



# ANG Total Force Awareness Training (TFAT)

FREE EXERCISE OF RELIGION

## FREE EXERCISE OF RELIGION

Refresher Training





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# Overview

- Definitions
- Guidance
  - **Constitution / Federal Law**
  - **DoDI / AFI**
- Chaplain Corps
- Religious Accommodation
- Procedures for Accommodation
- Resources





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# DEFINITIONS

**Religious Freedom** – The right of Service members to observe the tenets of their respective religions or to observe no religion at all.

**Religious Accommodation** – Allowing or providing for individual expressions of sincerely held beliefs (conscience, moral principles, or religious beliefs) unless doing so would have an adverse impact on military readiness, unit cohesion, and good order and discipline.



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# CONSTITUTIONAL FOUNDATION

First Amendment guarantees:

- Freedom of religion
- Right to believe or not believe





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### FREE EXERCISE CLAUSE

*“Congress shall make no law... prohibiting the free exercise (of religion)...”*

The ***Free Exercise Clause*** protects our right to observe religious beliefs as we choose

#### **Belief**

“Nothing in this chapter shall be construed to authorize any government to burden any religious belief” (Religious Freedom Restoration Act, 1993). Freedom of belief is always protected.

#### **Expression**

Actions and speech

Religious expression may be restricted by military necessity



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## DEPART OF DEFENSE INSTRUCTION

DoDI 1300.17, *Accommodation of Religious Practices Within the Military Services*, 22 Jan 14, states:

“The Military Departments will accommodate individual expressions of sincerely held beliefs unless there is an adverse impact on military readiness, unit cohesion, and good order and discipline.”



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### AIR FORCE INSTRUCTION

AFI 1-1, Air Force Standards, 2.11., Free Exercise of Religion and Religious Accommodation, states:

“Every Airman also has the right to individual expressions of sincerely held beliefs, to include conscience, moral principles or religious beliefs, ***unless*** those expressions would have an adverse impact on military readiness, unit cohesion, good order, discipline, health & safety, or mission accomplishment.”



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## CHAPLAIN CORPUS



- Chaplains advise commanders and serve unit members.
- Communication with a Chaplain is considered privileged communication.





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## RELIGIOUS ACCOMMODATION



- Individual rights are valued but cannot be guaranteed in all circumstances.
- Commanders and supervisors will show equal respect for individual practices.



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## RELIGIOUS ACCOMMODATION

### Five Major Areas

<b>Categories</b>	<b>Authority to Resolve</b>
Worship Practices	Unit Commander
Dietary Practices	Unit Commander
Medical Practice	Installation CC with referral to higher HQ
Religious Apparel	Installation CC with referral to higher HQ
Personal Appearance and Grooming	Installation CC with referral to higher HQ



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### **PROCEDURES FOR ACCOMMODATIONS FOR NON-WAIVERABLE ITEMS**

1. Individual submits written request for religious accommodation to supervisor and Force Support Squadron (FSS).
2. FSS refers request to Installation Commander.
3. Installation Commander is advised by Chaplain and JA.
4. Installation Commander makes determination or refers request to appropriate authority.



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### EXAMPLE OF RELIGIOUS ACCOMMODATION

An Airman would like to attend base chapel service during duty hours. The chapel service does not conflict with mission essential duties or taskings of the squadron.

- A. The supervisor denies the request and tells the Airman to go to church on his or her own time.
- B. The supervisor seeks guidance from the Chaplain and JA.
- C. The supervisor grants the request to accommodate the Airman's religious practices.



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### EXAMPLE OF RELIGIOUS ACCOMMODATION

An Airman would like to wear a religious head dress as part of his or her uniform.

- A. The supervisor seeks guidance from the Chaplain and JA.
- B. The supervisor encourages the Airman to submit a letter to FSS to begin the process of a religious accommodation request to the Installation Commander.
- C. The supervisor immediately denies the request.



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# CONCLUSION

