

present themselves for registration prior to January 5, 1981.

1-106. Aliens who would be required to present themselves for registration pursuant to Sections 1-101 to 1-105, but who are in processing centers on the dates fixed for registration, shall present themselves for registration within 30 days after their release from such centers.

1-107. Aliens and noncitizen nationals of the United States who reside in the United States, but who are absent from the United States on the days fixed for their registration, shall present themselves for registration within 30 days after their return to the United States.

1-108. Aliens and noncitizen nationals of the United States who, on or after July 1, 1980, come into and reside in the United States shall present themselves for registration in accordance with Sections 1-101 to 1-105 or within 30 days after coming into the United States, whichever is later.

1-109. Persons who would have been required to present themselves for registration pursuant to Sections 1-101 to 1-108 but for an exemption pursuant to Section 3 or 6(a) of the Military Selective Service Act, as amended [50 U.S.C. 3802, 3806(a)], or but for some condition beyond their control such as hospitalization or incarceration, shall present themselves for registration within 30 days after the cause for their exempt status ceases to exist or within 30 days after the termination of the condition which was beyond their control.

#### 1-2. PLACES AND TIMES FOR REGISTRATION

1-201. Persons who are required to be registered and who are in the United States shall register at the places and by the means designated by the Director of Selective Service. These places and means may include but are not limited to any classified United States Post Office, the Selective Service Internet web site, telephonic registration, registration on approved Government forms, registration through high school and college registrars, and the Selective Service reminder mailback card.

1-202. Citizens of the United States who are required to be registered and who are not in the United States, shall register via any of the places and methods authorized by the Director of Selective Service pursuant to paragraph 1-201 or present themselves at a United States Embassy or Consulate for registration before a diplomatic or consular officer of the United States or before a registrar duly appointed by a diplomatic or consular officer of the United States.

1-203. The hours for registration in United States Post Offices shall be the business hours during the days of operation of the particular United States Post Office. The hours for registration in United States Embassies and Consulates shall be those prescribed by the United States Embassies and Consulates.

#### 1-3. MANNER OF REGISTRATION

1-301. Persons who are required to be registered shall comply with the registration procedures and other rules and regulations prescribed by the Director of Selective Service.

1-302. When reporting for registration each person shall present for inspection reasonable evidence of his identity. After registration, each person shall keep the Selective Service System informed of his current address.

Having proclaimed these requirements for registration, I urge everyone, including employers in the private and public sectors, to cooperate with and assist those persons who are required to be registered in order to ensure a timely and complete registration. Also, I direct the heads of Executive agencies, when requested by the Director of Selective Service and to the extent permitted by law, to cooperate and assist in carrying out the purposes of this Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of July, in the year of our Lord nineteen hundred and eighty, and of the Independence

of the United States of America the two hundred and fourth.

JIMMY CARTER.

### § 3803. Persons liable for training and service

#### (a) Age limits; training in National Security Training Corps; physical and mental fitness; adequate training facilities; assignment to stations and units; training period; medical specialist categories

Except as otherwise provided in this chapter, every person required to register pursuant to section 3802 of this chapter who is between the ages of eighteen years and six months and twenty-six years, at the time fixed for his registration, or who attains the age of eighteen years and six months after having been required to register pursuant to section 3802 of this title, or who is otherwise liable as provided in section 3806(h) of this title, shall be liable for training and service in the Armed Forces of the United States: *Provided*, That each registrant shall be immediately liable for classification and examination, and shall, as soon as practicable following his registration, be so classified and examined, both physically and mentally, in order to determine his availability for induction for training and service in the Armed Forces: *Provided further*, That, notwithstanding any other provision of law, any registrant who has failed or refused to report for induction shall continue to remain liable for induction and when available shall be immediately inducted. The President is authorized, from time to time, whether or not a state of war exists, to select and induct into the Armed Forces of the United States for training and service in the manner provided in this chapter (including but not limited to selection and induction by age group or age groups) such number of persons as may be required to provide and maintain the strength of the Armed Forces.

At such time as the period of active service in the Armed Forces required under this chapter of persons who have not attained the nineteenth anniversary of the day of their birth has been reduced or eliminated pursuant to the provisions of subsection (k), and except as otherwise provided in this chapter, every person who is required to register under this chapter and who has not attained the nineteenth anniversary of the day of his birth on the date such period of active service is reduced or eliminated or who is otherwise liable as provided in section 3806(h) of this title, shall be liable for training in the National Security Training Corps: *Provided*, That persons deferred under the provisions of section 3806 of this title shall not be relieved from liability for induction into the National Security Training Corps solely by reason of having exceeded the age of nineteen years during the period of such deferment. The President is authorized, from time to time, whether or not a state of war exists, to select and induct for training in the National Security Training Corps as herein-after provided such number of persons as may be required to further the purposes of this chapter.

No person shall be inducted into the Armed Forces for training and service or shall be inducted for training in the National Security

Training Corps under this chapter until his acceptability in all respects, including his physical and mental fitness, has been satisfactorily determined under standards prescribed by the Secretary of Defense: *Provided*, That the minimum standards for physical acceptability established pursuant to this subsection shall not be higher than those applied to persons inducted between the ages of 18 and 26 in January 1945: *Provided further*, That the passing requirement for the Armed Forces Qualification Test shall be fixed at a percentile score of 10 points: *And provided further*, That except in time of war or national emergency declared by the Congress the standards and requirements fixed by the preceding two provisos may be modified by the President under such rules and regulations as he may prescribe.

No persons shall be inducted for such training and service until adequate provision shall have been made for such shelter, sanitary facilities, water supplies, heating and lighting arrangements, medical care, and hospital accommodations for such persons as may be determined by the Secretary of Defense or the Secretary of Homeland Security to be essential to the public and personal health.

