

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KANWAR SINGH, *et al.*,

Plaintiffs,

v.

LIEUTENANT GENERAL
JAMES C. MCCONVILLE,
in his official capacity as
Deputy Chief of Staff, G-1,
U.S. Army, *et al.*,

Defendants.

Civil Action No. 1:16-cv-00581-BAH

**RULE 41(a)(1)(A) NOTICE OF
VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), Plaintiffs Specialist Kanwar Bir Singh, Specialist Harpal Singh, and Private Arjan Singh Ghotra file this notice voluntarily dismissing their claims without prejudice. Plaintiffs' dismissal follows the publication of new Army directives and updated individual accommodations that allow them to continue serving in the Army with their articles of faith intact throughout their military careers.

On October 6, 2016, the Army issued Directive 2016-34. It provides that the Army "will" approve requests for religious accommodations, so long as military readiness is not compromised. Dkt. 59-2 ¶ 3. It further provides that a "religious accommodation will not affect a Soldier's assignment of military occupational specialty (MOS), duty location, or attendance at a military school, unless an evidence-based determination is made that the accommodation is incompatible with the safe and effective execution of all required duties." *Id.* ¶ 4(b). It further promised that the Army would soon publish "a list of anticipated faith practices for which an accommodation may be feasible and the corresponding occupational specialties for which no further testing is required

to identify restrictions.” *Id.* The Directive also confirmed that any granted accommodations would “continue throughout the individual’s career.” *Id.* ¶ 6(c).

On January 3, 2017, the Army issued a further Directive, No. 2017-03, expounding on the assurances made in Directive 2016-34. It specifically provides that accommodations for “the wear of a turban” and “uncut beard and uncut hair” may now be approved by “brigade-level commanders.” Army Directive 2017-03 ¶ 3 (attached as Exhibit A). It further provides that all sincere requests “will” be approved, unless the commander “identifies a specific, concrete hazard that is not specifically addressed in [the] Directive and that cannot be mitigated by reasonable measures.” *Id.* ¶ 3(c). Granted accommodations will “throughout the Soldier’s career and may not be permanently revoked or modified unless authorized by [the Secretary of the Army] or [his or her] designee.” *Id.* ¶ 3(e).

The Directive assures that accommodations for turbans and uncut beard and uncut hair “will not affect a Soldier’s assignment of MOS or branch, duty location, or attendance at military schools,” except as specifically set forth in the Directive. *Id.* ¶ 5(a). The Directive includes essentially three limitations. First, soldiers with beards “may not attend military schools requiring toxic chemical agent training and may not be assigned to positions requiring compliance with biological, chemical, or nuclear surety requirements.” *Id.* ¶ 5(b)(1). Second, they may be required to shave if their unit is “in, or about to enter, a real tactical situation where use of a protective mask is actually required and where the inability to safely use the mask could endanger the Soldier and the unit.” *Id.* ¶ 5(b)(2). They “may” wear their beards in all “training or tactical simulations.” *Id.* Finally, the Directive suggests that if a commanding officer identifies any other “specific hazards created by an accommodation that cannot be reasonably mitigated,” only the Secretary of the Army or his or her designee may resolve the alleged conflict. *Id.* ¶ 5(a).

Except in the most “urgent circumstances,” a soldier with an accommodation must be allowed time to appeal to the Secretary before an accommodation may be suspended. *Id.* ¶ 6(b). In addition, the accommodation must be reinstated “when the specific and concrete threat to health and safety as a result of the accommodation no longer exists.” *Id.* ¶ 6(c). Notably, the Directive also allows for religious bracelets like the Sikh *kara*, *id.* ¶ 7(b); confirms that accommodations will last for a Soldier’s career, *id.* ¶ 3(e); and mandates that “religious accommodation training” will be integrated “Armywide in the professional military education and leader development courses for all branches,” *id.* ¶ 8.

