

15 JULY 1994



Personnel

**PROCEDURES FOR APPLYING AS A
CONSCIENTIOUS OBJECTOR**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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OPR: HQ AFMPC/DPMARS2
(Mr. James H. Jones)

Certified by: HQ AFMPC/DPMA
(Col Joseph W. Moran)

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This instruction describes Air Force procedures for establishing conscientious objector (CO) status and applies to all members of the Air Force and its Reserve components. It is not the authorizing instruction for discharge; therefore, do not cite it as such. This instruction implements Department of Defense (DoD) Directive 1300.6, 20 August 1971, and Air Force Policy Directive 36-32, *Military Retirements and Separations*. Title 10, U.S.C., Section 8013, authorizes the collection and maintenance of data prescribed in this instruction. The Privacy Act of 1974 requires that each prescribed document that collects personal data from the subject contain a separate Privacy Act Statement (PAS). Military Personnel Flights (MPF) ensure that members read the PAS before furnishing information. MPF give members a PAS on request. Privacy Act Systems of Records Notice F035 AF MP C, *Military Personnel Records System*, and F035 MPC U, *Separation Case Files (Officer and Airman)*, apply to documentation accumulated under this Air Force Instruction (AFI). Send proposed supplements to HQ AFMPC/DPMARS2 (Airman Separations Section) for approval. Process supplements that affect any military personnel function as shown in AFI 37-160, volume 1, table 3.2, *The Air Force Publications and Forms Management Programs--Developing and Processing Publications* (formerly Air Force Regulation (AFR) 5-8). Refer to **Attachment 1** for a glossary of terms.

SUMMARY OF REVISIONS

This is the first publication of AFI 36-3204, substantially revising AFR 35-24, 4 June 1982. It updates, clarifies, and streamlines previous guidance on handling conscientious objectors.

Chapter 1

PREPARING CO APPLICATIONS

1.1. Establishing Claim. The applicant for CO status bears the burden of establishing conscientious objection as grounds for separation or assignment to noncombatant training and service. The applicant must establish by clear and convincing evidence that:

- The nature or basis of the claim falls under the definition of conscientious objections described in this AFI.
- The applicant's belief is honest, sincere, and deeply held.
- The applicant's belief is by virtue of religious training or other belief system akin to religion.
- The applicant opposes participation in war in any form or the bearing of arms..

1.2. Nature of Request. The claimant must set out the exact nature of the request -- that is, whether the claimant requests separation based on conscientious objection (1-0) or for assignment to noncombatant training and service based on conscientious objection (1-A-0).

1.3. Submitting Application. A member of the Air Force who seeks either discharge (1-0) or assignment to noncombatant duties (1-A-0) will include in the application:

1.3.1. A notation of the separation directive that applies:

- AFI 36-3207, *Administrative Separation of Commissioned Officers* (formerly AFR 36-12) (active duty officers).
- AFI 36-3208, *Administrative Separation of Airmen* (formerly AFR 39-10) (active duty airmen).
- AFI 36-3209, *Separation Procedures for US Air Force Reserve Members* (formerly AFR 35-41, volume 3).
- ANGR 36-05 (Air National Guard of the United States (ANGUS) (officers).
- ANGR 39-10 (ANGUS airmen).

1.3.2. The personal information required by **Attachment 2**.

1.3.3. The statement required by **Attachment 3** if applicant is requesting noncombatant duties.

1.3.4. Any other information that the applicant desires to submit in support of the case. **Note: Members who have departed their duty station for permanent change of station (PCS) reassignment must submit their application at their next duty station.**

1.3.5. Forward application according to **Table 1**.

Chapter 2

INSTALLATION PROCESSING PROCEDURES

2.1. General Procedures. Consistent with national policy, the Air Force will recognize members who qualify as bona fide conscientious objectors to the extent practicable and equitable. The Air Force does not recognize objection to a particular war as grounds for COs.

2.1.1. The Secretary of the Air Force (SAF) decides on administrative discharge before completion of an obligated term of service based on individual facts and circumstances of each case. The Air Force makes CO classification or restricts military duties of COs only to the extent that such classifications do not compromise Air Force effectiveness and efficiency.

