

## EXHIBIT 2



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON DC 20350-2000

1730  
Ser N1/114388  
26 Oct 21

**From:** Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education) (N1)  
**To:** LT Israel Alvarado, USN, CHC  
**Via:** Commander, Destroyer Squadron TWO SIX

**Subj:** REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

**Ref:** (a) 42 U.S.C. §2000bb-1  
(b) DoD Instruction 1300.17 of 1 September 2020  
(c) SECNAVINST 1730.8B  
(d) ASN (M&RA) memo of 6 Jun 13  
(e) MILPERSMAN 1730-020  
(f) United States Attorney General memo of 6 Oct 17  
(g) Your ltr of 10 Sep 21 w/ends  
(h) BUMED ltr 6320 Ser M44/21UM40516 of 13 Oct 21

1. Pursuant to references (a) through (h), your request for religious accommodation through waiver of immunization requirements is disapproved. You must receive all required vaccines. However, you are free to request from your healthcare provider alternative vaccines that are available and meet the Navy's immunization requirements, as determined by a credentialed military healthcare provider. You are free to choose which COVID-19 vaccine to take. If you choose a COVID-19 vaccine that requires two doses, you must receive your first dose within five calendar (5) days upon receipt of this letter and complete the series as prescribed. If you choose a one-dose vaccine you must meet the established vaccination timeline or receive the vaccine within five calendar (5) days upon receipt of this letter, whichever is later.
2. In line with references (b) through (d), I am designated as the approval authority for requests for religious accommodation.
3. Reference (a), the Religious Freedom Restoration Act (RFRA), states that the Government may substantially burden an individual's exercise of religion only if it demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. Reference (b) incorporates the RFRA and notes that the Government has a compelling interest in mission accomplishment, to include military readiness, unit cohesion, good order and discipline, health and safety, on both individual and unit levels. Additionally, unless it will have an adverse impact on mission accomplishment, including military readiness, unit cohesion and good order and discipline, the Navy will accommodate individual expressions of sincerely held beliefs of Sailors. Reference (f)

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

emphasizes that only those interests of the highest order can overbalance legitimate claims to the free exercise of religion.

4. All requests for accommodation of religious practices are assessed on a case-by-case basis. In line with references (b) and (c), determination of a request for religious accommodation requires consideration of the following factors:

- a. Impact on military readiness, unit cohesion, good order and discipline, health and safety
- b. Religious importance of the request
- c. Cumulative impact of repeatedly granting similar requests
- d. Whether there are alternatives available to meet the requested accommodation and
- e. How other such requests have been treated

5. In making this decision, I reviewed reference (g), including the endorsements from your chain of command, the local chaplain and the advice of Chief, Bureau of Medicine and Surgery in reference (h).

a. A waiver of immunizations would have a predictable and detrimental effect on your readiness and the readiness of the Sailors who serve alongside you in both operational and non-operational (including training) environments. Primary prevention of disease through immunizations has been a key enabler for maintaining force health and avoiding disease-related non-battle injury. Granting your request will have a direct and foreseeable negative impact on the compelling Government interests of military readiness and health of the force.

b. While serving in the U.S. Navy, you will inevitably be expected to live and work in close proximity with your shipmates. I find that disapproval of your request for a waiver of immunization requirements is the least restrictive means available to preserve the Department of Defense's compelling interest in military readiness, mission accomplishment and the health and safety of military Service Members.

6. The Navy is a specialized community governed by a discipline separate from that of the rest of society. While every Sailor is welcome to express a religion of choice or none at all, our greater mission sometimes requires reasonable restrictions. You have my sincere best wishes for your continued success in your Navy career.

  
JOHN B. NOWELL, JR

Copy to:  
OPNAV (N131, N0975)  
BUMED

EXHIBIT 4



DEPARTMENT OF THE NAVY  
CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON DC 20350-2000

1730  
Ser N00  
25 Jan 22

From: Chief of Naval Operations  
To: LT Israel Alvarado, CHC, USN  
Via: Commander, Destroyer Squadron TWO SIX

Subj: APPEAL OF RELIGIOUS ACCOMMODATION FOR IMMUNIZATION  
REQUIREMENT

Ref: (a) DCNO (N1) ltr 1730 Ser N1/114388 of 26 Oct 21  
(b) DoD Instruction 1300.17 of 1 Sep 2020  
(c) SECNAVINST 1730.8B  
(d) ASN (M&RA) memo of 6 Jun 13  
(e) BUPERSINST 1730.11A  
(f) CHBUMED 6320 Ser M44/21UM40516 of 13 Oct 21  
(g) NAVADMIN 190/21

Encl: (1) Director, Military Personnel Plans and Policy (N13) memo Ser N13/306 of 17 Nov 21

1. Your appeal of reference (a) is disapproved. I am disapproving your appeal due to the Navy's compelling governmental interest in preventing infection and spread of diseases to support mission accomplishment, including military readiness, unit cohesion, good order and discipline, and health and safety, at the individual, unit, and organizational levels. A waiver of immunizations would have a predictable and detrimental effect on the readiness of you and the Sailors who serve alongside you. Granting your request will have a direct and foreseeable negative impact on the compelling governmental interest in military readiness and health of the force. I further find that there are no less restrictive means to achieve the Navy's compelling governmental interest.

2. References (b) through (e) designate me as the final appeal authority for requests for religious accommodation.

3. I considered your original request, your appeal, and the endorsements on your correspondence. I also considered your current assignment, which requires spending time underway on surface ships. In reviewing your appeal, I evaluated the request under the assumption that your religious beliefs are sincere and would be substantially burdened. As explained in reference (f), while no vaccine is 100 percent effective, vaccines with lower effectiveness still reduce disease incidence in the population, reduce an individual's risk of contracting the disease, and generally reduce the severity of disease for those who do contract the illness. In addition, the current coronavirus disease 2019 (COVID-19) pandemic further highlights the importance of vaccination in both individual and unit force health protection.

