



Headquarters
Department of the Army
Washington, DC
22 February 2023

Department of the Army
Pamphlet 600–46

Personnel–General

Processing Applicants for Conscientious Objection

By Order of the Secretary of the Army:

JAMES C. MCCONVILLE
General, United States Army
Chief of Staff

Official:

MARK F. AVERILL
Administrative Assistant to the
Secretary of the Army

History. This publication is a new Department of the Army pamphlet.

Applicability. This publication applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated.

Proponent and exception authority. The proponent of this publication is the Deputy Chief of Staff, G–1. The proponent has the authority to approve exceptions or waivers to this publication that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this publication by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Assistant Secretary of the Army (Manpower and Reserve Affairs) (SFMR–RBC), usarmy.pentagon.hqda-dcs-g-1.mbx.publishing-team@mail.mil.

Distribution. This publication is available in electronic media only and is intended for the Regular Army, Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

Contents (Listed by chapter and page number)

Chapter 1

General, *page 1*

Chapter 2

Applying for Conscientious Objector Status, *page 1*

Chapter 3

Disposition of Personnel, *page 17*

Appendixes

A. References, *page 19*

B. Personal Information that Must be Included in Application, *page 20*

C. Informal Guide for the Investigating Officer, *page 21*

Figure List

Figure 2–1: Sample statement of understanding, noncombatant status, *page 3*

Figure 2–2: Sample statement of understanding, Privacy Act, *page 4*

Figure 2–3: Sample statement of understanding, veteran's benefits, *page 5*

Figure 2–4: Sample statement of understanding, recoupment of unearned benefits, *page 6*

Figure 2–5: Sample statement, waiver of hearing, *page 11*

Figure 2–6: Sample statement of understanding, hearing on application, *page 12*

Figure 2–7: Sample statement, rebuttal rights, *page 13*

Figure 2–8: Sample statement, waiver of application, *page 15*

Glossary of Terms

Summary of Change

Chapter 1

General

1–1. Purpose

This pamphlet sets forth the procedures and criteria used to classify and process military personnel who claim conscientious objection to participation in war in any form or to the bearing of arms.

1–2. References, forms, and explanation of abbreviations

See appendix A. The abbreviations, brevity codes, and acronyms (ABCAs) used in this electronic publication are defined when you hover over them. All ABCAs are listed in the ABCA directory located at <https://armypubs.army.mil/>.

1–3. Associated publications

Policy associated with this pamphlet is found in AR 600–43.

1–4. Records management (recordkeeping) requirements

The records management requirement for all record numbers, associated forms, and reports required by this publication are addressed in the Records Retention Schedule–Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in Army Records Information Management System (ARIMS)/RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in ARIMS/RRS–A, see DA Pam 25–403 for guidance.

Chapter 2

Applying for Conscientious Objector Status

2–1. Noncombatant 1–A–O inductees, enlistees, or officers

a. Inductees. Noncombatant 1–A–O inductees are those persons who were classified 1–A–O by the Selective Service System before induction.

b. Enlistees. Noncombatant 1–A–O enlistees are those persons who enlist(ed) as 1–A–O noncombatants for the medical career management field. AR 601–210 prohibits enlistment of prior service conscientious objectors (1–A–O) who were discharged for conscientious objection.

c. Officer and/or warrant officer appointments. AR 601–100 prohibits appointment of a conscientious objector, except for noncombatant (1–A–O) applicants who seek appointment to a corps of the U.S. Army Medical Department or as a chaplain.

d. U.S. Army Military Entrance Processing Command processing. During processing at the U.S. Army Military Entrance Processing Command (MEPCOM), 1–A–O noncombatant inductees, enlistees, and officers must sign and date a counseling statement as set forth in figure 2–1, which will be placed in the person's Army Military Human Resource Record (AMHRR).

e. Enlisted training. Upon completion of processing at the MEPCOM, 1–A–O enlisted noncombatant inductees/enlistees will be scheduled for reception at an Army training center for modified basic training (MBT). Upon completion of reception station processing, these persons will be assigned to a basic training company for MBT, which excludes training in the study, use, or handling of arms or weapons as stated in paragraph 2–10a and AR 600–43. Upon successful completion of MBT, a 1–A–O classified person will be reassigned to training in the medical career management field. The reporting date to the new unit of assignment will be determined and entered in assignment orders as prescribed in AR 600–8–105. Such persons will not be allowed to avoid the important or hazardous duties that are part of the responsibility of all members of the medical organization. A person who does not meet the requirements for this training, who fails to complete the prescribed course of instruction, or who otherwise cannot be assigned to this duty, will be assigned to other noncombatant duties.

f. Reenlistment. Noncombatant enlisted Soldiers (1–A–O) and reenlistment/retention personnel should refer to AR 601–280 regarding whether noncombatant Soldiers may reenlist, and under what conditions.

2-2. Application

a. Applications for conscientious objector status (1-O) or noncombatant status (1-A-O) pursuant to AR 600-43 are submitted by the applicant using DA Form 4187 (Personnel Action). See appendix B for detailed instructions. Personnel will date and sign DA Form 4187 and each enclosure. Completed applications are submitted to the Soldier's immediate commanding officer.

b. Nonunit members (Individual Ready Reserve (IRR) and Standby Reserve) will submit their applications to Commander, U.S. Army Human Resources Command, 1600 Spearhead Division Avenue, Fort Knox, KY 40122-5100, as appropriate. Officers include office code (AHRC-OPL-P). Enlisted Soldiers include office code (AHRC-EPO).

c. Applications from recruits will not be submitted to or accepted MEPCOM or reception battalions. For this publication, the basic training company is considered to be the first duty station for a recruit applying under AR 600-43.

d. Under normal circumstances, applications from active duty personnel in Regular Army units will be processed and forwarded to the Army Review Boards Agency (ARBA) within 90 days from the date submitted. Extraordinary circumstances (but not routine field exercises) may lengthen this period. If processing time of an application exceeds 90 days, the General Court-Martial Convening Authority (GCMCA) will state the reasons for the delay and add these reasons as an enclosure to the record. Applications from Reserve Component personnel will be processed and forwarded to ARBA within 180 days from the date submitted. If processing of an application exceeds 180 days, the GCMCA will state the reasons for the delay for the record and add these reasons as an enclosure to the record.

e. The applicant's chain of command will ensure that—

- (1) The application is processed expeditiously.
- (2) All persons involved in the application process are familiar with their respective responsibilities.

