

forms continuous active service for one or more years (inclusive of such service performed during the period in which this chapter is effective) and such active service includes a fractional part of a year immediately prior to June 24, 1948, or immediately following the date on which this chapter shall cease to be effective, or both.

(June 24, 1948, ch. 625, title I, §13, 62 Stat. 623; June 19, 1951, ch. 144, title I, §1(t), 65 Stat. 87; Pub. L. 88-110, §6, Sept. 3, 1963, 77 Stat. 136; Pub. L. 92-129, title I, §101(a)(32), Sept. 28, 1971, 85 Stat. 353.)

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.

Section 9 of the Act of August 2, 1939, referred to in subsec. (a), is section 9 of act Aug. 2, 1939, ch. 410, 53 Stat. 1148, which was classified to section 118i(a) of former title 5, prior to repeal by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378, and reenactment as section 7324(a)(2) of Title 5, Government Organization and Employees. Section 7324 of Title 5 was omitted and a new section 7324 enacted in the general amendment of subchapter III (§7321 et seq.) of chapter 73 of Title 5 by Pub. L. 103-94, §2(a), Oct. 6, 1993, 107 Stat. 1001. See section 7323(b)(2)(A) of Title 5.

The Administrative Procedure Act, referred to in subsec. (b), is act June 11, 1946, ch. 324, 60 Stat. 237, which was classified to sections 1001 to 1011 of former title 5 and which was repealed and reenacted as subchapter II (§551 et seq.) of chapter 5, and chapter 7 (§701 et seq.), of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378. See Short Title note preceding section 551 of Title 5.

This Act, referred to in subsec. (b), 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.

Section 2 of the Act of June 16, 1936, referred to in subsec. (c), is section 2 of act June 16, 1936, ch. 587, 49 Stat. 1524, which is not classified to the Code.

Section 12 of the Act of August 4, 1942, referred to in subsec. (c), is section 12 of act Aug. 4, 1942, ch. 547, 56 Stat. 738, which is not classified to the Code.

CODIFICATION

Section was formerly classified to section 463 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1971—Subsec. (b). Pub. L. 92-129 inserted provisions covering the publication of regulations in the Federal Register.

1963—Subsec. (a). Pub. L. 88-110 substituted “sections 203, 205, or 207 of title 18” for “sections 281, 283, or 284 of title 18, in section 99 of title 5”.

1951—Subsec. (a). Act June 19, 1951, brought within its provisions members of the National Selective Service Appeal Board.

§ 3813. Notice of requirements of this chapter; voluntary enlistments unaffected

(a) Deeming of notice upon publication

Every person shall be deemed to have notice of the requirements of this chapter upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 3802 of this title.

(b) Duty to inform local board of current address and changes in status

It shall be the duty of every registrant to keep his local board informed as to his current address and changes in status as required by such rules and regulations as may be prescribed by the President.

(c) Separability of provisions

If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, the remainder of the chapter, and the application of such provision to other persons or circumstances, shall not be affected thereby.

(d) Voluntary enlistments or reenlistments; absence of affect

Except as provided in section 3803(c) of this title, nothing contained in this chapter shall be construed to repeal, amend, or suspend the laws now in force authorizing voluntary enlistment or reenlistment in the Armed Forces of the United States, including the reserve components thereof, except that no person shall be accepted for enlistment after he has been issued an order to report for induction unless authorized by the Director and the Secretary of Defense and except that, whenever the Congress or the President has declared that the national interest is imperiled, voluntary enlistment or reenlistment in such forces, and their reserve components, may be suspended by the President to such extent as he may deem necessary in the interest of national defense.

(e) Furnishing of names and addresses to Secretary of Defense or Secretary of Homeland Security

In order to assist the Armed Forces in recruiting individuals for voluntary service in the Armed Forces, the Director shall, upon the request of the Secretary of Defense or the Secretary of Homeland Security, furnish to the Secretary the names and addresses of individuals registered under this Act. Names and addresses furnished pursuant to the preceding sentence may be used by the Secretary of Defense or Secretary of Homeland Security only for recruiting purposes.

(June 24, 1948, ch. 625, title I, §15, 62 Stat. 624; Pub. L. 92-129, title I, §101(a)(33), Sept. 28, 1971, 85 Stat. 353; Pub. L. 97-86, title IX, §916(c), Dec. 1, 1981, 95 Stat. 1129; Pub. L. 107-296, title XVII, §1704(e)(11)(E), Nov. 25, 2002, 116 Stat. 2316.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (c), and (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.

This Act, referred to in subsec. (e), 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.

CODIFICATION

Section was formerly classified to section 465 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2002—Subsec. (e). Pub. L. 107-296 substituted “of Homeland Security” for “of Transportation” in two places.

