

Sec.	
3814.	Definitions.
3815.	Repeals; appropriations; termination date.
3816.	Utilization of industry.
3817.	Savings provisions.
3818.	Effective date.
3819.	Authority of President to order Reserve components to active service; release from active duty; retention of unit organizations and equipment.
3820.	Procedural rights.

Editorial Notes

CODIFICATION

Title I of act June 24, 1948, ch. 625, which is classified principally to this chapter, was formerly set out in the Appendix to this title, prior to the elimination of the Appendix to this title and the editorial reclassification of title I principally as this chapter. For disposition of sections of the former Appendix to this title, see Table II, set out preceding section 1 of this title.

§ 3801. Short title; Congressional declaration of policy

(a) This Act may be cited as the “Military Selective Service Act”.

(b) The Congress declares that an adequate armed strength must be achieved and maintained to insure the security of this Nation.

(c) The Congress further declares that in a free society the obligations and privileges of serving in the armed forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just, and which is consistent with the maintenance of an effective national economy.

(d) The Congress further declares, in accordance with our traditional military policy as expressed in the National Defense Act of 1916, as amended, that it is essential that the strength and organization of the National Guard, both Ground and Air, as an integral part of the first line defenses of this Nation, be at all times maintained and assured.

To this end, it is the intent of the Congress that whenever Congress shall determine that units and organizations are needed for the national security in excess of those of the Regular components of the Ground Forces and the Air Forces, and those in active service under this chapter, the National Guard of the United States, both Ground and Air, or such part thereof as may be necessary, together with such units of the Reserve components as are necessary for a balanced force, shall be ordered to active Federal service and continued therein so long as such necessity exists.

(e) The Congress further declares that adequate provision for national security requires maximum effort in the fields of scientific research and development, and the fullest possible utilization of the Nation’s technological, scientific, and other critical manpower resources.

(f) The Congress further declares that the Selective Service System should remain administratively independent of any other agency, including the Department of Defense.

(June 24, 1948, ch. 625, title I, §1, 62 Stat. 604; June 19, 1951, ch. 144, title I, §1(a), 65 Stat. 75; Pub. L. 90–40, §1(1), June 30, 1967, 81 Stat. 100; Pub. L. 92–129, title I, §101(a)(1), Sept. 28, 1971, 85

Stat. 348; Pub. L. 96–107, title VIII, §812, Nov. 9, 1979, 93 Stat. 816.)

Editorial Notes

REFERENCES IN TEXT

The Military Selective Service Act, referred to in subsec. (a), is act June 24, 1948, ch. 625, 62 Stat. 604. Act was comprised of titles I and II, prior to repeal of title II by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641. Title I of the Act is classified principally to this chapter. Title II of the Act was classified to the Articles of War set out in former Title 10, Army and Air Force, to sections 61, 61a, 62a, 65, and 652a of former Title 10, and to section 180 of former Title 14, Coast Guard, prior to repeal. For complete classification of this Act to the Code, see Tables.

The National Defense Act of 1916, referred to in subsec. (d), is act June 3, 1916, ch. 134, 39 Stat. 166, which was classified generally throughout former Title 10, Army and Air Force, prior to repeal by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641, and reenactment as parts of Title 10, Armed Forces, and Title 32, National Guard.

This chapter, referred to in subsec. (d), was in the original “this title”, meaning title I of act June 24, 1948, ch. 625, 62 Stat. 604, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 451 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1979—Subsec. (f). Pub. L. 96–107 added subsec. (f).

1971—Subsec. (a). Pub. L. 92–129 substituted “Military Selective Service Act” for “Military Selective Service Act of 1967”.

1967—Subsec. (a). Pub. L. 90–40 substituted “Military Selective Service Act of 1967” for “Universal Military Training and Service Act”.

1951—Subsec. (a). Act June 19, 1951, substituted “Universal Military Training and Service Act” for “Selective Service Act of 1948”.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1969 AMENDMENT

Pub. L. 91–124, §1, Nov. 26, 1969, 83 Stat. 220, provided: “That this Act [see Tables for classification] may be cited as the ‘Selective Service Amendment Act of 1969’.”

SHORT TITLE OF 1955 AMENDMENT

Act June 30, 1955, ch. 250, §1, 69 Stat. 223, provided: “That this Act [see Tables for classification] may be cited as the ‘1955 Amendments to the Universal Military Training and Service Act’.”

SHORT TITLE OF 1951 AMENDMENT

Act June 19, 1951, ch. 144, title I, §7, 65 Stat. 89, provided that: “This title [see Tables for classification] may be cited as the ‘1951 Amendments to the Universal Military Training and Service Act’.”

SHORT TITLE OF 1950 AMENDMENT

Act Sept. 9, 1950, ch. 939, 64 Stat. 826, which amended section 3803 of this title, is popularly known as the “Doctors Draft Act”.

Act June 30, 1950, ch. 445, §4, 64 Stat. 319, provided that: “This Act [see Tables for classification] may be cited as the ‘Selective Service Extension Act of 1950’.”

