



CCI 311.06
EFFECTIVE DATE: 24 January 2022

By Order of the Assistant Secretary for Health:

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SUBJECT: Religious Accommodations

1. PURPOSE: This Instruction establishes policy and procedures, and assigns responsibilities regarding religious accommodations for Public Health Service (PHS) officers and applicants to the U.S. Public Health Service (USPHS) Commissioned Corps.
2. APPLICABILITY: This Instruction applies to all members of the Regular Corps and the Ready Reserve Corps, as well as applicants to the USPHS Commissioned Corps.
3. AUTHORITY:
 - 3-1. [42 U.S.C. § 204](#), "Commissioned Corps and Ready Reserve Corps"
 - 3-2. [42 U.S.C. § 213\(f\)](#), "Active service deemed active military service with respect to anti-discrimination laws"
 - 3-3. [42 U.S.C. § 216](#), "Regulations"
 - 3-4. [10 U.S.C. § 774](#), "Religious apparel: wearing while in uniform"
 - 3-5. Commissioned Corps Directive (CCD) [121.03](#), "Accommodation of Religious Practices"
 - 3-6. [Executive Order 11140](#), "Delegating certain functions of the President relating to the Public Health Service," dated 30 January 1964
4. PROPONENT: The proponent of this Instruction is the Assistant Secretary for Health (ASH). The Surgeon General (SG) is responsible for providing supervision of activities relating to the day-to-day operations of the USPHS Commissioned Corps. The Director, Commissioned Corps Headquarters (CCHQ), provides overall management of USPHS Commissioned Corps personnel operations and processes.
5. SUMMARY OF REVISIONS AND UPDATES: This is the first issuance of this Instruction in the electronic Commissioned Corps Issuance System (eCCIS).

6. POLICY: For the purposes of this Instruction, “neat and conservative” means discreet, tidy, and not dissonant or showy in style, size, design, brightness, or color.
- 6-1. General. The mission of the USPHS Commissioned Corps is to protect, promote, and advance the health and safety of our Nation. The USPHS Commissioned Corps achieves its mission through rapid and effective response to public health needs, leadership and excellence in public health practices, and advancement of public health science. Its officers are dedicated to delivering the nation’s public health promotion and disease prevention programs and to advancing public health science. The USPHS Commissioned Corps also places a high value on the rights of officers to observe the tenets of their individual religions. Therefore, the ASH, or other officials authorized in this Instruction, will generally approve a request for a religious accommodation when the accommodation will not have an adverse impact on the:
- a. Mission of the Department of Health and Human Services (HHS) and its organizational components as well as non-HHS organizations to which officers are assigned, and/or the USPHS Commissioned Corps;
 - b. USPHS Commissioned Corps cohesion;
 - c. Standards under which HHS, its organizational components, or non-HHS organization to which officers are assigned to operate;
 - d. Discipline within HHS/non-HHS organization to which officers are assigned and the USPHS Commissioned Corps;
 - e. Public health and safety considerations; or
 - f. Force readiness and deployment(s).
- 6-2. Apparel Accommodation. Officers and applicants may request a waiver to permit the wear of neat and conservative religious apparel (e.g., hijab, indoor/outdoor head coverings, kippa/yarmulke, turban, under-turban/patka). The SG, or in his/her absence, the Deputy Surgeon General (DSG) without further delegation, will approve such requests for an exception to policy provided the accommodation will not have an adverse impact as outlined in Section 6-1.
- a. Limitations.
 - (1) Kippa/Yarmulke.
 - (a) An officer with an accommodation may only wear a kippa/yarmulke that is made of a subdued material in a color that closely resembles the assigned uniform (generally black, brown, tan, or navy blue as appropriate). The material must be free of designs or markings except that when the officer wears a camouflaged uniform the kippa/yarmulke must have a camouflage pattern matching the uniform.
 - (b) The officer must wear hair underneath the kippa/yarmulke in a hairstyle authorized according to Commissioned Corps Instruction (CCI) [412.01](#), “Uniforms and Appearance.” The bulk of the officer’s hair and kippa/yarmulke must not impair the officer’s ability to wear all required headgear and protective equipment or interfere with the officer’s ability to perform assigned duties.