Subj: APPEAL OF RELIGIOUS ACCOMMODATION FOR IMMUNIZATION  
REQUIREMENT

4. Vaccination of Navy personnel can impact both individual and unit mission accomplishment. It reduces the risk to the individual for disease-related performance impairment, and it reduces the risk to the unit for disease outbreaks of contagious diseases such as COVID-19. While non-pharmacologic measures such as personal hygiene, mask wearing, and social distancing can also reduce the risk of disease outbreaks, they too are not 100 percent effective and must be implemented in conjunction with immunization to reduce the risk of mission failure. As explained in reference (f), these measures are not as effective as vaccination in maintaining military readiness and the health of the force.
5. Your appeal addressed to me specific questions related to the Navy's compelling governmental interest and certain lesser restrictive means. Enclosure (1) answers many of your questions.
6. You must now become fully vaccinated against COVID-19 in accordance with reference (g). You are free to choose which authorized COVID-19 vaccine to take, but you must receive a vaccine within five calendar days upon receipt of this letter. If you choose a COVID-19 vaccine that requires two doses, you must complete the series as prescribed. You must also receive all other required immunizations as directed by your command and/or primary care manager.
7. This letter applies only to your request for accommodation from the COVID-19 vaccine. I did not consider your request, raised for the first time in paragraph 11 of your appeal, for accommodation from all routine and non-routine vaccinations. You are free to properly submit a request for accommodation from these vaccines to DCNO (N1).
8. The Navy welcomes people of all faiths and no faith to join our ranks in patriotic service. Our greater mission sometimes requires reasonable restrictions. You have my sincere best wishes for your continued success in your Navy career.

  
M. M. GILDAY

Copy to:  
ASN (M&RA)  
OPNAV (N131)  
BUMED



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE MATERIEL COMMAND  
WRIGHT-PATTERSON AIR FORCE BASE OHIO

22 February 2022

MEMORANDUM FOR LT COL STEVEN W. BARFIELD

FROM: AFMC/CC

SUBJECT: Request for Immunization Exemption – Lt Col Steven W. Barfield, 88 ABW/HC

1. I have received your request for an exemption from the COVID-19 vaccine based on your sincerely held beliefs. After carefully considering the specific facts and circumstances of your request, along with the recommendations from your chain of command and functional experts, I **disapprove** your request for exemption from the COVID-19 immunization requirement.

2. I understand your concerns about receiving vaccines and appreciate the gravity of these immunization requirements in light of your beliefs. However, when evaluating your request, I also had to consider the risk your exemption would pose for mission accomplishment, including readiness, unit cohesion, good order, discipline, and the health and safety of you and other Airmen. As a Chaplain, your duties require you to come into close contact with personnel across the installation. Furthermore, as an IMA, your role requires you to be able to deploy or provide backfill support in a contingency. Not being vaccinated increases the impact on others in your unit, tends to diminish unit cohesion, and limits your ability to fully respond to mission or contingency requirements. Not being vaccinated also increases your risk for serious illness, hospitalization, or even death from contracting COVID-19, and/or spreading it to others in the workplace. This increased health risk elevates the threat to your unit’s ability to accomplish its mission. I therefore find your vaccination furthers a compelling government interest. I also find that less restrictive means than vaccination are insufficient because the totality of mitigation measures like 100% telework, social distancing and masking at all times afford less health protection than vaccination, while delayed readiness due to the time needed to become fully vaccinated and other mobility restrictions limit your role and degrade the operational effectiveness of your unit.

3. You have five (5) calendar days to begin a COVID-19 vaccination regimen, submit an appeal, or apply for voluntary separation or retirement if eligible. If you wish to appeal, you must provide your written appeal request to your unit commander. Your unit commander will route your appeal to the Air Force Surgeon General for processing. A copy of this memorandum will be placed in your automated personnel records.

BUNCH.ARN  
OLD.W.JR.11  
07808708  
ARNOLD W. BUNCH, JR.  
General, USAF  
Commander

Digitally signed by  
BUNCH.ARNOLD.W.JR.  
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Date: 2022.02.22  
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1st Ind, Lt Col Steven W. Barfield

MEMORANDUM FOR 88 CPTS/CC

I acknowledge receipt of decision on my religious accommodation request on  
\_\_\_\_\_ (DATE).

STEVEN W. BARFIELD, Lt Col, USAF



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE  
WASHINGTON DC

MAR 31 2022

MEMORANDUM FOR LIEUTENANT COLONEL STEVEN W. BARFIELD

FROM: HQ USAF/SG  
1780 Air Force Pentagon  
Washington, DC 20330-1780

SUBJECT: Decision on Religious Accommodation Appeal

Your final appeal is denied. In accordance with Department of the Air Force Instruction (DAFI) 52-201, *Religious Freedom in the Department of the Air Force*, paragraph 3.2, I have carefully reviewed your request for religious accommodation, specifically for an exemption from the COVID-19 immunization.

The Department of the Air Force has a compelling government interest in requiring you to comply with the requirement for the COVID-19 immunization because preventing the spread of disease among the force is vital to mission accomplishment. In light of your circumstances, your present duty assignment requires intermittent to frequent contact with others and is not fully achievable via telework or with adequate distancing. In addition, your duties require parishioner contact. Your leadership role was also taken into consideration. While some of these duties may be completed remotely, institutionalizing remote completion of those duties permanently would be detrimental to readiness, good order and discipline, and unit cohesion. We must be able to leverage our forces on short notice as evidenced by recent worldwide events. Your health status as a non-immunized individual in this dynamic environment, and aggregated with other non-immunized individuals in steady state operations, would place health and safety, unit cohesion, and readiness at risk. Foregoing the above immunization requirement would have a real adverse impact on military readiness and public health and safety. There are no less restrictive means available in your circumstance as effective as receiving the above immunization in furthering these compelling government interests.

A copy of this decision memorandum will be placed in your automated personnel records. Please contact your unit leadership with questions or concerns.

ROBERT I. MILLER  
Lieutenant General, USAF, MC, SFS  
Surgeon General



DEPARTMENT OF THE AIR FORCE  
AIR FORCE RESERVE COMMAND

NOV 16 2021

MEMORANDUM FOR 1ST LT WALKER BROBST

FROM: HQ AFRC/CC  
555 Robins Parkway, Suite 250  
Robins AFB GA 31098-2005

SUBJECT: Request for Immunization Exemption

1. I have reviewed your request for religious exemption from the recently approved COMIRNATY®/ Pfizer-BioNTech COVID-19 vaccine, the EUA COVID-19 vaccines that include Johnson’s Janssen and the Moderna COVID-19 vaccines. I understand your concerns, which are based on your sincerely held beliefs. After carefully considering the specific facts and circumstances of your request, the recommendation of your chain of command and the MAJCOM Religious Resolution Team, I **disapprove** your request for religious exemption for the COVID-19 vaccine.

