



Department of Defense **INSTRUCTION**

NUMBER 1300.06
May 5, 2007

USD(P&R)

SUBJECT: Conscientious Objectors

- References:**
- (a) DoD Directive 1300.6, subject as above, August 20, 1971 (hereby canceled)
 - (b) Acting Deputy Secretary of Defense Memorandum, "DoD Directives Review – Phase II," July 13, 2005
 - (c) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," October 17, 2006
 - (d) Section 6 (j) of the Military Selective Service Act, as amended (50 United States Code App. 456(j))
 - (e) through (h), see Enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

- 1.1. Reissues Reference (a) as a DoD Instruction according to the guidance in Reference (b) and the authority in Reference (c).
- 1.2. Provides policy on uniform DoD procedures governing conscientious objectors and processing requests for discharge based on conscientious objection.

2. APPLICABILITY AND SCOPE

This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

3. DEFINITIONS

3.1. Conscientious Objection: General. A firm, fixed, and sincere objection to participation in war in any form or the bearing of arms, by reason of religious training and/or belief. Unless otherwise specified, the term "Conscientious Objector" includes both Class 1-O and Class 1-A-O Conscientious Objectors.

3.1.1. Class 1-O Conscientious Objector. A member who, by reason of conscientious objection, sincerely objects to participation in military service of any kind in war in any form.

3.1.2. Class 1-A-O Conscientious Objector. A member who, by reason of conscientious objection, sincerely objects to participation as a combatant in war in any form, but whose convictions are such as to permit military service in a non-combatant status.

3.2. Religious Training and/or belief: Belief in an external power or "being" or deeply held moral or ethical belief, to which all else is subordinate or upon which all else is ultimately dependent, and which has the power or force to affect moral well-being. The external power or "being" need not be one that has found expression in either religious or societal traditions. However, it should sincerely occupy a place of equal or greater value in the life of its possessor. Deeply held moral or ethical beliefs should be valued with the strength and devotion of traditional religious conviction. The term "religious training and/or belief" may include solely moral or ethical beliefs even though the applicant may not characterize these beliefs as "religious" in the traditional sense, or may expressly characterize them as not religious. The term "religious training and/or belief" does not include a belief that rests solely upon considerations of policy, pragmatism, expediency, or political views.

3.3. Non-combatant Service or Non-combatant Duties (Class 1-A-O) (Used Interchangeably Herein)

3.3.1. Service in any unit of the Armed Forces that is unarmed at all times.

3.3.2. Any other assignment the primary function of which does not require the use of arms in combat provided that such other assignment is acceptable to the individual concerned and does not require him or her to bear arms or to be trained in their use.

3.3.3. Service aboard an armed ship or aircraft or in a combat zone shall be considered to be non-combatant duty unless the individual concerned is personally and directly involved in the operation of weapons.

3.4. Non-combatant Training. Any training that is not concerned with the study, use, or handling of arms or weapons.

3.5. War In Any Form. The clause "war in any form" should be interpreted in the following manner:

3.5.1. An individual who desires to choose the war in which he or she will participate is not a Conscientious Objector under the law. The individual's objection must be to all wars rather than a specific war.

3.5.2. A belief in a theocratic or spiritual war between the powers of good and evil does not constitute a willingness to participate in "war" within the meaning of this Instruction.

4. POLICY

It is DoD policy that:

4.1. Administrative discharge due to conscientious objection prior to the completion of an obligated term of service is discretionary with the Military Department concerned, based on a judgment of the facts and circumstances in the case. However, insofar as may be consistent with the effectiveness and efficiency of the Military Services, a request for classification as a conscientious objector and relief from or restriction of military duties in consequence thereof will be approved to the extent practicable and equitable within the following limitations:

4.1.1. Except as provided in paragraph 4.1.2., no member of the Armed Forces who possessed conscientious objection beliefs before entering military service is eligible for classification as a Conscientious Objector if such beliefs satisfied the requirements for classification as a Conscientious Objector pursuant to title 50 United States Code (U.S.C.) App. 456(j) (Reference (d)) and other provisions of law, and:

4.1.1.1. The applicant failed to request classification as a Conscientious Objector by the Selective Service System; or

4.1.1.2. The applicant requested classification as a Conscientious Objector before entering military service, such request was denied on the merits by the Selective Service System, and the applicant's request for classification as a Conscientious Objector is based upon essentially the same grounds, or supported by essentially the same evidence, as the request that was denied by the Selective Service System.