The persons inducted into the Armed Forces for training and service under this chapter shall be assigned to stations or units of such forces. Persons inducted into the land forces of the United States pursuant to this chapter shall be deemed to be members of the Army of the United States; persons inducted into the naval forces of the United States pursuant to this chapter shall be deemed to be members of the United States Navy or the United States Marine Corps or the United States Coast Guard, as appropriate; and persons inducted into the air forces of the United States pursuant to this chapter shall be deemed to be members of the Air Force of the United States.

Every person inducted into the Armed Forces pursuant to the authority of this subsection after June 19, 1951, shall, following his induction, be given full and adequate military training for service in the armed force into which he is inducted for a period of not less than twelve weeks, and no such person shall, during this twelve weeks period, be assigned for duty at any installation located on land outside the United States, its Territories and possessions (including the Canal Zone): *Provided*, That no funds appropriated by the Congress shall be used for the purpose of transporting or maintaining in violation of the provisions of this paragraph any person inducted into, or enlisted, appointed, or ordered to active duty in, the Armed Forces under the provisions of this chapter.

No person, without his consent, shall be inducted for training and service in the Armed Forces or for training in the National Security Training Corps under this chapter, except as otherwise provided herein, after he has attained the twenty-sixth anniversary of the day of his birth.

**(b) Length of service; release of individuals accepted into Army National Guard, Air National Guard, and other Reserve components**

Each person inducted into the Armed Forces under the provisions of subsection (a) of this

section shall serve on active training and service for a period of twenty-four consecutive months, unless sooner released, transferred, or discharged in accordance with procedures prescribed by the Secretary of Defense (or the Secretary of Homeland Security with respect to the United States Coast Guard) or as otherwise prescribed by subsection (d). The Secretaries of the Army, Navy, and Air Force, with the approval of the Secretary of Defense (and the Secretary of Homeland Security with respect to the United States Coast Guard), may provide, by regulations which shall be as nearly uniform as practicable, for the release from training and service in the armed forces prior to serving the periods required by this subsection of individuals who volunteered for and are accepted into organized units of the Army National Guard and Air National Guard and other reserve components.

**(c) Opportunity to enlist in Regular Army; voluntary induction; volunteers under 18 years old**

(1) Under the provisions of applicable laws and regulations any person between the ages of eighteen years and six months and twenty-six years shall be offered an opportunity to enlist in the regular army for a period of service equal to that prescribed in subsection (b) of this section: *Provided*, That, notwithstanding the provisions of this or any other Act, any person so enlisting shall not have his enlistment extended without his consent until after a declaration of war or national emergency by the Congress after June 19, 1951.

(2) Any enlisted member of any reserve component of the Armed Forces may, during the effective period of this Act, apply for a period of service equal to that prescribed in subsection (b) of this section and his application shall be accepted: *Provided*, That his services can be effectively utilized and that his physical and mental fitness for such service meet the standards prescribed by the head of the department concerned: *Provided further*, That active service performed pursuant to this section shall not prejudice his status as such member of such reserve component: *And provided further*, That any person who was a member of a reserve component on June 25, 1950, and who thereafter continued to serve satisfactorily in such reserve component, shall, if his application for active duty made pursuant to this paragraph is denied, be deferred from induction under this chapter until such time as he is ordered to active duty or ceases to serve satisfactorily in such reserve component.

(3) Within the limits of the quota determined under section 3805(b) of this title for the subdivision in which he resides, any person, between the ages of eighteen and twenty-six, shall be afforded an opportunity to volunteer for induction into the Armed Forces of the United States for the training and service prescribed in subsection (b), but no person who so volunteers shall be inducted for such training and service so long as he is deferred after classification.

(4) Within the limits of the quota determined under section 3805(b) of this title for the subdivision in which he resides, any person after attaining the age of seventeen shall with the written

consent of his parents or guardian be afforded an opportunity to volunteer for induction into the Armed Forces of the United States for the training and service prescribed in subsection (b).

(5) Within the limits of the quota determined under section 3805(b) of this title for the subdivision in which he resides, at such time as induction into the National Security Training Corps is authorized pursuant to the provisions of this chapter, any person after attaining the age of seventeen shall with the written consent of his parents or guardian be afforded an opportunity to volunteer for induction into the National Security Training Corps for the training prescribed in subsection (k).

**(d) Transfer to Reserve component; period of service**

(1) Each person who hereafter and prior to June 19, 1951, is inducted, enlisted, or appointed and serves for a period of less than three years in one of the armed forces and meets the qualifications for enlistment or appointment in a reserve component of the armed force in which he serves, shall be transferred to a reserve component of such armed force, and until the expiration of a period of five years after such transfer, or until he is discharged from such reserve component, whichever occurs first, shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law for such reserve component: *Provided*, That any such person who completes at least twenty-one months of service in the armed forces and who thereafter serves satisfactorily (1) on active duty in the armed forces under a voluntary extension for a period of at least one year, which extension is authorized, or (2) in an organized unit of any reserve component of any of the armed forces for a period of at least thirty-six consecutive months, shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the armed forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces.

(2) Each person who hereafter and prior to June 19, 1951, is enlisted under the provisions of subsection (g)<sup>1</sup> of this section and who meets the qualifications for enlistment or appointment in a reserve component of the armed forces shall, upon discharge from such enlistment under honorable conditions, be transferred to a reserve component of the armed forces of the United States and shall serve therein for a period of six years or until sooner discharged. Each such person shall, so long as he is a member of such reserve component, be liable to be ordered to active duty, but except in time of war or national emergency declared by the Congress no such person shall be ordered to active duty, without his consent and except as hereinafter provided, for more than one month in any year. In case the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air

Force determines that enlistment, enrollment, or appointment in, or assignment to, an organized unit of a reserve component or an officers' training program of the armed force in which he served is available to, and can without undue hardship be filled by, any such person, it shall be the duty of such person to enlist, enroll, or accept appointment in, or accept assignment to, such organized unit or officers' training program and to serve satisfactorily therein for a period of four years. Any such person who fails or refuses to perform such duty may be ordered to active duty, without his consent, for an additional period of not more than twelve consecutive months. Any such person who enlists or accepts appointment in any such organized unit and serves satisfactorily therein for a period of four years shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the armed forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces. The Secretary of Defense is authorized to prescribe regulations governing the transfer of such persons within and between reserve components of the armed forces and determining, for the purpose of the requirements of the foregoing provisions of this paragraph, the credit to be allowed any person so transferring for his previous service in one or more reserve components.