2. I do not doubt the sincerity of your beliefs. However, when evaluating your request for religious exemption, I also had to consider the risk to our mission. All immunizations, including those listed above, are an important element of mission accomplishment, as they contribute to the health, safety, and readiness of the force. Given the importance of our mission, the Department of Defense and the Department of the Air Force have a compelling government interest in maintaining a healthy and ready military force through vaccination. Specifically regarding the COVID-19 vaccination, since less restrictive means of protecting our force from COVID-19 are unavailable, all uniformed Airmen must be fully vaccinated against COVID-19 and other infectious diseases. Individual medical readiness is a critical requirement for maintaining a healthy and ready force.

3. If you choose to appeal this decision, please submit your written request to your unit commander within 72 hours of receiving notice of my decision.

4. A copy of this decision memorandum will be placed in your online personnel records. My point of contact is Ch, Lt Col Stacey Hanson, stacey.hanson@us.af.mil, DSN 497-1221.

RICHARD W. SCOBEE  
Lieutenant General, USAF  
Commander

cc:  
4 AF/CC  
452 AW/CC  
452 AMW/CC





**DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE  
WASHINGTON DC**

**JAN 28 2022**

**MEMORANDUM FOR FIRST LIEUTENANT WALTER D. BROBST**

**FROM: HQ USAF/SG  
1780 Air Force Pentagon  
Washington, DC 20330-1780**

**SUBJECT: Decision on Religious Accommodation Appeal**

Your final appeal is denied. In accordance with Department of the Air Force Instruction (DAFI) 52-201, *Religious Freedom in the Department of the Air Force*, paragraph 3.2, I have carefully reviewed your request for religious accommodation, specifically for an exemption from the COVID-19 immunization.

The Department of the Air Force has a compelling government interest in requiring you to comply with the COVID-19 immunization requirement because preventing the spread of disease among the force is vital to mission accomplishment. Specifically, in light of your circumstances, your present duty assignment as a chaplain requires intermittent to frequent contact with others and is not fully achievable via telework or with adequate distancing. Upon attending your Basic Chaplain's Course, you would be in frequent contact and immersion with multiple individuals, which would significantly impact training accomplishment if you, your instructors, or your fellow trainees were exposed or actively infected. We must be able to leverage our forces on short notice as evidenced by recent worldwide events. Your health status as a non-immunized individual in this dynamic environment, and aggregated with other non-immunized individuals in steady state operations, would place health and safety, unit cohesion, and readiness at risk. Foregoing the above immunization requirement would have a real adverse impact on military readiness and public health and safety. There are no less restrictive means available in your circumstance as effective as receiving the above immunization in furthering these compelling government interests.

A copy of this decision memorandum will be placed in your automated personnel records. Please contact your unit leadership for questions or concerns.

**ROBERT I. MILLER  
Lieutenant General, USAF, MC, SFS  
Surgeon General**

L300  
08 Mar, TUE

U.S. Department of  
Homeland Security  
  
United States  
Coast Guard



Commandant  
United States Coast Guard

2703 Martin Luther King Jr. Ave. S.E  
Washington, DC 20593-7907  
Staff Symbol: CG-133  
Phone: (202) 475-5388  
Fax: (202) 372-8470  
Email: HQSPolicyandStandards@uscg.mil

6230

### MEMORANDUM

Digitally signed by ROSCHELMICHAEL 3 1034148011  
Date 2022.02.16.16:21:01 -05'00'

From: M. R. Roschel, CAPT  
ADJUDICATION AUTHORITY

To: J. E. Brown, LT  
CG SECTOR Houston-Galveston

8 Mar 2022

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION FROM THE COAST  
GUARD'S COVID-19 VACCINATION MANDATE

- Ref:
- (a) Your memo 1000 of 15 OCT 21
  - (b) ALCOAST 305/21 R 262212Z AUG 21
  - (c) ALCOAST 315/21 R 072247Z SEP 21
  - (d) Military Religious Accommodations, COMDTINST M1000.15 (series)
  - (e) Immunizations and Chemoprophylaxis for the Prevention of Infectious Diseases, COMDTINST M6230.4 (series)
  - (f) 42 U.S.C. §§ 2000bb et seq., Religious Freedom Restoration Act of 1993 (RFRA)
  - (g) U.S. Coast Guard Civil Rights Manual, COMDTINST M5350.4 (series)

1. Reference (a) is your request that the Coast Guard accommodate a religious practice so that you will not be required to receive the COVID-19 vaccine, as required by references (b) and (c). I have been delegated the adjudication authority to act on this request by CG-1 pursuant to reference (d). I have carefully reviewed your request in accordance with references (d)-(f). **Your request is denied.**

2. I made this decision after considering your right to free exercise of your religion or religious beliefs and the government's compelling interest in mission accomplishment, to include military readiness; unit cohesion; good order and discipline; and the health and safety of you, the members assigned to your unit and within the Coast Guard, and the public with whom the Coast Guard regularly interacts. I then considered whether requiring you to receive the COVID-19 vaccine is the least restrictive means available to achieve this compelling interest. It was your burden to establish the religious nature and sincerity of your beliefs and that receiving the vaccine would substantially burden your religious belief or practice. For the purpose of this administrative decision, I do not question the sincerity of your religious belief or whether vaccine requirements substantially burden your religious practice. The Coast Guard reserves the opportunity to make these determinations, but I do not need to address them here to resolve your request.

3. I have concluded that there are no lesser restrictive means available other than vaccination to achieve the compelling government interest here. In assessing your request, I considered that the Coast Guard is a military service that must be ready at all times to perform its military and other missions. The military nature of the Coast Guard and the readiness obligations of military service would likely suffice to require vaccination. In addition, the Coast Guard is unique amongst the military services because of the nature of its missions that include support of the

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION FROM THE COAST GUARD'S COVID-19 VACCINATION MANDATE 6230

Department of Defense (DoD), homeland security, and non-homeland security missions, specified in law. The Coast Guard's unique nature is relevant when considering whether there are less restrictive means available to achieve the compelling government interest here. In addition to meeting the military readiness demands confronting the DoD military services, the Coast Guard also conducts its missions on a 24 hours/7 days a week basis and must also be prepared to respond to domestic emergencies. Given the small size of the Coast Guard's work force and geographic dispersion of its units, many of which are small, any impact on the readiness of one Coast Guard unit has cascading effects on the entire Coast Guard. The service is not structured to have multiple layers of coverage that would allow another unit to fill the void left by the impacted unit. Moreover, we need as many members as possible, regardless of rating or assignment, to be prepared to deploy without significant notice to meet emergent needs. Further, Coast Guard members have much greater and more frequent interactions with members of the public than our DoD counterparts. The Coast Guard's eleven statutory missions require Coast Guard personnel to work at times amongst and with the public, and the Coast Guard has an obligation to ensure the safety of both its own personnel as well as those in the communities we serve or with whom we otherwise interact.

