Case 1:16-cv-00581-BAH Document 24-1 Filed 04/08/16 Page 5 of 6



DEPARTMENT OF THE ARMY OFFICE OF THE ASSISTANT SECRETARY MANPOWER AND RESERVE AFFAIRS 111 ARMY PENTAGON WASHINGTON DC 20310-0111

SAMR

8 April 2016

MEMORANDUM THRU

Director, Army National Guard, 111 South George Mason Drive, Arlington, VA 22204 The Adjutant General of Virginia, Joint Force Headquarters-Virginia, 5901 Beulah Road, Sandston, VA 23150

FOR PVT A Carlo Charlie Company, 3-116th Infantry Battalion, 116th Infantry Combat Team, 101 116th Regimental Road, Staunton, VA 24401

SUBJECT: Decision Regarding Request for Religious Accommodation – Private A Subject
Subject

- 1. I have considered your request for a religious accommodation to permit you to wear a beard, turban, and uncut hair in observance of your Sikh faith, along with the recommendations of your chain of command. I grant your request for an exception to Army personal appearance and grooming standards, subject to the limitations described below. A copy of this accommodation will be filed with your enlistment contract in your Official Military Personnel File.
- 2. While assigned or performing non-hazardous duties, you may wear a beard, turban, and uncut hair in a neat and conservative manner that presents a professional and well-groomed appearance. The bulk of your hair, beard, or turban may not be such that it impairs your ability to wear the Advanced Combat Helmet (ACH) or other protective equipment or impedes your ability to operate your assigned weapon, military equipment, or machinery. A fully serviceable ACH including all of its component parts must be worn in accordance with its technical manual to ensure a proper fit for your safety.
- 3. Because of the Army's strong interest in maintaining good order and discipline, the Army intends to develop clear uniform standards applicable to Soldiers who have received a religious accommodation. Until such standards are published, you may wear a black turban (or under turban, as appropriate) with the Army Service Uniform (ASU), the Army Physical Fitness Uniform, and the Army Combat Uniform (ACU). While wearing ACU outdoors, you may wear a turban (or under turban, as appropriate) of a matching camouflage pattern. Unless your duties, position, or assignment require you to wear the Advanced Combat Helmet (ACH) or other protective gear, you are not required to wear military headgear in addition to your turban. Your beard must be rolled and tied to a length not to exceed two inches while in garrison and a length not to exceed one inch while in the field or during physical training. Your hair may not fall over your ears or eyebrows or touch the collar of your uniform. You may display your rank

SAMR

SUBJECT: Decision Regarding Request for Religious Accommodation – Private A Subject., Virginia Army National Guard/Army National Guard of the United States

on your turban, provided you remove the rank in circumstances where military headgear is not customarily worn.

- 4. Because of the Army's interest in mission accomplishment, which requires military readiness, unit cohesion, good order, discipline, health, and safety on both the individual and unit levels, I have requested that your command provide periodic assessments of the effect of your accommodation, if any, on unit cohesion and morale, good order and discipline, health and safety, and individual and unit readiness.
- 5. I may withdraw or limit the scope of your accommodation for reasons of military necessity, including if I cannot confirm that Army protective equipment (to include ACH and protective mask) will provide you the intended degree of protection against the hazards presented by the duties or areas to which you will be assigned. Given our intent to gather additional information and develop additional standards, I intend to reevaluate this accommodation at the conclusion of your Initial Military Training and may reevaluate it earlier based upon military necessity. If circumstances require that you be directed to comply fully with AR 670-1, you should be prepared to do so.

Debra S. Wada

Assistant Secretary of the Army (Manpower and Reserve Affairs)

CF:

Deputy Chief of Staff, G-1 CDR, Human Resources Command