(3) Each person who, subsequent to June 19, 1951, and on or before August 9, 1955, is inducted, enlisted, or appointed, under any provision of law, in the Armed Forces, including the reserve components thereof, or in the National Security Training Corps prior to attaining the twenty-sixth anniversary of his birth, shall be required to serve on active training and service in the Armed Forces or in training in the National Security Training Corps, and in a reserve component, for a total period of eight years, unless sooner discharged on grounds of personal hardship, in accordance with regulations and standards prescribed by the Secretary of Defense (or the Secretary of Transportation with respect to the United States Coast Guard). Each such person, on release from active training and service in the Armed Forces or from training in the National Security Training Corps, shall, if physically and mentally qualified, be transferred to a reserve component of the Armed Forces, and shall serve therein for the remainder of the period which he is required to serve under this paragraph and shall be deemed to be a member of the reserve component during that period. If the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or the Secretary of Transportation with respect to the United States Coast Guard, determines that enlistment, enrollment, or appointment in, or assignment to, an organized unit of a reserve component or an officers' training program of the armed force in which he served is available to, and can, without undue personal hardship, be filled by such a person, that person shall enlist, enroll, or accept appointment in, or accept assignment to, the organized unit or officers'

<sup>1</sup> See References in Text note below.

training program, and serve satisfactorily therein.

**(e) Pay and allowances**

With respect to the persons inducted for training and service under this chapter there shall be paid, allowed, and extended the same pay, allowances, pensions, disability and death compensation, and other benefits as are provided by law in the case of other enlisted men of like grades and length of service of that component of the armed forces to which they are assigned. Section 3 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), is amended by deleting therefrom the following: "Act of March 7, 1942 (56 Stat. 143 to 148, ch. 166), as amended". The Act of March 7, 1942 (56 Stat. 143 to 148), as amended, is made applicable to persons inducted into the armed forces pursuant to this chapter.

**(f) Additional compensation from civilian sources**

Notwithstanding any other provision of law, any person who is inducted into the armed forces under this Act and who, before being inducted, was receiving compensation from any person may, while serving under that induction, receive compensation from that person.

**(g) Occupational deferment recommendations by National Security Council**

The National Security Council shall periodically advise the Director of the Selective Service System and coordinate with him the work of such State and local volunteer advisory committees which the Director of Selective Service may establish, with respect to the identification, selection, and deferment of needed professional and scientific personnel and those engaged in, and preparing for, critical skills and other essential occupations. In the performance of its duties under this subsection the National Security Council shall consider the needs of both the Armed Forces and the civilian segment of the population.

**(h) Repealed. June 19, 1951, ch. 144, title I, § 1(h), 65 Stat. 80**

**(i), (j) Omitted**

**(k) Reduction of periods of service; establishment of National Security Training Corps; composition; service; pay**

(1) Upon a finding by him that such action is justified by the strength of the Armed Forces in the light of international conditions, the President, upon recommendation of the Secretary of Defense, is authorized, by Executive order, which shall be uniform in its application to all persons inducted under this chapter but which may vary as to age groups, to provide for (A) decreasing periods of service under this chapter but in no case to a lesser period of time than can be economically utilized, or (B) eliminating periods of service required under this chapter.

(2) Whenever the Congress shall by concurrent resolution declare—

(A) that the period of active service required of any age group or groups of persons inducted under this chapter should be decreased to any period less than twenty-four months which may be designated in such resolution; or

(B) that the period of active service required of any age group or groups of persons inducted under this chapter should be eliminated,

the period of active service in the Armed Forces of the age group or groups designated in any such resolution shall be so decreased or eliminated, as the case may be. Whenever the period of active service required under this chapter of persons who have not attained the nineteenth anniversary of the day of their birth has been reduced or eliminated by the President or as a result of the adoption of a concurrent resolution of the Congress in accordance with the foregoing provisions of this section, all individuals then or thereafter liable for registration under this chapter who on that date have not attained the nineteenth anniversary of the day of their birth and have not been inducted into the Armed Forces shall be liable, effective on such date, for induction into the National Security Training Corps as hereinafter established for initial military training for a period of six months.

(3), (4) Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 656.

(5) The Commission shall, subject to the direction of the President, exercise general supervision over the training of the National Security Training Corps, which training shall be basic military training. The Commission shall establish such policies and standards with respect to the conduct of the training of members of the National Security Training Corps as are necessary to carry out the purposes of this Act. The Commission shall make adequate provisions for the moral and spiritual welfare of members of the National Security Training Corps. The Secretary of Defense shall designate the military departments to carry out such training. Each military department so designated shall carry out such military training in accordance with the policies and standards of the Commission. The military department or departments so designated to carry out such military training shall, subject to the approval of the Secretary of Defense, and subject to the policies and standards established by the Commission, determine the type or types of basic military training to be given to members of the National Security Training Corps.

(6) Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 656.

(7) Not later than four months following confirmation of the members of the Commission, the Commission shall submit to the Congress legislative recommendations which shall include, but not be limited to—

(A) a broad outline for a program deemed by the Commission and approved by the Secretary of Defense to be appropriate to assure that the training carried out under the provisions of this Act shall be of a military nature, but nothing contained in this paragraph shall be construed to grant to the Commission the authority to prescribe the basic type or types of military training to be given members of the National Security Training Corps;

(B) measures for the personal safety, health, welfare and morals of members of the National Security Training Corps;

(C) a code of conduct, together with penalties for violation thereof;

(D) measures deemed necessary to implement the policies and standards established under the provisions of paragraph (5) of this subsection; and

(E) disability and death benefits and other benefits, and the obligations, duties, liabilities and responsibilities, to be granted to or imposed upon members of the National Security Training Corps.

