
b. The CNO and CMC shall incorporate relevant materials on religious traditions, practices, policies, this instruction, and reference (a), in curricula for command, judge advocate, chaplain, and similar courses of instruction and orientations.

12. Responsibility. ASN (M&RA) is responsible for overall policy control and program execution.

13. Action

a. The CNO and CMC shall implement the policies and procedures in this instruction.

b. The CNO and CMC shall revise Service regulations governing uniforms, food service, separate rations, immunizations, and DNA sampling, to conform with this instruction within 90 days from the date of this instruction. Provide copies of each such regulation revision to ASN (M&RA).



Jerry M. Hultin  
Secretary of the Navy  
Acting



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