Finally, the Directive orders that all “[p]reviously accommodated Soldiers,” including Plaintiffs here, “will be issued new approval memoranda no later than 10 January 2017 that include these standards and state that, subject to the provisions of this directive, the accommodations will continue throughout the Soldiers’ careers” and that “[s]uch accommodations may not be permanently revoked or modified unless authorized by [the Secretary of the Army] or [his or her] designee.” *Id.* ¶ 4(a). This morning, the Army issued these promised new accommodations to each of the Plaintiffs. *See* Exhibits B, C, and D. These accommodations incorporate both of the new Directives and state that the accommodations “continue[] for your career[s] and may only be suspended, modified or revoked if required by military necessity,” as detailed in the Directives. *Id.* ¶ 4. The individual memos explicitly confirm that “[i]n observance of your Sikh faith, you may wear a beard and turban with uncut hair in accordance with Army uniform and grooming standards for Soldiers with approved religious accommodations.” *Id.* ¶ 3.

Finally, the Army has indicated that the two limitations related to exposure to toxic agents are essentially temporary and that the Army will “conduct additional testing of existing equipment, ascertain whether product alternatives exist, and provide a plan to acquire protective masks for

bearded individuals.” *Id.* ¶ 5(b). At that time, any remaining limitations on the ability to serve in the Army and maintain a beard for religious reasons will presumably be lifted.

Based upon these and other similar commitments from the Army, Plaintiffs hereby voluntarily dismiss this action without prejudice. Should the Army fail to comply with the new directives or otherwise fail to accommodate Plaintiffs’ religious exercise in the manner required by the Religious Freedom Restoration Act and the First and Fourteenth Amendments to the United States Constitution, Plaintiffs reserve the right to renew this litigation.

Respectfully submitted this 6th day of January, 2017,

s/ Eric S. Baxter

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was electronically filed with the Court's ECF system on January 6, 2017, and was thereby electronically served on counsel for Defendants.

s/ Eric S. Baxter
Eric S. Baxter

EXHIBIT A



SECRETARY OF THE ARMY
WASHINGTON

03 JAN 2017

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation)

1. References:

- a. Title 42, United States Code § 2000bb-1 (Religious Freedom Restoration Act).
- b. Title 10, United States Code § 774 (Religious apparel: wearing while in uniform).
- c. Department of Defense Instruction 1300.17 (Accommodation of Religious Practices Within the Military Services), February 10, 2009, Incorporating Change 1, Effective January 22, 2014.
- d. Army Directive (AD) 2016-34 (Processing Religious Accommodation Requests Requiring a Waiver to Army Uniform or Grooming Policies), 6 Oct 2016.
- e. Army Regulation (AR) 600-20 (Army Command Policy), 6 November 2014.
- f. AR 670-1 (Wear and Appearance of Army Uniforms and Insignia), 10 April 2015.

2. Purpose and Scope. This directive revises Army uniform and grooming policy to provide wear and appearance standards for the most commonly requested religious accommodations and revises the approval authority for future requests for religious accommodation consistent with these standards. AD 2016-34 (reference 1d) remains in effect and continues to provide the policy for requests for religious accommodation involving uniform wear and grooming, except as modified by this directive.

3. Brigade-Level Accommodation Approval. Since 2009, religious accommodation requests requiring a waiver for uniform wear and grooming have largely fallen into one of three faith practices: the wear of a hijab; the wear of a beard; and the wear of a turban or under-turban/patka, with uncut beard and uncut hair. Based on the successful examples of Soldiers currently serving with these accommodations, I have determined that brigade-level commanders may approve requests for these accommodations, and I direct that the wear and appearance standards established in paragraph 4 of the enclosure to this directive be incorporated into AR 670-1.