1981—Subsec. (e). Pub. L. 97-86 added subsec. (e).

1971—Subsec. (d). Pub. L. 92-129 inserted provision empowering the Director and the Secretary of Defense to authorize voluntary enlistments and reenlistments in the Armed Forces after a person has been issued an order to report for induction and struck out reference to section 3803(g) of this title.

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.

§ 3814. Definitions

When used in this chapter—

(a) The term “between the ages of eighteen and twenty-six” shall refer to men who have attained the eighteenth anniversary of the day of their birth and who have not attained the twenty-sixth anniversary of the day of their birth; and other terms designating different age groups shall be construed in a similar manner.

(b) The term “United States”, when used in a geographical sense, shall be deemed to mean the several States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

(c) The term “armed forces” shall be deemed to include the Army, the Navy, the Marine Corps, the Air Force, and the Coast Guard.

(d) The term “district court of the United States” shall be deemed to include the courts of the United States for the Territories and possessions of the United States.

(e) The term “local board” shall be deemed to include an intercounty local board in the case of any registrant who is subject to the jurisdiction of an intercounty local board.

(f) The term “Director” shall be deemed to mean the Director of the Selective Service System.

(g)(1) The term “duly ordained minister of religion” means a person who has been ordained, in accordance with the ceremonial, ritual, or discipline of a church, religious sect, or organization established on the basis of a community of faith and belief, doctrines and practices of a religious character, to preach and to teach the doctrines of such church, sect, or organization and to administer the rites and ceremonies thereof in public worship, and who as his regular and customary vocation preaches and teaches the principles of religion and administers the ordinances of public worship as embodied in the creed or principles of such church, sect, or organization.

(2) The term “regular minister of religion” means one who as his customary vocation preaches and teaches the principles of religion of a church, a religious sect, or organization of which he is a member, without having been formally ordained as a minister of religion, and who is recognized by such church, sect, or organization as a regular minister.

(3) The term “regular or duly ordained minister of religion” does not include a person who irregularly or incidentally preaches and teaches

the principles of religion of a church, religious sect, or organization and does not include any person who may have been duly ordained a minister in accordance with the ceremonial, rite, or discipline of a church, religious sect or organization, but who does not regularly, as a bona fide vocation, teach and preach the principles of religion and administer the ordinances of public worship as embodied in the creed or principles of his church, sect, or organization.

(h) The term “organized unit”, when used with respect to a reserve component, shall be deemed to mean a unit in which the members thereof are required satisfactorily to participate in scheduled drills and training periods as prescribed by the Secretary of Defense.

(i) The term “reserve components of the armed forces” shall, unless the context otherwise requires, be deemed to include the federally recognized National Guard of the United States, the federally recognized Air National Guard of the United States, the Officers’ Reserve Corps, the Regular Army Reserve, the Air Force Reserve, the Enlisted Reserve Corps, the Navy Reserve, the Marine Corps Reserve, and the Coast Guard Reserve, and shall include, in addition to the foregoing, the Public Health Service Reserve when serving with the armed forces.

(June 24, 1948, ch. 625, title I, §16, 62 Stat. 624; Sept. 27, 1950, ch. 1059, §1(12), (13), 64 Stat. 1074; June 19, 1951, ch. 144, title I, §1(v), 65 Stat. 87; Pub. L. 86-70, §36, June 25, 1959, 73 Stat. 150; Pub. L. 86-624, §39, July 12, 1960, 74 Stat. 422; Pub. L. 92-129, title I, §101(a)(34), Sept. 28, 1971, 85 Stat. 353; Pub. L. 109-163, div. A, title V, §515(g)(3)(B), Jan. 6, 2006, 119 Stat. 3236.)

REFERENCES IN TEXT

This chapter, referred to in introductory provisions, 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 466 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Subsec. (i). Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve”.

1971—Subsec. (g)(3). Pub. L. 92-129 inserted “bona fide” before “vocation”.

1960—Subsec. (b). Pub. L. 86-624 struck out “Hawaii,” before “Puerto Rico”.

1959—Subsec. (b). Pub. L. 86-70 struck out “Alaska,” after “District of Columbia,”.

1951—Subsec. (b). Act June 19, 1951, brought “Guam” within definition of “United States”.

1950—Subsec. (c). Act Sept. 27, 1950, §1(12), struck out “and” after “Corps” and inserted “, and the Coast Guard” before the period.

Subsec. (i). Act Sept. 27, 1950, §1(13), struck out “and” after “Naval Reserve” and “, the Coast Guard Reserve” after “foregoing” and inserted “and the Coast Guard Reserve” after “Marine Corps Reserve”.

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