2-3. Advising applicants

a. At the time of application, the commander will provide advice in accordance with AR 600-43 and the Soldier will sign and date the following statements of understanding that will be made part of his or her application:

- (1) For classification as a noncombatant (1-A-O), possible consequences concerning enlistment, reenlistment, or extension (see fig 2-1).
- (2) Privacy Act uses in accordance with Section 552a, Title 5, United States Code (5 USC 552a) (see fig 2-2).
- (3) Veteran's benefits in accordance with 38 USC 5303 (see fig 2-3).
- (4) Requirement to reimburse the Government for any unearned bonus or special pay and unearned portions of appropriated funds expended on them under DoD-sponsored educational programs (see fig 2-4).

b. During the processing of the application, any delay caused by the applicant exceeding 15 days should be made a matter of record.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Counseling Statement

(To: immediate commanding officer)

STATEMENT

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 regulations governing conscientious objectors. I 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 may not be eligible for voluntary enlistment, reenlistment, extension, or amendment of current enlistment, or active service in the Army Forces by reason of my 1-A-O classification.

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-1. Sample statement of understanding, noncombatant status



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Section 5303, Title 38, United States Code

(To: immediate commanding officer)

I have been advised of the provisions of Section 5303 of Title 38 U.S.C., 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, will 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.

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-2. Sample statement of understanding, Privacy Act



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Privacy Act Advice

(T: immediate commanding officer)

I have been advised that in accordance with the Privacy Act of 1974 (5 USC 552a), as amended, this notice informs you of the purpose of the application and how it will be used. Please read carefully.

- a. The authority of requesting disclosure of the information is 50 App. U.S.C. 456j, Deferments and exemptions from training and service; Section 3103 of Title 38 U.S.C., Periods of eligibility; DoD Directive 5124.02, Under Secretary of Defense for Personnel and Readiness; and DoD Instruction 1300.06, Conscientious Objectors.
- b. The principal purpose for requesting information will be used to document information upon which a decision may be made by appropriate authority to grant or deny the requested conscientious objector status.
- c. The information is used routinely to –
 - (1) Locate and retrieve pertinent records and information.
 - (2) Evaluate the merit of the applicant's claim.
 - (3) Annotate records to reflect results of action taken.
 - (4) 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.
- d. The Selective Service System Headquarters for the purpose of identifying individuals who have less than 180 days active duty, and who have been discharged by reason of conscientious objection. To State and local agencies in the performance of their official duties related to verification of status for determination of benefits and entitlements.
- e. Disclosure of the information is voluntary; however, failure to furnish the required information may compromise sought for status.

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-3. Sample statement of understanding, veteran's benefits



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Section 3103 and 5303, Title 38, United States Code

(To: immediate commanding officer)

I have been advised that under the provisions of public law and DOD directives, I may be required to reimburse the Government for any unearned or special pay and unearned portions of appropriated funds expended on me under Department of Defense (DOD)-sponsored educational programs.

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-4. Sample statement of understanding, recoupment of unearned benefits

2-4. Interviewing applicants

a. In accordance with AR 600-43, the interviewing chaplain may be from any component of the Armed Forces but not assigned to an Active Control Group or Inactive Control Group.

(1) Before interviewing applicants, the chaplain will advise the applicant that any communication between him or her and the chaplain will not be privileged since a detailed report of the interview will become a part of the application for consideration in the adjudication process. Thus, if the applicant has established a relationship of confidentiality (counseling) with a chaplain, a different chaplain will conduct the interview. This provision does not prevent an applicant from soliciting a letter to support the claim from anyone he or she chooses.

(2) The interviewing chaplain will submit a detailed report of the interview to the commander. This report will include comments on the following:

- (a) Nature and basis of the applicant's claim.
- (b) Opinion on the source of the beliefs.

1. Beliefs that substantiate a conscientious objection claim may be based on the teachings of an existing religious tradition, based on deeply held moral or ethical beliefs, or a mixture thereof. Collectively these are called "religious training and/or belief" which are defined as a 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.

2. Care must be exercised not to deny the existence of beliefs simply because those beliefs are incompatible with one’s own. Church membership or adherence to certain theological tenets are not required to warrant separation or assignment to noncombatant training and service. Mere affiliation with a church or other group that advocates conscientious objection as a tenet of its creed does not necessarily determine a person’s position or belief. Conversely, affiliation with a church group that does not teach conscientious objection does not necessarily rule out adherence to conscientious objection beliefs. Applicants may be or may have been a member of a church, religious organization, or religious sect; the claim of conscientious objection may be related to such membership. If so, inquiry may be made as to their membership, the teaching of their church, religious organization or sect, as well as their religious activity. However, the fact that these persons may disagree with, or not subscribe to, some of the tenets of their church does not necessarily discredit their claim. The personal convictions of each person will dominate so long as they derive from the person’s moral, ethical, or religious beliefs. The task is to decide whether the beliefs professed are sincerely held and whether they govern the claimant’s actions in word and deed.

(c) Sincerity and depth of conviction.

1. *Determining sincerity.* The most important consideration is not whether applicants are sincere in wanting designation as a conscientious objector, but whether their asserted convictions are sincerely held. Sincerity is determined by an impartial evaluation of each person’s thinking and living in totality, past and present. The conduct of persons, in particular their outward manifestation of the beliefs asserted, will be carefully examined and given substantial weight in evaluating their application. This requires that the investigating officer conduct a careful examination of the applicant’s conduct and the outward manifestation of the applicant’s asserted beliefs, and that each reviewing official closely examine the application and supporting documentation. Each should compare the applicant’s general demeanor, pattern of conduct, behavior, activities, and the rigor of his or her studies before and after the crystallization of the applicant’s beliefs. The application should contain enough evidence to validate the asserted beliefs of the applicant, including any change or crystallization in beliefs. Failure to adequately demonstrate or substantiate that asserted beliefs govern the applicant’s actions in word and deed will result in denial of the application. The applicant’s life should demonstrate the consistency and depth of his or her beliefs. Care must be exercised in determining the integrity of the applicant’s beliefs and actions. Ideally, applicant’s statements and actions will reveal views and actions strong enough to demonstrate that expedience or avoidance of military service is not the basis of the applicant’s claim. Lifestyles found to be inconsistent or incongruent with the applicant’s asserted beliefs indicate insincerity of belief.

