

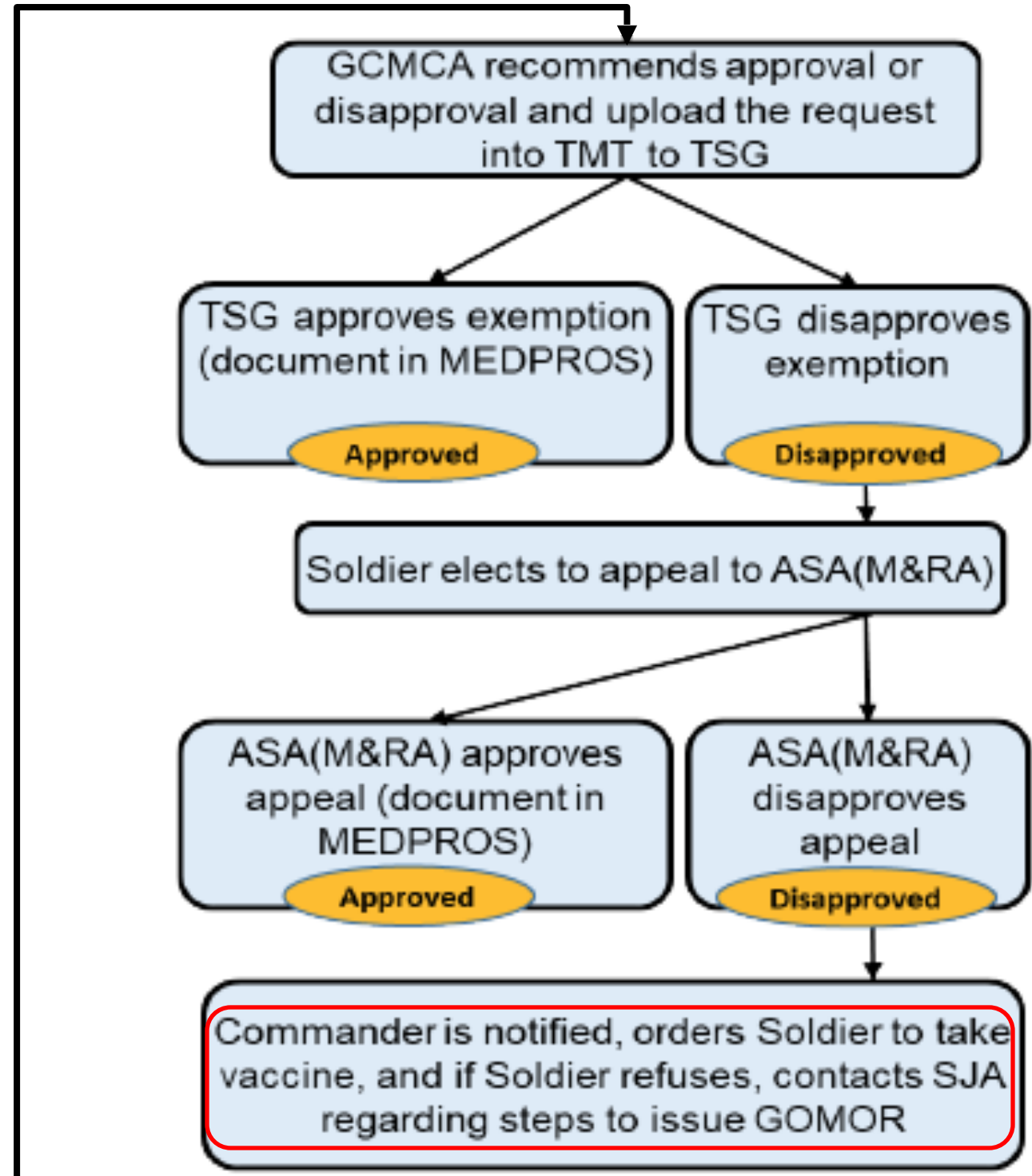
