

§315.3

after applying for and receiving an exemption from military service on the basis of alienage, does not satisfy this exception to paragraph (a) of this section;

(6) Prior to requesting the exemption from military service:

(i) The applicant was a treaty national who had served in the armed forces of the country of which he or she was a national; however, a treaty national who did not serve in the armed forces of the country of nationality prior to requesting the exemption from military service does not satisfy this exception to paragraph (a) of this section;

(ii) The applicant served a minimum of eighteen months in the armed forces of a nation that was a member of the North Atlantic Treaty Organization at the time of the applicant's service; or

(iii) The applicant served a minimum of twelve months in the armed forces of a nation that was a member of the North Atlantic Treaty Organization at the time of the applicant's service, provided that the applicant applied for registration with the Selective Service Administration after September 28, 1971; or

(7) The applicant is applying for naturalization pursuant to section 329 of the Act.

§315.3 Evidence.

(a) The records of the Selective Service System and the military department under which the alien served shall be conclusive evidence of whether the alien was relieved or discharged from liability for military service because he or she was an alien.

(b) The regulations of the Selective Service Administration and its predecessors will be controlling with respect to the requirement to register for, and liability for, service in the Armed Forces of the United States.

§315.4 Exemption treaties.

(a) The following countries currently have effective treaties providing reciprocal exemption of aliens from military service:

Argentina (Art. X, 10 Stat. 1005, 1009, effective 1853)
Austria (Art. VI, 47 Stat. 1876, 1880, effective 1928)

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China (Art. XIV, 63 Stat. 1299, 1311, effective 1946)

Costa Rica (Art. IX, 10 Stat. 916, 921, effective 1851)

Estonia (Art. VI, 44 Stat. 2379, 2381, effective 1925)

Honduras (Art. VI, 45 Stat. 2618, 2622, effective 1927)

Ireland (Art. III, 1 US 785, 789, effective 1950)

Italy (Art. XIII, 63 Stat. 2255, 2272, effective 1948)

Latvia (Art. VI, 45 Stat. 2641, 2643, effective 1928)

Liberia (Art. VI, 54 Stat. 1739, 1742, effective 1938)

Norway (Art. VI, 47 Stat. 2135, 2139, effective 1928)

Paraguay (Art. XI, 12 Stat. 1091, 1096, effective 1859)

Spain (Art. V, 33 Stat. 2105, 2108, effective 1902)

Switzerland (Art. II, 11 Stat. 587, 589, effective 1850)

Yugoslavia (Serbia) (Art. IV, 22 Stat. 963, 964, effective 1881)

(b) The following countries previously had treaties providing for reciprocal exemption of aliens from military service:

El Salvador (Art. VI, 46 Stat. 2817, 2821, effective 1926 to February 8, 1958)

Germany (Art. VI, 44 Stat. 2132, 2136, effective 1923 to June 2, 1954)

Hungary (Art. VI, 44 Stat. 2441, 2445, effective 1925 to July 5, 1952)

Thailand (Siam) (Art. 1, 53 Stat. 1731, 1732, effective 1937 to June 8, 1968)

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