2. *Relevant decision factors.* Relevant factors that should be considered in determining a person’s claim of conscientious objection include training in the home and religious organizations; 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; the credibility of the applicant; and the credibility of persons supporting the claim.

3. *Mitigating factors warranting further inquiry.* Applicants may have sought release from the Army through several means simultaneously, or in rapid succession (medical or hardship discharge). They may have some major commitments during the time their beliefs were developing that are inconsistent with their claim. They may have applied for conscientious objector status shortly after becoming aware of the prospect of undesirable or hazardous duty or having been rejected for a special program. The timing of their application alone, however, is never enough to furnish a basis in fact to support a disapproval. These examples serve merely as indicators that further inquiry as to the person’s sincerity is warranted. Recommendations for disapproval should be supported by additional evidence beyond these indicators.

(d) Appropriate comments of the applicant’s demeanor and lifestyle as they bear on the claim.

(e) Specific reasons for the chaplain’s conclusions.

(f) If the interviewing chaplain feels the applicant is insincere in his or her beliefs or that lifestyle is incongruent with the claim, statements to this effect should be documented in this report.

(g) If the applicant refuses to be interviewed by a chaplain, the chaplain will submit a report explaining the circumstances. Appropriate comments on the applicant’s demeanor as it bears on the claim will be included.

(h) No recommendation for approval or disapproval of the application will be made by the chaplain.

b. The applicant will also be interviewed by a psychiatrist (or other medical officer if a psychiatrist is not available) who may be from any component of the Armed Forces. The psychiatrist will submit a mental status examination report indicating the presence or absence of any psychiatric disorder that would warrant treatment or disposition through medical channels, or such a personality disorder as to warrant recommendation for appropriate administrative action. No information obtained from the applicant, during the evaluation, or any matter derived from the evaluation, will be made available outside medical channels except as needed for processing the applicant for further mental evaluation or discharge for medical reasons. Results of the evaluation will be recorded on DA Form 3822 (Report of Mental Status Evaluation). The form will be annotated in the remarks section to reflect that the applicant has applied for conscientious objector status. Upon completion, this form will be given to the applicant's commander to become part of the application. If the applicant refuses mental evaluation or is uncooperative or unresponsive during the interview, this fact will be included in the report. The psychiatrist or medical officer will make no recommendation for approval or disapproval of the application.

2-5. Investigating applicants' claim

a. The applicant's commander will forward the application, the chaplain's report of interview, and the report of mental status examination to the commander exercising special court-martial jurisdiction over the applicant. The latter commander 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, knowledgeable in policies and procedures relating to conscientious objection to investigate the applicant's claim. The appointing orders will be made part of the case record.

b. The investigating officer so appointed—

(1) Will be neither a person in the applicant's chain of command, nor one who has the primary responsibility for making recommendations on administrative matters to the commander.

(2) Should not be from the same company-size or battery-size unit, but may be from the same battalion-size unit.

(3) Must be senior in grade to the applicant if the applicant is a commissioned officer (see DoDI 1300.06).

c. Commanders of installations and U.S. Army Reserve (USAR) regional support commands, in accordance with AR 5-9, will provide assistance upon the request of the Commanding General (CG), U.S. Army Human Resources Command (HRC), to arrange for necessary interviews of nonunit reservists residing in their geographical area of jurisdiction.

d. Upon appointment, the investigating officer will—

(1) Review the application.

(2) Study the applicable ARs.

(3) Obtain all necessary legal advice from the servicing legal advisor prior to submitting a written report.

(4) Seek information from commanders, supervisors, records, and any other sources that may contribute to his or her final recommendation.

(5) Request the applicant's Selective Service System records, or specific information contained in these records, if he or she believes such a review of the records or such specific information is needed for a complete inquiry.

(6) When the applicant indicates that an application for conscientious objector status was previously denied by an armed service or by the Selective Service System, obtain and review the records of that prior application.

e. All local Selective Service System board records are retired to Federal record centers. Any request for records or information from the Selective Service System must be accompanied by the applicant's release authorization for ARBA to obtain the information, if available. This release authorization, signed, and dated by the applicant, will be sent to ARBA as specified in paragraph 2-9. It will contain as a minimum the following information pertaining to the applicant:

(1) Full name.

(2) Date of birth.

(3) Selective service number.

(4) DoD identification (ID) number.

f. The information obtained from the Selective Service System will be presented to the applicant at the hearing or no later than the forwarding of the record of the hearing to the Special Court-Martial Convening Authority. The information obtained will be made a part of the record.

2-6. Conducting investigations

a. The investigating officer conducts a hearing on the application. The applicant will be notified in writing as to the time and place that the hearing will be held. The applicant's receipt of the notice should be acknowledged by his or her signature and the date of receipt on the letter of notification. A copy of the notification will be attached to the hearing record.

b. The hearing may be delayed for good cause at the applicant's request. However, if the applicant fails to appear at the stated time and place for the hearing, the applicant will be deemed to have waived his or her appearance and the investigating officer may proceed in the applicant's absence. If the applicant fails to appear through no fault of his or her own, the hearing will be rescheduled.

c. The applicant may not wish a hearing on his or her application. If so, the applicant may waive the right to a hearing by executing a statement to the effect at figure 2-5.

d. The execution of a waiver of a hearing does not waive the requirement for an investigating officer. Regardless of the desires of the applicant, an investigating officer will be appointed to comply with the requirements described in AR 600-43.

e. The purpose of the hearing is to:

(1) Give the applicant an opportunity to present any evidence he or she desires to support the application.

(2) Enable the investigating officer to ascertain and assemble all relevant facts.

