

§ 3817. Savings provision

Nothing in this chapter shall be deemed to amend any provision of the National Security Act of 1947 (61 Stat. 495) [50 U.S.C. 3001 et seq.]. (June 24, 1948, ch. 625, title I, § 19, 62 Stat. 627.)

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.

The National Security Act of 1947 (61 Stat. 495), referred to in text, is act July 26, 1947, ch. 343, 61 Stat. 495, which is classified principally to chapter 44 (§ 3001 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 469 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

§ 3818. Effective date

This chapter shall become effective immediately; except that unless the President, or the Congress by concurrent resolution, declares a national emergency after June 24, 1948, no person shall be inducted or ordered into active service without his consent under this chapter within ninety days after June 24, 1948.

(June 24, 1948, ch. 625, title I, § 20, 62 Stat. 627; Sept. 27, 1950, ch. 1059, § 1(14), 64 Stat. 1074; Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.)

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.

CODIFICATION

Section was formerly classified to section 470 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1956—Act Aug. 10, 1956, repealed provisions requiring the Secretaries of the Army, Navy, and the Treasury to initiate and carry forward intensified voluntary enlistment campaigns for the Army, Air Force, Navy, Marine Corps, and the Coast Guard.

1950—Act Sept. 27, 1950, struck out "and" after "Air Force" and inserted "and the Secretary of the Treasury, for the Coast Guard" after "Marine Corps".

§ 3819. Authority of President to order Reserve components to active service; release from active duty; retention of unit organizations and equipment

Until July 1, 1953, and subject to the limitations imposed by section 2 of the Selective Service Act of 1948, as amended,¹ the President shall be authorized to order into the active military or naval service of the United States for a period

of not to exceed twenty-four consecutive months, with or without their consent, any or all members and units of any or all Reserve components of the Armed Forces of the United States and retired personnel of the Regular Armed Forces. Unless he is sooner released under regulations prescribed by the Secretary of the military department concerned, any member of the inactive or volunteer reserve who served on active duty for a period of 12 months or more in any branch of the Armed Forces between the period December 7, 1941, and September 2, 1945, inclusive, who is now or may hereafter be ordered to active duty pursuant to this section, shall upon completion of 17 or more months of active duty since June 25, 1950, if he makes application therefor to the Secretary of the branch of service in which he is serving, be released from active duty and shall not thereafter be ordered to active duty for periods in excess of 30 days without his consent except in time of war or national emergency hereafter declared by the Congress: *Provided*, That the foregoing shall not apply to any member of the inactive or volunteer reserve ordered to active duty whose rating or specialty is found by the Secretary of the military department concerned to be critical and whose release to inactive duty prior to the period for which he was ordered to active duty would impair the efficiency of the military department concerned.

The President may retain the unit organizations and the equipment thereof, exclusive of the individual members thereof, in the active Federal service for a total period of five consecutive years, and upon being relieved by the appropriate Secretary from active Federal service, National Guard, or Air National Guard units, shall, insofar as practicable, be returned to their National Guard or Air National Guard status in their respective States, Territories, the District of Columbia, and Puerto Rico, with pertinent records, colors, histories, trophies, and other historical impedimenta.

(June 24, 1948, ch. 625, title I, § 21, as added June 30, 1950, ch. 445, § 2, 64 Stat. 318; amended June 19, 1951, ch. 144, title I, § 1(x), 65 Stat. 87; July 7, 1952, ch. 584, § 1, 66 Stat. 440.)

Editorial Notes

REFERENCES IN TEXT

Section 2 of the Selective Service Act of 1948, referred to in text, is section 2 of act June 24, 1948, ch. 625, title I, 62 Stat. 605, now known as the Military Selective Service Act, which was classified to former section 452 of the former Appendix to this title prior to repeal by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641, and omission in the editorial reclassification of title I of act June 24, 1948, ch. 625, as this chapter.

CODIFICATION

Section was formerly classified to section 471 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1952—Act July 7, 1952, authorized the President to retain unit organizations and their equipment, exclusive of individual members, for a period of five years.

1951—Act June 19, 1951, substituted "July 1, 1953" for "July 9, 1951", "twenty-four months" for "twenty-one months", and inserted last sentence.

¹ See References in Text note below.