- (2) Hijab (Head Scarf).
- (a) An officer with an accommodation may only wear a hijab (head scarf) that is made of a subdued material in a color that closely resembles the assigned uniform (generally black, brown, tan, or navy blue as appropriate). The material must be free of designs or markings except that when the officer wears a camouflaged uniform the hijab must have a camouflage pattern matching the uniform.
 - (b) The officer must wear the hijab 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 officer will tuck the bottom edges of the hijab under the uniform top.
 - (c) The officer must wear hair underneath the hijab in a hairstyle authorized according to [CCI 412.01](#), "Uniforms and Appearance." The bulk of the officer's hair and hijab must not impair the officer's ability to wear all required headgear and protective equipment or interfere with the officer's ability to perform assigned duties.
- (3) Turban and Under-Turban. The Director, CCHQ, may designate conditions under which the officer must wear an under-turban instead of the turban.
- (a) An officer with an accommodation only 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. The officer must wear the turban or under-turban in a neat and conservative manner that presents a professional and well-groomed appearance. The material must be free of designs or markings except that when the officer wears a camouflaged uniform the turban or under-turban must have a camouflage pattern matching the uniform.
 - (b) Except in circumstances outlined in Section 6-2.a.(2)(d), the USPHS Commissioned Corps does not require an officer granted a turban or under-turban accommodation to also wear a cap/cover. However, the officer must display their rank on the turban or under-turban in circumstances where a uniform's cap/cover is customarily worn and will remove the rank in circumstances where a cap/cover is not customarily worn (e.g., indoors or in designated covered areas).
 - (c) Hair worn under the turban or under-turban is not subject to [CCI 412.01](#), "Uniforms and Appearance." However, the hair must not fall over the ears or eyebrows or touch the collar when the officer is in uniform.
 - (d) When duties, position, or assignment require the officer to wear protective headgear, the officer will reposition or adjust the bulk of their hair to ensure proper fit.

- (4) The Director, CCHQ, may place additional limitations on such apparel (e.g., require that it be made of fire-resistant material) when circumstances warrant such additional limitations provided that the limitation does not violate the tenets of the officer's religion; however, in cases when the circumstances warrant limitations that may violate the tenets of the officer's religion, the Director, CCHQ, in consultation with the SG (or DSG in the SG's absence), will determine appropriate additional limitations. The Director, CCHQ, in consultation with the SG (or DSG in the SG's absence), will determine whether accommodations for other religious apparel is appropriate and will determine limitations (if any) on its wear, material, color, etc., that are consistent with this Section.
 - b. Revocation of Accommodation. The Director, CCHQ, may temporarily revoke an accommodation during an assignment or deployment when the apparel may interfere with the safety and health of the officer or others, or when wearing the apparel will otherwise have an adverse impact on the mission.
- 6-3. Grooming Accommodation. Officers and applicants may request a waiver of the grooming standards provided the accommodation maintains a neat and conservative appearance. The SG, or in his/her absence, the DSG without further delegation, will approve such requests for an exception to policy provided the accommodation will not have an adverse impact as outlined in Section 6-1.
 - a. Limitations. When authorized, beards, which include facial and neck hair, must not to exceed a length of 2 inches when measured from the bottom of the chin. An officer must roll and/or tie beard hair that is longer than 2 inches to achieve the required length. An officer must wear the beard in a neat and conservative manner that presents a professional appearance. The officer may use styling products to groom or hold the beard in place but may not use petroleum-based products when wearing a protective mask during training. A mustache worn with a beard may extend sideways beyond the corners of the mouth to connect with the beard, but the officer must trim or groom the mustache, so it does not cover the upper lip.
 - b. Revocation of Accommodation. The Director, CCHQ, may temporarily revoke an accommodation during an assignment or deployment when the approved accommodation may interfere with the safety and health of the officer or others, or when the approved accommodation will have an adverse impact on the mission.
- 6-4. Practice Accommodation. An officer's practice of their religion includes, but is not limited to, worship services, holy days, Sabbath observances, and prayer.
 - a. Accommodation at Officer's Permanent Duty Station (PDS) or Temporary Duty (TDY).
 - (1) Applicants. Applicants may request an accommodation to engage in the practice of their religion prior to their call to active duty. In such cases, the Director, CCHQ, or designee, will consult with the Commissioned Corps Liaison of the agency where the USPHS Commissioned Corps anticipates assigning the applicant for their initial assignment. With the concurrence of the agency, the SG, or in his/her absence, the DSG without further delegation, may approve the officer's request for an accommodation provided the accommodation will not have an adverse impact as outlined in Section 6-1.
 - (2) Officers. Officers may request an accommodation at their PDS or while on TDY so the officer may engage in the practice of their religion. An officer's

supervisor, or individual in the officer's chain of command, may approve the officer's request for an accommodation provided the accommodation will not have an adverse impact as outlined in Section 6-1.