(3) Create a comprehensive record that aids the investigating officer and other decision makers in arriving at informed recommendations.

f. At the beginning of the hearing, the investigating officer will require the applicant to acknowledge his or her understanding of the nature of the hearing, as stated in figure 2-6, by signing and dating the same.

g. The hearing will be informal. It will not be governed by the rules of evidence employed by a court-martial, except that oral testimony presented will be under oath or affirmation. Any failure or refusal by the applicant to submit to questioning under oath or affirmation before the investigating officer may be considered in the recommendation and evaluation of the applicant's claim. Any relevant evidence may be received. However, statements obtained from persons not present at the hearing need not be notarized or sworn. The use of DA Form 1574-1 (Report of Proceedings by Investigating Officer) in the conduct of the hearing is not recommended. The hearing is not an adversarial proceeding.

h. The applicant may submit any additional evidence desired, including sworn and unsworn statements. The applicant may also present any witnesses, but must secure their attendance. The installation or local commander will render all reasonable assistance in making available military members of the 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. A chaplain may feel that his or her appearance might lead to a violation of AR 165-1. If so, the investigating officer will not require a chaplain, other than the interviewing chaplain, to appear at a hearing (see para 2-4a).

i. If the applicant desires, he or she is entitled to be represented by counsel at no expense to the Government. Counsel will be allowed to attend and participate in all hearings and to assist the applicant in presentation of the case. Counsel will also be allowed to examine all items in the case file.

j. A verbatim record of the hearing is not required; however, if the applicant desires such a record and agrees to provide it at his or her own expense, he or she may do so. If the applicant elects to provide such a record, a copy will be made 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. The investigating officer will permit the applicant or counsel to examine the summaries and note, for the record, the 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. The investigating officer will authenticate the hearing record.

k. At the end of the investigation, the investigating officer will prepare a written report in four copies. The report will contain the following items:

(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.

- (2) A properly executed statement of understanding (see fig 2–6).
- (3) A properly executed statement of waiver if the applicant chose to waive the right to a hearing by the investigating officer (see fig 2–5).
- (4) Any documents, statements, and other material received in evidence during the investigation.
- (5) Summaries of the testimony of the witnesses presented (or a verbatim record of the testimony if such record was made).
- (6) A statement of the investigating officer's conclusions as to:
 - (a) The underlying basis of the applicant's professed conscientious objection (what applicant believes and why).
 - (b) The time period (being as specific as possible) in which the applicant's belief became fixed.
 - (c) Whether the belief constitutes conscientious objection (1–O or 1–A–O) under AR 600–43.
 - (d) The sincerity of the applicant, including reasons for such conclusions.
- (7) The investigating officer's recommendation for disposition of the case. Reasons (basis in fact and not conjecture) for the recommendations will be included. The actions recommended will be limited to the following:
 - (a) Denial of any classification as a conscientious objector.
 - (b) Classification as 1–A–O conscientious objector.
 - (c) Classification as 1–O conscientious objector.
- (8) In 1–O application cases, the investigating officer will not recommend a classification of 1–A–O unless the applicant has indicated a willingness to remain on active duty in a noncombatant role. If such an indication is present, the investigating officer should obtain a written statement from the applicant that affirms the willingness to serve.
- (9) In 1–A–O application cases, the investigating officer will not recommend discharge (1–O) since the applicant has stated a willingness to serve as a noncombatant. This willingness shows that the applicant does not object to participation in war in any form.
 - l.* The investigating officer's conclusions and recommended disposition will be based on the entire record, not merely on the evidence produced at the hearings.
 - m.* The investigating officer's report along with the applicant's application, all interviews with chaplains and doctors, evidence received as a result of the hearing, and any other items submitted by the applicant to support the application make up the case record. A copy of the case record will be forwarded to the applicant at the same time that the original is forwarded to the commander who appointed the investigating officer. The applicant has the right to submit a rebuttal statement to the record within 10 calendar days. After receipt of the record, the applicant will complete the statement acknowledging rebuttal rights as prescribed in figure 2–7 along with a rebuttal statement, when appropriate. The applicant will deliver the statement(s) to his or her immediate unit commander within 10 calendar days of his or her receipt of the record. The headquarters of the appointing commander will return the case record without comment to the applicant's immediate commander for the information required by paragraph 2–7a.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Waiver of Appearance at a Hearing by the Investigating Officer

(To: hearing officer)

I hereby acknowledge that I have been offered the chance to appear at a hearing on my application for conscientious objector status. I have decided, of my own free will, not to accept this offer and hereby waive the hearing.

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-5. Sample statement, waiver of hearing



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Conscientious Objector Hearing

(To: hearing officer)

I (applicant's full name) have had explained to me and understand the matters below pertaining to this hearing:

1. The purpose of this hearing is to –
 - a. Afford me, as the application, a chance to present any evidence in support of this application.
 - b. Enable the investigating officer to ascertain and assemble all relevant facts.
 - c. Create a comprehensive record.
 - d. Facilitate an informed recommendation by the investigating officer and decision by higher authority.
2. If I fail without good cause to appear, or if I refuse to appear at the hearing, the investigating officer may proceed in my absence and I will be deemed to have waived my appearance. I further understand that if I fail or refuse to take an oath, or make an affirmation, as to the truthfulness of my testimony at the hearing, the investigating office may consider this failure or refusal to take an oath or make an affirmation in making his or her recommendation and evaluation of my request.
3. This hearing may be delayed for good cause at my request.
4. I am entitled to be represented by counsel at no expense to the government. I do / do not plan to obtain such counsel (appropriately line out and initial).
5. This hearing is not governed by the rules of evidence employed by court-martial, except that all oral evidence will be under oath or affirmation. Any relevant information may be received. Statements received from persons on present need not be under oath or affirmation.
6. This is not an adversarial proceeding.
7. I may submit any additional evidence I desire, and present any witnesses on my behalf. However, I must secure their attendance.
8. I am permitted to question any witnesses who appear.
9. A verbatim record is not required. However, I may make such a record at no expense to the government. If I do so, I must make a copy available to the investigating officer.
10. The version of the hearing as recorded by the investigating officer is final as to the testimony of witnesses. However, its regularity may be rebutted.
11. A copy of the record will be forwarded to me at the time the record is forwarded to the commander. I understand that I have the right to submit a rebuttal within 10 calendar days of my receipt of record.