SEPARABILITY

Act June 19, 1951, ch. 144, title I, §5, 65 Stat. 88, provided that: “If any provisions of this Act [see Tables for

classification] or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.”

§ 3802. Registration

(a) Except as otherwise provided in this chapter it shall be the duty of every male citizen of the United States, and every other male person residing in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and place or places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder. The provisions of this section shall not be applicable to any alien lawfully admitted to the United States as a nonimmigrant under section 1101(a)(15) of title 8, for so long as he continues to maintain a lawful nonimmigrant status in the United States.

(b) Regulations prescribed pursuant to subsection (a) may require that persons presenting themselves for and submitting to registration under this section provide, as part of such registration, such identifying information (including date of birth, address, and social security account number) as such regulations may prescribe.

(June 24, 1948, ch. 625, title I, §3, 62 Stat. 605; June 19, 1951, ch. 144, title I, §1(c), 65 Stat. 76; Pub. L. 92-129, title I, §101(a)(2), Sept. 28, 1971, 85 Stat. 348; Pub. L. 97-86, title IX, §916(a), Dec. 1, 1981, 95 Stat. 1129.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title I of act June 24, 1948, ch. 625, 62 Stat. 604, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 453 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1981—Pub. L. 97-86 designated existing provisions as subsec. (a) and added subsec. (b).

1971—Pub. L. 92-129 substituted “male person residing in the United States” for “male person now or hereafter in the United States” and inserted provision making section inapplicable to aliens lawfully admitted to the United States as nonimmigrants under section 1101(a)(15) of Title 8 for so long as they maintain lawful nonimmigrant status in the United States.

1951—Act June 19, 1951, made all male persons now or hereafter in the United States subject to registration.

Executive Documents

PROC. NO. 4360. TERMINATION OF REGISTRATION PROCEDURES

Proc. No. 4360, Mar. 29, 1975, 40 F.R. 14567, 89 Stat. 1255, provided:

Under authority vested in the President by the Military Selective Service Act (62 Stat. 604), as amended

[see References in Text note set out under section 3801 of this title], procedures have been established for the registration of male citizens of the United States and of other male persons who are subject to registration under section 3 of said act, as amended (85 Stat. 348) [50 U.S.C. 3802].

In order to evaluate an annual registration system, existing procedures are being terminated and will be replaced by new procedures which will provide for periodic registration.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, by virtue of the authority vested in me by the Constitution and the statutes of the United States, including the Military Selective Service Act, as amended, do hereby revoke Proclamations No. 2799 of July 20, 1948, No. 2937 of August 16, 1951, No. 2938 of August 16, 1951, No. 2942 of August 30, 1951, No. 2972 of April 17, 1952, No. 3314 of September 14, 1959, and No. 4101 of January 13, 1972; thereby terminating the present procedures for registration under the Military Selective Service Act, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of March in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred ninety-ninth.

GERALD R. FORD.

PROC. NO. 4771. REGISTRATION UNDER THE SELECTIVE SERVICE ACT

Proc. No. 4771, July 2, 1980, 45 F.R. 45247, 94 Stat. 3775, as amended by Proc. No. 7275, Feb. 22, 2000, 65 F.R. 9199, provided:

Section 3 of the Military Selective Service Act, as amended (50 U.S.C. App. 453) [now 50 U.S.C. 3802], provides that male citizens of the United States and other male persons residing in the United States who are between the ages of 18 and 26, except those exempted by Sections 3 and 6(a) of the Military Selective Service Act [50 U.S.C. 3802, 3806(a)], must present themselves for registration at such time or times and place or places, and in such manner as determined by the President. Section 6(k) [50 U.S.C. 3806(k)] provides that such exceptions shall not continue after the cause for the exemption ceases to exist.

The Congress of the United States has made available the funds (H.J. Res. 521, approved by me on June 27, 1980 [Pub. L. 96-282, June 27, 1980, 93 Stat. 552]), which are needed to initiate this registration, beginning with those born on or after January 1, 1960.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, by the authority vested in me by the Military Selective Service Act, as amended (50 U.S.C. App. 451 et seq.) [now 50 U.S.C. 3801 et seq.], do hereby proclaim as follows:

1-1. PERSONS TO BE REGISTERED AND DAYS OF REGISTRATION

1-101. Male citizens of the United States and other males residing in the United States, unless exempted by the Military Selective Service Act, as amended, who were born on or after January 1, 1960, and who have attained their eighteenth birthday, shall present themselves for registration in the manner and at the time and places as hereinafter provided.

1-102. Persons born in calendar year 1960 shall present themselves for registration on any of the six days beginning Monday, July 21, 1980.

1-103. Persons born in calendar year 1961 shall present themselves for registration on any of the six days beginning Monday, July 28, 1980.

1-104. Persons born in calendar year 1962 shall present themselves for registration on any of the six days beginning Monday, January 5, 1981.

1-105. Persons born on or after January 1, 1963, shall present themselves for registration on the day they attain the 18th anniversary of their birth or on any day within the period of 60 days beginning 30 days before such date; however, in no event shall such persons