



NATIONAL GUARD BUREAU
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ARNG-HRH

MAR 15 2019

MEMORANDUM FOR The Adjutants General of All States, Puerto Rico, Guam, the U.S. Virgin Islands, and the District of Columbia

SUBJECT: Army National Guard (ARNG) Revised Policy for State Approval, Disapproval and Elevation of Requests for Religious Accommodation PPOM 19-012

1. References. See list of references at enclosure 1.
2. Purpose and Scope. Army Directive (AD) 2018-19 (see enclosure 2) revises Department of the Army procedures and approval authority for processing religious accommodation requests requiring a waiver to AR 600-20 for both applicants and current members regardless of grade. This implementation guidance revises ARNG procedures for approval of the most commonly requested religious accommodations. All other requests for religious accommodation not requiring a waiver of AR 670-1 will process in accordance with paragraph 5-6 of AR 600-20. AD 2016-34 remains in effect except as modified by AR 600-20. This revised implementation guidance supersedes PPOM 17-010.
3. Secretary of the Army (SA) Critical Timeline. ARNG leaders across the force must ensure the critical timelines established by the SA in this policy are strictly enforced. Each request for religious accommodation must be expedited through the command to meet the established 60-day processing requirement. The Adjutant General (TAG) must personally provide written justification of any delays beyond 60 days.
4. Effective with this revised guidance, the approval and disapproval authority rest solely with TAGs to approve religious accommodation requests for the following accommodations: wear of a hijab or headscarf; wear of a beard; and the wear of a turban or under-turban/patka, with uncut beard and uncut hair. See enclosures 3 and 4 for approval and disapproval templates. This authority may not be delegated. TAGs may also elevate the final decision to the SA or his designee, (see enclosure 5). When elevating an accommodation request for decision, TAGs will recommend approval or disapproval, with reasons and evidence supporting the recommendation. All request will be submitted through eTRACKER to ARNG-HRH-E.
 - a. States must submit initial notification of a request in accordance with paragraph 7, within 5 working days of an individual's request. The 60-day window begins on the date of the Soldier's/Applicant's official request. States will continue to submit all approvals or disapprovals to the ARNG Personnel Policy Division, Enlisted Policy Branch (ARNG-HRH-E) as outlined in paragraph 7 below.

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b. TAGs will approve or disapprove a request for a religious accommodation consistent with the standards described in paragraph 4 of enclosure 2, unless the approval authority:

(1) determines the request is not based on a sincerely held religious belief, or

(2) identifies a specific hazard that is not specifically addressed in reference 1h and that cannot be mitigated by reasonable measures after coordinating with ARNG-HRH-E.

c. When evaluating the sincerity of a Soldier's articulated belief, States may consider the credibility and demeanor of the applicant and the circumstances of the request. A religious practice may be an action, behavior, or course of conduct constituting an individual expression of religious beliefs, regardless of whether the practice is compelled by, or central to, the religion concerned.

d. If TAG approves the request for accommodation involving grooming and appearance, a copy of the approval memorandum will be returned to the command and placed in the Soldier's Army Military Human Resources Record (AMHRR).

e. TAGs will review an approved religious accommodation when a Soldier reclassifies into a new primary military occupational specialty (MOS).

5. Pre-Accession (Applicant) Policy.

a. Applicants otherwise fully qualified (moral/mental/physical) for enlistment may submit a pre-accession request for waiver to reference 1h, as outlined in paragraph 7 below. The applicant's request will not be dated and submitted prior to meeting the moral, mental and, physical entrance requirements. This limitation includes applicants for Reserve Officers' Training Corps, appointment to the United States Military Academy, or appointment through direct commission.

b. A religious accommodation will not affect a Soldier's assignment to a MOS, area of concentration, duty location, or attendance at a military school unless an evidence-based determination makes the accommodation is incompatible with the safe and effective execution of all required duties.

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6. Current members of the ARNG. Soldiers currently serving in the ARNG who desire religious accommodation must follow the procedures outlined in paragraph 7 below. Soldiers must continue to comply with reference h until the approval authority grants requested waiver. TAGs are not authorized to grant modifications to reference h.

7. Procedures for Pre-accession Applicants and Current Soldiers.

a. States will notify ARNG-HRH-E within 5 days of receipt of a written request for religious accommodation within their commands. Send email notification to ng.ncr.ngb-arng.mbx.arng-hrh-enlisted-actions@mail.mil. ARNG-HRH-E will notify Headquarters Department of the Army (HQDA) Deputy Chief of Staff (DCS), G1 of the pending action. The initial email notification will include the following information:

- (1) Applicant/Soldiers religious accommodation request.
- (2) Full name, and rank (if applicable).
- (3) Department of Defense identification number (SSN for applicants Last 4)
- (4) Type of request (pre-accession/current member).
- (5) State of assignment and unit.
- (6) MOS (or prospective MOS if known).

b. All religious accommodation requests (see enclosure 7) must be in writing, must explain the type of accommodation requested, and must describe the religious basis for the request. Other supporting documents, such as photographs and letters from religious leaders, are optional, but may be included to assist the approval authority in evaluating the request.

c. Staffing. In cases where the State is authorized to action the request, submit the final approval/disapproval and those cases requiring submission through e-TRACKER to ARNG-HRH-E for coordination with (HQDA).

d. Religious Accommodation packets (approved/disapproved) will contain the following documents.