(signature)
(investigating officer's name)
(grade and branch)

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-6. Sample statement of understanding, hearing on application



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Rebuttal Rights

(To: immediate unit commander)

I (*name*) have received a copy of the record of the case record regarding my application for conscientious objector status. I understand and acknowledge that I have 10 calendar days to submit a rebuttal statement to my immediate commanding officer. I acknowledge that I must return this statement to my immediate commander, with or without a rebuttal statement, within 10 calendar days of receiving the investigating officer's report. I am / am not submitting a rebuttal statement (appropriately line out and initial).

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

Figure 2-7. Sample statement, rebuttal rights

2-7. Review of cases

a. The immediate unit commander will take the following actions after receiving the applicant's statement of rebuttal rights (see fig 2-7) and any statement(s) in rebuttal, if appropriate, from the applicant or after the 10 calendar days' rebuttal time allowed the applicant has expired:

(1) Include the following information on DA Form 4187 as comment 2; forward the application through channels:

- (a) Whether approval or disapproval is recommended with supporting reasons.
- (b) Duty and primary military occupational specialty of the applicant.
- (c) Whether medical board or physical evaluation board proceedings are pending or appropriate.
- (d) Whether the applicant is under investigation, under charges, awaiting result of trial, absent without leave, or under suspension of favorable personnel action flag according to AR 600-8-2. Applications for conscientious objector status submitted by applicants who are flagged will include, from the proper commander, a detailed account of the events that prompted the initiation of the suspension.

(2) Add the completed statement of rebuttal rights (see fig 2-7) of the applicant to the record along with rebuttal statement, if executed.

b. If the applicant has no immediate unit commander, the records manager or supporting human resources professional will take the actions described in paragraph 2-7a.

c. The record of the case will then be forwarded through command channels for recommendations as to disposition of the case (based on fact and not conjecture) to the GCMCA who will review the case for administrative correctness. The GCMCA review will ensure that all of the regulatory requirements have been expeditiously and properly completed in the required number of copies. If undue delay in processing the application has occurred, the headquarters of general court-martial jurisdiction will comply with paragraph 2-2d.

d. After the administrative review, the case record will be forwarded to the legal advisor of the GCMCA. The legal advisor will review the case for legal sufficiency, including whether the applicant has been afforded the procedural safeguards of this publication. The legal advisor will make a recommendation for disposition of the case.

e. The case may be returned to the investigating officer if further investigation is deemed necessary; however, all original documents will remain in the case record. New or revised documents may be added to the case record but not substituted for the originals. At the conclusion of an additional investigation, a new recommendation may be made, if appropriate. If new information adverse to the applicant is added to the record, or if a new recommendation is made, it will be forwarded to the applicant for rebuttal. The applicant will execute a new rebuttal statement at this time (see fig 2–7). The case record, with the new material added, will be forwarded through command channels to the headquarters that initiated the request for further investigation.

2–8. Voluntary withdrawal of application

An applicant may desire to withdraw an application before final action has been taken. If so, he or she should notify the immediate unit commander or records manager (see para 2–7b). Upon such notice, the following actions will be taken:

a. The immediate unit commander will arrange for the applicant to be counseled by an attorney from the servicing staff judge advocate's office.

b. The attorney will advise the applicant of his or her legal rights in the matter and execute, with the applicant, the statement in figure 2–8 concerning voluntary withdrawal of such application.

c. The entire application, to include the voluntary withdrawal statement, will be forwarded in two copies directly to ARBA as outlined in paragraph 2–9.



DEPARTMENT OF THE ARMY
ORGANIZATION
STREET ADDRESS
CITY STATE ZIP

(date)

SUBJECT: Voluntary Withdrawal of Conscientious Objector Application

(To: immediate commanding officer)

I (*applicant's full name*) have been counseled by the Judge Advocate officer named below concerning my rights as a conscientious objector applicant. I have decided of my own free will to withdraw my application at this time. This withdrawal is not the result of any inducement or coercion.

(signature)
(applicant's name)
(applicant's grade and DOD ID number)
(applicant's military organization)

I (*Judge Advocate General Corps officer's name*) have counseled the applicant as indicated above. The applicant appeared to understand their rights and to act voluntarily, without reservation.

Witnessed this ____ day of ____, 20__

(signature)
(Judge Advocate General Corp officer's name)
(grade, JA, USA or USAR or ARNG)
(applicant's military organization)

if letterhead is not used)

Figure 2–8. Sample statement, waiver of application

2–9. Disposition of applications

a. *Disposition of approved case (1–A–O only).* ARBA will retain one electronic copy of the completed record of the case and one copy will be forwarded to HRC for placement in Soldier's AMHRR.

b. *Disposition of applications for discharge or applications recommended for disapproval.*

(1) Applications requesting discharge (1–O), or applications (1–A–O) not approved by the command levels in paragraph 2–9a, will be submitted electronically to ARBA. The authority in paragraph 2–9a, before forwarding a case wherein disapproval is recommended to ARBA, will furnish the applicant a copy of the disapproval recommendation and the supporting reasons. The applicant will execute the rebuttal rights statement in figure 2–7. The applicant's comments, if provided, and the figure 2–7 statement will be attached to the record. The command will make no additional rebuttals or further substantive comment.

(2) Any additional information considered by ARBA, other than the official service record of the applicant, that is adverse to the applicant and that the applicant has not had an opportunity to comment upon or refute, will be made part of the record and the applicant will be given an opportunity to comment upon or refute such material before a final decision on the application is made.

(3) ARBA will furnish the proper authority appropriate disposition instructions for approved applications.

(4) If the applicant's request is disapproved, the reasons for this decision will be made a part of the record and provided to the applicant through command channels.

2-10. Use, assignment, and training

a. Except as provided in AR 600-43, applicants who have submitted applications will be retained in their unit and assigned duties providing minimum practicable conflict with their asserted beliefs, pending a final decision on their applications (see para 2-1).

b. Guidelines for assignment of Soldiers submitting an application for conscientious objection is as follows:

(1) A Soldier assigned or attached to a unit deploying to a new duty station (new duty location is the final destination of the deploying unit) may submit an application for conscientious objector status. The Soldier's submission of a conscientious objector application will not preclude the Soldier from deploying with his or her unit. The unit will process the application as operational mission requirements permit. The Soldier will prepare for deployment and deploy with the unit unless the application for conscientious objector status has been approved as designated in paragraph 2-9a. In cases where a Soldier's application has been forwarded to ARBA, the commander exercising GCMCA over the Soldier may, in his or her discretion, excuse the Soldier from deployment, pending decision of the Deputy Assistant Secretary of the Army (Review Boards).