- a. Individuals will continue to submit all requests for religious accommodation involving uniform wear and grooming pursuant to the process established in AD 2016-34. The Office of the Deputy Chief of Staff (DCS), G-1 Command Policy

SUBJECT: Army Directive 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation)

Division will make sure the requests are acted upon within the timelines established in AD 2016-34.

b. Commanders receiving an initial request for an accommodation involving uniform wear and grooming will immediately notify the Office of the DCS, G-1 Command Policy Division and prepare a religious accommodation packet consistent with paragraph 5c of AD 2016-34. Notification will be sent to usarmy.pentagon.hqda-dcs-g-1.mbx.command-policy@mail.mil and will include the requestor's name; grade (if applicable); unit; military occupational specialty (MOS) (or prospective MOS, if known); and a copy of the request documents.

c. The Soldier's brigade-level commander will approve a request for a religious accommodation consistent with the standards described in paragraph 4 of the enclosure unless the commander:

(1) determines the request is not based on a sincerely held religious belief, or

(2) identifies a specific, concrete hazard that is not specifically addressed in this directive and that cannot be mitigated by reasonable measures after coordinating with the branch or MOS proponent.

d. When evaluating the sincerity of a Soldier's articulated belief, commanders may consider the credibility and demeanor of the applicant and the circumstances of the request. A religious practice may be an action, behavior, or course of conduct constituting an individual expression of religious beliefs, regardless of whether the practice is compelled by, or central to, the religion concerned.

e. If the brigade-level commander approves a request for accommodation involving grooming and appearance, the commander will notify the Soldier and forward a copy of the approval memorandum through the General Court-Martial Convening Authority (GCMCA) to the DCS, G-1 and U.S. Army Human Resources Command for filing in the Soldier's Army Military Human Resources Record. The accommodation will continue throughout the Soldier's career and may not be permanently revoked or modified unless authorized by me or my designee.

f. If the brigade-level commander does not approve the request, the commander will forward the request to the GCMCA with a recommendation for denial and the reason(s) for the denial. The GCMCA may approve an accommodation request to adhere to the standards described in paragraph 4 of the enclosure or forward it to the DCS, G-1 with a recommendation for denial pursuant to AD 2016-34. Only I or my designee may take final action to deny a request for religious accommodation described in the enclosure.

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g. Accession agencies and commands may identify an officer in the grade of colonel/O-6 or higher who is not a commander to serve as the brigade-level approval authority for purposes of evaluating and approving pre-accession requests for religious accommodations described in this paragraph.

4. Wear and Appearance Standards

a. The wear and appearance standards in paragraph 4 of the enclosure will apply to all Soldiers with an accommodation permitting the following faith practices: the wear of a hijab; the wear of a beard; and the wear of a turban or under-turban/patka, with uncut beard and uncut hair. Previously accommodated Soldiers will be issued new approval memoranda no later than 10 January 2017 that include these standards and state that, subject to the provisions of this directive, the accommodations will continue throughout the Soldiers' careers. Such accommodations may not be permanently revoked or modified unless authorized by me or my designee.

b. All Soldiers must wear the Advanced Combat Helmet and other protective headgear in accordance with the applicable technical manuals. As necessary, Soldiers will modify the placement and style of their hair to achieve a proper fit. Removal of pads from helmets for fit or comfort is not permitted except as authorized by the applicable technical manual.

5. Duty Considerations

a. A religious accommodation consistent with the uniform wear and grooming standards in the enclosure will not affect a Soldier's assignment of MOS or branch, duty location, or attendance at military schools, except as described in paragraph 5b for Soldiers with a beard. If a GCMCA, a higher level commander, or an MOS proponent identifies additional specific hazards created by an accommodation that cannot be reasonably mitigated, they must immediately inform the Office of the DCS, G-1 Command Policy Division at usarmy.pentagon.hqda-dcs-g-1.mbx.command-policy@mail.mil.

b. Study results show that beard growth consistently degrades the protection factor provided by the protective masks currently in the Army inventory to an unacceptable degree. Although the addition of a powered air-purifying respirator and/or a protective mask with a loose-fitting facepiece has demonstrated potential to provide adequate protection for bearded individuals operating in hazardous environments, further research, development, testing, and evaluation are necessary to identify masks that are capable of operational use and can be adequately maintained in field conditions. The Assistant Secretary of the Army (Acquisition, Logistics and Technology) will conduct additional testing of existing equipment, ascertain whether product alternatives exist, and provide a plan to acquire protective masks for bearded individuals. This effort will