2.1.1.1. Air Force members who had CO beliefs before entering military service are not eligible for CO status if one of the following circumstances apply:

- Such beliefs satisfied the requirements for CO classification pursuant to Section 6(j) of the Universal Military Training and Service Act, as amended (Title 50 U.S.C. App 456(j)) and other provisions of law at the time the member entered the service, and the member did not request CO classification by the Selective Service System (SSS) at that time.
- The member requested CO classification before entering military service, the SSS denied the request, and the member's request for classification as a CO is based on essentially the same grounds (or supported by essentially the same evidence) as the request that was denied by the SSS.

2.1.1.2. Air Force members who had CO beliefs before entering military service are eligible for CO status if the following circumstances apply:

- The beliefs crystallized after receipt of an induction notice.
- The member could not request CO classification from the SSS because of SSS regulations prohibiting the submission of such requests after receipt of induction notice.

2.1.2. Processing personnel must not use this instruction instead of other administrative separation instructions when the member has not been able to establish CO status but separation appears to be in the best interest of the Air Force.

2.1.3. Process any person classified as a 1-A-0 CO for administrative separation under other Air Force instructions when the circumstances warrant it.

2.1.4. When assigning or transferring persons classified 1-A-0 by the SSS before induction follow the guidelines below.

2.1.4.1. After induction, transfer 1-A-0s to a training center or station for recruit training and give them noncombatant training and service duties. These inductees sign and date a statement according to **Attachment 3**.

2.1.4.2. After training, if they meet requirements, transfer them to the medical service or to a medical unit for further training. They perform the same duties as the other members of the medical organization.

2.1.4.3. If these inductees do not meet requirements or fail to complete the training, assign them to other noncombatant duties.

2.2. Other Personnel Effects of CO Status Applications.

2.2.1. Members who request CO status under this instruction are subject to the following:

2.2.1.1. Airmen awaiting promotion enter withhold status (AFI 36-2502, *Promotion of Airmen* (formerly AFR 39-29)).

2.2.1.2. Officers awaiting promotion to all grades, appointment in the Regular Air Force, or Indefinite Reserve Status (IRS) will be subject to delay action (AFI 36-2610, *Appointment of Officers in the Regular Air Force and Conditional Reserve Status* (formerly AFP 36-5) or AFI 36-2501, *Officer Promotion and Selective Continuation* (formerly AFR 36-89)).

2.2.1.3. When the Air Force approves the member's CO application, the member is ineligible for promotion, appointment in the Regular Air Force, or Conditional Reserve Status.

2.2.1.4. The rationale for the above actions is that members who apply for CO status, place themselves in an uncertain position, where their potential for future service is questionable.

2.3. Status of Applicant Whose Request Is Under Consideration.

2.3.1. Commanders during the application's processing period and before a decision is made by the SAF, Personnel Counsel (AFPC), Air Force Military Personnel Center (HQ AFMPC/DPMARS), Air National Guard (HQ ANG/DPP), Air Force Reserves (HQ AFRES/DPAA), and Air Reserve Personnel Center (HQ ARPC/DPA), make every effort to assign applicants to duties that will conflict as little as possible with their asserted beliefs.

2.3.2. Applicants will conform to the normal requirements of military service and satisfactorily perform their assigned duties.

2.3.3. Commanders discipline applicants if they violate the Uniform Code of Military Justice (UCMJ) while awaiting action on their application.

2.3.4. Commanders who may want to discipline applicants who are on flying status, see AFI 36-2214, *Aviation Service, Aeronautical Ratings, and Badges* (formerly AFR 60-13) for disqualification action.

2.4. Effect of Unauthorized Absence of Applicant.

2.4.1. Do not stop processing applications, disciplinary action, or administrative separation actions because the applicant is absent without authorization.

2.4.2. However, do not discharge an applicant whose request for CO classification has been approved until you resolve all disciplinary action.

2.5. Making Final Determination on Applications. Because of the personal and subjective nature of conscientious objection (the existence, honesty, and sincerity of asserted conscientious objection), you must not apply inflexible standards. Paragraph 5.1. lists final decision levels.

2.6. Returning Applications Without Action. The commander may return the application without action if a member submits an application based on essentially the same grounds or supported by the same evidence as a previous application disapproved by the SAF.