(2) A Soldier who received individual orders for reassignment prior to submission of conscientious objector application or a Soldier who has departed the unit of assignment in compliance with individual reassignment orders may not apply for conscientious objector status until he or she arrives at the new permanent duty station. The foregoing does not apply to Soldiers who are on temporary duty en route on assignment orders for a period in excess of 8 weeks. These Soldiers may apply at their temporary duty location.

c. When a request for conscientious objector status has been denied, the applicant—

- (1) Will comply with reassignment orders, and
- (2) May be assigned to any duties, or
- (3) May be required to participate in any type of training.

d. In the case of Reserve Component personnel not on active duty, the submission of an application after the date the applicant's orders are published announcing a reporting date for active duty or active duty for training (ADT) is not a basis for delay in reporting for designated duty. If a person is ordered to report to active duty or ADT while an application is being processed and he or she advised that final action cannot be made before the reporting date for duty, the applicant must comply with the orders. In such instance, the application will be forwarded to the proper Regular Army GCMCA for processing.

e. IRR members who have been ordered to active duty may submit an application for conscientious objector status at their mobilization site. Submission of an application will not preclude further assignment or deployment. Upon departure from the mobilization site, the Soldier will hand carry the application packet if it has not been forwarded to ARBA. If application has been forwarded to ARBA, the Soldier's forwarding address (if known) will be included.

f. Notwithstanding the retention requirements stated in this paragraph, an application for conscientious objector status will be transferred to the gaining commander for appropriate action. This is true for an application submitted by a Soldier who is confined as a result of a court-martial sentence and transferred to a correctional holding detachment according to AR 190-47.

2-11. Guidelines for processing conscientious objector cases

See appendix C for processing conscientious objector applications, which will assist both the investigating officer and the commander.

Chapter 3

Disposition of Personnel

3-1. Action after approval

a. Persons determined to meet the criteria for 1-O classification normally will be discharged “for the convenience of the Government.”

(1) *Active duty personnel (officers, warrant officers, and enlisted).* Orders directing persons to report to a transfer activity designated to accomplish discharge processing will cite AR 600-43 as the authority for discharge and the proper separation program designator from AR 635-5-1.

(2) *Reserve Component personnel not on active duty or active duty training.* Orders announcing discharge will cite AR 600-43 as the authority.

(3) *DoD-sponsored bonuses and educational programs.* The commander exercising GCMCA authority will ensure that the unearned portion of bonuses and/or educational program costs are recouped in accordance with AR 600-43.

b. Persons who are classified 1-A-O are not eligible for discharge under the provisions of AR 600-43.

(1) *Active duty personnel.* Persons classified 1-A-O will be identified by an entry on the person's record brief in accordance with AR 600-8-104.

(a) *Enlisted personnel.* Enlisted personnel will be assigned according to AR 614-200 and AR 600-43. Commanders will utilize 1-A-O noncombatant Soldiers by assigning them to noncombatant duties and training; in any medical department; or in any other assignment, the primary purpose of which does not require the carrying or use of arms in combat, provided that such assignment does not require the noncombatant Soldier to bear arms or be trained in their use. Defensive training, such as unarmed defense, passage through minefields, search of casualties for booby traps, and disarming of booby traps found on casualties may be offered to 1-A-O noncombatant Soldiers. Service aboard an armed ship or aircraft or in a combat zone will not be considered combatant duty unless the individual concerned is personally and directly involved in the operation of weapons. Excluding noncombatant duties and training, conscientious objectors are not allowed to avoid hazardous duties that may be part of the mission of the unit to which assigned. They are subject to Army regulations and directives, including those on training and discipline. They are available for worldwide assignments.

(b) *Officer personnel.* Commissioned officers and warrant officers will be designated and used in a proper noncombat arms specialty and precluded from assignments in which they are required to bear arms or be trained in their use. Officers designated as conscientious objectors, noncombatant 1-A-O, will be managed and assigned on a case-by-case basis. Generally, those in combat arms branches will be involuntarily branch transferred to a noncombat arms branch. This policy should not be construed to require automatic reclassification into a U.S. Army Medical Department specialty.

(c) *Deployment and/or assignment to hostile fire areas.* Deployment or assignment to hostile fire areas must be shared equally by all Soldiers, except that noncombatant 1-A-O Soldiers will not be required to bear arms or be trained in the bearing of arms.

(d) *Leadership positions and assignments.* The needs of the Army drive all assignments. Noncombatant Soldiers (1-A-O) should not expect the full range of assignment options. Since unit and individual readiness is paramount, Soldiers of leadership rank should not be placed in positions where their noncombatant status may detract from their ability to train and lead Soldiers.

(2) *Reserve Component personnel.* Persons classified 1-A-O will be identified by an entry on their record brief. Such persons will be required to complete their Ready Reserve and statutory obligation or terms of enlistment subject to assignment instructions outlined in this publication.

(a) Ready Reserve Soldiers will be—

1. Continued in current Reserve assignment if such assignment qualifies as noncombatant service and training; or

2. Assigned to a proper vacancy in a Reserve medical unit, if available; or

3. Assigned to an annual training or reinforcement control group, whichever is appropriate, under criterion prescribed in AR 140-10.

(b) Standby Reserve Soldiers will be continued in current assignment.

(c) Army National Guard of the United States Soldiers who, upon separation from their state status as Army National Guard and/or upon withdrawal of Federal recognition, revert to USAR status will be assigned to a proper vacancy in a Reserve medical unit, if available, or to an annual training or reinforcement control group, whichever is appropriate, under criterion prescribed in AR 140-10.

c. A copy of the approved case record will be forwarded to CG, HRC and web uploaded to the interactive Personnel Electronic Records Management System (iPERMS) filing in the AMHRR in accordance with AR 600–8–104.