4. I also considered the billet to which you are assigned. In your current duties as the Chaplain assigned to Sector Houston-Galveston, your responsibilities make you an integral member of the command staff, requiring routine interaction with your shipmates, their families, and the extended community. Furthermore, your responsibilities include performing religious services, providing confidential counseling and advising commanders on religious, spiritual, and moral matters. As a Chaplain, you must be ready to deploy wherever there are military members in spiritual need or crisis, to include normal and disaster response operations. These interactions place you inside offices, vessels, and other communal meeting locations with insufficient options to consistently maintain compliance with the recommended Center for Disease Control social distancing guidelines.

a. Due to the operational nature of your billet, social distancing measures such as isolation, quarantine, and telework are inadequate to mitigate the spread of COVID-19 throughout your unit and the public. As a member assigned to an operational unit, you are unable to accomplish your daily missions or contingency operations while in isolation, in quarantine, or at home. Your assignment requires your daily physical presence, which renders teleworking without unacceptable loss of mission effectiveness, impossible. The close working quarters of your unit prevents the Coast Guard from isolating or quarantining you away from your shipmates. Moreover, the close working quarters renders social distancing impracticable as you are unable to remain six feet away from your shipmates throughout the day, while completing the mission.

b. Other safety and risk mitigation measures such as masking are also inadequate due to the nature of your billet. Wearing masks, washing hands, and practicing other hygienic techniques do not provide the same level of protection against COVID-19 as full vaccination. Relying solely upon these less effective means of protection poses a greater risk to the mission because you are significantly more vulnerable to contracting COVID-19 while interacting with the public. The inefficacy of preventative hygiene and masking means your failure to be vaccinated poses a substantial risk to your shipmates and the members of the public we are charged with protecting or with whom we interact.

c. Testing is insufficient to mitigate the risk of COVID-19 due to inaccuracy of rapid antigen tests and the window of time necessary to receive the results of a positive COVID-19 test. By the time you receive your results, there is a high likelihood you would have already exposed other members of the Coast Guard and the public.

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION FROM THE COAST GUARD'S COVID-19 VACCINATION MANDATE 6230

d. COVID-19 antibodies developed as a result of infection do not adequately mitigate the risk of you contracting the disease in the future and spreading it throughout your unit, the Coast Guard, and the public. There is insufficient evidence that the development of COVID-19 antibodies attributed to infection provides immunity comparable to vaccination against COVID-19. Studies show unvaccinated personnel who already contracted COVID-19 are more likely than fully vaccinated people to contract COVID-19 a second time. COVID-19 antibodies developed as a result of infection may also fail to provide sustained protection against the disease. According to analyses by both the CDC and the Defense Health Agency, the risk of COVID-19 re-infection increases with time due to the waning of any natural immunity conferred after contracting COVID-19. Thus, COVID-19 antibodies do not provide the same continuous level of protection as full vaccination and therefore lack of full vaccination poses a substantial risk to your unit's mission.

5. Ultimately, unvaccinated Coast Guard members place not only themselves at risk, but also hold at risk every other member in the unit and the public. Your inability to practice social distancing at your unit and the ineffectiveness of other preventative safety measures pose a substantial risk of you contracting or spreading COVID-19. This in turn decreases the military readiness of the unit and the Coast Guard as a whole. You must be medically ready and able to perform your duties for your unit to function effectively.

6. I therefore find that there are no means less restrictive than full vaccination to achieve the Coast Guard's compelling governmental interest because of the conditions under which the Coast Guard executes its missions and your role within that execution. **Your request for a religious accommodation to the Coast Guard's COVID-19 vaccine mandate is denied.**

7. You have 10 business days after receipt of this decision to receive your first dose of a two-dose vaccine or the single dose of a single-dose vaccine.

8. If you wish to appeal this decision, you must do so within 10 business days after receipt of this decision. The appeal authority for this matter is the Assistant Commandant for Human Resources (CG-1) at HQSPolicyandStandards@uscg.mil. The appeal must include the specific basis on which you believe the initial denial was in error.

9. You have the right to file an Equal Opportunity complaint by contacting a Civil Rights Service Provider within 45 calendar days of any denial. For complaint processing, see Chapter 5 of Reference (g).

10. If you do not begin the COVID-19 regimen or submit an appeal within 10 business days after the receipt of this decision, you will be in violation of the lawful order in reference (c), as well as any other order that you received from competent authority to become vaccinated against COVID-19, and will be subject to all punitive and administrative consequences for failing to comply.

#

Copy: CG SECTOR Houston-Galveston  
COMDT (CG-00A)  
COMDT (CG-00H)  
COMDT (CG-112)



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON DC 20350-2000

1730  
Ser N1/117438  
21 Dec 21

From: Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education) (N1)  
To: CDR Mark D. Cox, CHC, USN  
Via: Commanding Officer, Navy Operational Support Center Chattanooga

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

Ref: (a) 42 U.S.C. §2000bb-1  
(b) DoD Instruction 1300.17 of 1 September 2020  
(c) SECNAVINST 1730.8B  
(d) ASN (M&RA) memo of 6 Jun 13  
(e) MILPERSMAN 1730-020  
(f) United States Attorney General memo of 6 Oct 17  
(g) Your ltr of 27 Sep 21 w/ends  
(h) BUMED ltr 6320 Ser M44/21UM43526 of 15 Dec 21

1. Pursuant to references (a) through (h), your request for religious accommodation through waiver of immunization requirements is disapproved. You must receive all required vaccines. However, you are free to request from your healthcare provider alternative vaccines that are available and meet the Navy's immunization requirements, as determined by a credentialed military healthcare provider. You are free to choose which COVID-19 vaccine to take. If you choose a COVID-19 vaccine that requires two doses, you must receive your first dose within five calendar (5) days upon receipt of this letter and complete the series as prescribed. If you choose a one-dose vaccine you must receive the vaccine within five calendar (5) days upon receipt of this letter.

2. In line with references (b) through (d), I am designated as the approval authority for requests for religious accommodation.