2.7. MPF Instructions. Before processing the application, MPF/Personnel Relocation Element must:

2.7.1. Inform the applicant of the effects of being discharged as a CO as per specific provisions of Title 38, U.S.C., Section 5303. *Note: Title 38, U.S.C., Section 5303 provides, in pertinent part, that the discharge of any person on the grounds that he or she was a CO 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 certain government insurance) of such persons under law administered by the Department of Veterans Affairs based on the period of service from which discharged. (See Attachment 4.) The only exception is in cases in which it is established, to the satisfaction of the Secretary, that the member is insane.*

2.7.2. Have the applicant complete the statement shown in **Attachment 3**. (MPF must forward the statement with the application).

2.7.3. Screen the applicant's field personnel record (FPR).

2.7.4. Contact other sources (the unit of assignment, HQ AFMPC/DPMM for officers of the medical services, HQ USAF/HCP for chaplains, HQ USAF/JAX for judge advocates, Headquarters Air Reserve Personnel Center (HQ ARPC/DPAD) for any information that may support or cast doubt on the applicant's sincerity. These sources must promptly forward information for inclusion in applicant's file for consideration by the investigating officer.

2.7.5. Counsel applicant on the information in paragraph **2.1**. of this AFI.

2.7.6. Schedule applicant for interviews with the chaplain and psychiatrist.

2.7.7. Ensure commander takes withhold or delay action according to paragraph **2.2**.

2.8. Reports of Interview. If the applicant refuses to participate or is uncooperative or unresponsive in the course of the interview, include this fact in the report.

2.8.1. Chaplain Interview. The chaplain will submit a written opinion as to the nature and basis of the applicant's sincerity and depth of conviction.

2.8.1.1. The chaplain's report must include the reasons for its conclusions.

2.8.1.2. The report must not make any recommendations for approval or disapproval of the application.

2.8.2. Psychiatrist Interview. The psychiatrist will submit a written report of the psychiatric evaluation, including discussion of any psychiatric disorder that would warrant treatment or disposition through medical channels, or any personality disorder that would warrant appropriate administrative action.

2.8.2.1. A psychologist may conduct this evaluation if a psychiatrist is not reasonably available.

2.8.2.2. The psychiatrist or psychologist will not make any recommendations for approval or disapproval of the application.

2.9. Furnishing Case File to Investigating Officer. MPF/Personnel Relocation Element includes in the case file the information developed in the screening (paragraph **2.7.3.**), the chaplain's opinion, and the psychiatric evaluation and provides the case file to the investigating officer (see **Chapter 3**).

2.10. Forwarding Case File. Appropriate personnel observe the routing and review procedures outlined below for the applicant's case file.

2.10.1. The MPF/Personnel Relocation Element sends the case file to the local staff judge advocate (SJA) for review for procedural compliance within 15 calendar days after the date of the applicant's request for a copy of the record or when the MPF receives the applicant's rebuttal, whichever comes first. See paragraph 3.2.12. and paragraph 5.1.4. for the 15 days rule.

2.10.2. If the local SJA acts as the investigating officer, the SJA of the next higher echelon in the chain of command of the applicant will provide the legal review.

2.10.3. SJA will return the case through the MPF to the investigating officer for further investigation if necessary.

2.10.4. When the record is complete, the SJA will forward it to the commander who appointed the investigating officer.

2.10.5. The appointing commander will forward the case, including recommended disposition and rationale for disposition, through channels to:

- The MAJCOM or field operating agency (FOA) of assignment for members serving in the active military service.
- HQ AFRES/DPAA, Robins AFB GA 31098-5000 for reserve unit officers and airmen.
- HQ ANGRC/DPM, Andrews AFB DC 20331-6008 for ANG officers and airmen.
- HQ ARPC/DPA, 6760 E. Irvington Pl #1500, Denver CO 80280-1500 for all other reserve officers and airmen.

2.11. MAJCOM and FOA Instructions. After review for legal sufficiency, MAJCOM or FOA forward the original and one copy including recommendations and reasons, to HQ AFMPC/DPMARS1 (officers) or HQ AFMPC/DPMARS2 (airmen), 550 C Street West, Ste 11, Randolph AFB TX 78150-4713.