All legislative recommendations submitted under this paragraph shall be referred to the Committees on Armed Services of the two Houses, and each of such committees shall, not later than the expiration of the first period of 45 calendar days of continuous sessions of the Congress, following the date on which the recommendations provided for in this paragraph are transmitted to the Congress, report thereon to its House: *Provided*, That any bill or resolution reported with respect to such recommendations shall be privileged and may be called up by any member of either House but shall be subject to amendment as if it were not so privileged.

(8) No person shall be inducted into the National Security Training Corps until after—

(A) a code of conduct, together with penalties for violation thereof, and measures providing for disability and death benefits have been enacted into law; and

(B) such other legislative recommendations as are provided for in paragraph (7) shall have been considered and such recommendations or any portion thereof shall have been enacted with or without amendments into law; and

(C) the period of service required under this chapter of persons who have not attained the nineteenth anniversary of the day of their birth has been reduced or eliminated by the President or as a result of the adoption of a concurrent resolution of the Congress in accordance with paragraph (2) of this subsection.

(9) Six months following the commencement of induction of persons into the National Security Training Corps, and semiannually thereafter, the Commission shall submit to the Congress a comprehensive report describing in detail the operation of the National Security Training Corps, including the number of persons inducted therein, a list of camps and stations at which training is being conducted, a report on the number of deaths and injuries occurring during such training and the causes thereof, an estimate of the performance of the persons inducted therein, including an analysis of the disciplinary problems encountered during the preceding six months, the number of civilian employees of the Commission and the administrative costs of the Commission. Simultaneously, there shall be submitted to the Congress by the Secretary of Defense a report setting forth an estimate of the value of the training conducted during the preceding six months, the cost of the training program chargeable to the appropriations made to the Department of Defense, and the number of personnel of the Armed Forces directly engaged in the conduct of such training.

(10) Each person inducted into the National Security Training Corps shall be compensated at the monthly rate of \$30: *Provided, however*, That each such person, having a dependent or depend-

ents shall be entitled to receive a dependency allowance equal to the basic allowance for housing provided for persons in pay grade E-1 under section 403 of title 37 plus \$40 so long as such person has in effect an allotment equal to the amount of such dependency allowance for the support of the dependent or dependents on whose account the allowance is claimed.

(11) No person inducted into the National Security Training Corps shall be assigned for training at an installation located on land outside the continental United States, except that residents of Territories and possessions of the United States may be trained in the Territory or possession from which they were inducted.

#### (I) Terminated

(June 24, 1948, ch. 625, title I, § 4, 62 Stat. 605; Sept. 9, 1950, ch. 939, § 1, 64 Stat. 826; Sept. 27, 1950, ch. 1059, §§ 1(1)-(5), 3(a), 64 Stat. 1073; June 19, 1951, ch. 144, title I, § 1(d)-(j), 65 Stat. 76; July 9, 1952, ch. 608, pt. VIII, § 813, 66 Stat. 509; June 29, 1953, ch. 158, §§ 1, 2, 6, 67 Stat. 86, 89; June 30, 1955, ch. 250, title II, § 202, 69 Stat. 224; Aug. 9, 1955, ch. 665, § 3(a), 69 Stat. 602; Aug. 10, 1956, ch. 1041, §§ 22(a)-(c), 53, 70A Stat. 630, 641; Pub. L. 85-62, §§ 1-3, June 27, 1957, 71 Stat. 206, 207; Pub. L. 85-564, July 28, 1958, 72 Stat. 424; Pub. L. 85-861, §§ 9, 36A, Sept. 2, 1958, 72 Stat. 1556, 1569; Pub. L. 87-651, title III, § 301, Sept. 7, 1962, 76 Stat. 524; Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 656; Pub. L. 90-40, § 1(2), June 30, 1967, 81 Stat. 100; Pub. L. 92-129, title I, § 101(a)(3)-(7), Sept. 28, 1971, 85 Stat. 348, 349; Pub. L. 94-106, title VIII, § 802(c), Oct. 7, 1975, 89 Stat. 537; Pub. L. 105-85, div. A, title VI, § 603(d)(5), Nov. 18, 1997, 111 Stat. 1783; Pub. L. 107-296, title XVII, § 1704(e)(11)(A), (B), Nov. 25, 2002, 116 Stat. 2315.)

#### TERMINATION OF INDUCTION FOR TRAINING AND SERVICE

*For provisions relating to termination of induction for training and service in the Armed Forces after July 1, 1973, see section 3815(c) of this title.*

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, 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.

This Act, referred to in subsecs. (c)(1), (2), (f), and (k)(5), (7)(A), is act June 24, 1948, ch. 625, 62 Stat. 604, known as the Military Selective Service Act. For complete classification of this Act to the Code, see References in Text note set out under section 3801 of this title and Tables.

The effective period of this Act, referred to in subsec. (c)(2), is set out in section 3815 of this title.

Subsection (g) of this section, referred to in subsec. (d)(2), means subsection (g) prior to repeal by act June 19, 1951, § 1(h). See 1951 Amendment note below.

Section 3 of the Act of July 25, 1947 (Public Law 239, Eightieth Congress), referred to in subsec. (e), is section 3 of act July 25, 1947, ch. 327, 61 Stat. 451, which is not classified to the Code.

Act of March 7, 1942 (56 Stat. 143 to 148), referred to in subsec. (e), popularly known as the Missing Persons Act, was classified to sections 1001 to 1018 of the former Appendix to this title, prior to repeal by Pub. L. 89-554, Sept. 6, 1966, § 8(a), 80 Stat. 632, and reenactment as sub-

chapter VII (§5561 et seq.) of chapter 55 of Title 5, Government Organization and Employees, and chapter 10 (§551 et seq.) of Title 37, Pay and Allowances of the Uniformed Services.

