



Religious Accommodation Training

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- **Summary**

- **Course Objective:** To outline the processes and timelines for religious accommodation (RA) requests and establish expectations for sailors, commanders, and chaplains on the handling of such requests.
- The U.S. Navy supports freedom of expression, to include religious expression, and recognizes that through these values, we are a better military and a stronger nation. Accommodations of sincerely held religious beliefs are a pillar of the Navy's commitment to treating all Sailors with dignity and respect. The Navy works to support each Sailor's religious practices to the broadest extent possible within the bounds of military readiness, unit cohesion, good order, discipline, and health and safety. Discrimination on the basis of religion is contrary to the Navy's core values of honor, courage, and commitment.
- Accommodation of religious beliefs is a positive influence on readiness and mission accomplishment.



Introduction

- **Support for religious freedom is found in many of our Nation's founding documents, to include the Free Exercise Clause of the First Amendment to the U.S. Constitution.**
- **In 1993, Congress enacted the Religious Freedom Restoration Act, which specifically prohibits any agency, department, or official of the United States from substantially burdening a person's free exercise of religion even if the burden results from a rule of general applicability, except that the government may burden a person's exercise of religion only if it demonstrates that application of the burden to the person:**
 - (1) furthers a compelling government interest; and
 - (2) is the least restrictive means of furthering that compelling government interest.



Authorities

- **Free Exercise Clause, First Amendment to the U.S. Constitution**
- **Religious Freedom Restoration Act (RFRA)**
- **Title 10, United States Code, Chapter 53**
- **DoDI 1300.17, “Religious Liberty in the Military Services”**
- **SECNAVINST 1730.8B, “Accommodation of Religious Practices”**
- **OPNAVINST 1730.1F, “Religious Ministry in the Navy”**
- **BUPERSINST 1730.11A, “Standards and Procedures Governing the Accommodation of Religious Practices”**



Religious Accommodation (RA) Process

- **Sailors (active or reserve) may seek accommodation of a religious practice that requires a waiver of Navy policy by submitting a request, in writing, to their commander, consistent with the guidance in BUPERSINST 1730.11A.**
- **As part of the religious accommodation (RA) process, requestors will conduct an interview with a Navy chaplain, who will assess whether the religious beliefs appear sincerely-held using the process in BUPERSINST 1730.11A.**
 - Where applicable, the requestor may (but is not required to) provide supporting documentation, such as verification from religious leaders, etc.
- **Commanders shall act on the request within the timelines established by DoDI 1300.17. Commanders may:**
 - Approve the request, if within approval authorities in BUPERSINST 1730.11A.
 - Investigate alternative means to accommodate the request without requiring a waiver of Navy policy.
 - Forward the request via the first O-6 in the chain of command to OPNAV N1.

RA Process (cont.)

- **OPNAV N1 is responsible for reviewing and acting upon RA requests that require a waiver of Navy policy. Such requests are outlined in BUPERSINST 1730.11A.**
 - Per DoDI 1300.17, OPNAV N1 reviews each individual request, taking into account the full range of facts and circumstances relevant to the specific request.
 - This analysis includes an individualized review of whether the requested accommodation can be met given the unique duties, location, and command mission associated with the requestor. Factors include, but are not limited to:
 - Applicable operational or regional policies
 - Importance of the military policy, practice, or duty in terms of mission accomplishment, including military readiness, unit cohesion, good order, discipline, health, or safety
 - Importance of the practice to the requestor
 - Cumulative impact of repeated accommodations of a similar nature, and
 - Alternate means to fulfill the request
 - The requestor will be promptly informed of the approval or disapproval of his or her requested accommodation and be informed, in writing, of any conditions or limitations placed on an approval. The notification to the requestor will provide an individualized justification describing the facts, circumstances, and factors considered, as they were applied to the particular requestor.

RA Process (cont.)