SUBJECT: Army Directive 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation)

include an assessment of the feasibility of fielding the current equipment or any alternative product. Until the Army can field such protective gear, these restrictions apply:

(1) Soldiers with a religious accommodation allowing a beard may not attend military schools requiring toxic chemical agent training and may not be assigned to positions requiring compliance with biological, chemical, or nuclear surety requirements in accordance with AR 50-1 (Biological Surety), AR 50-5 (Nuclear Surety), and AR 50-6 (Nuclear and Chemical Weapons and Materiel Chemical Surety). For example, they may not serve as 74A, Chemical, Biological, Radiological, Nuclear (CBRN) Officers; 740A, CBRN Technicians; or 74D, CBRN Specialists.

(2) An accommodation for a beard may be temporarily suspended when a specific and concrete threat of exposure to toxic CBRN agents exists that requires all Soldiers to be clean-shaven, including those with medical profiles. Following the procedures in paragraph 6, commanders may require a Soldier to shave if the unit is in, or about to enter, a real tactical situation where use of a protective mask is actually required and where the inability to safely use the mask could endanger the Soldier and the unit. A Soldier may wear a beard while participating in training or tactical simulations designed to ensure that the Soldier is fully familiar with use of the protective mask.

6. Suspension Procedures

a. When an accommodated Soldier's GCMCA identifies a specific and concrete threat to health and safety based on the accommodation (such as threat of exposure to toxic CBRN agents that may merit a heightened protective posture), the GCMCA, after consultation with the Staff Judge Advocate, will notify the Soldier of the need to suspend the religious accommodation, the basis for the suspension, the date the suspension will likely go into effect, and the Soldier's right to appeal. 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 I or my designee take action on the appeal.

b. In exigent circumstances involving an imminent threat to health and safety, the GCMCA may shorten the time for appeal and, in urgent circumstances, may require immediate suspension of the accommodation. The GCMCA will notify the Office of the DCS, G-1 Command Policy Division of the decision and its basis as soon as possible at usarmy.pentagon.hqda-dcs-g-1.mbx.command-policy@mail.mil.

c. The GCMCA will reinstate the suspended accommodation when the specific and concrete threat to health and safety as a result of the accommodation no longer exists.

SUBJECT: Army Directive 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation)

7. Additional Changes to AR 670-1. The wear and appearance standards established in paragraphs 1–3 of the enclosure to this directive will be incorporated into the next revision of AR 670-1. The following practices do not require a request for religious accommodation:

a. Female soldiers may wear dreadlocks/locks in accordance with the guidance in paragraph 3-2a(3)(f) for braids, cornrows, and twists.

b. Religious bracelets, similar in style to medical alert, missing in action, prisoner of war, or killed in action identification bracelets, may be worn in uniform or in civilian clothes on duty in accordance with the guidance in paragraph 3-4a.

8. Training. U.S. Army Training and Doctrine Command will integrate religious accommodation training Armywide in the professional military education and leader development courses for all branches. The Chaplain Corps will continue to train unit chaplains to perform their key tasks in support of individual religious accommodation requests and unit leaders who participate in the process.

9. Applicability. The provisions of this directive are effective immediately, unless otherwise stated, and apply to the Active Army, Army National Guard/Army National Guard of the United States, and U.S. Army Reserve.

10. Proponent. The DCS, G-1 is the proponent for this policy and, in coordination with the Assistant Secretary of the Army (Manpower and Reserve Affairs), will ensure that the provisions of this directive are incorporated into the next revisions of AR 600-20 and AR 670-1, as applicable. This directive and AD 2016-34 are rescinded upon their incorporation into the applicable regulations.



