

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

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.

Coast Guard transferred to Department of Transportation, and functions, powers, and duties relating to Coast Guard of Secretary of the Treasury and of all other officers and offices of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89-670, §6(b)(1), Oct. 15, 1966, 80 Stat. 938. Section 6(b)(2) of Pub. L. 89-670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard.

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14, Coast Guard.

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all agencies of or in Public Health Service transferred to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, eff. June 25, 1966, 31 F.R. 8855, 80 Stat. 1610, set out in the Appendix to Title 5, Government Organization and Employees. Secretary of Health, Education, and Welfare redesignated Secretary of Health and Human Services by section 3508(b) of Title 20, Education.

§ 3815. Repeals; appropriations; termination date

(a) Except as provided in this chapter all laws or any parts of laws in conflict with the provisions of the chapter are repealed to the extent of such conflict.

(b) There are authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this chapter. All funds appropriated for the administrative expenses of the National Security Training Commission shall be appropriated directly to the Commission and all funds appropriated to pay the expenses of training carried out by the military departments designated by the Commission shall be appropriated directly to the Department of Defense.

(c) Notwithstanding any other provisions of this chapter, no person shall be inducted for training and service in the Armed Forces after July 1, 1973, except persons now or hereafter deferred under section 3806 of this chapter after the basis for such deferment ceases to exist.

(June 24, 1948, ch. 625, title I, §17, 62 Stat. 625; June 23, 1950, ch. 351, 64 Stat. 254; June 30, 1950, ch. 445, §1, 64 Stat. 318; June 19, 1951, ch. 144, title I, §1(w), 65 Stat. 87; June 30, 1955, ch. 250, title I, §102, 69 Stat. 224; Pub. L. 86-4, §1, Mar. 23, 1959, 73 Stat. 13; Pub. L. 88-2, §1, Mar. 28, 1963, 77 Stat. 4; Pub. L. 90-40, §1(12), June 30, 1967, 81 Stat. 105; Pub. L. 92-129, title I, §101(a)(35), 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.

CODIFICATION

Section was formerly classified to section 467 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1971—Subsec. (c). Pub. L. 92-129 extended termination date from July 1, 1971, to July 1, 1973.

1967—Subsec. (c). Pub. L. 90-40 extended termination date from July 1, 1967, to July 1, 1971.

1963—Subsec. (c). Pub. L. 88-2 extended termination date from July 1, 1963, to July 1, 1967.

1959—Subsec. (c). Pub. L. 86-4 extended termination date from July 1, 1959, to July 1, 1963.

1955—Subsec. (c). Act June 30, 1955, extended termination date from July 1, 1955, to July 1, 1959.

1951—Act June 19, 1951, amended section generally to provide for repeal of all conflicting laws, to appropriate certain funds directly to the Commission, and to provide for the termination date of July 1, 1955.

1950—Subsec. (b). Acts June 23, 1950 and June 30, 1950, extended period of effectiveness for fifteen days until July 9, 1950, and again from July 9, 1950, to July 9, 1951.

EFFECTIVE DATE OF 1971 AMENDMENT

Pub. L. 92-129, title I, §101(a)(35), Sept. 28, 1971, 85 Stat. 353, provided in part that: "The amendment made by the preceding sentence [amending this section] shall take effect July 2, 1971."

TERMINATION OF NATIONAL SECURITY TRAINING COMMISSION

National Security Training Commission expired June 30, 1957, pursuant to a Presidential letter on Mar. 25, 1957, following its own recommendation for its termination.

§ 3816. Utilization of industry

(a) Placement of orders; Congressional action: notification of committees of certain proposed payment orders, resolution of disapproval, continuity of session, computation of period; "small business" defined

Whenever the President after consultation with and receiving advice from the National Security Resources Board¹ determines that it is in the interest of the national security for the Government to obtain prompt delivery of any articles or materials the procurement of which has been authorized by the Congress exclusively for the use of the armed forces of the United States, or for the use of the Atomic Energy Commission,¹ he is authorized, through the head of any Government agency, to place with any person operating a plant, mine, or other facility capable of producing such articles or materials an order for such quantity of such articles or materials as the President deems appropriate, except that no order which requires payments thereunder in excess of \$25,000,000 shall be placed with any person unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed order and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such order. For purposes of the preceding sentence, the continuity of a session of Congress is broken only by an adjourn-

¹ See Transfer of Functions note below.