4.1.2. Nothing contained in this Instruction renders ineligible for classification as a Conscientious Objector a member of the Armed Forces who possessed Conscientious Objector beliefs before entering military service if:

4.1.2.1. Such beliefs crystallized after receipt of an induction notice; and

4.1.2.2. The applicant could not request classification as a Conscientious Objector by the Selective Service System because of Selective Service System regulations prohibiting the submission of such requests after receipt of an induction notice.

4.2. Because of the personal and subjective nature of conscientious objection, the existence, honesty, and sincerity of asserted conscientious objection beliefs cannot be ascertained by applying inflexible objective standards and measurements on an "across-the-board" basis. Requests for discharge or assignment to non-combatant training or service based on conscientious objection will, therefore, be handled on an individual basis with the final determination made at the Headquarters of the Military Department concerned in accordance with the facts and circumstances in the particular case and the policy and procedures set forth herein.

5. CRITERIA

5.1. General. The criteria set forth herein provide policy and guidance in considering applications for separation or for assignment to non-combatant training and service based on conscientious objection. Consistent with the national policy to recognize the claims of authentic Conscientious Objectors in the Military Service, an application for classification as a Conscientious Objector may be approved (subject to the limitations of paragraph 4.1.) for any individual:

- 5.1.1. Who is conscientiously opposed to participation in war in any form;
- 5.1.2. Whose opposition is based on religious training and/or belief; and
- 5.1.3. Whose position is firm, fixed, sincere and deeply held.

5.2. Religious Training and/or Belief

5.2.1. In order to find that an applicant's moral and ethical beliefs are against participation in war in any form and are held with the strength of traditional religious convictions, the applicant must show that these moral and ethical convictions, once acquired, have directed the applicant's life in the way traditional religious convictions of equal strength, depth, and duration have directed the lives of those whose beliefs are clearly found in traditional religious convictions. In other words, the belief upon which conscientious objection is based must be the primary controlling force in the applicant's life.

5.2.2. A primary factor to be considered is the sincerity with which the belief is held. Great care must be exercised in seeking to determine whether asserted beliefs are honestly and genuinely held. Sincerity is determined by an impartial evaluation of the applicant's thinking and living in its totality, past and present. Care must be exercised in determining the integrity of belief and the consistency of application. Information presented by the claimant can be sufficient to convince that the claimant's personal history reveals views and actions strong enough to demonstrate that expediency or avoidance of military service is not the basis of the applicant's claim.

5.2.2.1. In evaluating applications, the conduct of applicants, in particular their outward manifestation of the beliefs asserted, will be carefully examined and given substantial weight.

5.2.2.2. Relevant factors that should be considered in determining an applicant's claim of conscientious objection include: training in the home and religious organization; general demeanor and pattern of conduct; participation in religious activities; whether ethical or moral convictions were gained through training, study, contemplation, or other activity comparable in rigor and dedication to the processes by which traditional religious convictions are formulated; credibility of the applicant; and credibility of persons supporting the claim.

5.2.3. Particular care must be exercised not to deny the existence of authentic beliefs simply because those beliefs are incompatible with one's own.

5.2.3.1. Religious organization membership or adherence to particular theological tenets are not required to warrant separation or assignment to non-combatant training and service for conscientious objectors.

5.2.3.2. Mere affiliation with religious organizations or other groups that advocate conscientious objection as a tenet of its creed may not necessarily determine an applicant's position or belief.