- **Once approved, religious accommodations are enduring for the entire career of the requestor. There are only two circumstances in which a RA may be rescinded:**
 - Under exigent circumstances and in furtherance of a compelling governmental interest due to operational necessity, when time is of the essence and no less restrictive means of religious accommodation are available, a commander may temporarily modify or suspend an accommodation, upon notice to the member concerned and without the benefit of appeal. The modification or suspension will only apply for the minimum period required by the circumstances.
 - Based on a determination that the circumstances under which an accommodation was granted have changed, a commander may initiate review and potential rescission of a previously-granted accommodation. In such circumstances, the Sailor must be afforded the opportunity to review and comment on the request. Such a request will be reviewed and acted upon at a level no lower than at which the accommodation was granted.
 - In practice, if an approved accommodation required a waiver of Navy policy, then the request to rescind/modify due to a material change in circumstances must be routed to OPNAV N1.

- From DoDI 1300.17:

Table 1. Review and Action Timeline for Processing Accommodation Requests

Action to be Taken	For Requests Within the United States	For Requests Outside the United States or for Reserve Component Service Members Not on Active Duty
Action on Requests for Religious Accommodation that Can Be Approved Consistent with Existing Military Department or Military Service Regulations or Policies		
Review and final action completed and written notification to requesting Service member provided	No later than 30 business days from Service member submission	No later than 60 days from Service member submission
Action on Requests for Religious Accommodation that Require the Waiver of Otherwise Applicable Military Department or Military Service Regulations or Policies		
Written request for accommodation received by the Office of the Secretary concerned ¹	No later than 30 days from Service member submission to commander or supervisor	No later than 60 days from Service member submission to commander or supervisor
Review and final action completed and written notification to requesting Service member provided	No later than 60 days from receipt by the Office of the Secretary concerned. ¹ Must be provided to the Service member within 5 days of final action	
1. Unless authority is delegated to a subordinate official in accordance with Paragraph 3.2.b of this issuance.		

- BUPERSINST 1730.11A contains shorter timelines to ensure DoDI requirements are met.



Expectations for Sailors

- **Submit requests for religious accommodation, in writing, to commanders based on the guidance in BUPERINST 1730.11A.**
- **While an accommodation request is pending, comply with the applicable policy, practice, direction, or duty from which accommodation is being sought until the request is adjudicated.**
- **If a Sailor has an approved accommodation, inform your chain of command upon checking in to a new command. Be prepared to provide a copy of the approved accommodation so that your new command fully understands and is prepared to meet the accommodation requirements.**
- **Whether or not a Sailor has a religious accommodation, treat all Sailors with dignity and respect, consistent with the Navy's core values of honor, courage, and commitment.**



Expectations for Commanders

- **Upon receipt of a religious accommodation request, act on the request (if within the authorities of BUPERINST 1730.11A), investigate alternate means to accommodate the religious belief, or forward the request in accordance with the timelines in BUPERSINST 1730.11A and DoDI 1300.17.**
- **Obtain the advice of a judge advocate and chaplain prior to acting on a request, particularly for requests that require waiver of Navy policy.**
- **Conduct a religious needs assessment upon check-in to a command in accordance with OPNAVINST 1730.1F.**
- **Treat all Sailors, to include those with pending or approved accommodations, with dignity and respect. Sailors shall not be discriminated against based on their submission of a religious accommodation request or approval to maintain an accommodation in deviation from Navy policy.**



Expectations for Chaplains

- **Advise and assist commands with religious accommodation policy execution and provide religious support for Sailors.**
- **Conduct an administrative interview with each requestor seeking religious accommodation. As part of the interview, assess whether the requestor's religious beliefs appear sincerely-held.**
 - The chaplain interview is a critical, “face-to-face” step to ascertain whether the requestor's beliefs are sincerely-held and whether alternative means exist to accommodate the member's request.
 - Enclosures (2) and (3) of BUPERINST 1730.11A provide examples, topics, and templates to assist chaplains in conducting the interview and contributing to a fully-informed record prior to review by OPNAV N1.



Summary and Resources

- **The Navy is committed to accommodating sincerely held religious beliefs and treating all Sailors with dignity and respect.**

- **Resources (to include instructions, templates, FAQs):**
 - <https://www.mynavyhr.navy.mil/Support-Services/Religious-Accommodations/>
 - Email: Altn_navy_religious_accommodations@navy.mil