The Commission, referred to in subsec. (k)(5), means the National Security Training Commission, which expired June 30, 1957, pursuant to letter of the President on Mar. 25, 1957, following the Commission's own recommendation for its termination.

#### CODIFICATION

Section was formerly classified to section 454 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2002—Subsecs. (a), (b). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation” wherever appearing.

1997—Subsec. (k)(10). Pub. L. 105-85 substituted “shall be entitled to receive a dependency allowance equal to the basic allowance for housing provided for persons in pay grade E-1 under section 403 of title 37” for “as such terms are defined in the Career Compensation Act of 1949, shall be entitled to receive a dependency allowance equal to the sum of the basic allowance for quarters provided for persons in pay grade E-1 by section 302(f) of the Career Compensation Act of 1949 as amended by section 3 of the Dependents' Assistance Act of 1950 as may be extended or amended”.

1975—Subsec. (a). Pub. L. 94-106 in paragraph relating to military training for persons inducted after June 19, 1951, for service in the armed force into which they were inducted, substituted twelve weeks for four months in two places.

1971—Subsec. (a). Pub. L. 92-129, §101(a)(3), (4), struck out provisions which had given special coverage for male aliens and substituted “Secretary of Transportation” for “Secretary of the Treasury”.

Subsec. (b). Pub. L. 92-129, §101(a)(5), substituted “Secretary of Transportation” for “Secretary of the Treasury”.

Subsec. (d)(1). Pub. L. 92-129, §101(a)(6), struck out “(except a person enlisted under subsection (g) of this section)” after “inducted, enlisted, or appointed”.

Subsec. (d)(3). Pub. L. 92-129, §101(a)(7), substituted “Secretary of Transportation” for “Secretary of the Treasury”.

1967—Subsec. (a). Pub. L. 90-40, §1(2)(a), inserted proviso that registrants failing or refusing to report for induction continue to remain liable for induction and to be immediately inducted when available.

Subsec. (g). Pub. L. 90-40, §1(2)(b), added subsec. (g).

1966—Subsec. (k)(3), (4), (6). Pub. L. 89-554 repealed pars. (3), (4) and (6) which established the National Security Training Commission, provided for its composition, tenure, pay and duties, and authorized appointment and pay of employees.

1962—Subsec. (d)(3). Pub. L. 87-651 amended par. (3) generally, striking out provisions which required each person inducted into the National Security Training Corps to serve in the Armed Forces or the National Security Training Corps for a total of eight years, unless sooner discharged because of personal hardship, and requiring each person covered by this subsection who is not a reserve, and who is qualified, upon his release from training, to be transferred to a reserve component to complete the service required by this subsection.

1958—Subsec. (a). Pub. L. 85-564 inserted, at end of third par., proviso authorizing President to modify standards fixed by preceding two provisos, except in war or national emergency.

Subsec. (d)(3). Pub. L. 85-861 repealed provisions that required persons inducted, enlisted, or appointed, in the Armed Forces to serve on active training and service in the Armed Forces and in a reserve component for a total of six years, and inserted provisions requiring transfer to reserve components of persons released from active training and service in the Armed Forces

or from training in the National Security Training Corps and authorizing enlistment, enrollment, or appointment in, or assignment to, an organized unit of a reserve component or an officers' training program of the armed force in which a person served. See section 651 of Title 10, Armed Forces.

1957—Subsec. (a). Pub. L. 85-62, §1, 9, temporarily inserted next to last paragraph providing that no medical, dental, or allied specialist shall be inducted if he applies or applied for appointment as a Reserve officer in one of such categories and is rejected on the sole ground of physical disqualification. See Effective and Termination Dates of 1957 Amendment note below.

Subsec. (j). Pub. L. 85-62, §§3, 9, temporarily struck out “as referred to in subsection (i)” after “categories of persons” at end of first sentence, and substituted “thirty-fifth” for “fifty-first” in last sentence of second par. See Effective and Termination Dates of 1957 Amendment note below.

Subsec. (l). Pub. L. 85-62, §2, 9, temporarily added subsec. (l). See Effective and Termination Dates of 1957 Amendment note below.

1956—Subsec. (a). Act Aug. 10, 1956, §53, repealed provisions prohibiting assignment to duty outside the United States until the member of the Armed Forces has had the equivalent of four months of basic training, and relating to communications with Members of Congress. See sections 671 and 1034 of Title 10, Armed Forces.

Subsec. (b). Act Aug. 10, 1956, §22(a), authorized Secretaries of the Army, Navy, Air Force, and Treasury, to provide by regulations for release from training and service in the Armed Forces of those individuals who are accepted into organized units of the Army National Guard and Air National Guard and other reserve components.

Subsec. (d)(3). Act Aug. 10, 1956, §22(b), purportedly repealed par. (3) and amended it to provide that “Each person who is inducted into the National Security Training Corps shall serve in the armed forces or the National Security Training Corps for a total of eight years, unless he is sooner discharged because of personal hardship under regulations prescribed by the Secretary of Defense. Each person covered by this subsection who is not a Reserve, and who is qualified, shall, upon his release from training, be transferred to a reserve component of an armed force to complete the service required by this subsection.” See 1958 and 1962 Amendment notes above.

Subsec. (f). Act Aug. 10, 1956, §53, purportedly repealed subsec. (f). However, section 22(c) of the act amended subsection to clarify authority to receive compensation.

1955—Subsec. (d)(3). Act Aug. 9, 1955, provided for a six-year term of duty for persons who are inducted, enlisted, or appointed after Aug. 9, 1955.