5.2.3.3. Conversely, affiliation with a religious organization or group that does not teach conscientious objection does not necessarily rule out adherence to conscientious objection beliefs in any given case.

5.2.3.4. Where an applicant is or has been a member of a religious organization or tradition, and where the applicant's claim of conscientious objection is related to such membership, inquiry may properly be made as to the fact of membership, and the teaching of the religious organization or tradition, as well as the applicant's religious activity. However, the fact that the applicant may disagree with, or not subscribe to, some of the tenets of the applicant's religious organization does not necessarily discredit the claim. The personal convictions of each individual will be controlling so long as personal convictions are derived from the applicant's moral, ethical, or religious beliefs.

5.2.3.5. Moreover, an applicant who is otherwise eligible for conscientious objector status may not be denied that status simply because his or her conscientious objection influences personal views concerning the nation's domestic or foreign policies. The task is to decide whether the beliefs professed are sincerely held, and whether they govern the claimant's actions both in word and deed.

5.3. The burden of establishing a claim of conscientious objection as a ground for separation or assignment to non-combatant training and service is on the applicant. To this end, the applicant must establish by clear and convincing evidence that:

5.3.1. The nature or basis of the claim comes within the definition of and criteria prescribed herein for conscientious objection; and

5.3.2. The applicant's belief in connection therewith is firm, fixed, sincere, and deeply held.

5.4. The applicant has the burden of determining and setting forth the exact nature of his or her request, i.e., whether for separation based on conscientious objection (Class 1-O) or for assignment to non-combatant training and service based on conscientious objection (Class 1-A-O).

5.5. An applicant claiming a Class 1-O Conscientious Objector status shall not be granted a Class 1-A-O Conscientious Objector status as a compromise.

5.6. Persons who were classified as Class 1-A-O Conscientious Objectors by the Selective Service System prior to induction shall upon induction be transferred to a training center, or station, for recruit training, and shall be subject to non-combatant service and training. Such persons will be required to sign and date a statement as set forth in the form attached hereto as Enclosure 4. Thereafter, upon completion of recruit training, such persons shall be assigned to non-combatant duty.

5.7. Commanders at levels directed by the Military Department's Headquarters are authorized to return to an applicant, without action, any second or subsequent application that is based upon essentially the same grounds, or supported by essentially the same evidence, as a previous application disapproved by the Military Department concerned.

5.8. The provisions of this Instruction will not be used to effect the administrative separation of individuals who do not qualify as Conscientious Objectors, or in lieu of administrative separation procedures such as those provided for unsuitability or unfitness or as otherwise set forth in DoD Directive 1332.14 (Reference (e)). Under no circumstances will administrative separation of these individuals be affected pursuant to this Instruction.

5.9. Nothing in this Instruction prevents the administrative separation, pursuant to law and regulations of the Military Departments concerned, of any Service member whose classification as a Class 1-A-O Conscientious Objector results in substandard performance of duty or other cause for separation.

6. RESPONSIBILITIES

6.1. The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) shall:

6.1.1. Develop overall policy guidance for conscientious objection.

6.1.2. Monitor compliance with this Instruction.

6.1.3. Coordinate with the Selective Service System and all other necessary agencies concerning matters of conscientious objection.

6.2. The Heads of the Military Departments shall:

6.2.1. Prescribe implementing documents to ensure that the policies and procedures in this Instruction are administered consistently.

6.2.2. Make final determinations concerning discharge or assignment to non-combatant training or service for personnel assigned to their Department.

6.2.3. Direct the level of commander or authority, assigned within their Department, who has the authority to:

6.2.3.1. Appoint an investigating officer concerning a Conscientious Objector application; and

6.2.3.2. Return a Conscientious Objector application to an applicant, without action, if the application is the second or subsequent application that is based on the same grounds as a previously submitted and disapproved application from the applicant concerned.