2.12. ARPC, AFRES, and National Guard Bureau (NGB) Instructions. After review for legal sufficiency, ARPC, AFRES, and NGB forward the original and one copy including recommendations and rationale, to Air Force Personnel Council (AFPC) for officers, and ANGRC/DPM, AFRES/CV or ARPC/CC who may approve airmen applications, but will forward all recommendations for disapproval to AFPC (paragraph 5.3.). *Note: Do not forward applications for officers not serving on active duty to HQ AFMPC/DPMARS1 unless the Air Force will order the officer to extended active duty (EAD) or will considered them for entry on EAD, see AFI 36-3209, (formerly AFR 35-41, volume 3).*

Chapter 3

INVESTIGATING OFFICER

3.1. Appointing Investigating Officer. Commanders, shown below, appoint a judge advocate serving in the active military service, in the grade of captain or higher, to investigate the applicant's claim. If the applicant is a commissioned officer, the investigating officer must be senior in grade. The letter appointing the investigating officer becomes a part of the case file.

3.1.1. Active Duty (AD) Members. The commander exercising special court martial jurisdiction over the applicant appoints the investigating officer.

3.1.2. USAFR Non-EAD Members. The commander exercising special court-martial jurisdiction over the installation processing the application appoints the investigating officer.

3.1.3. Air National Guard (ANG) Non-EAD Members. The ANG wing or group commander exercising control over the ANG/CBPO that is responsible for processing the application appoints the investigating officer.

3.2. Investigating Officer Actions:

3.2.1. The investigating officer reviews this instruction.

3.2.2. The investigating officer then expeditiously investigates and conducts a hearing (see 5.7.paragraph 5.7 for time goals), the purpose of which is to:

- Give the applicant an opportunity to present any desired evidence in support of the application.
- Enable the investigating officer to gather all relevant facts.
- Create a comprehensive record.
- Facilitate an informed recommendation by the investigating officer and an informed decision on the merits of the claim by higher authority.

3.2.3. The officer making a recommendation may consider the applicant's failure or refusal to submit to questioning under oath or affirmation when evaluating the applicant's claim.

3.2.4. The investigating officer will proceed in the applicant's absence if the applicant fails to appear at the hearing without good cause and the applicant is deemed to have waived an appearance.

3.2.5. Applicant may be represented by legal counsel at applicant's own expense. Legal counsel may be present at the hearing, assist the applicant in the presentation of the case, and examine all items in the file.

3.2.6. The hearing is informal and not governed by the courts-martial rules of evidence except that all verbal testimony presented must be under oath or affirmation.

3.2.6.1. The hearing may receive any relevant evidence.

3.2.6.2. Written statements from persons not present at the hearing may be under oath or affirmation.

3.2.6.3. The hearing is not an adversary proceeding.

3.2.7. The applicant may submit any additional evidence, including sworn or unsworn written statements, and present any witnesses in his/her behalf, applicant is responsible for their attendance.

3.2.7.1. The commander exercising special court-martial jurisdiction will try (if reasonably available) to make available military members requested by the applicant as witnesses.

3.2.7.2. The applicant may question any other witnesses who appear and examine all items in the file.

3.2.8. The Air Force does not require a verbatim record of the hearing.

3.2.8.1. If the applicant wants a written record, he or she must make prior request which includes paying for the preparation, reproduction, and distribution of the record.

3.2.8.2. If applicant elects a verbatim record, the applicant provides a copy to the investigating officer, at no expense to the government, within a reasonable time after the hearing.

3.2.8.3. If there is no verbatim record, the investigating officer will summarize the testimony of witnesses and permit the applicant or counsel to examine the summaries and then note, for the record, their differences with the investigating officer's summary.

3.2.8.4. File in the hearing record copies of statements and other documents received in evidence.

3.2.9. At the end of the investigation, the investigating officer will prepare a written report that contains:

- The date of the hearing, if the applicant appeared, if the applicant was accompanied by counsel, and, if so, the latter's identity, and if the applicant understood the nature and purpose of the hearing.
- Any materials received during the investigation including a specific comment regarding paragraph 2.8.2. information and what bearing, if any, it had on the conclusions reached.
- Summaries of witness testimonies or a verbatim record of the testimonies, if there is one.
- 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 the reasons for such conclusions.
- Subject to paragraph 4.2., the investigating officer's recommendations for disposition of the case, including reasons for the recommendations. Limit the actions recommended to:
 - Denial of any classification as a CO.
 - Classification as a CO and assignment to noncombatant duties (1-A-0).
 - Classification as a CO and discharge (1-0).

3.2.10. The final record consists of:

- The investigating officer's report, along with the member's application.
- All interviews with chaplains, doctors.
- Evidence from the investigating officer's hearing.
- The commander's memorandum of appointment of the investigating officer.
- Any other items submitted by the applicant in support of applicant's case.

