McDermott Will & Emery

THE SIKHCOALITION
the voice of a people

Boston Brussels Chicago Düsseldorf Frankfurt Houston London Los Angeles Miami
Milan Munich New York Orange County Paris Rome Seoul Silicon Valley Washington, D.C.

Strategic alliance with MWE China Law Offices (Shanghai)

Amandeep S. Sidhu
Attorney at Law
asidhu@mwe.com
+1 202 756 8380

November 11, 2015

VIA FEDERAL EXPRESS

The Honorable Ash Carter
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Re: Letter from 27 Retired Generals Regarding Service of Observant Sikhs in U.S. Armed Forces

Dear Secretary Carter:

As you may know, McDermott Will & Emery LLP and The Sikh Coalition have been working tirelessly since 2009 to ensure that observant Sikh service members in the U.S. Armed Forces are permitted to practice their religion—including keeping uncut hair and beards and wearing a turban—while maintaining the highest standards of neat and conservative uniformity, ensuring individual readiness, meeting all safety requirements, and contributing to esprit de corps and unit cohesion.

Therefore, it is my distinct honor and privilege to share the enclosed letter from 27 retired generals urging you to take action to strengthen DOD Instruction 1300.17 and remove the obstacles that continue to prevent observant Sikh Americans from serving in our U.S. Armed Forces. These retired military leaders—hailing from the Army, Air Force, Navy, and Marine Corps—note that observant Sikhs who have recently been granted individual accommodations are able to "wear turbans and maintain beards in a neat and conservative manner, and all of them can wear helmets and protective gas masks, in conformity with safety requirements." These retired generals simply request that observant Sikh Americans "be given an equal opportunity to serve in the U.S. Armed Forces without violating their religious obligations."

As we honor all of our Veterans today, we respectfully request that you heed the call from 27 proven military leaders and end the presumptive ban on the service of observant Sikh Americans in the U.S. Armed Forces.

Sincerely,

Amandeep S. Sidhu
Counsel to The Sikh Coalition

Enclosure

cc (via FedEx w/ encl.):

The Honorable John M. McHugh, Secretary of the Army
The Honorable Deborah L. James, Secretary of the Air Force
The Honorable Ray Mabus, Secretary of the Navy
General Joseph F. Dunford, Jr., Chairman of the Joint Chiefs of Staff
General Mark A. Milley, Chief of Staff of the U.S. Army
General Mark A. Welsh III, Chief of Staff of the U.S. Air Force
Admiral John Richardson, Chief of Naval Operations
General Robert B. Neller, Commandant of the Marine Corps
Admiral Paul F. Zukunft, Commandant of the Coast Guard
General Frank J. Gass, Chief of National Guard Bureau

11 November 2015

The Honorable Ash Carter
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Carter:

Under your leadership, the U.S. Department of Defense has taken important steps toward recognizing the importance of religious faith to the lives of our service members. Nevertheless, obstacles remain for patriotic Sikh Americans who wish to serve in our nation's military while maintaining their articles of faith.

Devout Sikhs wear turbans and maintain unshorn hair, including beards, in accordance with their religious beliefs. They are admired throughout the world for their martial prowess and serve with distinction in the armed forces of Canada, India, and the United Kingdom. Although Sikhs have served honorably in the U.S. military since World War I, restrictive appearance regulations adopted in 1981 created barriers to their service. Revisions earlier this year to DOD Instruction 1300.17 make it possible for service members to request religious accommodations; however, the new guidelines presumptively exclude Sikh articles of faith, forcing Sikhs to repeatedly apply for waivers and even violate their religion while an accommodation request is pending.

Since 2009, the U.S. Army has granted individualized accommodations to three Sikh Americans, who wear turbans and maintain unshorn hair, including beards. All three of these service members wear turbans and maintain beards in a neat and conservative manner, and all of them can wear helmets and protective gas masks, in conformity with safety requirements. Two of them deployed to Afghanistan, earning a Bronze Star Medal and MSM NATO Medal for their service.

Given the success of these service members, we believe that Sikh Americans should be given an equal opportunity to serve in the U.S. Armed Forces without violating their religious obligations.