7. PROCEDURES

7.1. A member of the Armed Forces who seeks either separation or assignment to non-combatant duties by reason of conscientious objection will submit an application. (See Privacy Act statement in Enclosure 5.) The applicant will indicate whether he or she is seeking a discharge or assignment to non-combatant duties and will include the following items:

7.1.1. The information required by Enclosure 2.

7.1.2. Any other items that the applicant desires to submit in support of his or her case.

7.2. Prior to processing the application of the individual, the claimant will be:

7.2.1. Advised of the specific provisions of section 5303 of title 38, U.S.C.¹ (Reference (f)), regarding the possible effects of discharge as a Conscientious Objector who refuses to perform military duty or refused to wear the military uniform or otherwise to comply with lawful orders of competent military authority; and

¹ Reference (f) provides, in pertinent part, that the discharge of any person on the grounds that he or she is a Conscientious Objector who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, shall bar all rights (except Government insurance) of such persons under laws administered by the Secretary of Veterans Affairs based upon the period of service from which discharged or dismissed. The only exception is in cases in which it is established, to the satisfaction of the Secretary of Veterans Affairs, that the member was insane.

7.2.2. Required to execute the statement (Counseling Concerning Veterans Benefits) attached as Enclosure 3.

7.3. The applicant shall be personally interviewed by a chaplain who shall submit a written opinion as to the nature and basis of the applicant's claim, and as to the applicant's sincerity and depth of conviction. The chaplain's report shall include the reasons for the conclusions contained within the report. The chaplain should ensure the applicant is made aware that the conversation is not privileged and will be used in an official report. In addition, the applicant will be interviewed by a psychiatrist (or by a medical officer if a psychiatrist is not reasonably available) who shall submit a written report of psychiatric evaluation indicating the presence or absence of any psychiatric disorder that would warrant treatment or disposition through medical channels, or such character or personality disorder as to warrant recommendation for appropriate administrative action. This opinion and report will become part of the "case file." If the applicant refuses to participate or is uncooperative or unresponsive in the course of the interviews, this fact will be included in the statement and report filed by the chaplain and psychiatrist or medical officer.

7.4. Commanders at levels directed by the respective Military Department's headquarters will appoint a Chief Warrant Officer in the grade of WO-3 or higher or a Commissioned Officer in the grade of O-3 or higher to investigate the applicant's claim. The investigating officer will not be in the applicant's chain of command. If the applicant is a commissioned officer in the grade of O-3 or above, the investigating officer must be senior in grade to the applicant.

7.4.1. Upon appointment, the investigating officer will review the applicable respective Military Department regulations that implement this Instruction. During the course of the investigation, the investigating officer will obtain all necessary legal advice from the local Staff Judge Advocate or legal officer.

7.4.2. The investigating officer will conduct a hearing on the application to: afford the applicant an opportunity to present any evidence he or she desires in support of the application; enable the investigating officer to ascertain and assemble all relevant facts to create a comprehensive record; and to facilitate an informed recommendation by the investigating officer and an informed decision on the merits by higher authority. In this regard, any failure or refusal of the applicant to submit to questioning under oath or affirmation before the investigating officer may be considered by the officer making the recommendation and evaluation of the applicant's claim. If the applicant fails to appear at the hearing without good cause, the investigating officer may proceed in the applicant's absence. The applicant will then be deemed to have waived his or her appearance.

7.4.2.1. If the applicant desires, he or she shall be entitled to representation by legal counsel, at his or her own expense. The legal counsel shall be permitted to be present at the hearing, assist the applicant in the presentation of the applicant's case, and examine all items in the file.

7.4.2.2. The hearing will be informal in character and will not be governed by the rules of evidence employed by courts-martial except that all oral testimony presented shall be under oath or affirmation. Any relevant evidence may be received. Statements obtained from persons not present at the hearing need not be made under oath or affirmation. The hearing is not an adversarial proceeding.