3.2.11. The investigating officer will base conclusions and recommended disposition on the entire record and not merely on the evidence produced at the hearings.

3.2.12. The investigating officer must furnish a copy of the record to the applicant when he or she forwards it to the servicing MPF and informs the applicant of the right to submit a rebuttal within 15 calendar days after receipt of a copy of the record. The case file must include a statement by the investigating officer, or a copy of a receipt from the applicant, showing the date on which the copy of the record was delivered to the applicant. ***Note: The investigating officer should make every effort to interview friends, acquaintances, clergymen, supervisors, first sergeant, co-workers, subordinates, and anyone in a position to shed light on the applicant's moral, ethical or religious beliefs and how these beliefs have guided the applicant's life.*** Only through a complete investigation of the application by the investigating officer are reviewing authorities in position to judge the merits of the application.

Chapter 4

GUIDELINES FOR APPROVING OR DISAPPROVING APPLICATIONS

4.1. Approving Applications for Classification as CO:

4.1.1. Reviewing authorities may approve the CO classification for any member:

- Who conscientiously opposes participation in war in any form;
- Whose opposition is founded on religious training and belief.
- Whose position is sincere and deeply held.

4.1.2. Reviewing authorities do not grant noncombatant status as a compromise to an applicant claiming CO status.

4.2. Religious Training and Belief:

4.2.1. To approve a CO classification, the reviewing authorities must find that an applicant's moral and ethical beliefs oppose participation in war in any form and that the applicant holds these beliefs with the strength of traditional religious convictions.

4.2.2. 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 direct the lives of those who have such beliefs. In other words, conscientious objection must be the primary controlling force in the applicant's life.

4.2.3. A primary factor is the sincerity with which the applicant holds the belief. Exercise great care in determining whether the applicant honestly and genuinely holds asserted beliefs.

4.2.3.1. Determine sincerity by evaluating the applicant's thinking and life style in its totality, past and present.

4.2.3.2. Information the applicant presents should clearly establish that avoidance of military service is not the basis of the claim.

4.2.4. In evaluating applications, carefully examine and weigh the conduct of applicants, in particular their outward manifestation of their beliefs.

4.2.5. Consider the following relevant factors:

- Training in the home and church.
- General demeanor and pattern of conduct.
- Participation in religious activities.
- Whether the applicant gained ethical or moral convictions through training, study, contemplation, or other activity comparable in rigor and dedication to formulating traditional religious convictions.
- Credibility of the applicant.
- Credibility of persons supporting the claim.

4.2.6. Be particularly careful not to rule out bona fide beliefs simply because those beliefs are incompatible with one's own.

4.2.6.1. It is not necessary that an applicant belong to a church or adhere to particular theological tenets for the Air Force to grant separation or assignment to noncombatant training and service for COs.

4.2.6.2. The applicant's affiliation with a church or other group that advocates conscientious objection as a tenet of its creed is not necessarily conclusive of an applicant's position or belief.

4.2.6.3. Conversely, if an applicant is affiliated with a church or group that does not teach conscientious objection such affiliation does not necessarily rule out an applicant's adherence to conscientious objection beliefs.

4.2.7. Where an applicant is or has been a member of a church, religious organization, or religious sect, and where applicant's claim of conscientious objection is related to the membership, you may inquire about the membership, and the teachings of the church, religious organization, or religious sect, as well as the applicant's religious activity.

4.2.7.1. However, the fact that the applicant may disagree with, or not subscribe to, some of the tenets of applicant's church does not necessarily discredit applicant's claim.

4.2.7.2. The personal convictions of each member are controlling so long as they derive from moral, ethical, or religious beliefs.

4.2.8. Do not deny an applicant who is otherwise eligible for CO status simply because conscientious objection beliefs influence his or her views on domestic or foreign policy.

4.2.8.1. The task is to decide whether the applicant sincerely holds the beliefs, and whether they govern the claimant's actions both in word and deed.

Chapter 5

FINAL DISPOSITION

5.1. Decision Level.

5.1.1. For officers: SAF or a designated representative makes the decision regarding CO status.

5.1.2. For enlisted personnel: The final approval decision is by HQ AFMPC/DPMARS2 (active duty airmen), ANGRC/DPM (ANG airmen), HQ AFRES/CV (reserve unit airmen), or HQ ARPC/CC (all other reserve airmen).

