

Know Your Rights: Sikhs in the United States Army

Last Updated on September 15, 2019

Please note that the information contained in this document is not intended as legal advice. If you are in need of specific and immediate legal assistance, please [contact](https://www.sikhcoalition.org/legal-help) the Sikh Coalition’s legal team directly at <https://www.sikhcoalition.org/legal-help>.

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Introduction

This document provides general information on religious accommodation requests as well as uniform and grooming policies for Sikhs who are interested in joining or who are already serving in the U.S. Army, and would like to do so with their articles of faith intact. This information pertains *only* to the U.S. Army, and is with respect to policies and procedures in place as of the publication of this document. Government regulations and protocols are subject to change in the future, and the Sikh Coalition intends to try to update this document as needed if there are any significant developments.

The U.S. Army’s religious accommodation policy allows for Sikhs to serve while maintaining their articles of faith. Sikhs began serving with their articles of faith intact in the United States Army in 1917, when Bhagat Singh Thind first enlisted during World War I. However, in 1981, the Army adopted a ban against Sikhs joining the military while wearing turbans and maintaining unshorn hair and beards – effectively barring observant Sikhs from accessing equal opportunity within the U.S. Army.¹ The Sikh Coalition in partnership with the law firm McDermott Will & Emery LLP (“McDermott”) launched a joint campaign to eliminate restrictions on devout Sikh Americans in 2009 and were able to obtain individual religious accommodations for three Sikhs. The Becket Fund for Religious Liberty (“Becket”) joined the campaign in 2015 as a litigation partner. The following year, the Sikh Coalition, McDermott, and Becket filed two lawsuits against the Army on behalf of four Sikhs. Under mounting pressure and with a dozen more Sikhs requesting religious accommodations, the Army lifted the ban against the Sikh articles of faith on January 3, 2017.

The new policy directive created a strong presumption that Sikh Soldiers would be granted religious accommodation requests to maintain many of their articles of faith, including turbans

¹ See Historical Timeline of Sikhs in the U.S. Military, The Sikh Coalition, *available at* http://www.sikhcoalition.org/documents/pdf/Historical_Timeline_Sikhs_U.S._Military.pdf.



(as well as patkas/under-turbans), uncut hair, and/or beards.² Additionally, members of the Army are now allowed to wear religious bracelets, including karas, without requesting a religious accommodation.³ On May 25, 2017, the Army formally incorporated the new Sikh accommodation policy into AR 670-1, the broader appearance and grooming policies for all Soldiers.⁴ On November 8, 2018, Army Directive 2018-19 provided further policy modifications in relation to Approval, Disapproval, and Elevation of Requests for Religious Accommodations.⁵

Notable aspects of the current Army policy regarding Sikh religious accommodation requests are that:

- Approval, disapproval, and elevation authority for religious accommodation requests is vested in general officers with general court-martial convening authority (“GCMCA”);⁶
- Religious accommodation requests can only be denied if the GCMCA (1) determines that the request is not based on a sincerely held religious belief, or (2) identifies a specific, concrete hazard that cannot be mitigated by reasonable measures;⁷
- Approved religious accommodations continue throughout the Soldier’s career and may not be permanently revoked or modified unless authorized by the Secretary of the Army or their designee;⁸
- Approved religious accommodations are subject to GCMCA review upon the Soldier’s permanent change of station and when a Soldier reclassifies into a new or secondary military occupational specialty.⁹

This packet of information is designed to provide Sikhs who wish to join the military with their articles of faith intact with an understanding of what the U.S. Army’s rules are in relation to their uniform and grooming standards; what a religious accommodation request entails; the process by which one submits that request; and what happens should the request be denied. **The information included in this packet should not be construed as legal advice;** it is

² See UNITED STATES DEPARTMENT OF DEFENSE, Army Directive 2017-03: Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation (Jan. 3, 2017), available at http://www.apd.army.mil/epubs/DR_pubs/DR_a/pdf/web/AD2017-03_Final.pdf.

³ See *id.* at 7b.

⁴ See UNITED STATES DEPARTMENT OF THE ARMY, Army Regulation 670-1: Wear and Appearance of Army Uniforms and Insignia (May 25, 2017), available at https://armypubs.army.mil/epubs/DR_pubs/DR_a/pdf/web/ARN3644_AR670-1_Web_FINAL.pdf.

⁵ See UNITED STATES DEPARTMENT OF DEFENSE, Army Directive 2018-19: Approval, Disapproval, and Elevation of Requests for Religious Accommodation (Nov. 8, 2018), available at http://www.apd.army.mil/epubs/DR_pubs/DR_a/pdf/web/AD2017-03_Final.pdf.

⁶ See Army Directive 2018-19, *supra* note 5, at 3.

⁷ See *id.* at 3c.

⁸ See *id.* at 4a.