7.4.2.3. The applicant may submit any additional evidence that the he or she desires (including sworn or unsworn statements) and present any witnesses in the applicant's own behalf, but the applicant shall be responsible for securing the witnesses' attendance. The installation or local commander will render all reasonable assistance in making available military members of his or her command requested by the applicant as witnesses. Further, the applicant will be permitted to question any other witnesses who appear and to examine all items in the file.

7.4.2.4. A verbatim record of the hearing is not required. If the applicant desires such a record and agrees to provide it at the applicant's own expense, he or she may do so. If the applicant elects to provide such a record, he or she shall make a copy thereof available to the investigating officer, at no expense to the Government, at the conclusion of the hearing. In the absence of a verbatim record, the investigating officer will summarize the testimony of witnesses and permit the applicant or the applicant's counsel to examine the summaries and note for the record their differences with the investigating officer's summary. Copies of statements and other documents received in evidence will be made a part of the hearing record.

7.4.3. At the conclusion of the investigation, the investigating officer will prepare a written report that will contain the following:

7.4.3.1. A statement as to whether the applicant appeared, was accompanied by counsel, and, if so, the latter's identity, and whether the nature and purpose of the hearing were explained to the applicant and understood.

7.4.3.2. Any documents, statements, and other material received during the investigation.

7.4.3.3. Summaries of the testimony of the witnesses presented (or a verbatim record of the testimony if such record was made).

7.4.3.4. A statement of the investigating officer's conclusions as to the underlying basis of the applicant's conscientious objection and the sincerity of the applicant's beliefs, including reasons for such conclusions.

7.4.3.5. Subject to paragraph 5.5., the investigating officer's recommendations for disposition of the case, including all reasons therefore. The actions recommended will be limited to the following:

7.4.3.5.1. Denial of any classification as a Conscientious Objector; or

7.4.3.5.2. Classification as a Class 1-A-O Conscientious Objector; or

7.4.3.5.3. Classification as a Class 1-O Conscientious Objector.

7.4.3.6. The investigating officer's report, along with the individual's application, all interviews with chaplains and physicians, evidence received as a result of the investigating officer's hearing, and any other items submitted by the applicant will constitute the record. The investigating officer's conclusions and recommended disposition will be based on the entire record and not merely on the evidence produced at the hearings. A copy of the record will be furnished to the applicant at the time it is forwarded to the commander who appointed the investigating officer, and the applicant will be informed that he or she has the right to submit a rebuttal to the report within the time prescribed by the Military Department concerned.

7.5. The case record will be forwarded to the commander of the officer who appointed the investigating officer, where it shall be reviewed for completeness and legal sufficiency. If necessary, the case may be returned to the investigating office for further investigation. When the record is complete, the authority who appointed the investigating officer shall forward it with his or her personal recommendation for disposition, and the reasons therefore, through the appropriate chain of command to the commander authorized to make a final decision.

7.6. The Secretary of a Military Department may delegate authority to approve applications to a commander exercising general court-martial jurisdiction (or equivalent level command for Reserve organizations) over the applicant. The completed record of a case approved in the field will be forwarded to the Secretary of the Military Department concerned for appropriate disposition.

7.7. When approval authority has not been delegated or when the general court-martial convening authority recommends disapproval, the Secretary of the Military Department concerned will make a final decision based on the entire record. Any additional information other than the official service record of the applicant considered by the Secretary of the Military Department concerned that is adverse to the applicant, and that the applicant has not had an opportunity to comment upon or refute, will be made a part of the record and the applicant shall be given an opportunity to comment upon or refute the material before a final decision is made. The reasons for an adverse decision will be made a part of the record and will be provided to the applicant.

7.8. Processing of applications can be suspended by the unauthorized absence of the applicant subsequent to the initiation of the application, or by the institution of disciplinary action or administrative separation proceedings against the applicant. However, an applicant whose request for classification as a Conscientious Objector has been approved will not be discharged until all disciplinary action has been resolved.

