

- Sec.  
322. Functions, duties, and responsibilities of Office.  
323. Transfer of funds; appropriations.  
324. Transfer of property, records, and personnel to Office; transfer of surplus property to National Guard.  
325. Transfer of functions and responsibilities of Personnel Division, National Headquarters, Selective Service System to Office; effective date.  
326. Powers and duties of Director; acceptance of voluntary services; fiscal, disbursing, and accounting agent; status of officers of military and naval Services and Reserves and departments or agencies detailed to Office.  
327. Rules and regulations; penalties.  
328. Suspension of conflicting laws.  
329. Effective date.  
330. Destruction of records; use of appropriations; procedures; transfers to other agencies.

**TERMINATION AND REESTABLISHMENT OF OFFICE OF SELECTIVE SERVICE RECORDS; TRANSFER OF FUNCTIONS, PERSONNEL, PROPERTY, ETC.**

Act June 24, 1948, ch. 625, title I, §10(a)(4), 62 Stat. 618, provided that: "The functions of the Office of Selective Service Records (established by the Act of March 31, 1947) [sections 321 to 329 of this Appendix] and of the Director of the Office of Selective Service Records are hereby transferred to the Selective Service System and the Director of Selective Service, respectively. The personnel, property, records, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Office of Selective Service Records are hereby transferred to the Selective Service System. The Office of Selective Service Records shall cease to exist upon the taking of effect of the provisions of this title [sections 451, 453, 454 and 455 to 471 of this Appendix]: *Provided*, That, effective upon the termination of this title [said sections] and notwithstanding such termination in other respects, (A) the said Office of Selective Service Records is hereby reestablished on the same basis and with the same functions as obtained prior to the effective date of this title [June 24, 1948], (B) said reestablished Office shall be responsible for liquidating any other outstanding affairs of the Selective Service System, and (C) the personnel, property, records, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Selective Service System shall be transferred to such reestablished Office of Selective Service Records."

**§ 321. Establishment of Office of Selective Service Records; appointment of Director**

There is hereby established an Office of Selective Service Records, to be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(Mar. 31, 1947, ch. 26, §1, 61 Stat. 31.)

**CODIFICATION**

Provisions that fixed the compensation of the Director at \$10,000 per year were omitted as obsolete and superseded. Sections 1202 and 1204 of the Classification Act of 1949, 63 Stat. 972, 973, repealed the Classification Act of 1923 and all other laws or parts of laws inconsistent with the 1949 Act. The Classification Act of 1949 was repealed by Pub. L. 89-554, Sept. 6, 1966, §8(a), 80 Stat. 632, and reenacted as chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees. Section 5102 of Title 5 contains the applicability provisions of the 1949 Act, and section 5103 of Title 5 authorizes the Office of Personnel Management to determine the applicability to specific positions and employees.

**§ 322. Functions, duties, and responsibilities of Office**

The functions, duties, and responsibilities<sup>1</sup> of the Office of Selective Service Records shall be (a) to liquidate the Selective Service System, which liquidation shall be completed as rapidly as possible after March 31, 1947, but in any event not later than March 31, 1948, except as herein provided; (b) to preserve and service the records of Selective Service; and (c) to perform such other duties relating to the preservation of records, knowledge, and methods of Selective Service, not inconsistent with law.

(Mar. 31, 1947, ch. 26, §2, 61 Stat. 31.)

**REESTABLISHMENT OF OFFICE**

For termination and reestablishment dates, see note set out preceding section 321 of this Appendix.

**§ 323. Transfer of funds; appropriations**

The unexpended balances of funds available to the Selective Service System are made available to the Office of Selective Service Records for the purposes of this Act [sections 321 to 329 of this Appendix] and such additional appropriations as are necessary therefor are authorized.

(Mar. 31, 1947, ch. 26, §3, 61 Stat. 31.)

**REESTABLISHMENT OF OFFICE**

For termination and reestablishment dates, see note set out preceding section 321 of this Appendix.

**§ 324. Transfer of property, records, and personnel to Office; transfer of surplus property to National Guard**

All property, records, and personnel of the Selective Service System are hereby transferred to the Office of Selective Service Records and authority is hereby granted to the Director of the Office of Selective Service Records to transfer, without reimbursement, and with the approval of the War Assets Administration,<sup>1</sup> to the National Guard in the several States, the District of Columbia, and Territories and possessions of the United States, or to the Organized Reserves of the armed forces, surplus property of the Selective Service System.

(Mar. 31, 1947, ch. 26, §4, 61 Stat. 31; June 30, 1949, ch. 288, title I, §105, 63 Stat. 381.)

**TRANSFER OF FUNCTIONS**

War Assets Administration abolished and functions, records, etc., transferred to General Services Administration by act June 30, 1949, ch. 288, title I, §105, 63 Stat. 381, effective July 1, 1949, see section 605, formerly section 505, of act June 30, 1949, ch. 288, 63 Stat. 403; renumbered by act Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583.

**REESTABLISHMENT OF OFFICE**

For termination and reestablishment dates, see note set out preceding section 321 of this Appendix.