⁹ See *id.* at 3a.



informational in nature, and should only be used as a general guide when Sikh Soldiers consider their options in joining the Army and submitting a religious accommodation request. Sikhs with their articles of faith intact who wish to join the Army should [contact](#) the Sikh Coalition's legal team at <https://www.sikhcoalition.org/legal-help/> for more information and assistance. While the Sikh Coalition and McDermott Will & Emery LLP are proud to have worked towards creating equal opportunity within one of the nation's largest employers, this manual should not be considered an endorsement of the U.S. Army or other military branches, and was merely created as a resource for Sikhs who wish to serve while practicing their faith.



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I. Frequently Asked Questions

1. Can I serve as a Soldier in the U.S. Army with my Sikh articles of faith?

Generally yes, but – depending upon which article of faith you seek to maintain – you may first need to request and obtain a religious accommodation (waiver) to the Army uniform and grooming policies. Note that waivers are not guaranteed. However, once a religious accommodation has been granted it generally will continue throughout the Soldier’s career and may not be permanently revoked or modified unless approved by the United States Secretary of the Army. This document will explain your rights to maintain your Sikh articles of faith, the limitations the Army places on Sikhs, and the process to obtain a religious accommodation (waiver).

2. Can I request a religious accommodation to serve as a Sikh with my articles of faith intact within any part of the U.S. Army?

Yes, you can request a religious accommodation to serve in all components of the U.S. Army. This includes, for example, the Regular Army, Army National Guard of the United States, U.S. Army Reserve, Army Reserve Officers’ Training Corps, and U.S. Military Academy.

3. Can I serve as a Soldier in the U.S. Air Force, Navy, Coast Guard, or Marines with my Sikh articles of faith?

Air Force: At the time of publication of this document, U.S. Air Force policy on religious accommodations is not as clear as the Army’s as to whether Sikh turbans and unshorn hair and beards will be accommodated.¹⁰ That being said, the Sikh Coalition is aware that the U.S. Air Force recently provided individual religious accommodations for two observant Sikhs to serve with their articles of faith. *We understand that any religious accommodations that the Air*

¹⁰ AFI 36-2903 para. 9.12.5 sets forth the procedure for religious accommodation requests that require an exception to policy of Air Force dress and appearance standards for uniform or grooming, including unconcealed head coverings. See UNITED STATES DEPARTMENT OF THE AIR FORCE, Air Force Instruction 36-2903: Dress and Personal Appearance of Air Force Personnel Uniforms (April 15, 2019), available at https://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2903/afi36-2903.pdf. In addition, AFI 36-2002 and AFI 36-2005 establish specific procedures for pre-accession religious accommodation requests for enlisted and officer accessions. See UNITED STATES DEPARTMENT OF THE AIR FORCE, Air Force Instruction 36-2002: Enlisted Accessions (November 5, 2018), available at https://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2002/afi36-2002.pdf. See also UNITED STATES DEPARTMENT OF THE AIR FORCE, Air Force Instruction 36-2005: Officer Accessions (November 5, 2018), available at https://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2005/afi36-2005.pdf.



Force may be providing to observant Sikhs are being decided on a case-by-case basis. Thus, we strongly recommend that you [contact](https://www.sikhcoalition.org/legal-help) our legal team directly at <https://www.sikhcoalition.org/legal-help> if you are considering requesting a religious accommodation for your Sikh articles of faith in the Air Force, or if you are interested in learning more about their accommodation process. We do not recommend that individuals apply for religious accommodations in the Air Force without legal representation.

Navy: At the time of publication of this document, U.S. Navy policy is unclear as to whether observant Sikh men will be given religious accommodations to serve with fully unshorn beards and hair.¹¹ Currently, Navy policy requires that all Navy hats (such as garrison cap, eight point cap, etc.) be worn *over* religious headwear, including turbans.¹² We do not know whether the Navy will accommodate observant Sikhs to wear turbans in place of non-protective Navy headwear. *At the time of publication of this document, the Sikh Coalition is not aware of any observant Sikhs currently serving in the Navy. Thus, we strongly recommend that you [contact](https://www.sikhcoalition.org/legal-help) our legal team directly at <https://www.sikhcoalition.org/legal-help> if you are considering requesting a religious accommodation for your Sikh articles of faith in the Navy, or if you are interested in learning more about their accommodation process.*

Marine Corps and Coast Guard: At the time of publication of this document, it is unclear whether the U.S. Marine Corps and U.S. Coast Guard will allow observant Sikhs to serve with their articles of faith intact. Their religious accommodation policies mention religious apparel and grooming standards waivers in broad terms, but the Sikh Coalition is not aware of any observant Sikhs serving with their articles of faith in these branches.¹³ Please [contact](https://www.sikhcoalition.org/legal-help) the Sikh Coalition for any updates or questions at www.sikhcoalition.org/legal-help.

4. Do I need a lawyer to request a religious accommodation to serve as a Sikh with my articles of faith intact in the Army?