7.9. To the extent practicable under the circumstances, during the period applications are being processed and until a decision is made, every effort will be made to assign applicants to duties that will conflict as little as possible with their asserted beliefs. Unless the Military Department concerned provides otherwise, an applicant shall be required to comply with active duty or transfer orders in effect at the time of his or her application or subsequently issued and received. During the period applications are being processed, applicants will be expected to conform to the normal requirement of military service and to perform such duties as are assigned. Applicants may be disciplined for violations of the Uniform Code of Military Justice while awaiting action on their applications.

8. ACTION AFTER DECISION

8.1. Applicants requesting discharge who are determined to be a Class 1-O Conscientious Objectors will be discharged for the convenience of the Government with entry in personnel records and discharge papers that the reason for separation is conscientious objection. The type of discharge issued will be governed by the applicant's general military record and the pertinent provisions of Reference (e). During conscription, the Director of the Selective Service System will be promptly notified of the discharge of those who have served less than 180 days in the Armed Forces. Pending separation, the applicant will continue to be assigned duties providing the minimum practicable conflict with his or her professed beliefs and will be expected to conform to the normal requirements of military service and to perform satisfactorily such duties to which the applicant is assigned. Applicants may be disciplined for violations under the Uniform Code of Military Justice, Chapter 47 of title 10, U.S.C. (Reference (g)) while awaiting discharge.

8.2. Applicants requesting assignment to non-combatant duties who are determined to be Class 1-A-O Conscientious Objectors shall be:

8.2.1. Assigned to non-combatant duty, as defined in section 3.; or

8.2.2. Discharged from military service or released from active duty at the discretion of the Secretary of the Military Department concerned.

8.2.3. Required to execute the statement (Counseling Concerning Designation as a Conscientious Objector) attached as Enclosure 4.

8.3. Persons who are assigned to non-combatant duties, and persons who are assigned to normal military duties by reason of disapproval of their application, will be expected to conform to the normal requirements of military service and to perform satisfactorily such duties to which he or she is assigned. Violations of Reference (g) by these members will be treated as in any other situation.

9. CLAIMS OF ERRONEOUS INDUCTION

9.1. This section applies to any individual who claims that he or she is a Conscientious Objector and was either erroneously inducted, or erroneously assigned to combatant training or duty, for any of the following reasons:

9.1.1. Although determined to be a Conscientious Objector by a local board or appellate agency of the Selective Service System, the applicant's records failed to reflect classification as such.

9.1.2. The applicant was denied a significant procedural right in the classification process by the Selective Service System.

9.1.3. Despite actual classification as a Conscientious Objector properly reflected in the applicant's records, the applicant was nevertheless erroneously inducted or assigned to combatant training or duty. Claims based on alleged erroneous determinations made on the merits of the case by the Selective Service System are not covered by this section. (See section 4.)

9.2. Claims covered by paragraph 9.1. shall be referred to the Selective Service System without delay for investigation and ascertainment of the facts. Communication will be transmitted to the National Headquarters, Selective Service System, Alexandria, VA 22209-2425.

9.2.1. If the Selective Service System advises that induction was in fact erroneous under subparagraph 9.1.1. or 9.1.3., the claimant will be separated or assigned to non-combatant duties depending upon whether he or she was classified a Class 1-O or Class 1-A-O Conscientious Objector.

9.2.2. If the Selective Service System advises that there was in fact a denial of a right or a significant procedural error in the evaluation of a claim under subparagraph 9.1.2., the induction will be considered erroneous and the individual discharged.

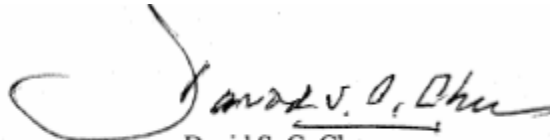
9.2.3. If the Selective Service System advises that any claim under paragraph 9.1. is unfounded or makes a final determination adverse to any claim, the claimant will be so informed and returned to general duty.