3–2. Removal of identification as 1–A–O conscientious objector

When a person who has been classified as a conscientious objector under AR 600–43 desires to have identification 1–A–O removed, the following procedures will be used:

a. The person will submit a request to his or her commanding officer. DA Form 4187 or a letter will be prepared in four copies. All copies will be signed. The request will contain a statement that the applicant is no longer a conscientious objector and is not opposed to combat duty. A statement will also be made as to why the classification 1–A–O is no longer applicable. If applicable, the request will contain the person's selective service number, local board number, and address.

b. The immediate unit commander, after making a determination that the applicant is sincere, will approve the request and forward it to the records manager or supporting human resources professional. The records manager will then delete the conscientious objector entry on the person's record brief. Action will also be taken to delete this identification from any data processing records on which the classification may be coded. The records manager will indicate by comment on all copies of the DA Form 4187 when the entry on the record brief has been deleted. Copies will be distributed as follows:

(1) Original to be web uploaded to iPERMS for permanent filing in the person's AMHRR in accordance with AR 600–8–104.

(2) ARBA will retain one copy.

(3) One copy will be returned to the person concerned.

(4) For Soldiers of the Army National Guard, one copy will be forwarded through channels to the proper state adjutant general.

3–3. Separation certificates

a. When a Servicemember is separated for convenience of the Government, the characterization of service should be honorable, unless a characterization of service of general (under honorable conditions) is warranted in accordance with applicable regulations. In and of itself, an application for conscientious objector status does not constitute misconduct, and the act of applying for conscientious objector status will not be used as a basis for a general (under honorable conditions) discharge.

b. Commissioned officers and warrant officers will be furnished a discharge certificate in accordance with AR 600–8–24 or as directed by the Deputy Chief of Staff, G–1.

c. Enlisted personnel will be furnished a discharge certificate in accordance with AR 635–200.

d. DD Form 214 (Certificate of Release or Discharge from Active Duty) will be furnished to each person discharged from active service under AR 600–43.

e. When discharged because of conscientious objection, enter AR 600–43 in item 25 and "RE 4" in item 27 for enlisted personnel and "N/A" or blank for officer personnel (see AR 635–5–1 for information to be entered in items 26 and 28).

Appendix A

References

Department of the Army publications are available on the Army Publishing Directorate website at <https://armypubs.army.mil/>.

Section I

Required Publications

AR 140–10

Assignments, Attachments, Details, and Transfers (Cited in para 3–1*b*(2)(*a*)3.)

AR 165–1

Army Chaplain Corps Activities (Cited in para 2–6*h*.)

AR 600–8–2

Suspension of Favorable Personnel Actions (FLAG) (Cited in para 2–7*a*(1)(*d*).)

AR 600–43

Conscientious Objection (Cited in para 1–3.)

Section II

Prescribed Forms

This section contains no entries.

Appendix B

Personal Information that Must be Included in Application

B–1. Application information

The request for classification under conscientious objection will be submitted on a DA Form 4187 with the following information:

- a. General information concerning the applicant.
 - (1) Full name, DoD ID, and selective service number.
 - (2) Name and address of each school and college attended.
 - (3) List of all occupations, positions, jobs, or types of work.
 - (4) The religious denomination or tradition of both parents.
- b. A statement as to whether an application was made to the Selective Service System (local board) for classification as a conscientious objector before entry into the military service and the result of that effort.
- c. A description or explanation of:
 - (1) The nature of the belief that requires the applicant to seek separation from military service or assignment to noncombatant training and duty for reasons of conscience.
 - (2) How the applicant beliefs changed or developed to include an explanation as to what factors (how, when, and from whom or from what source training was received or belief acquired) caused the change in or development of conscientious objector beliefs.
 - (3) When these beliefs became incompatible with military service or combatant duties, and why.
- d. A statement 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 statement will set forth each of the following items:
 - (1) The name of the organization or tradition, and the name and location of its governing body or head, if known.
 - (2) When, where, and how the applicant became a member of said organization or tradition.
 - (3) The name and location of any religious organization, congregation, or meeting that the applicant customarily attends, and the extent of the applicant active participation therein including the name, title, and present address of the pastor or leader of such religious organizations, congregation, or meeting.
 - (4) A description of the creed or official statements, as they pertain to participation in war.
- e. Additional information, such as letter of reference or official statements of organization to which the applicant belongs or refers to in the application. The burden is on the applicant to obtain and forward such information.
- f. Any other relevant items that the applicant desires to submit in support of the application.

B–2. Additional information

Each person seeking a discharge from the Army (1–O) or assignment to noncombatant duties (1–A–O) as a conscientious objector under AR 600–43 will provide the information indicated in paragraph B–1 as the minimum required for consideration of the request. However, ARBA may require such additional information as it deems proper. The person may submit such other information, as desired.

Appendix C

Informal Guide for the Investigating Officer

C-1. Introduction

The investigating officer's investigation and hearing is of prime importance in processing a conscientious objector's application. The investigating officer must perform the duties with diligence, understanding, and expedience. He or she must provide an objective and factual report to the chain of command. A careless or misguided investigating officer can cause unwarranted delays or other serious consequences for the applicant or circumstances that may be prejudicial to the interests of the Army, or both.

C-2. Functions of investigating officer

The investigating officer's first responsibility is to ensure that the record contains all available information necessary for the proper decision authority to make an informed decision. To accomplish this, the investigating officer should:

- a. Study applicable regulations. Be fully conversant on the requirements, both administrative and substantive. Even with a good general understanding of these matters, the investigating officer can make mistakes if he or she does not follow the technical requirements.
- b. Review the application. Attempt to define the basis of the applicant's beliefs. Determine if these beliefs are based on the tenets of a certain religion. The investigating officer should ask questions of the personnel office, other investigating officers of conscientious objector cases (they are different from other investigations), and the legal advisor.
- c. Talk to the applicant's superiors and peers concerning the applicant's lifestyle, conduct, efficiency, and general demeanor as they pertain to the applicant's claim.
- d. Check all that has gone before. If someone failed to fulfill his or her regulatory responsibilities, the investigating officer should correct the error as soon as possible.
- e. Read the chaplain's report, which should be part of the application. This report may assist the investigating officer in planning the focus of the hearing.
- f. Read the report of mental status examination. If this report shows any basis for medical treatment or for administrative action based on a personality disorder, these matters take precedence. The investigating officer should report this fact to the appointing authority.
- g. State in the report if he or she is convinced that AR 600-43 is being used to effect the administrative separation of a person who does not qualify as a conscientious objector.
- h. Should not deny the request of a sincere person who meets the regulatory criteria because of monetary or service obligations under other pertinent regulations. The fact that an applicant has just received a reenlistment bonus, a commission, or a degree has no direct bearing on the main issue. If it appears, however, that the applicant delayed his or her application to complete a Government-sponsored educational program, this delay may be grounds for questioning the sincerity of the applicant, particularly if seeking 1-O status.
- i. Complete the entire application process expeditiously. An inordinate delay may prevent proper consideration of the merits of the claim.
- j. Obtain legal advice as necessary from the servicing legal advisor's office.