Eric K. Fanning

Encl

DISTRIBUTION:

Principal Officials of Headquarters, Department of the Army
Commander

- U.S. Army Forces Command
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SUBJECT: Army Directive 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation)

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Commandant, U.S. Army War College

CF:

Director, Army National Guard
Director of Business Transformation
Commander, Eighth Army

CHANGES TO ARMY REGULATION 670-1

1. Paragraph 3-2a(3)(f) is revised to read as follows:

Braids, cornrows, twists, or locks. Medium and long hair may be styled with braids, cornrows, twists, or locks (see glossary for definitions). Each braid, cornrow, twist, or lock will be of uniform dimension; have a diameter no greater than 1/2 inch; and present a neat, professional, and well-groomed appearance. Each must have the same approximate size of spacing between the braids, cornrows, twists, or locks. Each hairstyle may be worn against the scalp or loose (free-hanging). When worn loose, such hairstyles must be worn in accordance with medium hair length guidelines or secured to the head in the same manner as described for medium or long length hair styles. Ends must be secured inconspicuously. When multiple loose braids, twists, or locks are worn, they must encompass the whole head. When braids, twists, cornrows, and locks are not worn loosely and instead worn close to the scalp, they may stop at one consistent location of the head and must follow the natural direction of the hair when worn back, which is either in general straight lines following the shape of the head or flowing with the natural direction of the hair when worn back with one primary part in the hair (see para 3-2a(1)(c)). Hairstyles may not be styled with designs, sharply curved lines, or zigzag lines. Only one distinctive style (braided, rolled, twisted, or locked) may be worn at one time. Braids, cornrows, twists, and locks that distinctly protrude (up or out) from the head are not authorized.

2. Paragraph 3-2a(3)(g) is deleted.
3. Paragraph 3-4a is revised to read as follows:

Soldiers may wear a wristwatch, a wrist religious or identification bracelet, and a total of two rings (a wedding set is considered one ring) with Army uniforms, unless prohibited by the commander for safety or health reasons. Soldiers may also wear one activity tracker, pedometer, or heart rate monitor. Any jewelry or monitors Soldiers wear while in uniform or civilian clothes on duty must be conservative. Bracelets are limited to medical alert bracelets, missing in action, prisoner of war, killed in action (black or silver color only), and religious bracelets similar in size and appearance to identification bracelets. Soldiers are authorized to wear only one item on each wrist while in uniform or in civilian clothes on duty. In addition to the one item (watch or identification bracelet) authorized to be worn on each wrist, Soldiers may wear an activity tracker, pedometer, or heart rate monitor.

4. Paragraph 3-15 is inserted as follows:

3-15. Religious accommodations

Note: The following uniform and grooming standards apply only to Soldiers with an approved religious accommodation for one or more of the listed practices.

a. Hijab (Head Scarf)

(1) An accommodated Soldier may wear a hijab (head scarf) made of a subdued material in a color that closely resembles the assigned uniform (generally black, brown, green, tan, or navy blue as appropriate). The material will be free of designs or markings, except that a Soldier wearing the Army Combat Uniform may wear a hijab in a camouflage pattern matching the uniform. When directed by a commander, the Soldier may be required to wear a hijab made of fire-resistant material.

(2) The hijab will be worn in a neat and conservative manner that presents a professional and well-groomed appearance. The hijab must be closely fitted to the contours of the head and neck and may not cover the eyebrows, eyes, cheeks, nose, mouth, or chin. The bottom edges of the hijab will be tucked under the Soldier's uniform top and all required headgear will still be worn.

(3) Hair underneath the hijab must be worn in a hairstyle authorized for the Soldier in AR 670-1, paragraph 3-2. The bulk of the Soldier's hair and hijab may not impair the ability to wear required headgear, the Advanced Combat Helmet, or other protective equipment; impede the ability to operate an assigned weapon, military equipment, or machinery; or interfere with the ability to perform the Soldier's military duties.