9.2.4. Pending investigation and resolution of all claims covered by this section, a claimant will be assigned to duties that conflict as little as practicable with his or her asserted beliefs, insofar as is consistent with the effectiveness and efficiency of the Military Forces.

10. EFFECTIVE DATE

10.1. This Instruction is effective immediately.

10.2. Applications submitted prior to or after the effective date of this Instruction and pending on or after that date will be processed under the provisions of this Instruction.



David S. C. Chu
Under Secretary of Defense for
Personnel and Readiness

David S. C. Chu
Under Secretary of Defense for
Personnel and Readiness

Enclosures - 5

- E1. References, continued
- E2. Required Information to be supplied by Applicants for Discharge or Non-Combatant Service
- E3. Statement (Counseling concerning VA benefits)
- E4. Statement (Counseling concerning designation as Conscientious Objector)
- E5. Required Information from Applicant for Conscientious Objector Status (Privacy Act Statement)

E1. ENCLOSURE 1

REFERENCES, Continued

- (e) DoD Directive 1332.14, "Enlisted Administrative Separations," December 21, 1993
- (f) Section 5303, title 38, United States Code
- (g) Chapter 47, title 10, United States Code
- (h) Privacy Act of 1974 (Public Law 93-579)

E2. ENCLOSURE 2

REQUIRED INFORMATION TO BE SUPPLIED BY APPLICANTS FOR DISCHARGE OR
NON-COMBATANT SERVICE

Each person seeking release from active service from the Armed Forces or assignment to non-combatant duties as a Conscientious Objector will provide the information indicated below as the minimum required for consideration of his or her request. This in no way bars the Military Departments from requiring additional information. The individual may submit additional information. (See Privacy Act statement in Enclosure 5.)

E2.1. General Information Concerning Applicant

E2.1.1. Full name.

E2.1.2. Social Security Number.

E2.1.3. Selective Service Number.

E2.1.4. Service address.

E2.1.5. Home of Record.

E2.1.6. Name and address of each school and college attended - (after age 16) together with the dates of attendance, and the type of school (e.g. public, religious organization, military, commercial, etc.).

E2.1.7. A chronological list of all occupations, positions, jobs, or types of work, other than as a student in school or college (after age 16) whether for monetary compensation or not. Include the type of work, name of employer, address of employer and the from/to date for each position or job held.

E2.1.8. All former addresses (after age 16) and dates of residence at those addresses.

E2.1.9. Parents' names and addresses. Indicate whether they are living or deceased.

E2.1.10. The religious denomination or tradition of both parents.

E2.1.11. Was application made to the Selective Service System (local board) for classification as a Conscientious Objector prior to entry into the Armed Forces? To which local board? What decision was made by the Board, if known?

E2.1.12. During conscription, when the applicant has served less than 180 days in the Military, a statement is required by the applicant as to whether he or she is willing to perform work under the Selective Service Alternative Service Program for Conscientious Objectors if the applicant is eventually discharged as a Conscientious Objector. Also required is a statement from the applicant as to whether he or she consents to the issuance of an order for such work by the local Selective Service Board.

E2.2. Training and/or Belief

E2.2.1. A description of the nature of the belief that requires the applicant to seek separation from military service or assignment to non-combatant training and duty for reasons of conscience.

E2.2.2. An explanation as to how the applicant's beliefs changed or developed, to include an explanation as to what factors (how, when, and from whom or from what source training was received and/or belief acquired) caused the change in or development of conscientious objection beliefs.

E2.2.3. An explanation as to when these beliefs became incompatible with military service or combatant duties, and why.

E2.2.4. An explanation as to the circumstances, if any, under which the applicant believes in the use of force, and to what extent, under any foreseeable circumstances.

E2.2.5. An explanation as to how the applicant's daily life style has changed as a result of the beliefs and what future actions the applicant plans to continue to support his or her stated beliefs.