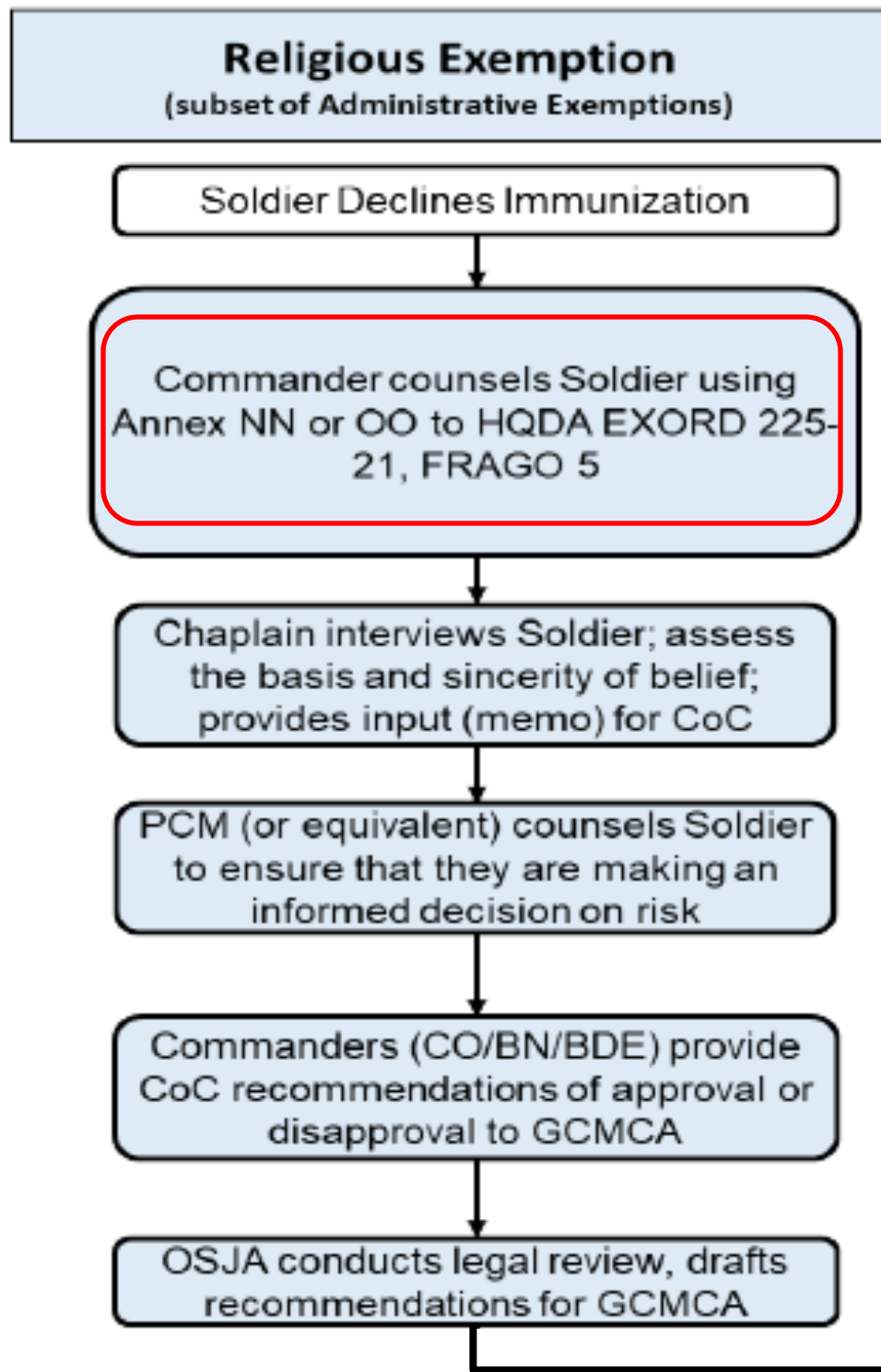