5.1.3. SAF/MIB is the organization that disapproves enlisted personnel.

5.1.4. The applicant has 15 calendar days from receipt date of adverse information to comment on or refute the material before the Air Force makes a final decision.

5.1.4.1. The record must include any such rebuttal by the applicant.

5.1.4.2. The applicant is entitled to know why the Air Force rejected his CO request. The rationale behind a CO rejection must be part of the record.

5.2. Approving Noncombatant Status. Applicants are either:

- Assigned to noncombatant duty, or
- Discharged from military service at the discretion of the SAF or HQ AFMPC/DPMARS2 (active duty airmen), ANGRC/DPM (ANG airmen), HQ AFRES/CV (reserve unit airmen), or HQ ARPC/CC (all other reserve airmen).

5.3. Approving or Directing Discharge. The appropriate Air Force organization honorably discharges bona fide COs under AFI 36-3208, paragraph 3.16, including noncombatant COs whose discharge is directed. This is a convenience of the government discharge. Pending separation:

- The applicant continues to perform duties that conflict as little as possible with professed beliefs, conform to the normal requirements of military service and satisfactorily perform assigned duties.
- Commanders discipline applicants for violations under the UCMJ.

5.4. Disapproving Application or Classification of Applicant as a CO and Assigned Noncombatant Duties (1-A-0).

5.4.1. COs assigned to noncombatant duties and members assigned to normal military duties because of disapproval of their application must conform to the normal requirements of military service and satisfactorily perform their assigned duties.

5.4.2. Disciplinary authorities handle violations of the UCMJ by these members as in any other situation.

5.5. Assignment Limitation. Update the Personnel Data System (PDS) with the appropriate assignment limitation code (AFM 300-4, ADE AS 730-I) on individuals approved for noncombatant service (1-A-0).

5.6. Notifying Selective Service When a CO Member Has Not Completed 180 Days of Active Duty.

Discharge bona fide CO (1-0 classification or 1-A-0, with directed discharge) with less than 180 days' service early enough to permit them to serve their remaining service time in the civilian work program administered by Selective Service System (SSS).

5.6.1. The MPF/Personnel Relocation Element promptly notifies the SSS of the date of discharge from military service and of the fact that the individual has not completed 180 days of active duty.

5.6.2. The MPF/Personnel Relocation Element prepares the discharge notification for the immediate commander's signature and sends it to the Director of the SSS, National Headquarters, Selective Service System, Washington DC 20435.

5.7. Processing Time Goals. Process CO applications without delay, while observing the following:

5.7.1. Protect applicant's rights and ensure that the case is complete.

5.7.2. The Air Force goal is for everyone in the application processing chain (through SAF), to move the package within 3 workdays. (The investigating officer may take more than 3 but no more than 15 workdays).

5.7.3. Keep in mind the applicant has 15 calendar days from the date of receipt of the investigating officer's report for rebuttal (paragraph 3.2.12.).

5.7.4. Failure to meet the suggested time standards does not invalidate the action.

5.8. Disposing of Pending Applications. Applications started under AFR 35-24, 4 June 1982, will be processed to conclusion under that regulation.

Table 5.1. Forwarding Application.

R U L E	A If member is	B and is	C then submit the applica- tion to the
1	Regular Air Force	serving on active duty	servicing MPF/MSPQS.
2	USAFR		
3	ANGUS		
4	USAFR	not serving	immediate commander (see note).
5	ANGUS	on EAD	

NOTE. Commanders of USAFR members request assistance of the consolidated base personnel office (CBPO) or USAFR CBPO nearest member's home address. ANGUS members will be supported by their CBPO.

BILLY J. BOLES, Lt General, USAF
DCS/Personnel

Attachment 1

GLOSSARY OF TERMS

Conscientious Objection—A firm, fixed, and sincere objection by reason of religious training and belief to participation in war in any form, or the bearing of arms.

Conscientious Objector (CO)—Class 1-0. A member who, by reason of conscientious objection, sincerely objects to participation of any kind in war in any form. Class 1-A-0. A member who, by reason of conscientious objection, sincerely objects to participation as a combatant in war in any form, but whose convictions permit military service in a noncombatant status.

