

# United States Senate

WASHINGTON, DC 20510

April 24, 2014

The Honorable Charles Hagel  
Secretary of Defense  
Office of the Secretary of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

Dear Secretary Hagel,

We respectfully request that the Department of Defense refine its January 22, 2014, revisions to Instruction 1300.17 (*Accommodation of Religious Practices Within the Military Services*) so that religiously observant individuals are not presumptively prohibited from serving in our military.

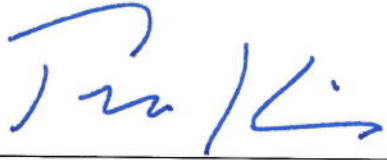
As you know, 10 USC § 774 was enacted during the Reagan Administration and permits service members to wear neat and conservative religious apparel, such as a yarmulke, as long as it does not interfere with the performance of their military duties. In recent years, the U.S. Army has granted individualized waivers to three Sikhs to wear turbans and maintain unshorn hair and beards. Each of them successfully completed basic training and complied with safety requirements relating to helmets and protective masks. Two of these soldiers deployed to Afghanistan and earned a Bronze Star Medal and Army Commendation Medal for their service; another was recently promoted to the rank of Corporal. In recent years, the U.S. Army has also granted waivers to a Jewish Rabbi and two Muslim doctors to maintain beards.

Despite their achievements, Section 4(g) of the revised Instruction would require religiously observant service members to remove their head coverings, cut their hair, or shave their beards—in violation of their religious obligations—while an accommodation request is pending, even if they are capable of meeting safety requirements. Section 4(j) of the revised Instruction would require each of these soldiers to submit to a new accommodation request each time they are assigned to a new base or duty station. These seem inconsistent with the intent of section 774, which creates the presumptive entitlement to wear religious apparel that is neat and conservative and which does not interfere with military duties.

We believe that a service member's religion should not be a barrier to serving in our nation's armed services. Accordingly, we hope that Instruction 1300.17 can be further amended so that talented Americans of faith are given a fair opportunity to serve in our nation's military.

We appreciate your attention and look forward to working closely with you on this matter. Thank you for your time and consideration.

Sincerely,



Senator Tim Kaine



Senator Patrick Leahy



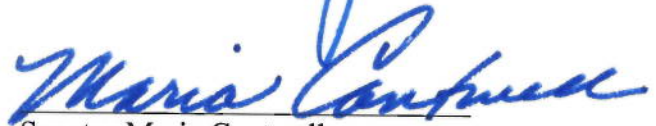
Senator Patty Murray



Senator Ron Wyden



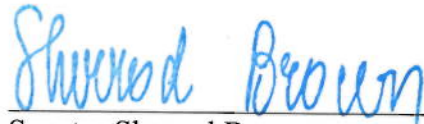
Senator Richard Durbin



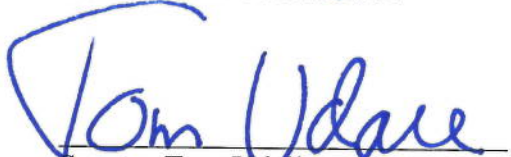
Senator Maria Cantwell



Senator Robert Menendez



Senator Sherrod Brown



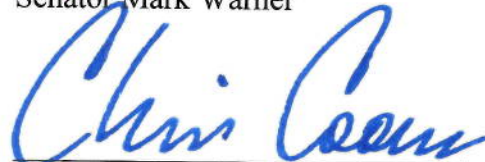
Senator Tom Udall



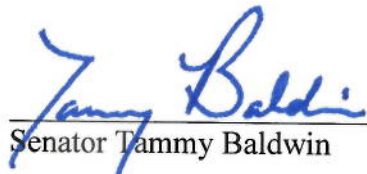
Senator Mark Warner



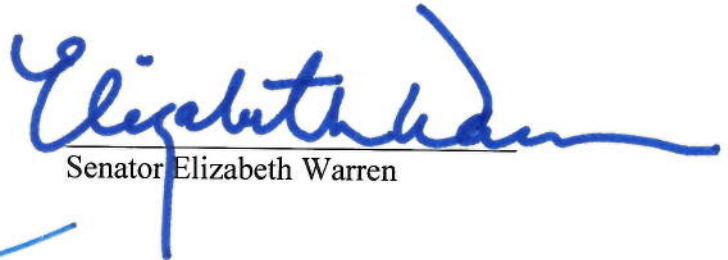
Senator Kirsten Gillibrand



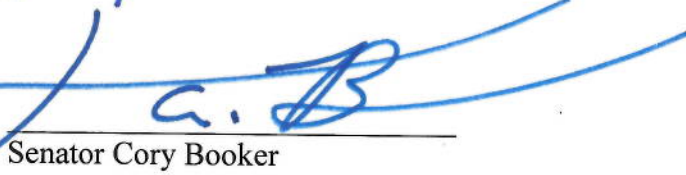
Senator Chris Coons



Senator Tammy Baldwin



Senator Elizabeth Warren



Senator Cory Booker