ORIENTATION & TRAINING
RELIGIOUS ACCOMMODATIONS
FOR EXEMPTIONS
TO IMMUNIZATION REQUIREMENTS

CH (LTC) Brian Seidel
USARC Chaplain Directorate
Chief, Plans, Training & Mobilization



RA PROCESS FOR IMMUNIZATION EXEMPTIONS





ADVISEMENT: KEY RA LANGUAGE



The Army places a high value on the rights of its Soldiers to observe tenets of their respective religions or to observe no religion at all; while protecting the civil liberties of its personnel to the greatest extent possible, consistent with its military requirements. (AR 600-20, p. 57, para. 5-6 a.(1))

Pursuant to Section 2000bb of Title 42, United States Code and DoDI 1300.17, requests for religious accommodations from a military policy, practice, or duty that substantially burdens a Soldier's exercise of religion may be denied only when the military policy, practice, or duty furthers a compelling government interest and is the least restrictive means of furthering that compelling government interest. (AR 600-20, p. 58, para. 5-6 a.(2))

It is the Soldier's responsibility to demonstrate he or she has a sincerely held religious belief and that the government policy, practice, or duty substantially burdens their religious exercise.

If the Soldier demonstrates a sincerely held religious belief and a substantial burden to their religious exercise, the commander must then demonstrate how/why the government action furthers a compelling government interest and is the least restrictive means of furthering that interest. (AR 600-20, p. 58, para. 5-6 a.(2))

A religious exercise includes any exercise of religion, whether or not compelled by, or central to, a system of religious belief.



ADVISEMENT: KEY RA LANGUAGE (cont.)



Each request must be considered based on its unique facts; the nature of the requested religious accommodation; the effect of approval or denial on the Soldier's exercise of religion; and the effect of approval or denial on military necessity.

(AR 600-20, p. 58, para. 5-6 a.(4))

g. Separation Procedures. An enlisted Soldier whose religious practices cannot be accommodated consistent with military necessity may request separation from the Army under the provisions of AR 635-200. Commissioned or WOs 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 RA), or apply for an unqualified resignation as outlined in AR 600-8-24 (for RA). (AR 600-20, p. 60, para. 5-6 g.)

DoDI 1300.17 3.2

c. Table 1. Review and Action Timeline for Processing Accommodation Requests

Reserve Component - No later than 60 days from Service member submission to commander or supervisor

f. Administrative Appeal Process.

The regulations and policies of a Military Department or Military Service implementing this issuance will provide a process for Service members to appeal the denial of a request for accommodation of religious practices, or any condition on such accommodation. Appeals will be sent to an official in the chain of command or chain of supervision above the officer or official who took final action on the request. No further administrative appeal will be available for a decision made by the Secretary of the Military Department.



USARC OPORD: ANNEX O HIGHLIGHTS



2. (U) **Mission.** Upon request, Commanders will process Religious Accommodation immunization requirement requests with Chaplain Corps personnel providing technical expertise and support to Soldiers and Command Teams on Religious Accommodation (RA) immunization policies and procedures.

3.c. (2) (U) **Major Subordinate Commands (MSC).**

(a) (U) **Expedite required Religious Accommodation Phase 2 Training**, OPORD 21-025 (USARC, Religious Liberty and Religious Accommodation Training), with Company/Battalion/ Brigade Command Teams to assist CDRs with the RA process. Review Religious Accommodation policies and procedures to maximize CS/UMT proficiency.

(b) (U) Upon request, process Soldier RA immunization exemption requests IAW applicable regulations, policies and orders.

(c) (U) MSC CH Sections **advise Commanders** on the specific process and procedures for immunization exemption requests. Provide training, assistance and support to subordinate CH Sections/UMTs as they process Religious Accommodation immunization exemption requests.

(3) (U) **Chaplain Corps Members in the USAR.**

(a) (U) **Review policies, procedures, guidelines and best practices** related to Religious Accommodation for immunization requests.

(b) (U) **Provide confidential counseling to Soldiers** on issues related to the COVID-19 vaccine and vaccination requirements.

(c) (U) **Conduct non-confidential Soldier interviews** to support the Religious Accommodation process as required by Commanders and the technical chain.