3. Reference (a), the Religious Freedom Restoration Act (RFRA), states that the Government may substantially burden an individual's exercise of religion only if it demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. Reference (b) incorporates the RFRA and notes that the Government has a compelling interest in mission accomplishment, to include military readiness, unit cohesion, good order and discipline, health and safety, on both individual and unit levels. Additionally, unless it will have an adverse impact on mission accomplishment, including military readiness, unit cohesion and good order and discipline, the Navy will accommodate individual expressions of sincerely held beliefs of Sailors. Reference (f) emphasizes that only those interests of the highest order can overbalance legitimate claims to the free exercise of religion.

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

4. All requests for accommodation of religious practices are assessed on a case-by-case basis. In line with references (b) and (c), determination of a request for religious accommodation requires consideration of the following factors:

- a. Impact on military readiness, unit cohesion, good order and discipline, health and safety
- b. Religious importance of the request
- c. Cumulative impact of repeatedly granting similar requests
- d. Whether there are alternatives available to meet the requested accommodation and
- e. How other such requests have been treated

5. In making this decision, I reviewed reference (g), including the endorsements from your chain of command, the local chaplain and the advice of Chief, Bureau of Medicine and Surgery in reference (h).

a. A waiver of immunizations would have a predictable and detrimental effect on your readiness and the readiness of the Sailors who serve alongside you in both operational and non-operational (including training) environments. Primary prevention of disease through immunizations has been a key enabler for maintaining force health and avoiding disease-related non-battle injury. Granting your request will have a direct and foreseeable negative impact on the compelling Government interests of military readiness and health of the force.

b. While serving in the U.S. Navy, you will inevitably be expected to live and work in close proximity with your shipmates. I find that disapproval of your request for a waiver of immunization requirements is the least restrictive means available to preserve the Department of Defense’s compelling interest in military readiness, mission accomplishment and the health and safety of military Service Members.

6. The Navy is a specialized community governed by a discipline separate from that of the rest of society. While every Sailor is welcome to express a religion of choice or none at all, our greater mission sometimes requires reasonable restrictions. You have my sincere best wishes for your continued success in your Navy career.

NOWELL.JOHN.BL  
ACKWELDER.JR.1  
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NOWELL.JOHN.BLACKWELDER  
JR.1057611835  
Date: 2021.12.31 21:11:00 -05'00'

JOHN B. NOWELL, JR

Copy to:  
OPNAV (N131, N0975)  
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NAVREGSERCC Jacksonville



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON DC 20350-2000

1730  
Ser N1/115657  
22 Nov 21

From: Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education) (N1)  
To: CDR John J. Ismach-Eastman, USN  
Via: Commanding Officer, Center for Information Warfare Training

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

Ref: (a) 42 U.S.C. §2000bb-1  
(b) DoD Instruction 1300.17 of 1 September 2020  
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(g) Your ltr of 18 Oct 21 w/ends  
(h) BUMED ltr 6320 Ser M44/21UM41771 of 4 Nov 21

1. Pursuant to references (a) through (h), your request for religious accommodation through waiver of immunization requirements is disapproved. You must receive all required vaccines. However, you are free to request from your healthcare provider alternative vaccines that are available and meet the Navy's immunization requirements, as determined by a credentialed military healthcare provider. You are free to choose which COVID-19 vaccine to take. If you choose a COVID-19 vaccine that requires two doses, you must receive your first dose within five calendar (5) days upon receipt of this letter and complete the series as prescribed. If you choose a one-dose vaccine you must receive the vaccine within five calendar (5) days upon receipt of this letter.

2. In line with references (b) through (d), I am designated as the approval authority for requests for religious accommodation.

3. Reference (a), the Religious Freedom Restoration Act (RFRA), states that the Government may substantially burden an individual's exercise of religion only if it demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. Reference (b) incorporates the RFRA and notes that the Government has a compelling interest in mission accomplishment, to include military readiness, unit cohesion, good order and discipline, health and safety, on both individual and unit levels. Additionally, unless it will have an adverse impact on mission accomplishment, including military readiness, unit cohesion and good order and discipline, the Navy will accommodate individual expressions of sincerely held beliefs of Sailors. Reference (f)

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

emphasizes that only those interests of the highest order can overbalance legitimate claims to the free exercise of religion.

4. All requests for accommodation of religious practices are assessed on a case-by-case basis. In line with references (b) and (c), determination of a request for religious accommodation requires consideration of the following factors:

- a. Impact on military readiness, unit cohesion, good order and discipline, health and safety
- b. Religious importance of the request
- c. Cumulative impact of repeatedly granting similar requests
- d. Whether there are alternatives available to meet the requested accommodation and
- e. How other such requests have been treated

5. In making this decision, I reviewed reference (g), including the endorsements from your chain of command, the local chaplain and the advice of Chief, Bureau of Medicine and Surgery in reference (h).

a. A waiver of immunizations would have a predictable and detrimental effect on your readiness and the readiness of the Sailors who serve alongside you in both operational and non-operational (including training) environments. Primary prevention of disease through immunizations has been a key enabler for maintaining force health and avoiding disease-related non-battle injury. Granting your request will have a direct and foreseeable negative impact on the compelling Government interests of military readiness and health of the force.

b. While serving in the U.S. Navy, you will inevitably be expected to live and work in close proximity with your shipmates. I find that disapproval of your request for a waiver of immunization requirements is the least restrictive means available to preserve the Department of Defense's compelling interest in military readiness, mission accomplishment and the health and safety of military Service Members.

6. The Navy is a specialized community governed by a discipline separate from that of the rest of society. While every Sailor is welcome to express a religion of choice or none at all, our greater mission sometimes requires reasonable restrictions. You have my sincere best wishes for your continued success in your Navy career.

NOWELL JOHN B. Digitally signed by  
ACKWELDER, JR. 1 7039911 JOHN.B.ACKWELDER  
057611825 dn: cn=JOHN B. ACKWELDER, o=USN, ou=USN, email=jnowell@navy.mil

JOHN B. NOWELL, JR.