National Policy—Military service is a patriotic obligation of every citizen who desires to share in the benefits and protections afforded by allegiance to the national aims, objectives, welfare, and security of the US government. Congress established the Armed Forces to ensure attaining these objectives by preserving peace and national stability in a highly competitive and changing world. Nevertheless, Congress has recognized that deep and sincerely held convictions against the use of force may place any citizen in a dilemma between conscience and patriotic obligation. Therefore, Congress provided a means whereby these citizens may be excused or restricted in duties from their military obligation by receiving status as COs.

Noncombatant Duties or Service—Service in a unit of the armed forces that is unarmed at all times. Service in a medical department of the armed forces, wherever performed. Any other assignment that does not have a primary function which requires the use of arms in combat, provided that such other assignment is acceptable to the member and does not require the member to bear arms or to be trained in their use. *Note: Service aboard an armed ship or aircraft or in a combat zone is not considered combatant duty unless the member is personally and directly involved in the operation of weapons.*

Noncombatant Training—Any training that is not concerned with the study, use, or handling of weapons.

Religious Training and Belief:—

- Belief in an external power or being, or deeply held moral or ethical belief to which all else is subordinate or on which all else is ultimately dependent, which has the power or force to affect moral well-being. The external power or being need not be a deity in the conventional usage. It may be a sincere and meaningful belief that occupies a place parallel to that filled by the God of another, or, in the case of deeply held moral or ethical beliefs,
- Beliefs held with the strength and devotion of traditional religious conviction. Religious training and belief may involve only 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. Religious training and belief does not include a belief that rests solely on the consideration of policy, pragmatism, expediency, or political views.

War in Any Form—All warfare--those wars waged in the past, present, and future that include combatant forces. The Air Force does not consider members who believe they can choose the war in which they will participate as COs under the law. The objection must be to all wars rather than to a specific war. 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.

Attachment 2

REQUIRED INFORMATION TO BE SUPPLIED BY APPLICANT FOR DISCHARGE OR NONCOMBATANT SERVICE

Any member seeking discharge from the Air Force or assignment to noncombatant duties as a CO must provide, at a minimum, the information indicated below. This in no way bars the Air Force from requiring additional information. The individual may submit such other additional information as desired.

A2.1. General Information Concerning Applicant:

A2.1.1. Full name.

A2.1.2. Social Security number (SSN).

A2.1.3. Selective Service number (if applicable).

A2.1.4. Service address.

A2.1.5. Permanent home address.

A2.1.6. Name and address of each school and college attended (after age 16), dates of attendance, and the type of school (public, church, military, commercial, etc.).

A2.1.7. A chronological list of all occupations, positions, jobs, or types of work (other than work after age 16 performed while in school or college) whether for monetary compensation or not. Include the type of work, name of employer, address of employer, and the "from" and "to" date for each position or job held.

A2.1.8. All former addresses (after age 16) and dates of residence at those addresses.

A2.1.9. Parents' names and addresses. Indicate whether they are living or deceased.

A2.1.10. The religious denomination or sect of both parents.

A2.1.11. Was application made to the Selective Service System (local board) for classification as a conscientious objector before entry into the Air Force?

- To which local board?
- What decision was made by the board, if known?

A2.1.12. When the applicant has served fewer than 180 days in the military service:

- A statement as to whether they are willing to perform work under the Selective Service civilian work program for COs, if discharged as a CO.
- A statement as to whether they consent to a work order for such work issued by their local Selective Service Board.

A2.2. Training and Belief:

A2.2.1. A description of the nature of the belief that requires the applicant to seek separation from the military service or assignment to noncombatant training and duty for reasons of conscience.

A2.2.2. An explanation as to how the beliefs changed or developed, to include an explanation of the factors (how, when, from whom, or from what source applicant received training or acquired belief) contributing to conscientious objection beliefs.

A2.2.3. An explanation as to when these beliefs became incompatible with military service, and why.

A2.2.4. 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.

A2.2.5. An explanation as to how the applicant's daily life style has changed as a result of the beliefs and what future actions applicant plans to continue to support applicant's beliefs.

A2.2.6. A description of what most conspicuously demonstrates the consistency and depth of the beliefs that gave rise to the claim.

A2.3. Participation in Organizations:

A2.3.1. Information as to whether applicant has ever been a member of any military organization or establishment before entering present term of service. If so, applicant must give the name and address of such organization along with the reasons why applicant was a member.