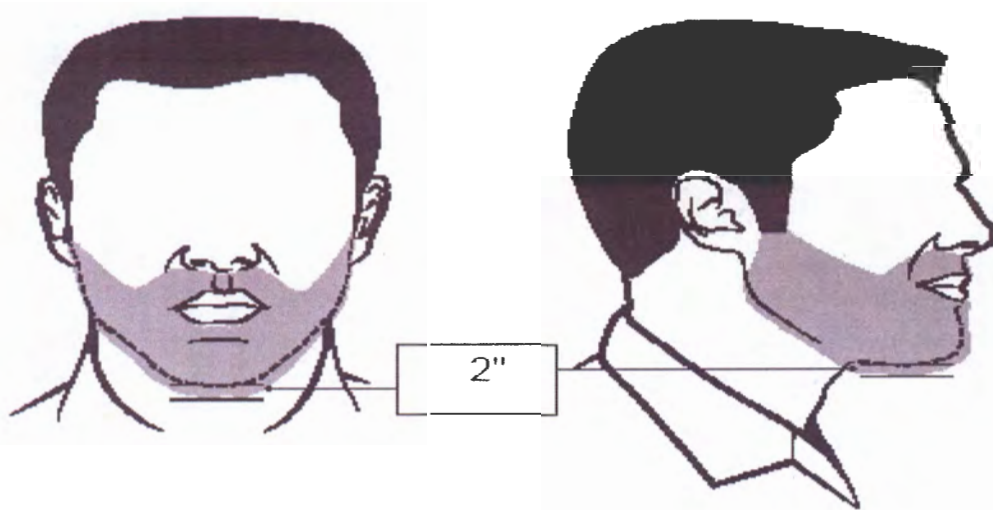


b. Beard

(1) Beards (which include facial and neck hair) must be maintained to a length not to exceed 2 inches when measured from the bottom of the chin. Beard hair longer than 2 inches must be rolled and/or tied to achieve the required length. Beards must be worn in a neat and conservative manner that presents a

professional appearance. Soldiers may use styling products to groom or hold the beard in place, but may not use petroleum-based products if wearing a protective mask during training. The bulk of a Soldier's beard may not impair the ability to operate an assigned weapon, military equipment, or machinery.

(2) A mustache worn with a beard may extend sideways beyond the corners of the mouth to connect with the beard, but must be trimmed or groomed to not cover the upper lip.



c. Turban and Under-Turban

(1) An accommodated Soldier may wear a turban (or under-turban or patka, as appropriate) made of a subdued material in a color that closely resembles the headgear for an assigned uniform. Commanders may designate conditions where the under-turban will be worn instead of the turban. The turban or under-turban will be worn in a neat and conservative manner that presents a professional and well-groomed appearance. The material will be free of designs or markings, except that a Soldier wearing the Army Combat Uniform may wear a turban or under-turban in a camouflage pattern matching the uniform. Soldiers assigned to units wearing the maroon, tan, or green beret may wear an appropriately colored turban or under-turban as directed by the unit commander. When directed by a commander, the Soldier may be required to wear an under-turban made of fire-resistant material.

(2) Unless duties, position, or assignment require a Soldier to wear the Advanced Combat Helmet or other protective headgear, Soldiers granted this accommodation are not required to wear military headgear in addition to the turban or under-turban. Rank will be displayed on the turban or under-turban when worn in circumstances where military headgear is customarily worn and removed in

circumstances where military headgear is not customarily worn, such as indoors or in no-hat/no-salute designated areas.

(3) Hair worn under the turban or under-turban is not subject to AR 670-1 standards, but may not fall over the ears or eyebrows or touch the collar while in uniform. When the Soldier is wearing an Advanced Combat Helmet or other protective headgear with the under-turban, the bulk of the hair will be repositioned or adjusted to ensure proper fit.