- (a) When an officer is absent from their assigned duties, they must be in an approved leave status (e.g., annual leave).
 - (b) The Leave Granting Authority may approve station leave when the officer is absent from their assigned duties for less than their scheduled workday provided the officer remains in the local area. When approving station leave, the Leave Granting Authority will consider how often the officer requests an accommodation to ensure that the frequency and duration of the absences do not have an adverse impact as outlined in Section 6-1.
- b. Accommodation During a Deployment. Officers may request an accommodation during a deployment so the officer may engage in the practice of their religion. The Director, CCHQ, or Deployment Unit Commander may approve the officer's request for an accommodation provided the accommodation will not have an adverse impact as outlined in Section 6-1. If applicable, the Unit Commander may also approve separate rations.
- c. Revocation.
- (1) The Director, CCHQ, Unit Commander, supervisor, or individual in the officer's chain of command (as applicable) may temporarily revoke an accommodation during an assignment or deployment when the approved accommodation may interfere with the safety and health of the officer or others, or the approved accommodation will have an adverse impact on the mission.
 - (2) Reassignment. An approved practice accommodation is automatically revoked when the USPHS Commissioned Corps reassigns an officer. In these circumstances, an officer must submit a new request for an accommodation to practice their religion to their supervisor.
- 6-5. Health and Immunization Accommodation. Officers may request a waiver of the USPHS Commissioned Corps health and immunization requirements. The ASH will approve such requests for an exception to policy provided the accommodation will not have an adverse impact as outlined in Section 6-1. Prior to the ASH considering such requests:
- a. The Director, CCHQ, will appoint a health care professional (e.g., Corps Care, CCHQ Command Cell Chief Medical Officers) who will counsel the individual regarding:
 - (1) The additional risk to health on exposure to the disease against which the individual will not be protected and the benefits and risks of the vaccine;
 - (2) The possibility that the individual may be detained during travel across international borders due to international health regulations and, if detained, that the officer bears responsibility for immediately notifying their supervisor and requesting appropriate leave which, if denied, may place the officer in an absence without leave (AWOL) status; and
 - (3) The possibility that individuals granted such exemptions may have their waivers revoked if they are at imminent risk of disease (e.g., exposure to

anthrax, measles, cholera, etc.) or due to international health regulations incident to official foreign travel.

- b. The Director, CCHQ, will appoint a PHS officer (or member of another uniformed service) Religious Professional or Chaplain who will meet with the officer and assess the bases of the officer's request. The Religious Professional/Chaplain:
 - (1) Will make a determination regarding the officer's sincerity and the religious importance of the accommodation to the officer, and will transmit their findings through the Director, CCHQ, and SG to the ASH;
 - (2) May serve as a witness or provide other evidentiary documentation during a Board of Inquiry (BOI), Involuntary Termination Board (ITB), or Involuntary Retirement Board (IRB).
- c. Revocation. The SG may revoke a health and immunization accommodation when an officer is at imminent risk of disease (e.g., exposure to anthrax, measles, cholera, etc.) or due to international health regulations incident to official foreign travel.

6-6. Discipline. An officer who fails to adhere to the requirements of an approved accommodation or otherwise abuses the accommodation (e.g., fails to attend requested worship service) is subject to disciplinary action up to, and including, separation/retirement and/or termination of their commission.

7. RESPONSIBILITIES:

- 7-1. The ASH is responsible for establishing policies related to religious accommodations and retains the authority to approve accommodations of the health and immunization standards.
- 7-2. The SG is responsible for providing supervision of activities relating to the day-to-day operations of the USPHS Commissioned Corps and may issue Personnel Operations Memoranda (POM) to implement this Instruction.
 - a. The SG, or in his/her absence, the DSG without further delegation, may revoke an approved health and immunization accommodation in accordance with this Instruction.
 - b. The SG, or in his/her absence, the DSG without further delegation, is responsible for making the decision whether to approve or deny apparel and grooming accommodation requests.
- 7-3. The Director, CCHQ, is responsible for processing apparel, grooming, and health and immunization accommodation requests in accordance with this Instruction and notifying officers of decisions regarding these requests.
 - a. The Director, CCHQ, may not further delegate the authority to temporarily revoke approved accommodations of the apparel and grooming standards.
 - b. The Director, CCHQ, may further delegate other responsibilities outlined in this Instruction (e.g., appointment of a health care professional, appointment of a Religious Professional/Chaplain, or notification of a decision on accommodation requests).