(d) (U) **Provide technical expertise and advisement to Commanders** on Religious Accommodation policies and procedures for immunization exemption requests.

Para. 3.d. (1) (U) Soldiers requesting an exemption are not required to receive the Vaccine pending the final decision on their exemption request. Commanders will not take adverse action against soldiers with pending exemption requests.



KEY PRACTICES: THE BEST OF THE BEST (para. 3.d.(4))



(a) (U) The purpose of the Chaplain interview is to ascertain the sincerity of the belief/request, NOT OFFER APPROVAL OR DISAPPROVAL. Determining whether the request has a religious basis is critical to establishing a requester's sincerity and is a key aspect of the interview. Ensure a senior Chaplain (LTC or above) reviews the interview memorandum and submits comments as necessary. This is a recommended best practice, not required by AR 600-20.

(b) (U) Because confidentiality rules differ between counseling on RA and the formal RA interview, consider separating pastoral counseling from the accommodation request interview. A best practice is for the interviewing Chaplain to be someone other than the unit Chaplain. This may help to preserve confidentiality and protect the pastoral role of the unit Chaplain.

(c) (U) One final recommended best practice: Chaplains should consult their endorsers, their denominational/faith group leaders and position statements for their own approach to vaccinations. Chaplains should also educate themselves regarding the various ethical approaches of religious groups regarding the COVID vaccines. There are reputable sources that provide information on religious group stances, ethical approaches to vaccines, and information on the vaccines themselves.

(5) (U) Summary: CS/UMT members play a key role in assisting Soldiers with each type of RA request, including counseling Soldiers on the RA process and possible outcomes. CS/UMT members must educate themselves regarding the ethical and religious questions and stances regarding vaccination, as well as the process for immunization RA requests. Safeguarding the Soldier's access to Religious Accommodation requests and Soldier's confidentiality (except the formal RA interview), is crucial to maintaining the integrity of the process.



SAMPLE IMMUNIZATION RA INTERVIEW FORM



Best Practices to Assist Soldiers Requesting
Religious Accommodation Exemption for Immunizations
Sample Immunization Religious Accommodation Interview Questionnaire

Rank/First/Last Name of Requestor

Rank/First/Last Name of Chaplain Date

Unit – MOS/Position

Religious Affiliation

Remind Soldier: This Interview is not confidential and content will be shared with the chain of CMD

1. Religious Basis

What is your religious preference, and is it correctly reflected in your official military record?

Explain your religion and your religious beliefs.



REPORTING REQUIREMENTS: FRAGORD 001 TO OPORD 21-075



FRAGORD 001 is NOT published.

MSCs will report submission status of religious accommodation exemption to immunization requests.

MSCs will send weekly reports to the USARC CH mailbox by COB each Thursday.
usarmy.usarc.usarc-hq.mbx.cmd-ch-directorate@mail.mil

MSCs will use the following report format:

CMD	SM Rank	SM Last Name	Type RA Request	Request Date	Status: At? (Unit/BN/BDE/ GCMCA/TSG)
79 th TSC	SSG	Smith	Immunization	20210920	Unit



RESOURCES in APPENDICES



Appendix 1 – Soldier RA Immunization Exemption Request Template

Appendix 2 – RA Immunization Exemption Request Process Flowchart

Appendix 3 – Sample CDR DA Form 4856 Counseling for RA Immunization Requests

Appendix 4 – General CH RA Interview Questionnaire / CH RA Immunization Interview Questionnaire Sample

Appendix 5 – White Paper, Office of the Chief of Chaplains, Best Practices to Assist Soldiers Requesting Religious Accommodation Exemption for Immunizations

Appendix 6 – Chaplain RA Immunization Request Memo Template

Appendix 7 – Physician/Medical RA Immunization Request Memo Template

Appendix 8 – CDR (CO/BN/BDE) RA Immunization Request Memo Template

Appendix 9 – GCMCA RA Immunization Request Memo Template

QUESTIONS???