A2.3.2. A statement as to whether applicant is a member of a religious sect or organization. If so, the statement must show:

- The name of the sect and the name and location of its governing body or head.
- When, where, and how the applicant became a member of said sect or organization.
- The name and location of any church, congregation, or meeting that the applicant customarily attends and the extent of the applicant's active participation.
- The name, title, and present address of the pastor or leader of such church, congregation, or meeting.
- A description of the organization's or sect's creed or official statements, if any, and if known, any statements of the religious sect or organization regarding participation in war.

A2.3.3. A description of applicant's relationships with and activities in all organizations with which applicant is or has been affiliated, other than military, political, or labor organizations.

A2.4. 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 wishes the Air Force authority reviewing the application to consider. The burden is on the applicant to obtain and forward such information.

AUTHORITY: Title 50, App U.S.C., Section 456(j), 10 U.S.C. 8013, and Executive Order 9397.

PURPOSE: Used by member to apply for conscientious objector status.

ROUTINE USE: Reviewing authorities use the recorded information to make a decision to grant or deny the requested conscientious objector status. Appropriate organizations also use the information, when appropriate, to withhold promotion, remove members from flying status, and affect members utilization.

DISCLOSURE IS VOLUNTARY: If applicant does not furnish the information, applicant may not receive the requested conscientious objector status.

PRIVACY ACT STATEMENT: Applicant must supply this required information for discharge or non-combatant service (this attachment).

Attachment 3

STATEMENT (COUNSELING CONCERNING DESIGNATION AS CONSCIENTIOUS OBJECTOR)

1. I have been counseled concerning designation as a conscientious objector. Based on my training and 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 noncombatant duties for the remainder of my term of service. I fully understand that on expiration of my current term of service I may not be eligible for voluntary enlistment, reenlistment, extension or amendment of current enlistment, or active service in the Armed Forces by reasons of my noncombatant conscientious objector classification.
2. If I am determined to be a noncombatant conscientious objector and if a further determination is made that I cannot be effectively utilized as a noncombatant, I am requesting that (I be discharged for the convenience of the government according to AFI 36-3208 (airmen)) (my resignation be accepted according to AFI 36-3207 (officer)).
3. I understand that any discharge resulting from my application for conscientious objector designation is voluntary on my part. If I have received special pay, bonuses, or advanced education assistance in return for my commitment to serve a period of active duty, I understand that I am obligated to reimburse the United States for such pay, bonuses, or the cost of such education assistance, in proportion to the unserved part of my active duty service commitment.

(date)

(signature of member)
(typed name, grade, USAF, SSN)

(Member's name) signed the preceding statement after being counseled by me.

(date)

(signature of member)
(typed name, grade, USAF, SSN)

AUTHORITY: 50 App. U.S.C. 456, 10 U.S.C. 8013, and Executive Order 9397.

PURPOSE: Used by member to apply for conscientious objector status.

ROUTINE USES: Reviewing authorities use the recorded information to make a decision to grant or deny the requested conscientious objector status.

DISCLOSURE IS VOLUNTARY: If applicant does not furnish information, applicant may not receive the sought-for status.

PRIVACY ACT STATEMENT: Statement (Counseling Concerning Designation as Conscientious Objector) (this attachment).

Attachment 4

STATEMENT (COUNSELING CONCERNING VETERANS ADMINISTRATION BENEFITS)

I have been advised of the provisions of Title 38, U.S.C., Section 5303 concerning possible non entitlement to benefits administered by the Department of Veterans Affairs due to discharge from the 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 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 National Service Life Insurance.

_____ (date)

_____ (signature of member)
(typed name, grade, USAF, SSN)

(Member's name) signed the preceding statement after being counseled by me.

_____ (date)

_____ (signature of member)
(typed name, grade, USAF, SSN)

AUTHORITY: 50 App. U.S.C. 456(j), Title 38, U.S.C., 5303, 10 U.S.C. 8013, and Executive Order 9397.

PURPOSE: Used by member to apply for conscientious objector status.

ROUTINE USES: Reviewing authorities use the recorded information to make a decision to grant or deny the requested conscientious objector status.

DISCLOSURE IS VOLUNTARY: If applicant does not furnish information, applicant may not receive the requested conscientious objector status.

PRIVACY ACT STATEMENT: Statement (Counseling Concerning Department of Veterans Affairs Benefits) (this attachment).