- (1) Individual request.

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(2) Supporting documentation (i.e., photos, letters of recommendation, etc).

(3) Chaplain interview memorandum. The commander will arrange an in-person or telephonic interview between the requestor and the assigned unit chaplain or other chaplain determined by the senior chaplain present. The chaplain must provide a memorandum (see enclosure 6) stating the interview occurred and address the religious basis and sincerity of the Soldier's/Applicant's request. The chaplain is not required to recommend approval or disapproval, but may do so. Memorandums from other chaplains or religious leaders may accompany the request as optional attachments.

(4) State Judge Advocate General (JAG). Religious accommodations approved by TAG do not require a legal review. JAG legal review is required only if TAG disapproves the request. If disapproved, the review for legal sufficiency will state whether the request and enclosures are complete within the provisions of reference d. Other requests for religious accommodation not covered in paragraph 4 above require a State JAG review.

(5) Battalion Commander Recommendation:

(a) Pre-Accession (Applicant): Requests for pre-accession accommodation will include a recommendation memorandum from the recruiting and retention battalion commander (see enclosure 8) and progress to TAG for decision.

(b) Current Members of the ARNG: Requests for current members of the ARNG will include a recommendation memorandum from the Soldier's battalion commander (see enclosure 8). The battalion commander's memorandum must include: Soldier's MOS/AOC; or the applicant's desired MOS/AOC; Soldier's training status; completed or scheduled (Basic Combat Training, Advanced Individual Training). This includes the Soldier's significant events in the next 365 days (monthly drills, schools, annual training, and deployment).

(6) TAGs approval/disapproval memorandum, or memorandum requesting to have request elevated.

(7) Pre-accession verification of qualifications (moral, mental and physical).

8. Tracking and Duration of Religious Accommodations.

a. All approved religious accommodation request documentation will follow the Soldier throughout their career. Only the SA or designee may temporarily or

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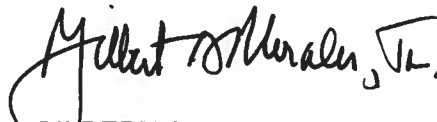
permanently withdraw or limit an approved accommodation based on military necessity. If TAG believes a modification is warranted, the State must immediately forward the recommendation to ARNG-HRH-E for coordination with HQDA DCS, G1. TAG request memorandum must clearly identify the basis for the modification, and provide recommended start and end dates.

b. Submission of a new request for accommodation is not required unless the Soldier has a break in service longer than 365 days, or is requesting a modification of a previously approved waiver. ARNG Soldiers who interstate transfer to other States, the gaining TAG will review the Soldier's previously approved request.

c. Approval memorandums for previously accommodated Soldiers will remain in effect, and the accommodations will continue throughout the Soldier's career.

d. Recruit Sustainment and Military Entrance Processing Station personnel must ensure that all recruits with approved waivers depart for training with a copy of the approved waiver. The ARNG-HRH-E will coordinate with U.S. Army Training and Doctrine Command Centers of Excellence to ensure a smooth transition at the reception battalion.

9. My point of contact is Mr. Gregory W. Heffner, Acting Chief, Enlisted Policy Branch, DSN 327-5350, 703-607-5350, or gregory.w.heffner.civ@mail.mil.



GILBERT S. MORALES, JR.
Chief, Personnel Policy Division

8 Encls

1. References
2. Army Directive 2018-19
3. TAG Approval Template
4. TAG Disapproval Template
5. TAG Elevation Template
6. Chaplain Template
7. Soldier Request Template
8. Battalion Intermediate Commander Template

REFERENCES

- a. Title 42, United States Code, section 2000bb-1 (Free exercise of religion protected).
- b. Title 10, United States Code, section 774 (Religious apparel: wearing while in uniform).
- c. Department of Defense Instruction 1300.17 (Accommodation of Religious Practices Within the Military Services); February 10, 2009; Incorporating Change 1, effective January 22, 2014.
- d. Army Directive 2016-34 (Processing Religious Accommodation Requests Requiring a Waiver to Army Uniform or Grooming Policies), 6 October 2016
- e. Army Directive 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation), 3 January 2017 (hereby rescinded).
- f. Army Directive 2018-19 (Approval, Disapproval, and Elevation of Requests for Religious Accommodation)
- g. Army Regulation 600-20 (Army Command Policy), 6 November 2014.
- h. Army Regulation 670-1 (Wear and Appearance of Army Uniforms and Insignia), 25 May 2017.