Copy to:  
OPNAV (N131, N0975)  
BUMED





DEPARTMENT OF THE NAVY  
HEADQUARTERS, UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

1730  
MRA  
NOV 09 2021

From: Deputy Commandant for Manpower and Reserve Affairs  
To: Lieutenant Nathanael A. Gentilhomme 1382899306/4100 USN  
Subj: REQUEST FOR IMMUNIZATION EXEMPTION

1. I have carefully considered your request for an immunization waiver. Your request is denied.
2. In making this determination, I considered your request dated 16 September 2021, the command endorsements, advice from the Director, Health Services, Headquarters, U.S. Marine Corps, and the recommendation of the Religious Accommodation Review Board. Additionally, I considered your right to observe the tenets of your sincerely held religious beliefs, and the government's compelling interests in mission accomplishment, including military readiness and the health and safety of the Total Force. I also considered whether an exception to the vaccination requirement is the least restrictive means of furthering the government's compelling interest. Finally, I consulted with legal counsel.
3. Per DoDI 1300.17, my decision must be consistent with mission accomplishment, including consideration of potential medical risks to other persons comprising the unit or organization. Immunizations are a critical component of individual and unit readiness. This compelling interest is not unique to the COVID-19 vaccination, and cannot be accomplished with the requested exception. I find that there is no less-restrictive way of accommodating your request that ensures military readiness and the preservation of the health of the force.
4. You have the right to appeal this decision to the Commandant of the Marine Corps. Should you decide to appeal this decision, your appeal should be in naval letter format, from you, addressed to the Commandant of the Marine Corps. Forward your appeal to the point of contact below, for delivery to the Commandant.
5. Point of contact on this matter is Mr. Bill McWaters at (703) 784-9386 or william.mcwaters@usmc.mil.

DAVID A. OTTIGNON

Copy to:  
Cmndr, MCINCR-MCBQ  
CO, MCAF



**DEPARTMENT OF THE AIR FORCE  
AIR EDUCATION AND TRAINING COMMAND**

4 March 2022

MEMORANDUM FOR CAPTAIN JEREMIAH P. HENDERSON

FROM: HQ AETC/CC  
1 F Street, Suite 1  
JBSA Randolph TX 78150-4324

SUBJECT: Decision Regarding Religious Accommodation Request

I have received your accommodation request for exemption from the COVID-19 immunization requirement based on your religious beliefs. After careful consideration of the specific facts and circumstances, I deny your request for exemption from Air Force COVID-19 immunization standards based on the recommendations from your chain of command and the Religious Resolution Team (any other religious exemption that you seek must be addressed in a separate, specific request). A copy of this decision memorandum will be placed in your automated personnel records.

I thoroughly reviewed your request, examined the comments and recommendations from the functional and legal experts, and considered the impact on you personally, the Airmen with whom you work and the mission. I find that your request, while sincere, does not meet the threshold necessary for an exemption.

First, the Air Force's compelling government interest outweighs your individual belief and no lesser means satisfy the government's interest. For the past 18 months, the Air Education and Training Command fought through the COVID pandemic by implementing several extreme measures and processes to ensure the health, safety and welfare of our Airmen. These measures included maximum telework, workplace occupancy limitations, extreme adjustments to Basic Military Training to include multiple training sites and modified training, and remote learning for most Professional Military Education to name just a few actions. Similar measures for the medical community included telehealth consultations and reduced in-person appointments. Despite these efforts, the Air Force remained in this posture until vaccinations became available and administered, and only then did our pandemic numbers begin to decrease. Continuing to implement these drastic measures detracts from the readiness, efficiency, good order and discipline of the force, and is unsustainable as the long-term solution.

When I reviewed your request, I used the same method as I did for requests from other similarly situated individuals, taking into account factors such as your duty position and rank. In your particular position as a Chaplain, there is a compelling government interest for you to receive the vaccine. Specifically, your job requires you to perform religious rites, conduct worship services, provide confidential counseling and advise commanders on religious, spiritual, and moral matters. An exemption will negatively impact unit cohesion as you must interact with the entire base populace, including elderly retirees. Your personal lack of readiness will impact





DEPARTMENT OF THE ARMY  
OFFICE OF THE SURGEON GENERAL  
7700 ARLINGTON BOULEVARD  
FALLS CHURCH, VA 22042-5140

DASG-ZA

23 FEB 2022

MEMORANDUM THRU Commanding General, 101st Airborne Division (Air Assault)  
and Fort Campbell, Fort Campbell, KY 42223

FOR Chaplain (CH) (Captain) Andrew Hirko, Headquarters and Headquarters  
Company, 1-502d Infantry Regiment, 2d Brigade Combat Team, 101st Airborne Division  
(Air Assault), Fort Campbell, KY 42223

SUBJECT: Denial of Request for Religious Accommodation

1. I reviewed your religious accommodation request for an immunization exemption from the COVID-19 vaccine mandate. Your request for exemption from the Army's COVID-19 vaccine mandate is denied.
2. I considered your request, based on your Presbyterian faith, and reviewed your specific case. This included an examination of your chain of command recommendations, your chaplain findings of a sincere religious belief, and your current military duties as a Chaplain. Your chain of command noted that your duties often require working in close proximity to other Soldiers while performing religious rites, conducting worship services, providing confidential counseling, and advising commanders on religious, spiritual, and moral matters. Additionally, remaining unvaccinated would impact deployability, risking other service-members and requiring potential evacuation in combat zones, as well as risking exposure to host-nation personnel.
3. COVID-19 is a grave risk to the readiness of the force, and in your case, I find that vaccination is the least restrictive means to further the Department of the Army's compelling government interests, which also includes protecting your health, the health of the force, and ensuring mission accomplishment.
4. You may appeal this decision through your chain of command to the Assistant Secretary of the Army for Manpower & Reserve Affairs. If you choose to appeal, you have seven calendar days from notification of my decision to submit matters.

RAYMOND S. DINGLE  
Lieutenant General, U.S. Army  
The Surgeon General and  
Commanding General, USAMEDCOM



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS UNITED STATES AIR FORCE  
Washington DC



APR 19 2022

MEMORANDUM FOR CAPTAIN RYAN P. JACKSON

FROM: HQ USAF/SG  
1780 Air Force Pentagon  
Washington, DC 20330-1780

SUBJECT: Decision on Religious Accommodation Appeal

Your final appeal is denied. In accordance with Department of the Air Force Instruction (DAFI) 52-201, *Religious Freedom in the Department of the Air Force*, paragraph 3.2, I have carefully reviewed your request for religious accommodation, specifically for an exemption from the COVID-19 immunization.

