



Department of Defense

DIRECTIVE

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ASD(FM&P)

SUBJECT: Accommodation of Religious Practices Within the Military Services

- References: (a) DoD Directive 1300.17, subject as above, June 18, 1985 (hereby canceled)
- (b) Public Law 98-525, section 554(d), DoD Authorization Act, 1985, October 19, 1984
 - (c) Public Law 100-180, section 508, DoD Authorization Act, 1988-89, December 4, 1987
 - (d) Title 10, United States Code, chapter 47, "Uniform Code of Military Justice"

1. REISSUANCE AND PURPOSE

This Directive reissues reference (a) and, pursuant to references (b) and (c), prescribes policy, procedures, and responsibilities for the accommodation of religious practices in the Military Services.

2. APPLICABILITY AND SCOPE

2.1. This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments (including their National Guard and Reserve components), the Organization of the Joint Chiefs of Staff (OJCS), and DoD Field Activities.

2.2. The policies and procedures prescribed herein apply solely to the accommodation of religious practices in the Military Services and in no other context.

3. POLICY

3.1. A basic principle of our nation is free exercise of religion. The Department of Defense places a high value on the rights of members of the Armed Forces to observe the tenets of their respective religions. It is DoD policy that requests for accommodation of religious practices should be approved by commanders when accommodation will not have an adverse impact on military readiness, unit cohesion, standards, or discipline.

3.2. The following goals are to be used by the Military Departments in the development of guidance on the exercise of command discretion concerning the accommodation of religious practices. Nothing in these goals or in the implementing rules of the Military Departments (except when expressly provided therein) shall be interpreted as requiring a specific form of accommodation in individual circumstances.

3.2.1. Worship services, holy days, and Sabbath observances should be accommodated, except when precluded by military necessity.

3.2.2. The Military Departments should include religious belief as one factor for consideration when granting separate rations, and permit commanders to authorize individuals to provide their own supplemental food rations in a field or "at sea" environment to accommodate their religious beliefs.

3.2.3. The Military Departments should consider religious beliefs as a factor for waiver of immunizations, subject to medical risks to the unit and military requirements, such as alert status and deployment potential.

3.2.4. The Military Departments should include relevant materials on religious traditions, practices, and policies in the curricula for command, judge advocate, chaplain, and similar courses and orientations.

3.2.5. The Military Departments should develop a statement advising of DoD policy on individual religious practices and military requirements to applicants for commissioning, enlistment, and reenlistment.

3.2.6. Religious items or articles not visible or otherwise apparent may be worn with the uniform, provided they shall not interfere with the performance of the member's military duties, as discussed in subparagraph 3.2.7.5., below, or interfere with the proper wearing of any authorized article of the uniform.

3.2.7. Under Public Law 100-180, section 508 (reference (c)), members of the Armed Forces may wear visible items of religious apparel while in uniform, except under circumstances in which an item is not neat and conservative or its wearing shall interfere with the performance of the member's military duties.

3.2.7.1. Under this Directive, "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. Jewelry bearing religious inscriptions or otherwise indicating religious affiliation or belief is subject to existing Service uniform regulations just as jewelry that is not of a religious nature.

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

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

3.2.7.2.2. Do not replace or interfere with the proper wearing of any authorized article of the uniform.

3.2.7.2.3. Are not temporarily or permanently affixed or appended to any authorized article of the uniform.

3.2.7.3. The standards in subparagraph 3.2.7.2., above, are intended to serve as a basis for determining a member's entitlement under Public Law 100-80, section 508 (reference (c)), to wear religious apparel with the uniform. For example, unless prohibited by subparagraph 3.2.7.6., below, a Jewish yarmulke may be worn with the uniform whenever a military cap, hat, or other headgear is not prescribed. A yarmulke 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.

3.2.7.4. Exceptions to the standards in subparagraph 3.2.7.2., above, and other special accommodations for members of particular religious groups may be granted by the Military Departments under section 4., below.

3.2.7.5. 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 military duties include, but are not limited to, whether the item may:

3.2.7.5.1. Impair the safe and effective operation of weapons, military equipment, or machinery.

3.2.7.5.2. Pose a health or safety hazard to the wearer or others.

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

3.2.7.5.4. Otherwise impair the accomplishment of the military mission.

3.2.7.6. A complete prohibition on the wearing of any visible items of religious apparel may be appropriate under unique circumstances in which the member's duties, the military mission, or the maintenance of discipline require absolute uniformity. For example, members may be prohibited from wearing visible religious apparel while wearing historical or ceremonial uniforms; participating in review formations, parades, honor or color guards, and similar ceremonial details and *functions*.

3.2.7.7. *The* authority to approve the wearing of an item of religious apparel with the uniform, under the guidelines of this paragraph, shall be exercised at the command level specified by each Military Department. Denials of requests to wear religious apparel shall be subject to review at the Service Headquarters level. Final review shall occur within 30 days following the date of initial denial for cases arising in the United States, and within 60 days for all other cases. Exceptions to these deadlines shall be limited to exigent circumstances, such as extended deployment. Service members shall be obliged to comply with orders prohibiting the wearing of questionable items of religious apparel pending review of such orders under regulations issued by the Secretaries of the Military Departments.

3.2.8. Notwithstanding subparagraphs 3.2.6. and 3.2.7., above, chaplains may wear any required religious apparel or accouterments with the uniform while conducting worship services and during the performance of rites and rituals distinct to their faith groups.

4. PROCEDURES

4.1. Under rules prescribed by the Secretary of the Military Department concerned, military commanders should consider the following factors along with any other factors deemed appropriate in determining whether to grant a request for accommodation of religious practices addressed in section 3., above:

4.1.1. The importance of military requirements in terms of individual and unit readiness, health and safety, discipline, morale, and cohesion.

4.1.2. The religious importance of the accommodation to the requester.

4.1.3. The cumulative impact of repeated accommodations of a similar nature.

4.1.4. Alternative means available to meet the requested accommodation.

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

4.2. The factors in paragraph 4.1., above, are intended to promote standard procedure for resolving difficult questions involving accommodation of religious practices. In view of the different mission requirements of each command, individual consideration of specific requests for accommodation is necessary. With the exception of requests involving the wearing of visible items of religious apparel with the uniform, denials of which must be reviewed at the Service Headquarters level, the appropriate level of command for resolution of these issues shall be determined by each of the Military Departments, based on its particular requirements and circumstances.

4.3. When requests for accommodation are not in the best interest of the unit and continued tension between the unit's requirements and the individual's religious beliefs is apparent, administrative actions should be considered. These actions may include, but are not limited to, assignment, reassignment, reclassification, or separation. Nothing in this Directive precludes action under the Uniform Code of Military Justice (reference (d)) in appropriate circumstances.

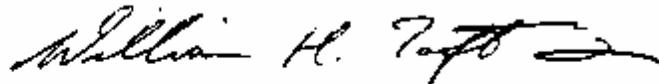
5. RESPONSIBILITIES

5.1. The Assistant Secretary of Defense (Force Management and Personnel) shall be responsible for the administration of this Directive and may modify or supplement this Directive, as appropriate.

5.2. The Secretaries of the Military Departments shall be responsible for issuance of appropriate implementing documents and administration of the rules thereunder within their respective Departments.

6. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. The Secretaries of the Military Departments shall forward two copies of implementing documents to the days of the issuance of this Directive or any subsequent change.



William H. Taft, IV
Deputy Secretary of Defense