Executive Documents**EX. ORD. NO. 10271. DELEGATION OF PRESIDENT'S
AUTHORITY**

Ex. Ord. No. 10271, July 7, 1951, 16 F.R. 6661, as amended by Ex. Ord. No. 13286, § 80, Feb. 28, 2003, 68 F.R. 10631, provided:

There is hereby delegated to the Secretary of Defense the authority vested in the President by section 21 of the Universal Military Training and Service Act (64 Stat. 318), as amended by the 1951 Amendments to the Universal Military Training and Service Act (65 Stat. 87; Public Law 51, 82d Congress) [this section], to order into the active military or naval service of the United States for a period not to exceed twenty-four months, with or without their consent, any or all members and units of any or all Reserve components of the Armed Forces of the United States and retired personnel of the Regular Armed Forces: *Provided*, that so much of the authority of the President under the said section 21, as amended [this section], as relates to any Reserve component of the United States Coast Guard or to retired personnel of the Regular Coast Guard is hereby delegated to the Secretary of Homeland Security.

The Secretary of Defense is hereby authorized to redelegate, subject to such conditions as the Secretary may deem appropriate, to the Secretaries of the Army, Navy, and Air Force such functions under this order as affect their respective services.

§ 3820. Procedural rights

(a) It is hereby declared to be the purpose of this section to guarantee to each registrant asserting a claim before a local or appeal board, a fair hearing consistent with the informal and expeditious processing which is required by selective service cases.

(b) Pursuant to such rules and regulations as the President may prescribe—

(1) Each registrant shall be afforded the opportunity to appear in person before the local or any appeal board of the Selective Service System to testify and present evidence regarding his status.

(2) Subject to reasonable limitations on the number of witnesses and the total time allotted to each registrant, each registrant shall have the right to present witnesses on his behalf before the local board.

(3) A quorum of any local board or appeal board shall be present during the registrant's personal appearance.

(4) In the event of a decision adverse to the claim of a registrant, the local or appeal board making such decision shall, upon request, furnish to such registrant a brief written statement of the reasons for its decision.

(June 24, 1948, ch. 625, title I, § 22, as added Pub. L. 92-129, title I, § 101(a)(36), Sept. 28, 1971, 85 Stat. 353.)

Editorial Notes**CODIFICATION**

Section was formerly classified to section 471a of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

**CHAPTER 50—SERVICEMEMBERS CIVIL
RELIEF**

Sec.	
3901.	Short title.
3902.	Purpose.

Sec.

SUBCHAPTER I—GENERAL PROVISIONS

3911.	Definitions.
3912.	Jurisdiction and applicability of chapter.
3913.	Protection of persons secondarily liable.
3914.	Extension of protections to citizens serving with allied forces.
3915.	Notification of benefits.
3916.	Information for members of the Armed Forces and their dependents on rights and protections of the Servicemembers Civil Relief Act.
3917.	Extension of rights and protections to reserves ordered to report for military service and to persons ordered to report for induction.
3918.	Waiver of rights pursuant to written agreement.
3919.	Exercise of rights under chapter not to affect certain future financial transactions.
3920.	Legal representatives.

SUBCHAPTER II—GENERAL RELIEF

3931.	Protection of servicemembers against default judgments.
3932.	Stay of proceedings when servicemember has notice.
3933.	Fines and penalties under contracts.
3934.	Stay or vacation of execution of judgments, attachments, and garnishments.
3935.	Duration and term of stays; codefendants not in service.
3936.	Statute of limitations.
3937.	Maximum rate of interest on debts incurred before military service.
3938.	Child custody protection.
3938a.	Annual notice to members of the Armed Forces regarding child custody protections guaranteed by the Servicemembers Civil Relief Act.

SUBCHAPTER III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES, COMMUNICATIONS SERVICE CONTRACTS

3951.	Evictions and distress.
3952.	Protection under installment contracts for purchase or lease.
3953.	Mortgages and trust deeds.
3954.	Settlement of stayed cases relating to personal property.
3955.	Termination of residential or motor vehicle leases.
3956.	Termination of telephone, multichannel video programming, and internet access service contracts.
3957.	Protection of life insurance policy.
3958.	Enforcement of storage liens.
3959.	Extension of protections to dependents.

SUBCHAPTER IV—LIFE INSURANCE

3971.	Definitions.
3972.	Insurance rights and protections.
3973.	Application for insurance protection.
3974.	Policies entitled to protection and lapse of policies.
3975.	Policy restrictions.
3976.	Deduction of unpaid premiums.
3977.	Premiums and interest guaranteed by United States.
3978.	Regulations.
3979.	Review of findings of fact and conclusions of law.

SUBCHAPTER V—TAXES AND PUBLIC LANDS

3991.	Taxes respecting personal property, money, credits, and real property.
3992.	Rights in public lands.
3993.	Desert-land entries.