



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

DEC 20 2011

SAMR-DL

BY 3 Jan 2012

MEMORANDUM THRU COMMANDER, US ARMY ACCESSIONS COMMAND, 1600
SPEARHEAD DIVISION AVENUE, DEPARTMENT 600, FORT KNOX, KY 40122-5600

FOR COMMANDER, US ARMY CADET COMMAND (USACC), BUILDING 1002, 204
1ST CAVALRY REGIMENT ROAD, FORT KNOX, KY 40121-5123

SUBJECT: Junior Reserve Officer Training Corps (JROTC) Uniform Policy

1. This memorandum responds to your review of the existing JROTC uniform policy, dated 17 November 2011. In consultation with the Army General Counsel, we have determined that the current USACC uniform policy is not consistent with JROTC's mission (as delineated in 10 USC, Sec. 2031) and the Religious Freedom Restoration Act of 1993, which states that the "Government may substantially burden a person's religion only if it demonstrates that application of the burden to the person (1) is in furtherance of a compelling governmental interest, and (2) is the least restrictive means of furthering that compelling governmental interest." Generally, in the military, there is a compelling governmental interest in protecting the health and safety of its Soldiers, Civilians, etc. However, in the JROTC program, it would be extremely rare that a Cadet's safety and/or health would ever be jeopardized.

2. Therefore, it is directed that the Commander, USACC develop appropriate procedures for allowing Cadets to request religious accommodations and exceptions to the JROTC uniform policy. Additionally, USACC will adjust Cadet Command Regulation (CCR) 145-2, Organization, Administration, Operation, Training and Support, to reflect the following:

a. Cadets are approved to wear the following religious headgear with the JROTC uniform: turban, hijab and yarmulke. Headgear will be conservative and subdued in color (black, brown, green, dark or navy blue or a combination of these colors). The headgear cannot bear any writing, symbols or pictures. Cadets may wear approved religious headgear in place of military headgear (e.g., turban and hijab). Standard JROTC headgear will be worn when it can completely cover the religious headgear (e.g., yarmulke).

b. In order to ensure consistency across the JROTC program, exceptions to Cadet uniform policies will be forwarded to and approved by the Commander, USACC on a case-by-case basis. To ensure appropriate compliance with current laws and regulations, the

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Commander, USACC will forward recommendations for disapproval to the Army G-1 within 30 days of the initial request for final adjudication.

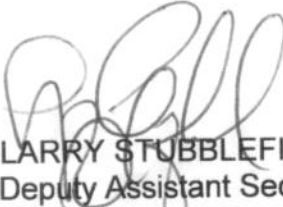
c. Upon approval of a Cadet's exception to the uniform policy, the Cadet is authorized to participate in all JROTC activities (i.e., drill team, color guard, parades, speaking engagements, etc.) that do not pose a risk to the safety of the Cadet, Cadre or others. For example, a Cadet wearing religious headgear can be exempted from certain "Special Hazard" training events that may result in injury to the Cadet or support personnel.

3. This guidance will be forwarded to all JROTC Cadre NLT 17 January 2012 and will be included in the next update of CCR 145-2.

4. Regarding Miss Demin Zawity, who recently requested to wear a hijab while participating in a JROTC event at Ravenwood High School in Brentwood, Tennessee, USACC will contact Miss Zawity and provide her the opportunity to return to the JROTC program. Based on the guidance above, she is approved to wear the hijab. Additionally, if USACC is aware of other Cadets or students that have been denied participation in the JROTC program due to religious reasons, they will also be contacted and given the opportunity to return to the program.

5. I appreciate USACC's attention to this challenging matter and know that it will be executed with the professionalism that is the hallmark of the JROTC program.

6. The point of contact for this action is COL David Griffith, (703) 614-5311, or e-mail david.griffith@conus.army.mil.


LARRY STUBBLEFIELD
Deputy Assistant Secretary of the Army
(Diversity and Leadership)