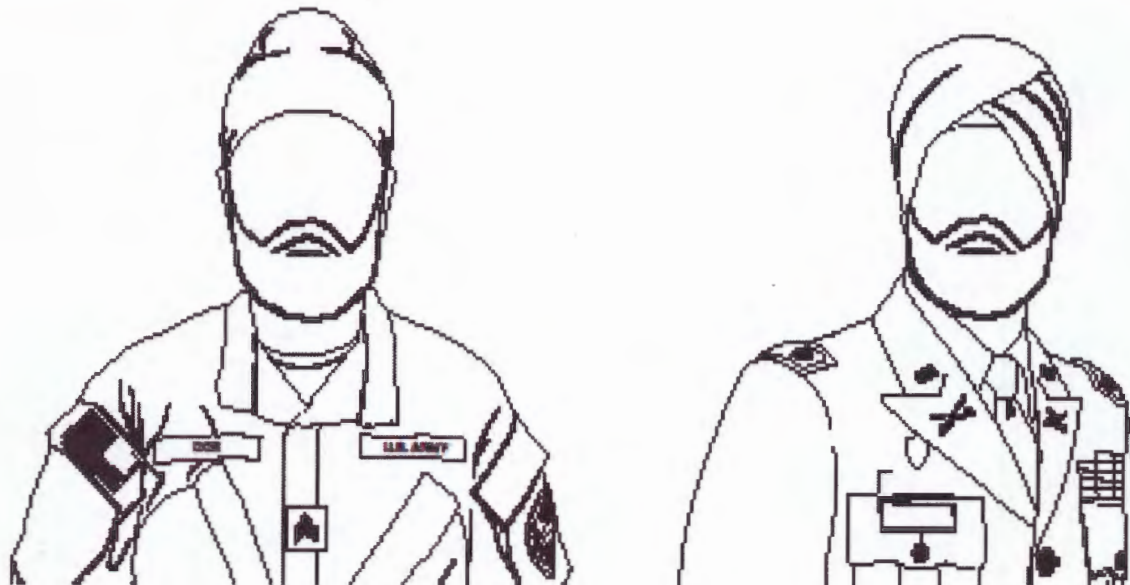


EXHIBIT B



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

JAN 05 2017

MEMORANDUM THRU Director, Army National Guard, 111 South George Mason Drive, Arlington, VA 22204-1373

FOR Specialist Kanwar Bir Singh, Massachusetts National Guard Recruiting and Retention Battalion, 25 Haverhill Street, Camp Curtis Guild, Reading, MA 01867

SUBJECT: Religious Accommodation – Specialist Kanwar Bir Singh

1. References:

a. Army Directive (AD) 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation), 3 Jan 2017.

b. AD 2016-34 (Processing Religious Accommodation Requests Requiring a Waiver to Army Uniform or Grooming Policies), 6 Oct 2016.

c. Memorandum, Assistant Secretary of the Army (Manpower & Reserve Affairs), SAMR, 8 April 2016, subject: Decision Regarding Request for Religious Accommodation – Specialist Kanwar Bir Singh, Massachusetts Army National Guard / Army National Guard of the United States (hereby rescinded).

2. Pursuant to paragraph 4a of reference a, this approval memorandum replaces your previously granted accommodation. A copy of this accommodation will be filed in your Army Military Human Resource Record (AMHRR).

3. In observance of your Sikh faith, you may wear a beard and turban with uncut hair in accordance with Army uniform and grooming standards for Soldiers with approved religious accommodations. These standards are currently contained in the enclosure to reference a and will be incorporated into a revision of Army Regulation (AR) 670-1 (Wear and Appearance of Army Uniforms and Insignia). Once incorporated, the standards of AR 670-1 will apply to your accommodation.

4. All provisions of references a and b apply to this accommodation, including that your accommodation continues for your career and may only be suspended, modified or revoked if required by military necessity. References a and b will be incorporated into a

SAMR

SUBJECT: Religious Accommodation – Specialist Kanwar Bir Singh

revision of AR 600-20 (Command Policy). Once incorporated, the provisions of AR 600-20 will apply to your accommodation.