**§ 325. Transfer of functions and responsibilities of Personnel Division, National Headquarters, Selective Service System to Office; effective date**

Pursuant to the third sentence of section 7 of Public Law 473, approved June 29, 1946 [section

<sup>1</sup> So in original. Should be "responsibilities".

<sup>1</sup> See Transfer of Functions note below.

316(b) of this Appendix], all functions and responsibilities of the Personnel Division, National Headquarters, Selective Service System, established under authority of section 8(g) of the Selective Training and Service Act of 1940, as amended [section 308(g) of this Appendix], together with so much of the records of the Selective Service System, and so much of the unexpended balances of appropriations of the Selective Service System, as the Director of the Bureau of the Budget<sup>1</sup> may determine to relate primarily to such functions, are transferred, effective March 29, 1947, from the Selective Service System to the Secretary of Labor.

(Mar. 31, 1947, ch. 26, §5(a), 61 Stat. 32.)

#### TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of Reorg. Plan No. 2, of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970, redesignated Bureau of the Budget as Office of Management and Budget.

#### § 326. Powers and duties of Director; acceptance of voluntary services; fiscal, disbursing, and accounting agent; status of officers of military and naval Services and Reserves and departments or agencies detailed to Office

(a) The Director is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this Act [sections 321 to 329 of this Appendix];

(2) to create and establish, on the date hereinafter specified, Federal record depots in the several States, the District of Columbia, Territories, and possessions of the United States, and to maintain such other offices as may be necessary for the purposes of this Act [said sections];

(3) to utilize the agencies of the Federal Government with the consent of the heads thereof, and to accept the services of all officers and agents of the several States, the District of Columbia, Territories, and possessions of the United States, and subdivisions thereof, in the execution of this Act [said sections];

(4) to appoint and fix the compensation of such officers and employees (not to exceed 1,200 in number by November 1, 1947), as may be necessary for the purposes of this Act [said sections];

(5) to delegate and provide for the delegation of any authority vested in him under this Act [said sections] to such officers, agents, or persons as he may designate or appoint for such purpose or as may be designated or appointed for such purpose pursuant to such rules and regulations as he may prescribe.

(b) In the administration of this Act [sections 321 to 329 of this Appendix] voluntary services may be accepted.

(c) The Chief of Finance, United States Army,<sup>1</sup> is designated, empowered, and directed to act as the fiscal, disbursing, and accounting agent of the Director of the Office of Selective Service

Records in carrying out the provisions of this Act [sections 321 to 329 of this Appendix].

(d) Any officer of the Armed Forces or any officer or employee of any department or agency of the United States who may be assigned or detailed to any office or position to carry out the provisions of this Act [sections 321 to 329 of this Appendix] may serve in and perform the functions of such office or position without loss of or prejudice to his status as such officer of the Armed Forces or as such officer or employee in any department or agency of the United States. (Mar. 31, 1947, ch. 26, §6, 61 Stat. 32; Pub. L. 96-513, title V, §507(c), Dec. 12, 1980, 94 Stat. 2919.)

#### CODIFICATION

Provisions of subsec. (a)(4) that authorized the Director to fix the compensation of officers and employees "with or without regard to the Classification Act of 1923, as amended: *Provided*, That the compensation of such persons shall not be in excess of that provided in said Act" were omitted as obsolete and superseded. Sections 1202 and 1204 of the Classification Act of 1949, 63 Stat. 972, 973, repealed the Classification Act of 1923 and all other laws or parts of laws inconsistent with the 1949 Act. The Classification Act of 1949 was repealed by Pub. L. 89-554, Sept. 6, 1966, §8(a), 80 Stat. 632, and reenacted as chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees. Section 5102 of Title 5 contains the applicability provisions of the 1949 Act, and section 5103 of Title 5 authorizes the Office of Personnel Management to determine the applicability to specific positions and employees.

#### AMENDMENTS

1980—Subsec. (d). Pub. L. 96-513 substituted "Any officer of the Armed Forces" for "Any officer on the active or retired list of the Army, Navy, Marine Corps, or Coast Guard, or of any Reserve component thereof," and "as such officer of the Armed Forces" for "as such officer in the Army, Navy, Marine Corps, or Coast Guard or Reserve component thereof."

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

#### TRANSFER OF FUNCTIONS

Pursuant to Department of Defense Reorganization Order, Jan. 10, 1962, set out as a note under section 3036 of Title 10, Armed Forces, Office of Chief of Finance, United States Army, abolished and functions transferred to Secretary of the Army, with power in Secretary to delegate.

#### REESTABLISHMENT OF OFFICES

For termination and reestablishment dates, see note set out preceding section 321 of this Appendix.

#### § 327. Rules and regulations; penalties

The Director is authorized to prescribe such rules and regulations as may be necessary to preserve the confidential nature of the individual confidential records previously obtained under the Selective Training and Service Act of 1940, as amended [sections 301 to 318 of this Appendix]. Any person charged with the duty of carrying out any of the provisions of this Act [sections 321 to 329 of this Appendix], and who fails to carry out such provisions or who shall knowingly violate the regulations promulgated under this section, or any person or persons who

<sup>1</sup> See Transfer of Functions note below.

<sup>1</sup> See Transfer of Functions note below.