No, you do not need legal representation to submit a request for a religious accommodation to serve as a Sikh with your articles of faith intact in the U.S. Army. *However, we strongly*

¹¹ See UNITED STATES DEPARTMENT OF THE NAVY, BUPERS INSTRUCTION 1730.11: Standards and Procedures Governing the Accommodation of Religious Practices (July 24, 2019), available at https://www.public.navy.mil/bupers-npc/reference/instructions/BUPERSInstructions/Documents/BUPERSINST_1730_11_wCH1.pdf.

¹² See *id.* at 5d(4)(b).

¹³ See UNITED STATES MARINE CORPS, MCO 1020.34H: Marine Corps Uniform Regulations (May 1, 2018), at para. 1004.6c, available at <https://www.marines.mil/Portals/1/Publications/MCO%201020.34H%20v2.pdf>. See also UNITED STATES COAST GUARD, COMDTINST M1020.6J: Uniform Regulations (December 9, 2018) at 2.A.2, available at https://media.defense.gov/2018/Dec/13/2002072299/-1/-1/0/CIM_1020_6J.PDF.



encourage Sikhs who wish to serve in the Army with their articles of faith intact to [contact the Sikh Coalition's legal team directly for more information and assistance at www.sikhcoalition.org/legal-help](http://www.sikhcoalition.org/legal-help).

5. Can I serve in the Army wearing a turban?

Generally yes; both turbans and patkas – described as “under-turbans” in the Army’s policies – worn in a neat and conservative manner are permitted.¹⁴ However, you must first request and obtain a religious accommodation (waiver) to the Army uniform and grooming policies.

Once the request is approved, you must comply with the following uniform standards:¹⁵

- Turbans and under-turbans/patkas must be made of a color that closely resembles the headgear for an assigned uniform.
- Turbans and under-turbans must be worn in a neat and conservative manner, and be free of designs or markings.
 - Exception: Soldiers wearing the Army Combat Uniform may wear a turban or under-turban in a camouflage pattern matching the uniform. (See **Question 20** for where to get an Operational Camouflage Pattern turban.)
- Rank must be displayed on the turban or under-turban when worn in circumstances where military headgear is customarily worn.
- Rank must be removed in circumstances where military headgear is not customarily worn, such as indoors or in no-hat/no-salute designated areas.
- Hair worn under the turban or under-turban may not fall over the ears or eyebrows or touch the collar while in uniform.

There are also limitations related to the wear of protective headgear:¹⁶

- Generally, Soldiers who receive an accommodation are not required to wear military headgear in addition to the turban or under-turban, unless duties, position, or assignment require wearing the Advanced Combat Helmet or other protective headgear.
- When wearing the Advanced Combat Helmet or other protective headgear with the under-turban, the bulk of the hair must be repositioned or adjusted to ensure proper fit. Removal of pads from helmets for fit or comfort is not permitted.

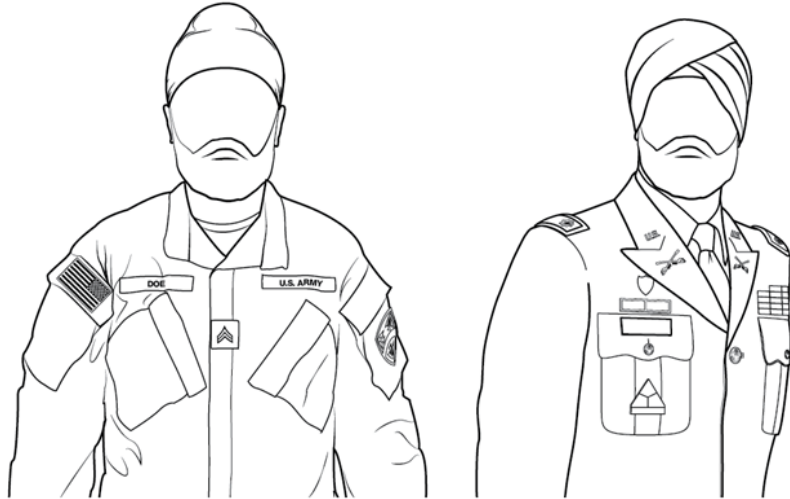
¹⁴ See Army Regulation 670-1, *supra* note 4, at 3-16c.

¹⁵ See *id.*

¹⁶ See *id.*



Please see the below turban figure from Army Regulation 670-1 on Wear and Appearance of Army Uniforms and Insignia:



6. Can I serve in the Army maintaining unshorn hair?

Generally yes, but Sikh men must first request and obtain a religious accommodation (waiver) to the Army uniform and grooming policies. You must comply with the following standards:

- Hair worn under the turban or under-turban may not fall over the ears or eyebrows or touch the collar while in uniform.¹⁷
- When wearing the Advanced Combat Helmet or other protective headgear with the under-turban, the bulk of the hair must be repositioned or adjusted to ensure proper fit.¹⁸

See **Question 7** below for maintaining an unshorn beard.