Subsec. (i)(1). Act June 30, 1955, exempted from service persons who attained their thirty-fifth anniversary of their date of birth and who were rejected for service on the ground of physical disqualification, and to reduce maximum age of liability of induction from 51 to 46 years of age.

1953—Subsec. (i)(2). Act June 29, 1953, §6, in cl. “First” struck out “subsequent to the completion of or release from the program or course of instruction” after “Public Health Service”; and, in cl. “Second”, substituted “seventeen months” for “twenty-one months”, and struck out “subsequent to the completion of or release from the program or course of instruction” after “Public Health Service”.

Subsec. (i)(4) to (7). Act June 29, 1953, §1, added pars. (4) to (7).

Subsec. (j). Act June 29, 1953, §2, added third par.

1952—Subsec. (d)(3). Act July 9, 1952, substituted “appointed under any provision of law, in the Armed Forces, including the reserve components thereof,” for “appointed in the Armed Forces”.

1951—Subsec. (a). Act June 19, 1951, §1(d), lowered age limit from 19 years to 18½, provided for training in National Security Training Corps, lowered physical and

mental standards, provided for a basic training period, and allowed communication with Members of Congress.

Subsec. (b). Act June 19, 1951, §1(e), increased length of service from 21 to 24 months.

Subsec. (c). Act June 19, 1951, §1(f), struck out short-term Army enlistment period and the General Classification Test, and established age for voluntary induction.

Subsec. (d). Act June 19, 1951, §1(g), inserted “and prior to June 19, 1951,” after “hereafter” in pars. (1) and (2), and added par. (3).

Subsec. (e). Act June 19, 1951, §1(i), inserted “6g” after “sections” in par. (1), and extended period of service from 21 to 24 months.

Subsec. (g). Act June 19, 1951, §1(h), repealed subsec. (g), which authorized and directed the Secretaries of the Army, the Navy, and the Air Force to accept enlistments for periods of one year in the respective forces from among qualified male persons between the ages of eighteen and nineteen, subject to the authorized one-year enlistee active duty personnel strengths established by section 452 of the former Appendix to this title.

Subsec. (h). Act June 19, 1951, §1(h), repealed subsec. (h) which related to permanent assignment outside continental United States.

Subsec. (k). Act June 19, 1951, §1(j), added subsec. (k). 1950—Subsec. (a). Act Sept. 27, 1950, §1(1)–(4), inserted before period in third sentence of first par. “and such number of persons as in his judgment may be required for the United States Coast Guard”, inserted before period in second par. “or the Secretary of the Treasury”, inserted after “the Secretary of Defense” in third par. “or the Secretary of the Treasury”, inserted after “United States Marine Corps” in fourth par. “or the United States Coast Guard”.

Subsec. (b). Act Sept. 27, 1950, §1(5), inserted before period “or the Secretary of the Treasury”.

Subsec. (c). Act Sept. 27, 1950, §3(a), added par. (4).

Subsecs. (i), (j). Act Sept. 9, 1950, §§1, 9, temporarily added subsecs. (i) and (j). See Termination Date of Subsection (i) and Former Subsection (j) note below.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.

##### EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105–85 effective Jan. 1, 1998, see section 603(e) of Pub. L. 105–85, set out as a note under section 5561 of Title 5, Government Organization and Employees.

##### EFFECTIVE AND TERMINATION DATES OF 1957 AMENDMENT

Pub. L. 85–62, §9, June 27, 1957, 71 Stat. 208, as amended by Pub. L. 86–4, §4, Mar. 23, 1959, 73 Stat. 13; Pub. L. 88–2, §4, Mar. 28, 1963, 77 Stat. 4; Pub. L. 90–40, §4, June 30, 1967, 81 Stat. 105; Pub. L. 92–129, title I, §103, Sept. 28, 1971, 85 Stat. 355, provided that: “This Act [see Tables for classification] takes effect July 1, 1957, and shall terminate July 1, 1973.”

##### EFFECTIVE DATE OF 1952 AMENDMENT

Act July 9, 1952, ch. 608, pt. VIII, §813, 66 Stat. 509, provided that the amendment made by that section is effective as of June 19, 1951.

##### TERMINATION DATE OF SUBSECTION (i) AND FORMER SUBSECTION (j)

Act Sept. 9, 1950, ch. 939, §7, 64 Stat. 828, as amended by acts June 19, 1951, §2(b); June 29, 1953, §9; and June 30, 1955, §201, and by Pub. L. 85–62, §8, provided that

subsecs. (i) and (j) of this section, which were added by act Sept. 9, 1950, shall terminate as of June 30, 1957. See Effective and Termination Dates of 1957 Amendment note set out above with respect to subsec. (j) as reenacted and amended by Pub. L. 85–62.

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### Executive Documents

##### PROC. NO. 2906. REGISTRATION OF DOCTORS, DENTISTS AND ALLIED SPECIALISTS

Proc. No. 2906, Oct. 6, 1950, 15 F.R. 6845, 64 Stat. Pt. 2, p. A437, as amended Proc. No. 2915, Dec. 28, 1950, 15 F.R. 9419, 64 Stat. Pt. 2, p. A455, provided:

1. Every male person who participated as a student in the Army specialized training program or any similar program administered by the Navy, or was deferred from service during World War II for the purpose of pursuing a course of instruction leading to education in a medical, dental, or allied specialist category, and has had less than twenty-one months of active duty in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service subsequent to the completion of, or release from, such program or course of instruction (exclusive of time spent in post-graduate training), and who, on the day or any of the days hereinafter fixed for his registration (a) shall have received from any school, college, university, or similar institution of learning, one or more of the degrees of bachelor of medicine, doctor of medicine, doctor of dental surgery, doctor of dental medicine, doctor of veterinary surgery, and doctor of veterinary medicine, (b) is within any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands, (c) is not a member of any reserve component of the armed forces of the United States, and (d) shall not have attained the fiftieth anniversary of the day of his birth is required to and shall on that day or any of those days present himself for and submit to registration before a duly designated registration official or selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be on that day or any of those days.

