

Service Members Can Request Religious Exemptions for Mandated Vaccines. Here's How

The military has a 4-step formal process for requesting a religious exemption. If the exemption is denied, there is also a process for overturning the decision.

By: Pam Long

The Department of Defense (DOD) [Instruction 1300.17](#), "Religious Liberties in the Military Services," conveys support for religious beliefs in the following statement: "In accordance with Section 533(a)(1) of Public Law 112-239, as amended, the DOD components will accommodate individual expressions of sincerely held beliefs (conscience, moral principles or religious beliefs) which do not have an adverse impact on military readiness, unit cohesion, good order and discipline, or health and safety. A service member's expression of such beliefs may not, in so far as practicable, be used as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment."

All of the components in the military have a similar process for various religious accommodations, including vaccine exemptions. The Army's religious accommodation request process, which takes 30 – 60 days, is outlined step-by-step in [Army Regulation 600-20 \(AR600-20\) Appendix P-2](#):

"Immunizations. Immunization requirements for Soldiers are described in AR 40–562. Soldiers whose religious practices conflict with immunization requirements may request an exemption through command channels, from company or immediate commander through battalion, brigade, division and General Court-Martial Convening Authority (GCMCA) commanders to the surgeon general (TSG). TSG is the only approval or disapproval authority for immunization accommodation requests."

To apply for a religious exemption, the service member must complete four documents. The first is a personal memorandum that includes identity information, establishes the

religious belief that is contrary to immunization and lists the specific vaccines requested for exemption.

An additional letter from a supportive religious leader is optional, but the service member is not required to prove the tenets of his religion. The service member's memorandum should also explain how the requested religious accommodation will not interfere with military readiness, unit cohesion, good order and discipline, health and safety. According to [AR600-20](#):

“(1) Requests for religious exemption must include name, rank, MOS/branch and a description of the religious tenet or belief contrary to immunization. Other documentation, such as letters from a religious leader, is optional but may assist commanders evaluating the request.”

The second required document is a DA4856 counseling form summarizing an interview between the chaplain, unit commander and service member on the request for religious accommodation. This counseling form documents the reasons for the religious exemption, the lack of burden on military readiness and acknowledgement of the terms of revocation under imminent risk conditions. According to [AR600-20](#):

“(2) The commander will arrange an in-person or telephonic interview between the requestor and the assigned unit chaplain or other chaplain determined by the senior chaplain present. The chaplain must provide a memorandum that summarizes this interview and addresses the religious basis and sincerity of the soldier's request. The chaplain is not required to recommend approval or disapproval, but may do so. Memorandums from other chaplains or religious leaders may accompany the request as optional attachments, but do not meet the requirement for interview by the assigned unit chaplain or one determined by the senior chaplain present.”

The third required document is a counseling form documenting a discussion with a healthcare provider and the service member on the risks of disease, and benefits and risks of vaccines. According to [AR600-20](#):

“(3) A licensed healthcare provider must counsel the applicant. The healthcare provider should ensure that the applicant is making an informed decision and should address, at

a minimum, the following: (a) specific information about the diseases concerned; (b) specific vaccine information including benefits and risks; and (c) potential risks of infection incurred by unimmunized individuals.”

The fourth required document is a DA4856 counseling form on which the commander and service member explain the career impact of a religious exemption to vaccines, with a recommendation in favor or denial of the request. According to [AR600-20](#):

“(4) The applicant’s immediate commander must counsel the applicant and recommend approval or denial of the exemption request. The commander must counsel that noncompliance with immunization requirements may adversely impact deployability, assignment or international travel, and that the exemption may be revoked under imminent risk conditions. The commander’s recommendation will address the factors of military necessity described in paragraph 5–6a.”

Once the packet containing all of the forms is submitted, the review process will include the following, according to [AR600-20](#):

“(5) Commanders will forward exemption requests through command channels to TSG) TSG will approve or disapprove the requested exemption, and return the decision to the soldier’s commander through command channels.

“(6) TSG may authorize exemptions for the career of a soldier (subject to revocation), or issue a single, specific exemption, or may disapprove the request. If TSG disapproves a requested exemption and the soldier still refuses the immunization, paragraph 5–4g(2) applies.”

If the process results in a denial of request, the service member has right to appeal, right to legal counsel, options to file a complaint with Equal Opportunity or Inspector General for discrimination based on religious beliefs and freedom to contact their elected representatives or senators for an inquiry. If the request for exemption is ultimately denied, and the service member refuses vaccination, the soldier may face [Uniform Code of Military Justice](#) disciplinary action or request separation from the military.

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