Note that women can maintain their hair unshorn. There are three authorized hair lengths: short, medium, and long.¹⁹ You must present a neat, professional, and well-groomed appearance, and comply with the following standards for long hair:

- The bulk of the hair, as measured from the scalp, may not exceed two (2) inches, except for a bun worn on the back of the head.
- Buns may not extend more than three and a half (3½) inches from the scalp and cannot touch the collar.²⁰

¹⁷ See *id.*

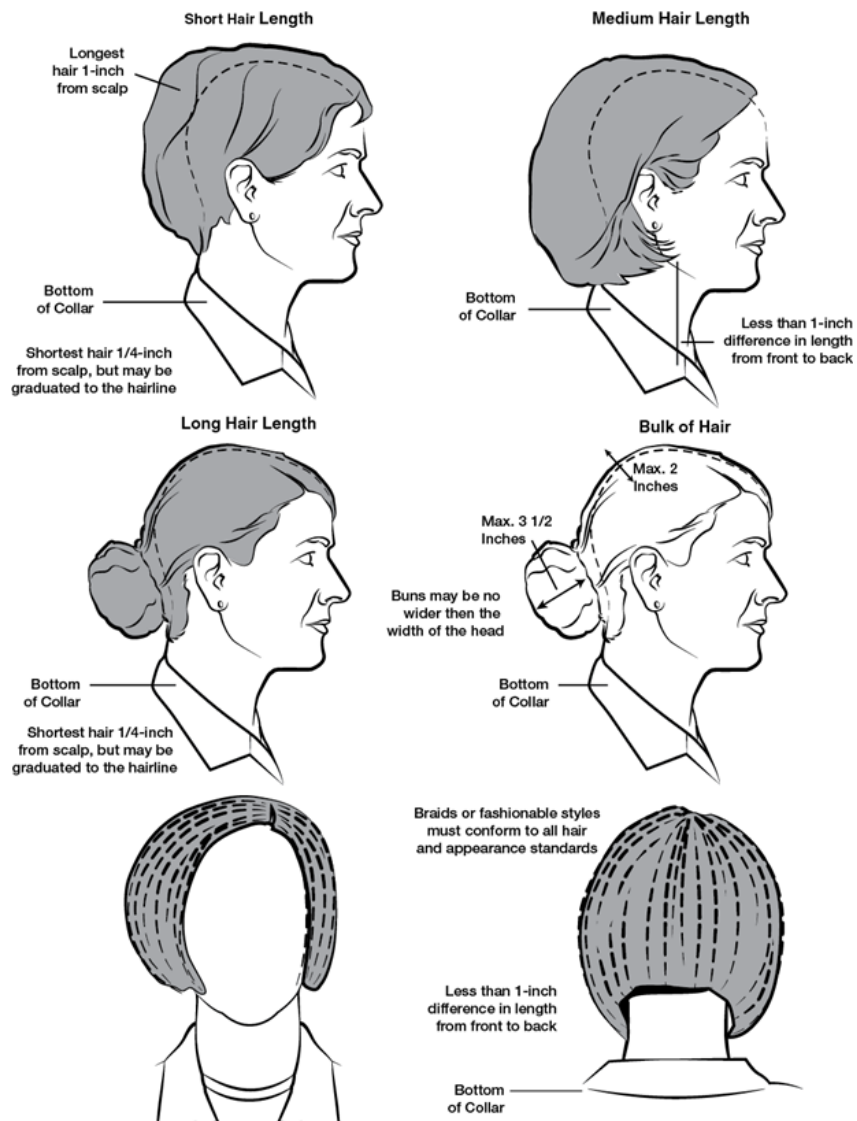
¹⁸ See *id.*

¹⁹ See *id.* at 3-2a(3).

²⁰ See *id.*

- Buns may not be wider than the width of the head.²¹
- Long hair may also be styled with braids, cornrows, twists, or locks of uniform dimension and with a diameter no greater than half (1/2) an inch.

Please see the below figure from Army Regulation 670-1:



²¹ See *id.*

7. Can I serve in the Army maintaining an unshorn beard?

Generally yes, beards that do not exceed two (2) inches from the bottom of the chin, *including beards that are rolled or tied up to meet that length requirement*, are permitted.²² However, you must first request and obtain a religious accommodation (waiver) to the Army uniform and grooming policies. Once the request is approved, you must comply with Army uniform guidelines on beards.²³

- Beards must not exceed two (2) inches from the bottom of the chin. Beard hair longer than two (2) inches must be rolled up or tied to be within the maximum length permitted.
- Beards must be worn in a neat and conservative manner.
- A mustache worn with a beard may extend sideways beyond the corners of the mouth to connect with the beard, but may not cover the upper lip.