The Department of the Air Force has a compelling government interest in requiring you to comply with the requirement for the COVID-19 immunization because preventing the spread of disease among the force is vital to mission accomplishment. In light of your circumstances, your present duty assignment requires intermittent to frequent contact with others and is not fully achievable via telework or with adequate distancing. In addition, your duties require parishioner contact. Your leadership role was also taken into consideration. While some of these duties may be completed remotely, institutionalizing remote completion of those duties permanently would be detrimental to readiness, good order and discipline, and unit cohesion. We must be able to leverage our forces on short notice as evidenced by recent worldwide events. Your health status as a non-immunized individual in this dynamic environment, and aggregated with other non-immunized individuals in steady state operations, would place health and safety, unit cohesion, and readiness at risk. Foregoing the above immunization requirement would have a real adverse impact on military readiness and public health and safety. Masking, social distancing, and testing mitigate risk but not as effectively as vaccination in combination with additional measures determined by local spread. There are no less restrictive means available in your circumstance as effective as receiving the above immunization in furthering these compelling government interests.

A copy of this decision memorandum will be placed in your automated personnel records. Please contact your unit leadership with questions or concerns.

ROBERT I. MILLER  
Lieutenant General, USAF, MC, SFS  
Surgeon General



**DEPARTMENT OF THE ARMY  
OFFICE OF THE SURGEON GENERAL  
7700 ARLINGTON BOULEVARD  
FALLS CHURCH, VA 22042-5140**

DASG-ZA

13 APR 2022

MEMORANDUM THRU Commanding General, 8th Theater Sustainment Command,  
Fort Shafter, HI 96858

FOR Chaplain (Colonel) James B. Lee, Headquarters and Headquarters Company,  
311th Signal Command (Theater), 8th Theater Sustainment Command, Fort Shafter, HI  
96858

SUBJECT: Denial of Request for Religious Accommodation

1. I reviewed your religious accommodation request for an immunization exemption from the COVID-19 vaccine mandate and other various vaccines described in your request.

a. Your request for exemption from the Army's COVID-19 vaccine mandate is denied.

b. Your request for exemption from other various vaccines is overly broad as it relates to vaccines you have already received as well as possible future immunization requirements. If, in the future, your duties and circumstances change and you are required to receive any additional immunizations, you may submit a new religious accommodation request for adjudication at that time for those particular vaccines.

2. I considered your request, based on your Christian faith, and reviewed your specific case. This included an examination of your chain of command recommendations, your unit chaplain's findings of a sincere religious belief, and your current military duties as a 56A, Chaplain. Your chain of command noted that, as the command chaplain for the 311th Signal Command (Theater), you are a key member of the command group and must frequently participate in meetings with other senior members of the command. You must also conduct ecclesiastical duties, which can require you to both minister to large groups and conduct counseling sessions with individuals in confidential settings. These circumstances put both you and other Soldiers at risk if you remain unvaccinated. Moreover, given your unit's mission throughout the Pacific theater, failing to be vaccinated could render you unable to travel to certain areas if needed.

3. COVID-19 is a grave risk to the readiness of the force, and in your case, I find that vaccination is the least restrictive means to further the Department of the Army's compelling government interests, which also includes protecting your health, the health of the force, and ensuring mission accomplishment.

DASG-ZA

SUBJECT: Denial of Request for Religious Accommodation

4. You may appeal this decision through your chain of command to the Assistant Secretary of the Army for Manpower & Reserve Affairs. If you choose to do so, you have seven calendar days from notification of my decision to submit any matters.



RAYMOND S. DINGLE  
Lieutenant General, U.S. Army  
The Surgeon General and  
Commanding General, USAMEDCOM



**DEPARTMENT OF THE ARMY  
OFFICE OF THE SURGEON GENERAL  
7700 ARLINGTON BOULEVARD  
FALLS CHURCH, VA 22042-5140**

DASG-ZA

24 FEB 2022

MEMORANDUM THRU Commanding General, U.S. Army Military District of Washington, Fort McNair, DC 20319-5031

FOR Chaplain (CH) Colonel (COL) Brad Lewis, U.S. Army War College, Carlisle, PA 17013

SUBJECT: Denial of Request for Religious Accommodation

1. I reviewed your religious accommodation request for an immunization exemption from the COVID-19 vaccine mandate. Your request for exemption from the Army's COVID-19 vaccine mandate is denied.
2. I considered your request, based on your Christian faith, and reviewed your specific case. This included an examination of your chain of command recommendations, your chaplain findings of a sincere religious belief, and your current military duties as a 56A, Chaplain, and student at the U.S. Army War College (AWC). Your chain of command noted that you are one of more than 350 resident students at the AWC, where you attend classes and seminars in-person with fellow students and faculty, as well as potentially participating in multiple in-person AWC social events.
3. COVID-19 is a grave risk to the readiness of the force, and in your case, I find that vaccination is the least restrictive means to further the Department of the Army's compelling government interests, which also includes protecting your health, the health of the force, and ensuring mission accomplishment.
4. You may appeal this decision through your chain of command to the Assistant Secretary of the Army for Manpower & Reserve Affairs. If you choose to appeal, you have seven calendar days from notification of my decision to submit matters.

A handwritten signature in black ink, appearing to read "R. Dingle", written over the printed name.

**RAYMOND S. DINGLE**  
Lieutenant General, U.S. Army  
The Surgeon General and  
Commanding General, USAMEDCOM





DEPARTMENT OF THE NAVY  
HEADQUARTERS, UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

1730  
MRA  
NCV 30 2021

From: Deputy Commandant for Manpower and Reserve Affairs  
To: Lieutenant Richard P. Shaffer 1380589725/4100 USN

Subj: REQUEST FOR IMMUNIZATION EXEMPTION

1. I have carefully considered your request for an immunization waiver. Your request is denied.
2. In making this determination, I considered your request dated 27 September 2021, the command endorsements, advice from the Director, Health Services, Headquarters, U.S. Marine Corps, and the recommendation of the Religious Accommodation Review Board. Additionally, I considered your right to observe the tenets of your sincerely held religious beliefs, and the government's compelling interests in mission accomplishment, including military readiness and the health and safety of the Total Force. I also considered whether an exception to the vaccination requirement is the least restrictive means of furthering the government's compelling interest. Finally, I consulted with legal counsel.
3. Per DoDI 1300.17, my decision must be consistent with mission accomplishment, including consideration of potential medical risks to other persons comprising the unit or organization. Immunizations are a critical component of individual and unit readiness. This compelling interest is not unique to the COVID-19 vaccination, and cannot be accomplished with the requested exception. I find that there is no less-restrictive way of accommodating your request that ensures military readiness and the preservation of the health of the force.
4. You have the right to appeal this decision to the Commandant of the Marine Corps. Should you decide to appeal this decision, your appeal should be in naval letter format, from you, addressed to the Commandant of the Marine Corps. Forward your appeal to the point of contact below, for delivery to the Commandant.
5. Point of contact on this matter is Mr. Bill McWaters at (703) 784-9386 or william.mcwaters@usmc.mil.