C-3. Investigating officer's hearing

The investigating officer's hearing provides the chance for the investigating officer to explore fully the applicant's claim.

- a. The hearing is informal; however, the investigating officer must be fully prepared beforehand and should conduct the hearing without outside help.
- b. At the hearing, the investigating officer should be impartial. The investigating officer is not an advocate, even if the applicant has retained counsel.
- c. The investigating officer's role is not to prove that the applicant is not a conscientious objector, but to find and record all factual data that will provide the basis for his or her opinion that the applicant is or is not a conscientious objector. The hearing is to provide the applicant the chance to establish, by "clear and convincing evidence," that he or she is a conscientious objector as defined in the glossary. The investigating officer's recommendation must be based on fact.

C-4. Guidance

During the conduct of the entire investigation, the investigating officer should remember the following:

a. A conscientious objector as for the purpose of this publication is a person who is sincerely opposed, because of religious or deeply held moral or ethical beliefs, to participating in war in any form (1-O) or to participating as a combatant (including training in tactics or weapons) in war in any form (1-A-O).

b. In attempting to determine whether a conscientious objection to participation in war or combat is founded upon religious training and belief, as defined in paragraph C-4a, the proper scope of inquiry is whether the applicant holds the asserted beliefs and whether they are the product of a conscious thought process resulting in such a conviction as to allow the person no choice but to act in accordance with them. Beliefs can be deeply held even though they lack sophistication. Care must be taken to avoid the inference that an applicant who lacks sufficient insight or knowledge to express his or her beliefs clearly does not hold the beliefs or that they are not "religious" in origin or held with the strength of traditional religious convictions.

c. An applicant's sincere desire to leave the Army, unit, or job is not conscientious objection. Likewise, an applicant's belief that he or she is called to another occupation, even a religious one, is not conscientious objection if the applicant merely prefers a different life. A conscientious objector is one whose conscience, because of factors listed in paragraph C-4a, allows the person no rest or inner peace if he or she is required to fulfill the present military obligation.

d. Conscientious objector beliefs must be held personally by the applicant. Membership in a certain church group is not necessary or sufficient, even if that group professes conscientious objection. The person who belongs to such a group must clearly show that he or she embraces the group's beliefs as their own. Similarly, a person cannot base a claim on the beliefs of a friend or relative.

e. A conscientious objector is not necessarily a pacifist. Applicants may be willing to use force to protect themselves or their family and still be a conscientious objector. However, if they are willing to defend the United States, they cannot choose when and where.

f. Applicants who held their beliefs before entry into military service but failed to make these beliefs known cannot be discharged or reassigned to noncombatant duty. However, those who have undergone a real change or development of belief since entry into military service or who made these beliefs known but were denied classification before entering active duty may be discharged or reassigned to noncombatant duty, as proper.

g. The person being investigated either is or is not a conscientious objector. If the person is a conscientious objector, he or she should be classified as a noncombatant (1-A-O) or discharged (1-O), as appropriate. If the person is not a conscientious objector, he or she has an obligation to complete the remaining military service obligation.

C-5. Administrative considerations

Administrative considerations for the investigating officer include the following:

a. All documents should bear proper signatures and dates.

b. In the case of those discharged as conscientious objectors, the Department of Veterans' Affairs makes a case-by-case determination of eligibility for benefits. For noncombatants, Army policy on reenlistment changes from time to time, there is no automatic bar. Similarly, reclassification (1-A-O) does not automatically call for removal from a promotion list.

c. Consideration of the type of discharge certificate to be awarded is not proper until after the final decision has been made on the disposition of the conscientious objector application.

d. Any previous correspondence by the applicant (with the Selective Service System and the Army) concerning conscientious objection should be considered and included in the record.

Glossary of Terms

Conscientious objection

A firm, fixed, and sincere objection to participation in war in any form or the bearing of arms, because of religious training and belief. Unless otherwise specified, the term “conscientious objector” includes both 1–O and 1–A–O conscientious objectors.

- a. 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 noncombatant status.
- b. Class 1–O conscientious objector. A member who, by reason of conscientious objection, sincerely objects to participation of any kind in war in any form.

Enlistee

A person who has enlisted in the Future Soldier Training Program, the Regular Army, or the USAR. An applicant became an enlistee after—

- a. The oath of enlistment is taken.
- b. Applicable portions of DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States) are signed.

Immediate unit commander

The commanding officer of a company, battery, troop, separate detachment or similar unit.

Noncombatant service or noncombatant duties (1–A–O)

- a. Service in any unit of the Armed Forces that is unarmed at all times.
- b. Service in the medical department of any of the Armed Forces, wherever performed.
- c. Any other assignment the primary function of which does not require the use of arms in combat if such other assignment is acceptable to the person concerned and does not require him or her to bear arms or to be trained in their use.
- d. Service aboard an armed ship or aircraft or in a combat zone will not be considered combatant duty unless the individual concerned 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 arms or weapons.

Nonunit members

IRR and Standby Reserve members as defined in AR 140–1.

Privileged communications

That communication between an applicant and a chaplain or lawyer that, under law, need not be revealed.

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 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.

Reserve Components

The Army National Guard of the United States and the USAR.

War in any form

A person who desires to choose the war in which he or she will participate is not a conscientious objector under DoDI 1300.06. The objection must be to all wars rather than a specific war. However, 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 DoDI 1300.06.

- Incorporates procedural material previously listed in AR 600–43 (throughout).

SUMMARY

DA PAM 600–46
Processing Applicants for Conscientious Objection

This new Department of the Army pamphlet, dated 22 February 2023—

- Updates references (app A).
- Updates terms (glossary).

UNCLASSIFIED

PIN 208883-000