There are also restrictions on what Soldiers with beards can do in the Army:

- Soldiers with a beard may not be assigned to military occupational specialties (job positions) requiring compliance with biological, chemical, or nuclear surety requirements.²⁴
- A beard accommodation may be temporarily suspended when a threat of exposure to toxic CBRN (Chemical, Biological, Radiological, and Nuclear) agents exists that requires all Soldiers to be clean-shaven.²⁵ In situations where use of a protective mask is required, commanders may require the Soldier to shave – effectively suspending a portion of a Sikh's religious accommodation. Please note that you have a right to appeal a suspension of your religious accommodation. If the Soldier requests an appeal, the Soldier will have 10 days to submit matters to the Office of the DCS, G-1 Command Policy Division at usarmy.pentagon.hqda-dcs-g-1.mbx.command-policy@mail.mil. The accommodation will not be suspended before the Secretary of the Army or his/her designee take action on the appeal.²⁶ Also, please note that the suspended accommodation will be reinstated once the specific threat to health and safety no longer exists.²⁷ *If your accommodation is suspended and you are in need of legal assistance, you may [contact](https://www.sikhcoalition.org/legal-help/) the Sikh Coalition's legal team directly at <https://www.sikhcoalition.org/legal-help/>.*

²² See *id.* at 3-16b.

²³ See *id.*

²⁴ See Army Directive 2018-19, *supra* note 5, at 5b(1).

²⁵ See *id.* at 5b(2).

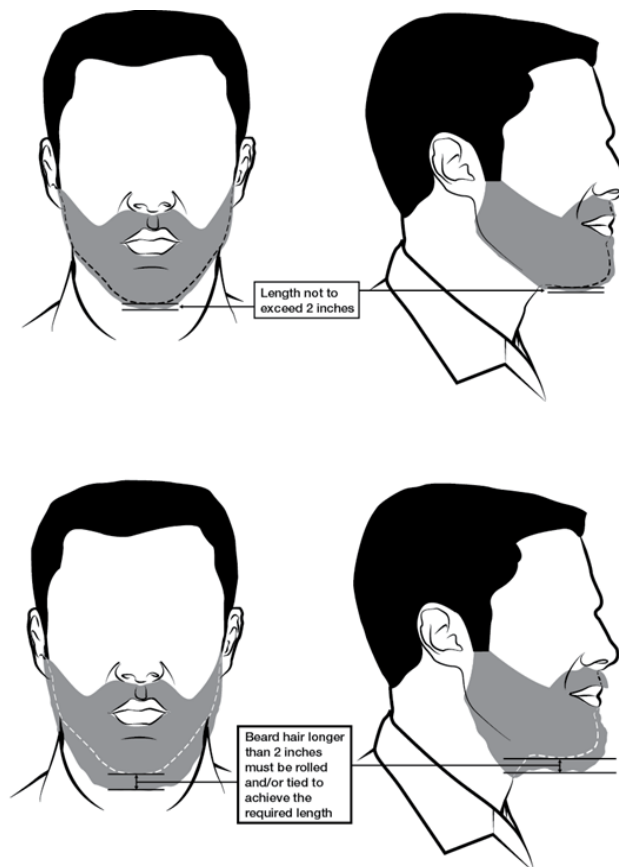
²⁶ See *id.* at 6a.

²⁷ See *id.* at 6c.



Note that the Army policies are silent as to whether women require a religious accommodation to serve with facial hair such as a beard.

Please see the below figure from Army Regulation 670-1 on Wear and Appearance:



8. Can I serve in the Army wearing a kanga?

U.S. Army policy does not explicitly allow or disallow Soldiers to wear kangas. However, the policy does allow Soldiers to wear religious articles of faith that are not visible while in uniform, as long as those articles do not interfere with military duties or the wear of any piece of the authorized uniform.²⁸ Thus, the presumption is that the Army will allow Sikh Soldiers to wear kangas so long as they are not visible (such as tucked under a jooira or beneath a turban).

²⁸ See Army Regulation 670-1, *supra* note 4, at 3-15b.

9. Can I serve in the Army wearing a kachera?

U.S. Army policy does not explicitly allow or disallow Soldiers to wear kacheras. However, the policy does allow Soldiers to wear religious articles of faith that are not visible while in uniform, as long as those articles do not interfere with military duties or the wear of any piece of the authorized uniform.²⁹ Thus, the presumption is that the Army will allow Sikh Soldiers to wear kacheras underneath their uniforms. Given the intense physical training that Soldiers are subject to, Sikh Soldiers should consider wearing kacheras that are not bulky, nor visible under their clothes.

10. Can I serve in the Army wearing a kirpan?

U.S. Army policy does not explicitly allow or disallow Soldiers to wear kirpans. However, the policy does allow Soldiers to wear religious articles of faith that are not visible while in uniform, as long as those articles do not interfere with military duties or the wear of any piece of the authorized uniform.³⁰ Thus, the presumption is that the Army will allow Sikh Soldiers to wear kirpans under their uniforms. Given the intense physical training that Soldiers are subject to, Sikh Soldiers should consider wearing their kirpans sheathed and strapped with a gatra.