- 7-4. USPHS Commissioned Corps Liaisons are responsible for processing officers' apparel, grooming, and health and immunization accommodation requests and ensuring that at least two supervisory individuals in officers' chain of command have made a determination on whether the accommodation will have an adverse impact (see Section 8-1.a.(1)).
- 7-5. Each officer is responsible for adhering to the guidelines established in this Instruction and any operational guidelines established by the SG and/or Director, CCHQ, or their designees. Each officer must also:
- a. Maintain familiarity with the published policies that apply to all officers and maintain an ongoing awareness of updates and changes to USPHS Commissioned Corps policies and operational guidelines.
 - b. Notify the Readiness and Deployment Branch (RDB), CCHQ, one month prior to their on-call period of any practice accommodations that they may request if CCHQ deploys them during the on-call period.
 - c. Ensure that their supervisor is aware of an approved apparel, grooming, and health and immunization accommodation, and ensuring that they submit requests for practice accommodations to allow sufficient time for their supervisor to review and make a decision on the request.
 - d. Maintain current and updated contact information (e.g., e-mail, phone, address) in CCHQ (in accordance with guidance by the Director, CCHQ, or designee) in order to facilitate the USPHS Commissioned Corps' communication of information to the officer.
 - e. Maintain supervisors' current and updated contact information in CCHQ.
8. PROCEDURES:
- 8-1. Submission of Requests.
- a. Apparel, Grooming, and Health and Immunization Accommodation Requests. Officers must submit apparel, grooming, and health and immunization accommodation requests through their supervisory chain of command and Commissioned Corps Liaison to the Director, CCHQ. Applicants must submit such requests to the Director, CCHQ, or designee.
 - (1) Recommendations. Each individual in the officer's supervisory chain of command (which must consist of at least two levels of review) and the Commissioned Corps Liaison must include a determination on whether the accommodation will have an adverse impact as outlined in Sections 6-1.a., c., and d. (as these Subsections relate to the HHS/non-HHS organization).
 - (2) Health and Immunization Accommodation Requests. The Director, CCHQ, will forward health and immunization requests to the ASH, through the SG, after making a recommendation whether the accommodation will have an adverse impact as outlined in Sections 6-1.a. through e. (as these Subsections relate to the USPHS Commissioned Corps).
 - b. Practice Accommodation Requests. Officers must submit religious practice accommodation requests to their supervisor, CCHQ/RDB, or Unit Commander, as applicable.

8-2. Decision on Requests.

- a. Apparel and Grooming Accommodation Requests. The SG, or in his/her absence, the DSG without further delegation, will approve or deny a request after considering whether the accommodation will have an adverse impact as outlined in Sections 6-1.a. through e.
- b. Health and Immunization Accommodation Requests. The ASH will approve or deny a request after considering the Religious Professional/Chaplain's findings and whether the accommodation will have an adverse impact as outlined in Sections 6-1.a. through e.
- c. Practice Accommodation Requests. The officer's supervisor (or individual in the officer's chain of command), Director, CCHQ, or the officer's Unit Commander will approve or deny a request after considering whether the accommodation will have an adverse impact as outlined in Sections 6-1.a. through e., as applicable.

8-3. Notification.

- a. Apparel, Grooming, and Health and Immunization Accommodation Requests. The Director, CCHQ, or designee, will notify an individual of the decision of the SG, regarding an apparel or grooming accommodation request. The Director, CCHQ, or designee, will also notify an individual of the decision of the ASH regarding a health and immunization accommodation request.
- b. Practice Accommodation Requests. The officer's supervisor (or individual in the officer's chain of command), Director, CCHQ, or the officer's Unit Commander will notify an individual of the decision of the SG regarding a practice accommodation request, as applicable.
- c. An officer whose accommodation request is denied or revoked must comply with the USPHS Commissioned Corps policy Instructions related to the denied/revoked request. An officer's failure to promptly comply may result in discipline, separation/retirement, or termination of their commission as outlined in [CCD 111.02](#), "Disciplinary Action," [CCI 341.01](#), "Probationary Period," [CCI 341.02](#), "Regular Corps Records Review," [CCI 382.03](#), "Involuntary Termination of Commission," or [CCI 385.01](#), "Involuntary Retirement (20 Years)," as applicable.

9. HISTORICAL NOTES: This is the first issuance of this Instruction in the eCCIS.