In 1948, President Harry Truman promised "that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion, or national origin." We urge you to strengthen DOD Instruction 1300.17 and make this promise real for patriotic Sikh Americans who wish to serve in the U.S. Armed Forces.

Very Respectfully,

1. Brigadier General Clara Adams-Ender, U.S. Army (ret.), Former Commander of Ft. Belvoir and Former Chief of the Army Nurse Corps.

2. Brigadier General John Adams, U.S. Army (ret.), Former Deputy United States Military Representative to the North Atlantic Treaty Organization

3. Brigadier General Ricardo Aponte, U.S. Air Force (ret.), Former Director (J-7) of the U.S. Southern Command

4. Brigadier General Balan Ayyar, U.S. Air Force (ret.), Former Commanding General, Combined Joint Interagency Task Force 435 (Afghanistan)

5. Major General Paul L. Bielowicz, U.S. Air Force (ret.), Former Director of Operations & Director of Logistics, U.S. Strategic Command

6. Major General Roger W. Burg, U.S. Air Force (ret.), Former Commander Global Strike Command and Former Commander Task Force 215, U.S. Strategic Command

7. Major General George Buskirk, U.S. Army (ret.), Former Adjutant General of the State of Indiana

8. Brigadier General Julia Cleckley, U.S. Army (ret.), Former Chief, Human Resources Officer (G-1) for Army National Guard

9. Brigadier General John Douglass, U.S. Air Force (ret.), Former Assistant Secretary of the Navy

10. Major General Belisario D.J. Flores, U.S. Air Force (ret.), Former Assistant Adjutant General of the Texas Air National Guard

11. Lieutenant General Robert Gard, U.S. Army (ret.), Former Commanding General of the U.S. Army Military Personnel Center

12. Brigadier General Don Harvel, U.S. Air Force (ret.), Former ANG Advisor to Commander of Air Force Special Operations

13. Major General Steven Hashem, U.S. Army (ret.), Former Director U.S. Special Operations Command Center for Knowledge and Futures

14. Lieutenant General Mark Phillip Hertling, U.S. Army (ret.), Former U.S. Army Europe Commanding General

15. Major General James A. Kelley, U.S. Army (ret.), Former Chief of Staff of the U.S. Army Reserve and Former Deputy Commanding General for 3rd Army

16. Brigadier General Jeffrey Kendall, U.S. Air Force (ret.), Former Director Warfighter Systems Integration and Former Commander, Kandahar Airfield (NATO), Afghanistan

17. Lieutenant General Claudia Kennedy, U.S. Army (ret.), Former Deputy Chief of Staff for Intelligence

18. Brigadier General Douglas E. Lee, U.S. Army (ret.), Former Assistant Chief of Chaplains for Mobilization and Readiness

19. Brigadier General Carlos E. Martinez, U.S. Air Force (ret.), Former Mobilization Assistant to the Chief of Warfighting Integration and Chief Information Officer, Office of the Secretary of the Air Force

20. Brigadier General David L. McGinnis, U.S. Army (ret.), Former Assistant Secretary for Reserve Affairs, Department of Defense

21. Brigadier General Robert M. Murdock, U.S. Air Force (ret.), Former Commander, San Antonio ALC, Kelly Air Force Base, Texas

22. Lieutenant General Michael D. Rochelle, U.S. Army (ret.), Former Deputy Chief of Staff for Personnel

23. Major General Angela Salinas, U.S. Marine Corps (ret.), Former Director of Manpower Management Division, Manpower and Reserve Affairs, Headquarters Marine Corps

24. Major General Tony Taguba, U.S. Army (ret.), Former Commander of 2nd Brigade and Former Chief of Staff of the U.S. Army Reserve Command

25. Brigadier General Sue E. Turner, U.S. Air Force (ret.), Former Director Nursing Services, Office of the Air Force Surgeon General

26. Major General William F. Ward, U.S. Army (ret.), Former Chief of the Army Reserve

27. Brigadier General Marianne Watson, U.S. Army (ret.), Former Director of Manpower and Personnel (J-1) for Army National Guard