If you are a new enlistee and you wear a kirpan, we encourage you to contact the Sikh Coalition before you ship out to Basic Combat Training for more information about possible limitations on the wear of kirpans during the enlistment process and/or BCT. (Please note that this is not an endorsement of limitations on the wear of kirpans.) You may [contact us](https://www.sikhcoalition.org/legal-help/) directly at <https://www.sikhcoalition.org/legal-help/>.

11. Can I serve in the Army wearing a kara?

Yes. The U.S. Army allows Sikh Soldiers to wear the kara without requesting a religious accommodation.³¹

12. When should I submit a request for a religious accommodation?

If you are currently serving in the Army, you may submit a religious accommodation request at any time. However, please see **Question 13** regarding whether you are able to start maintaining your unshorn hair/beard while your accommodation request is pending.

²⁹ See *id.*

³⁰ See *id.*

³¹ See *id.* at 3-15c.



If you have not yet signed a contract to serve, you must take and pass the ASVAB, as well as medical/fitness and all other screenings – and been found fully eligible to enlist – prior to submitting a religious accommodation request.³²

13. If I am currently serving in the Army, can I start maintaining my unshorn hair/beard and wear a turban while my accommodation request is pending?

Generally, no. Army policy disallows Soldiers from violating the uniform and grooming policies until religious accommodation requests to wear a turban and/or maintain unshorn hair and a beard are approved.³³ Please note that Soldiers who begin keeping their visible articles of faith, other than wearing a kara, without permission risk being subject to discipline or UCMJ (Uniform Code of Military Justice) proceedings.

14. If I am currently serving in the Army, can I start keeping my other articles of faith while my accommodation request is pending?

U.S. Army policy disallows Soldiers from violating the uniform and grooming policies until religious accommodation requests are approved.³⁴ While the policy does not explicitly allow or disallow Soldiers to wear the kachera, kanga, or kirpan, it does allow for the wearing of a kara without a religious accommodation (waiver). Army policy does allow Soldiers to wear religious articles of faith that are not visible while in uniform, as long as those articles do not interfere with military duties or the wear of any piece of the authorized uniform.³⁵ Thus, the presumption is that the Army will allow Sikh Soldiers to wear a kanga, kachera, and kirpans under their uniforms as long as those articles are not visible while a religious accommodation request is pending.

³² See UNITED STATES DEPARTMENT OF DEFENSE, Army Directive 2016-34, Processing Religious Accommodation requests Requiring a Waiver to Army Uniform or Grooming Policies, at 4a (Oct. 06, 2016), available at <https://www.army.mil/e2/c/downloads/454020.pdf>.

³³ See UNITED STATES DEPARTMENT OF THE ARMY, Army Regulation 600-20: Army Command Policy, at 5-6i(1) (Nov. 06, 2014), available at http://gordon.army.mil/sharp/downloads/Army_Command_Policy_AR_600-20.pdf.

³⁴ See *id.*

³⁵ See Army Regulation 670-1, *supra* note 4, at 3-15b.



15. How long does it take to receive a response to my accommodation request?

U.S. Army policy does not provide an exact timeline for the approval or denial of a religious accommodation request. It does state that “the GCMCA will ensure, as reasonably as possible, that requests are acted upon in a timely manner.”³⁶

If you have been waiting for a response to your religious accommodation request for more than 60 days, you may [contact us](https://www.sikhcoalition.org/legal-help/) for assistance at <https://www.sikhcoalition.org/legal-help/>.

16. Can my religious accommodation request be revoked after it has been granted?

All approved religious accommodations will continue throughout the Soldier’s career and may not be permanently revoked or modified unless approved by the United States Secretary of the Army.³⁷

However, approved religious accommodations are subject to GCMCA review upon the Soldier’s permanent change of station and when a Soldier reclassifies into a new or secondary military occupational specialty.³⁸ Additionally, a religious accommodation may be suspended when there is a specific threat to health and safety based on the accommodation (such as a threat of exposure to toxic CBRN agents that may merit a heightened protective posture), or when the Soldier’s GCMCA identifies a concern with the sincerity of the service member’s religious belief that is the basis for the accommodation. After consultation with the Staff Judge Advocate, the GCMCA will notify the Soldier of the need to suspend the accommodation, the basis for the suspension, the date the suspension will likely go into effect, and the Soldier’s right to appeal. The GCMCA will reinstate the suspended accommodation when the threat to health and safety no longer exists.³⁹ Note that in exigent circumstances involving an imminent threat to health and safety, the GCMCA may shorten the timeline for appeal and may require immediate suspension of the accommodation.⁴⁰

17. How can I appeal a suspension of my religious accommodation?

You may request an appeal within 10 days of receiving notification that your accommodation will be suspended. The appeal must be submitted to the Office of the DCS, G-1 Command Policy

³⁶ See Army Directive 2018-19, *supra* note 5, at 3a.