DAVID A. OTTIGNON

Copy to:  
CG, 2D MARDIV  
CO, 2D Mar  
CO, 1ST Bn

Enclosure 1



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON DC 20350-2000

1730  
Ser N1/118077  
6 Feb 22

From: Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education) (N1)  
To: LT Jonathan C. Shour, CHC, USN  
Via: Commanding Officer, Naval Chaplaincy School (NCS)

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

Ref: (a) 42 U.S.C. §2000bb-1  
(b) DoD Instruction 1300.17 of 1 September 2020  
(c) SECNAVINST 1730.8B  
(d) ASN (M&RA) memo of 6 Jun 13  
(e) MILPERSMAN 1730-020  
(f) United States Attorney General memo of 6 Oct 17  
(g) Your ltr of 21 Dec 21 w/ends  
(h) BUMED ltr 6320 Ser M44/22UM40293 of 24 Jan 22

1. Pursuant to references (a) through (h), your request for religious accommodation through waiver of immunization requirements is disapproved. You must receive all required vaccines. However, you are free to request from your healthcare provider alternative vaccines that are available and meet the Navy's immunization requirements, as determined by a credentialed military healthcare provider. You are free to choose which COVID-19 vaccine to take. If you choose a COVID-19 vaccine that requires two doses, you must receive your first dose within five calendar (5) days upon receipt of this letter and complete the series as prescribed. If you choose a one-dose vaccine you must receive the vaccine within five calendar (5) days upon receipt of this letter.

2. In line with references (b) through (d), I am designated as the approval authority for requests for religious accommodation.

3. Reference (a), the Religious Freedom Restoration Act (RFRA), states that the Government may substantially burden an individual's exercise of religion only if it demonstrates that application of the burden to the person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. Reference (b) incorporates the RFRA and notes that the Government has a compelling interest in mission accomplishment, to include military readiness, unit cohesion, good order and discipline, health and safety, on both individual and unit levels. Additionally, unless it will have an adverse impact on mission accomplishment, including military readiness, unit cohesion and good order and discipline, the Navy will accommodate individual expressions of sincerely held beliefs of Sailors. Reference (f) emphasizes that only those interests of the highest order can overbalance legitimate claims to the free exercise of religion.

Subj: REQUEST FOR RELIGIOUS ACCOMMODATION THROUGH WAIVER OF IMMUNIZATION REQUIREMENTS

4. All requests for accommodation of religious practices are assessed on a case-by-case basis. In line with references (b) and (c), determination of a request for religious accommodation requires consideration of the following factors:

- a. Impact on military readiness, unit cohesion, good order and discipline, health and safety
- b. Religious importance of the request
- c. Cumulative impact of repeatedly granting similar requests
- d. Whether there are alternatives available to meet the requested accommodation and
- e. How other such requests have been treated

5. In making this decision, I reviewed reference (g), including the endorsements from your chain of command, the local chaplain and the advice of Chief, Bureau of Medicine and Surgery in reference (h).

a. A waiver of immunizations would have a predictable and detrimental effect on your readiness and the readiness of the Sailors who serve alongside you in both operational and non-operational (including training) environments. Primary prevention of disease through immunizations has been a key enabler for maintaining force health and avoiding disease-related non-battle injury. Granting your request will have a direct and foreseeable negative impact on the compelling Government interests of military readiness and health of the force.

b. While serving in the U.S. Navy, you will inevitably be expected to live and work in close proximity with your shipmates. I find that disapproval of your request for a waiver of immunization requirements is the least restrictive means available to preserve the Department of Defense's compelling interest in military readiness, mission accomplishment and the health and safety of military Service Members.

6. The Navy is a specialized community governed by a discipline separate from that of the rest of society. While every Sailor is welcome to express a religion of choice or none at all, our greater mission sometimes requires reasonable restrictions. You have my sincere best wishes for your continued success in your Navy career.

NOWELL.JOHN.BL  
ACKWELDER.JR.1  
057611835

Digitally signed by  
NOWELL.JOHN.BLACKWELDER  
JR.1057611835  
Date: 2022.02.10 13:16:51 -05'00'

JOHN B. NOWELL, JR

Copy to:  
OPNAV (N131, N0975)  
BUMED



**DEPARTMENT OF THE ARMY**  
**OFFICE OF THE SURGEON GENERAL**  
7700 ARLINGTON BOULEVARD  
FALLS CHURCH, VA 22042-5140

DASG-ZA

4 FEB 2022

**MEMORANDUM THRU Commanding General, United States Army Southern European Task Force- Africa, APO AE 09630**

**FOR Captain David H. Troyer, Headquarters and Headquarters Detachment, 522d Military Intelligence Battalion, 207th Military Intelligence Brigade, United States Army Southern European Task Force- Africa, APO AE 09630**

**SUBJECT: Denial of Request for Religious Accommodation**

1. I reviewed your religious accommodation request for an immunization exemption from the COVID-19 vaccine mandate and other various vaccines.

a. Your request for exemption from the Army's COVID-19 vaccine mandate is denied.

b. Your request for exemption from other vaccine requirements is overly broad as it relates to vaccines you have already received as well as possible future immunization requirements. If, in the future, your duties and circumstances change and you are required to receive any additional immunizations, you may submit a new religious accommodation request for adjudication at that time for those particular vaccines.

2. I considered your request, based on your Christian Baptist faith, and reviewed your specific case. This included an examination of your chain of command recommendations, your unit chaplain findings of a sincere religious belief, and your current military duties as a 56A, Chaplain. Your chain of command noted that your duties include routine close proximity with the Battalion's assigned and attached personnel and their families during counseling sessions, Strong Bonds seminars, religious services, and other events hosted by the ministry team. Your chain of command explained that your duty location is indoor, with limited space for social distancing.

3. COVID-19 is a grave risk to the readiness of the force, and in your case, I find that vaccination is the least restrictive means to further the Department of the Army's compelling government interests, which also includes protecting your health, the health of the force, and ensuring mission accomplishment.

DASG-ZA

SUBJECT: Denial of Request for Religious Accommodation

4. You may appeal this decision through your chain of command to the Assistant Secretary of the Army for Manpower & Reserve Affairs. If you chose to do so, you have seven calendar days from notification of my decision to submit matters.



RAYMOND S. DINGLE  
Lieutenant General, U.S. Army  
The Surgeon General and  
Commanding General, USAMEDCOM