DEBRA S. WADA
Assistant Secretary of the Army
(Manpower and Reserve Affairs)

CF:
Deputy Chief of Staff, G-1
CDR, Human Resources Command

EXHIBIT C



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

JAN 05 2017

MEMORANDUM THRU Commander, U.S. Army Reserve Command, 4710 Knox Street,
Fort Bragg, NC 28310-5010

FOR Specialist Harpal Singh, 238th Transportation Company, Inland Cargo Task Force,
311th Sustainment Command (Expeditionary), 410 Norman Avenue, Concord, CA
94520

SUBJECT: Religious Accommodation – Specialist Harpal Singh

1. References:

a. Army Directive (AD) 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation), 3 Jan 2017.

b. AD 2016-34 (Processing Religious Accommodation Requests Requiring a Waiver to Army Uniform or Grooming Policies), 6 Oct 2016.

c. Memorandum, Assistant Secretary of the Army (Manpower & Reserve Affairs), SAMR, 8 April 2016, subject: Decision Regarding Request for Religious Accommodation – Specialist Harpal Singh, U.S. Army Reserve (hereby rescinded).

2. Pursuant to paragraph 4a of reference a, this approval memorandum replaces your previously granted accommodation. A copy of this accommodation will be filed in your Army Military Human Resource Record (AMHRR).

3. In observance of your Sikh faith, you may wear a beard and turban with uncut hair in accordance with Army uniform and grooming standards for Soldiers with approved religious accommodations. These standards are currently contained in the enclosure to reference a and will be incorporated into a revision of Army Regulation (AR) 670-1 (Wear and Appearance of Army Uniforms and Insignia). Once incorporated, the standards of AR 670-1 will apply to your accommodation.

4. All provisions of references a and b apply to this accommodation, including that your accommodation continues for your career and may only be suspended, modified or revoked if required by military necessity. References a and b will be incorporated into a

SAMR

SUBJECT: Religious Accommodation – Specialist Harpal Singh

revision of AR 600-20 (Command Policy). Once incorporated, the provisions of AR 600-20 will apply to your accommodation.



DEBRA S. WADA
Assistant Secretary of the Army
(Manpower and Reserve Affairs)

CF:
Deputy Chief of Staff, G-1
CDR, Human Resources Command

EXHIBIT D



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR

JAN 05 2017

MEMORANDUM THRU Director, Army National Guard, 111 South George Mason Drive, Arlington, VA 22204-1373

FOR Private Arjan Singh Ghotra, Charlie Company, 3rd Battalion, 116th Infantry Brigade Combat Team, Leesburg, VA 20175-8901

SUBJECT: Religious Accommodation – Private Arjan Singh Ghotra

1. References:

a. Army Directive (AD) 2017-03 (Policy for Brigade-Level Approval of Certain Requests for Religious Accommodation), 3 Jan 2017.

b. AD 2016-34 (Processing Religious Accommodation Requests Requiring a Waiver to Army Uniform or Grooming Policies), 6 Oct 2016.

c. Memorandum, Assistant Secretary of the Army (Manpower & Reserve Affairs), SAMR, 8 April 2016, subject: Decision Regarding Request for Religious Accommodation – Private Arjan Singh Ghotra, Virginia Army National Guard / Army National Guard of the United States (hereby rescinded).

2. Pursuant to paragraph 4a of reference a, this approval memorandum replaces your previously granted accommodation. A copy of this accommodation will be filed in your Army Military Human Resource Record (AMHRR).

3. In observance of your Sikh faith, you may wear a beard and turban with uncut hair in accordance with Army uniform and grooming standards for Soldiers with approved religious accommodations. These standards are currently contained in the enclosure to reference a and will be incorporated into a revision of Army Regulation (AR) 670-1 (Wear and Appearance of Army Uniforms and Insignia). Once incorporated, the standards of AR 670-1 will apply to your accommodation.

4. All provisions of references a and b apply to this accommodation, including that your accommodation continues for your career and may only be suspended, modified or revoked if required by military necessity. References a and b will be incorporated into a

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revision of AR 600-20 (Command Policy). Once incorporated, the provisions of AR 600-20 will apply to your accommodation.



DEBRA S. WADA

Assistant Secretary of the Army

(Manpower and Reserve Affairs)

CF:

Deputy Chief of Staff, G-1

CDR, Human Resources Command