³⁷ See *id.* at 4a.

³⁸ See *id.* at 3a.

³⁹ See *id.* at 6.

⁴⁰ See *id.*



Division at usarmy.pentagon.hqda-dcs-g-1.mbx.command-policy@mail.mil. The accommodation will not be suspended before the Secretary of the Army or their designee take action on the appeal.⁴¹

18. Can a request for a religious accommodation be denied?

Yes, but there are only two reasons why an accommodation can be denied:

- If the Soldier's commander determines that the accommodation request is not based on a sincerely held religious belief, or
- Due to a concern about health and safety if there is a specific concrete hazard that cannot be mitigated.⁴²

This means that there is a presumption in favor of granting accommodations to Sikhs who wish to serve with their articles of faith intact, and a religious accommodation request should be granted, unless one of the above-mentioned reasons applies.

If your religious accommodation has been denied, please [contact us](https://www.sikhcoalition.org/legal-help/) for assistance at <https://www.sikhcoalition.org/legal-help/>.

19. Can I submit another religious accommodation request if my first request was denied?

Yes, if your accommodation is denied, note that you may submit a second request, but only if it is *not* based upon substantially the same grounds as the first request, or is *not* supported by substantially the same evidence as the denied application.⁴³ Please see **Section IV** on **page 21** of this document for more information on denial of religious accommodation requests.

20. Where can I get an Operational Camouflage Pattern (OCP) turban?

Once you have obtained a religious accommodation *and* have signed a contract to be enlisted in the U.S. Army, you may submit a request for an OCP turban to the Sikh Coalition via email at contact@sikhcoalition.org. In the email, please include your mailing address and the number of meters required for the turban material. Please note that due to a limited supply of OCP turban material, the Sikh Coalition will only be able to provide one OCP turban per Soldier.

⁴¹ See *id.* at 6a.

⁴² See *id.* at 3c.

⁴³ See Army Regulation 600-20, *supra* note 33, at 5-6i(12).



21. When should I contact the Sikh Coalition for legal advice?

If you wish to serve in the Army with your articles of faith intact, we strongly encourage you to [contact](#) our legal team for more information and assistance at www.sikhcoalition.org/legal-help. Additionally, if you have already submitted a religious accommodation request and it has been denied, you may contact us for assistance. Please note that the Sikh Coalition is unable to represent every Sikh who wants to join the U.S. military due to limited resources. However, our legal team will assess each case on its merits and take on cases where we are confident we can provide the highest level of representation. We are happy to provide information to any Sikh who is interested in joining the Army, including deeper explanations of the information provided in this document, religious accommodation requests templates, information to help prepare for the chaplain's interview, and general information about Sikh religious practices.



II. How to Request a Religious Accommodation

Below is a general description of the process to request a religious accommodation in the U.S. Army. If you wish to serve in the Army with your articles of faith intact, we strongly encourage you to [contact](https://www.sikhcoalition.org/legal-help/) the Sikh Coalition at <https://www.sikhcoalition.org/legal-help/> for more information and assistance.

1. If you are not currently serving in the U.S. Army, you must be fully eligible to enlist before submitting your religious accommodation request. In other words, you must have taken and passed the ASVAB, medical/fitness, and all other screenings prior to your submission.⁴⁴ If you are currently serving in the U.S. Army, you may submit a religious accommodation request at any time.
2. If you would like to be in contact with Sikhs currently serving in the U.S. Army with their articles of faith who may be able to share their experience with you, please [contact](https://www.sikhcoalition.org/legal-help/) the Sikh Coalition at www.sikhcoalition.org/legal-help. If you are currently serving in the U.S. Army, you may also contact your Army Chaplain and/or your JAG office on base for guidance.
3. A religious accommodation request must be made in writing. The request must explain the type of accommodation you are asking for and the religious reasons for the request.⁴⁵
4. You *may* also add to the written request some supporting documents, such as pictures of the requested accommodations and letters of support from religious leaders showing your need for a religious accommodation.⁴⁶ (Note that these additional items are not required.)
5. The written religious accommodation request and supporting documents will be submitted to your unit commander.⁴⁷ (If you are not yet enlisted, you will typically submit your written request to your recruiting command.)
6. Your commander will arrange an in-person or telephone interview with the Army Chaplain to discuss the religious reasons for the requested accommodation.⁴⁸ The

⁴⁴ See Army Directive 2016-34, *supra* note 32, at 4.

⁴⁵ See *id.* at 5.

⁴⁶ See *id.*

⁴⁷ See Army Directive 2018-19, *supra* note 5, at 3b.