E2.2.6. An explanation as to what in the applicant's opinion most conspicuously demonstrates the consistency and depth of the stated beliefs that gave rise to the applicant's claim.

E2.3. Participation in Organizations

E2.3.1. Information as to whether the applicant has ever been a member of any military organization or establishment before entering upon his or her present term of service. If so, the name and address of such organization will be given together with reasons why the applicant became a member.

E2.3.2. A statement as to whether the applicant is a member of a religious organization or tradition. If so, the statement will show the following:

E2.3.2.1. The name of the organization or tradition, and the name and location of its governing body or head, if known.

E2.3.2.2. When, where, and how the applicant became a member of said organization or tradition.

E2.3.2.3. The name and location of any religious organization, congregation, or meeting that the applicant customarily attends, and the extent of the applicant's active participation therein.

E2.3.2.4. The name, title, and present address of the pastor or leader of such religious organization, congregation, or meeting.

E2.3.2.5. A description of the creed or official statements, if any, and if they are known to the applicant, of said religious organization or tradition in relation to participation in war.

E2.3.3. A description of applicant's relationships with and activities in all organizations with which the applicant is or has been affiliated, other than military, political, or labor organizations.

E2.4. References. Any additional information, such as letters of reference or official statements of organizations to which the applicant belongs or refers to in the application, that the applicant desires to be considered by the authority reviewing the application. The burden is on the applicant to obtain and forward such information.

E2.5. Record of Hearing. As outlined in paragraph 7.4.2.4., a verbatim record of the hearing is not required. If the applicant desires such a record and agrees to provide it at the applicant's own expense, he or she shall make a copy thereof available to the investigating officer, at no expense to the Government, at the conclusion of the hearing.

E3. ENCLOSURE 3

STATEMENT

(Counseling Concerning Veterans Benefits)

I have been advised of the provisions of 38 U.S.C. 5303 concerning possible non-entitlement to benefits administered by the Department of Veterans Affairs due to discharge from military service as a Conscientious Objector under certain conditions. I understand that a discharge as a Conscientious Objector, who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, shall bar all rights, based upon the period of service from which discharged, under any laws administered by the Department of Veterans Affairs except my legal entitlement (if any) to any war risk, Government (converted), or veterans life insurance.

E4. ENCLOSURE 4

STATEMENT

(Counseling Concerning Designation as a Conscientious Objector)

I have been counseled concerning designation as a Conscientious Objector. Based on my training and/or belief, I consider myself to be a Conscientious Objector within the meaning of the statute and regulations governing Conscientious Objectors and am conscientiously opposed to participation in combatant training and service. I request assignment to non-combatant duties for the remainder of my term of service. I fully understand that on expiration of my current term of service I am not eligible for voluntarily enlistment, re-enlistment, extension or amendment of current enlistment, or active service in the Armed Forces by reason of my a Class 1-A-O Conscientious Objector classification.

E5. ENCLOSURE 5

REQUIRED INFORMATION FROM APPLICANT FOR CONSCIENTIOUS OBJECTOR
STATUS
PRIVACY ACT STATEMENT

In accordance with the Privacy Act of 1974 (Public Law 93-579), this notice informs you of the purpose of the form and how it will be used. Please read carefully.

E5.1. Authority: 50 App. U.S.C. 456j; 5 U.S.C. 301, 38 U.S.C. 3103; Sec. 534, E.O. 9397.

E5.2. Principal Purpose(s): Requested information will be used to document recorded information upon which a decision may be made by appropriate authority to grant or deny the requested conscientious objector status.

E5.3. Routine Uses: Any release of information contained in this system of records outside of DoD will be compatible with the purposes for which the information is being collected and maintained. The DoD "Blanket Routine Uses" set forth at the beginning of OSD's compilation of systems of records notices apply to this system.

E5.4. Disclosure: Voluntary; however, failure to furnish personal identifying information may compromise sought for status.