

(6) Have had subsequent to graduation from an approved school of osteopathy 12 months or more of intern or residency training approved by the American Osteopathic Association.

(b) [Reserved]

## PART 75—CONSCIENTIOUS OBJECTORS

Sec.

- 75.1 Purpose.
- 75.2 Applicability and scope.
- 75.3 Definitions.
- 75.4 Policy.
- 75.5 Criteria.
- 75.6 Procedure.
- 75.7 Action after decision.
- 75.8 Claims of erroneous induction.
- 75.9 Required information to be supplied by applicants for discharge or noncombatant service.
- 75.10 Statement (counseling concerning Veterans Administration benefits).
- 75.11 Statement (counseling concerning designation as conscientious objector).

AUTHORITY: Sec. 552 of title 5, United States Code.

SOURCE: 36 FR 22231, Nov. 23, 1971, unless otherwise noted.

### § 75.1 Purpose.

This part updates uniform Department of Defense procedures governing conscientious objectors and processing requests for discharge based on conscientious objection.

### § 75.2 Applicability and scope.

The provisions of this part apply to the military departments and govern the personnel of the Army, Navy, Air Force, and Marine Corps and all Reserve components thereof.

### § 75.3 Definitions.

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

(1) *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.

(2) *Class 1-A-O conscientious objector.* A member who, by reason of conscientious objection, sincerely objects to participation as a combatant in war in

any form, but whose convictions are such as to permit military service in a noncombatant status.

Unless otherwise specified, the term “conscientious objector” includes both 1-O and 1-A-O conscientious objectors.

(b) *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 of an orthodox deity, but may be a sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the God of another, or, in the case of deeply held moral or ethical beliefs, a belief held with the strength and devotion of traditional religious conviction. The term “religious training and belief” may include solely moral or ethical beliefs even though the applicant himself may not characterize these beliefs as “religious” in the traditional sense, or may expressly characterize them as not religious. The term “religious training and belief” does not include a belief which rests solely upon considerations of policy, pragmatism, expediency, or political views.

(c) *Noncombatant service or noncombatant duties (1-A-O) (used interchangeably herein).* (1) Service in any unit of the Armed Forces which is unarmed at all times.

(2) Service in the medical department of any of the Armed Forces, wherever performed.

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

(4) Service aboard an armed ship or aircraft or in a combat zone shall not be considered to be combatant duty unless the individual concerned is personally and directly involved in the operation of weapons.

(d) *Noncombatant training.* Any training which is not concerned with the study, use or handling of arms or weapons.