Chaplain's interview is an extremely important part of the accommodation request process. This is because your accommodation request must be based upon your sincere religious beliefs. If the chaplain finds that your religious beliefs are not sincere (authentic), then the GCMCA could deny your accommodation request. Thus we recommend that all people requesting religious accommodations prepare carefully for their Chaplain's Interviews. For example, you should think about and be prepared to explain how and why you are a Sikh, what being a Sikh means to you, the nature of your Sikh religious beliefs, and that the maintenance of your articles of faith is based on these religious beliefs. Please [contact](#) the Sikh Coalition if you would like more information and resources to help you prepare for the Chaplain's Interview at www.sikhcoalition.org/legal-help.

7. Once you have passed the interview with the Army Chaplain, your unit commander will assemble a formal religious accommodation request packet and forward it to the GCMCA for review and decision.⁴⁹ This packet includes your written request and supporting documentation, a memorandum from the Army Chaplain, and recommendations from the chain of command.
8. Before acting on a request, the GCMCA will direct his or her staff to (1) obtain a legal review conducted in consultation with the Office of the Judge Advocate General, (2) consult the DCS, G-1 Command Policy Division to ask for a review of the preliminary request materials to ensure consistency standards, (3) consult with the Office of the Chief of Chaplains to evaluate the religious basis and sincerity of the request, and to ensure consistency and fairness across the force, and (4) consult with the U.S. Army Corrections Command when the requestor is a prisoner confined in an Army facility.⁵⁰
9. The GCMCA will then act on the request:
 - If the GCMCA approves the religious accommodation request, you will be notified and the GCMCA will forward a copy of the approval memorandum to the Office of the DCS, G-1 Command Policy Division for filing in your Army Military Human Resources Record.⁵¹ See **Section III** on **page 20** below for recommendations for Soldiers with an approved religious accommodation.

⁴⁸ See Army Directive 2016-34, *supra* note 32, at 5c.

⁴⁹ See Army Directive 2018-19, *supra* note 5, at 3b.

⁵⁰ See *id.* at 3e.

⁵¹ See *id.* at 3f.



- If the GCMCA denies the religious accommodation request, you have a right to submit an appeal within 10 days to the Office of the DCS, G-1 Command Policy Division. Only the Secretary of the Army or their designee may take final action to deny an appeal. See **Section IV** on **page 21** below for more information about denials of religious accommodation requests.
- Alternatively, the GCMCA may elevate the final decision to the Secretary of the Army or their designee. When elevating an accommodation request, the GCMCA will recommend approval or disapproval, with reasons or evidence supporting the recommendation.



III. Recommendations for Soldiers with Approved Accommodations

1. Bring a printed and laminated copy of your religious accommodation approval with you to Basic Combat Training (“BCT”).
2. Bring a copy of the Sikh Coalition’s contact information with you to BCT in case you run into any problems related to your religious accommodation. You can fill out our [online form](https://www.sikhcoalition.org/legal-help/) at <https://www.sikhcoalition.org/legal-help/> or call (212) 655-3095.
3. In the event you run into a problem related to your religious accommodation, you may also seek help from the Chaplain’s office and/or the JAG office on base.
4. Always keep a printed and laminated copy of your religious accommodation approval with you when you travel off base or internationally.



IV. Denial of a Religious Accommodation Request

If the GCMCA denies your religious accommodation request, you have a right to submit an appeal within 10 days to the Office of the DCS, G-1 Command Policy Division. Only the Secretary of the Army or their designee may take final action to deny an appeal.

If the Secretary of the Army or his/her designee takes final action to deny your request, it will not be reconsidered.⁵² If your request is denied and you are currently serving in the Army, you may request separation from the Army under the provisions of AR 635–200.⁵³ Commissioned or WOs (Warrant Officers) who request separation for reasons of religious accommodation will follow the application for release from Active Duty as prescribed in AR 600–8–24 (for other than Regular Army), or apply for an unqualified resignation as outlined in AR 600–8–24 (for Regular Army). All personnel separated or discharged from the U.S. Army because of conflict between their religious practices and military requirements will be subject to recoupment of Federal funds as outlined in referenced regulations.⁵⁴

Note that although a denied request will not be reconsidered, you may submit a second and later request, which will only be considered if it is (1) not based upon substantially the same grounds; or (2) not supported by substantially the same evidence as the denied application. Once you submit the second and later request to your unit commander, he/she will forward it to the headquarters of your Special Court Martial Convening Authority (SCMCA). The request will then be reviewed to determine whether it is substantially the same as the previous request disapproved by the DCS, G–1. If it is found to be substantially the same as the previous request, it will be returned to you.⁵⁵ If it is not found to be substantially the same, it will be reviewed following the same process described in **Section II** above on **page 17**.

If your request has been denied, you may [contact the Sikh Coalition for assistance at www.sikhcoalition.org/legal-help](http://www.sikhcoalition.org/legal-help).

⁵² See Army Regulation 600-20, *supra* note 33, at 5-6i(12).

⁵³ See *id.* at 5-6i(13).

⁵⁴ See *id.* at 5-6i(13).

⁵⁵ See *id.* at 5-6i(12).