2. The special registration of the male persons required to submit to registration by paragraph numbered 1 hereof shall take place in the several States of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands between the hours of 8:00 a.m. and 5:00 p.m. on the day or days hereinafter designated for their registration, as follows:

(a) Persons who shall have received any of the degrees above referred to on or before October 16, 1950, shall be registered on Monday, the 16th day of October, 1950.

(b) Persons who receive any of the degrees above referred to after October 16, 1950, shall be registered on the day they receive any such degree, or within five days thereafter.

(c) Persons who shall have received any of the degrees above referred to and who enter any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands after October 16, 1950, shall be registered on the day of such entrance, or within five days thereafter.

3. Every male person who has not had active service in the Army, the Air Force, the Navy, the Marine

Corps, the Coast Guard, or the Public Health Service subsequent to September 16, 1940, and every male person not included in the first or the second of the priorities defined in section 4(i)(2) of the Selective Service Act of 1948, as amended [now the Military Selective Service Act, former 50 U.S.C. 3803(i)(2)], who has had active service in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service subsequent to September 16, 1940, who on the day or any of the days hereafter fixed by the Director of Selective Service for his registration (a) shall have received from a school, college, university, or similar institution of learning one or more of the degrees of bachelor of medicine, doctor of medicine, doctor of dental surgery, doctor of dental medicine, doctor of veterinary surgery, and doctor of veterinary medicine, (b) is within any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands, (c) is not a member of any reserve component of the armed forces of the United States, and (d) shall not have attained the fiftieth anniversary of the day of his birth is required to and shall on that day or any of those days present himself for and submit to registration before a duly designated registration official or selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be on that day or any of those days.

4. The Director of Selective Service is hereby authorized and directed to fix the date or dates for the special registration required under paragraph numbered 3 hereof: *Provided*, that the date or dates so fixed shall be not later than January 16, 1951.

5. The Director of Selective Service is hereby authorized to require special registration of, and fix the date or dates of registration for, all other persons who are subject to registration under section 4(i) of the Selective Service Act of 1948, as amended, and who are not required to register under or pursuant to this proclamation.

6. All orders and directives of the Director of Selective Service issued pursuant to paragraph numbered 4 or paragraph numbered 5 hereof shall be published in the Federal Register.

7. (a) A person subject to registration under or pursuant to this proclamation who, because of circumstances beyond his control, is unable to present himself for and submit to registration during the hours of the day or any of the days fixed for registration shall do so as soon as possible after the cause for such inability ceases to exist.

(b) Every person subject to registration under or pursuant to this proclamation who has registered in accordance with Proclamation No. 2799 of July 20, 1948, issued under the Selective Service Act of 1948, as amended, [now the Military Selective Service Act] and the regulations prescribed thereunder, shall, notwithstanding such registration, present himself for and submit to registration as required by or pursuant to this proclamation.

(c) The duty of any person to present himself for and submit to registration in accordance with Proclamation No. 2799 of July 20, 1948, issued under the Selective Service Act of 1948, as amended [now the Military Selective Service Act] and the regulations prescribed thereunder, shall not be affected by this proclamation.

8. Every person subject to registration under or pursuant to this proclamation is required to familiarize himself with the rules and regulations governing such registration and to comply therewith.

9. I call upon the Governors of each of the several States, the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands and the Board of Commissioners of the District of Columbia, and all officers and agents of the United States and all officers and agents of the several States, the Territories of Alaska and Hawaii, Puerto Rico, the Virgin Islands, and the District of Columbia, and political subdivisions thereof, and all local boards and agents thereof appointed under the provisions of title I of the Selective Service Act of 1948,

as amended [now the Military Selective Service Act, 50 U.S.C. 3801 et seq.], or the regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration.

10. In order that there may be full cooperation in carrying into effect the purposes of section 4(i) of title I of the Selective Service Act of 1948, as amended, I urge all employers and Government agencies of all kinds—Federal, State, territorial, and local—to give those under their charge sufficient time in which to fulfill the obligations of registration incumbent upon them under the said Act and under or pursuant to this proclamation.

#### PROC. NO. 2915. EXEMPTIONS FROM REGISTRATION

Proc. No. 2915, Dec. 28, 1950, 15 F.R. 9419, 64 Stat. 494, provided:

Proclamation No. 2906 of October 6, 1950 [set out above], be, and it is hereby, amended, effective as of October 6, 1950, so as to exempt from the force and effect thereof, until otherwise directed by the President by proclamation, (1) commissioned officers, warrant officers, pay clerks, enlisted men, and aviation cadets of the Regular Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service, and (2) aliens who are residing in the United States and have not declared their intention of becoming citizens of the United States and who are also in one of the following categories: (a) alien students admitted under subdivision (e) of section 4 of the Immigration Act approved May 26, 1924, as amended [former 8 U.S.C. 204], (b) aliens recognized as diplomatic, consular, military or civilian officials or employees of a foreign government and members of their families, (c) aliens who are officials or employees of a public international organization recognized under the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669) [22 U.S.C. 288 et seq.], and members of their families, (d) aliens who have entered the United States and remain therein pursuant to the provisions of section 11 of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, as approved in Public Law 357, 80th Congress (61 Stat. 756) [22 U.S.C. 287 note], (e) aliens who are nationals of a country with which there is in effect a treaty or international agreement exempting its nationals from military service while they are within the United States, or (f) other aliens whose admission to the United States is for a temporary stay only: *Provided*, That such exemption shall not continue after the cause thereof shall cease to exist.

#### EX. ORD. NO. 10762. DELEGATION OF AUTHORITY TO SECRETARY OF DEFENSE

Ex. Ord. No. 10762, Mar. 28, 1958, 23 F.R. 2119, provided: 1. There is hereby delegated to the Secretary of Defense:

(a) The authority vested in the President by section 4(l)(1) of the Universal Military Training and Service Act [50 U.S.C. 3803(l)(1)], as added by section 2 of the Act of June 27, 1957 (P.L. 85-62; 71 Stat. 206), to order to active duty (other than for training) for a period of not more than 24 consecutive months, with or without his consent, any member of a reserve component of the armed forces of the United States who is in a medical, dental, or allied specialist category, who has not attained the thirty-fifth anniversary of the date of his birth, and who has not performed at least one year of active duty (other than for training).

(b) The authority vested in the President by section 5(c) of the Universal Military Training and Service Act [50 U.S.C. 3805(c)], as added by section 5 of the Act of June 27, 1957 (P.L. 85-62; 71 Stat. 207), to prescribe regulations with respect to the appointment, reappointment, or promotion of any qualified person who (1) is liable for induction or (2) as a member of a reserve component is ordered to active duty as a physician or dentist or in an allied specialist category in the armed forces of the United States.

2. Executive Order No. 10478 of August 5, 1953, as amended by Executive Order No. 10658 of February 15, 1956, is hereby revoked.

DWIGHT D. EISENHOWER.

EX. ORD. NO. 10776. DELEGATION OF PRESIDENT'S  
AUTHORITY

Ex. Ord. No. 10776, July 28, 1958, 23 F.R. 5683, provided: By virtue of the authority vested in me by title 3 of the United States Code, and as President of the United States and Commander in Chief of the Armed Forces, there is hereby delegated to the Secretary of Defense the authority (relating to the prescribing of rules and regulations modifying the standards and requirements with respect to induction of persons into the armed forces) vested in the President by the last proviso of section 4(a) of the Universal Military Training and Service Act [50 U.S.C. 3803(a)], added by the act of July 28, 1958 [Pub. L. 85-564]. The Secretary of Defense is hereby authorized to re-delegate that authority to any official of the Department of Defense who is required to be appointed by and with the advice and consent of the Senate. No person shall be inducted into the armed forces for training and service who does not meet the standards and requirements specified in the rules and regulations prescribed by the Secretary or his designee pursuant to this order.

DWIGHT D. EISENHOWER.

**§ 3804. Volunteer service of physicians and dentists; minimum period**

Any physician or dentist who meets the qualifications for a reserve commission in the respective military departments shall, so long as there is a need for the services of such a physician or dentist, be afforded an opportunity to volunteer for a period of active duty of not less than twenty-four months. Any physician or dentist who so volunteers his service, and meets the qualifications for a reserve commission shall be ordered to active duty for not less than twenty-four months, notwithstanding the grade or rank to which such physician or dentist is entitled under the provisions of the Act of September 9, 1950, as amended.

(June 29, 1953, ch. 158, §7, 67 Stat. 89.)

**Editorial Notes**

REFERENCES IN TEXT

Act of September 9, 1950, as amended, referred to in text, is act Sept. 9, 1950, ch. 939, 64 Stat. 826. Section 7 of the Act, as amended (71 Stat. 208), provided that the Act, except for sections 3 and 5, shall terminate as of June 30, 1957. Section 3 of the Act amended section 202 of the National Security Act of 1947, by adding subsections (g) to (i) which were classified to section 171a(g) to (i) of former Title 5 and which were later omitted from the Code following the codification of section 202(a) to (f) and (j) of the National Security Act of 1947 in Title 10, Armed Forces, by Pub. L. 87-651, Sept. 7, 1972, 76 Stat. 506. Section 5 of the Act was classified to section 234b of former Title 37, and was later omitted from the Code following the enactment of Title 37, Pay and Allowances of the Uniformed Services, by Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 451.

CODIFICATION

Section was formerly classified to section 454e of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

Section was not enacted as part of the Military Selective Service Act, title I of which comprises this chapter.

**§ 3805. Manner of selection of men for training and service; quotas**

**(a) Manner of selection**

(1) The selection of persons for training and service under section 3803 of this title shall be made in an impartial manner, under such rules and regulations as the President may prescribe, from the persons who are liable for such training and service and who at the time of selection are registered and classified, but not deferred or exempted: *Provided*, That in the selection of persons for training and service under this chapter, and in the interpretation and execution of the provisions of this chapter, there shall be no discrimination against any person on account of race or color: *Provided further*, That in the classification of registrants within the jurisdiction of any local board, the registrants of any particular registration may be classified, in the manner prescribed by and in accordance with rules and regulations prescribed by the President, before, together with, or after the registrants of any prior registration or registrations; and in the selection for induction of persons within the jurisdiction of any local board and within any particular classification, persons who were registered at any particular registration may be selected, in the manner prescribed by and in accordance with rules and regulations prescribed by the President, before, together with, or after persons who were registered at any prior registration or registrations: *And provided further*, That nothing herein shall be construed to prohibit the selection or induction of persons by age group or groups under rules and regulations prescribed by the President: *And provided further*, That—

(1) no local board shall order for induction for training and service in the Armed Forces of the United States any person who has not attained the age of nineteen unless there is not within the jurisdiction of such local board a sufficient number of persons who are deemed by such local board to be available for induction and who have attained the age of nineteen to enable such local board to meet a call for men which it has been ordered to furnish for induction;

(2) no local board shall order for induction for training and service in the Armed Forces of the United States any person who has not attained the age of nineteen, if there is any person within the jurisdiction of such local board who (i) is as much as ninety days older, (ii) has not attained the age of nineteen, and (iii) is deemed by the local board to be available for induction; and

(3) no local board shall order for induction for training and service in the Armed Forces of the United States an alien unless such alien shall have resided in the United States for one year.

(2) Repealed. Pub. L. 91-124, §2, Nov. 26, 1969, 83 Stat. 220.

**(b) Basis for determination of quotas**

Quotas of men to be inducted for training and service under this chapter shall be determined for each State, Territory, possession, and the District of Columbia, and for subdivisions there-