

Text of Selective Conscription Law

Every Man of Military Age Should Read This Statute

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, that in view of the existing emergency, which demands the raising of troops in addition to those now available, the President be, and he is hereby, authorized:

1. Immediately to raise, organize, officer, and equip all or such number of increments of the regular army provided by the national defense act approved June 3, 1916, or such parts thereof as he may deem necessary; to raise all organizations of the regular army, including those added by such increments, to the maximum enlisted strength authorized by law. Vacancies in the regular army created or caused by the addition of increments as herein authorized which can not be filled by promotion may be filled by temporary appointment for the period of the emergency or until replaced by permanent appointments or by provisional appointments made under the provisions of section 23 of the national defense act, approved June 3, 1916, and hereafter provisional appointments under said section may be terminated whenever it is determined, in the manner prescribed by the President, that the officer has not the suitability and fitness requisite for permanent appointment.

2. To draft into the military service of the United States, organize, and officer, in accordance with the provisions of section 111 of said national defense act, so far as the provisions of said section may be applicable and not inconsistent with the terms of this act, any or all members of the national guard and of the national guard reserves, and said members so drafted into the military services of the United States shall serve therein for the period of the existing emergency unless sooner discharged; provided, that when so drafted the organizations or units of the national guard shall, so far as practicable, retain the state designations of their respective organizations.

3. To raise by draft as herein provided, organize and equip an additional force of 500,000 enlisted men, or such part or parts thereof as he may at any time deem necessary, and to provide the necessary officers, line and staff, for said force and for organizations of the other forces hereby authorized, or by combining organizations of said other forces, by ordering members of the officers reserve corps to temporary duty in accordance with the provisions of section 38 of the national defense act, approved June 3, 1916; by appointment from regular army, the officers reserve corps, from those duly qualified and registered pursuant to section 23 of the act of congress approved Jan. 21, 1903 (thirty-second statutes at large, page 775), from the members of the national guard drafted into the service of the United States, from those who have been graduated from educational institutions at which military instruction is compulsory, or from those who have had honorable service in the regular army, or in the volunteer forces, or from the country at large; by assigning to active duty with such force with their rank on the retired list and the full pay and allowances of their grade; or by the appointment of retired officers and enlisted men, active or retired of the regular army as commissioned officers in such forces; provided, that the organization of such force shall be the same as that of the corresponding organizations of the regular army; provided, further, that the President is authorized to increase or decrease the number of organizations prescribed for the typical brigades, divisions, or army corps of the regular army, and to prescribe such new and different organizations and personnel for army corps, divisions, brigades, regiments, battalions, squadrons, companies, troops and batteries as the efficiency of the service may require; provided further, that the number of organizations in a regiment shall not be increased nor shall the number of regiments be decreased; provided further, that the President in his discretion may organize, officer and equip for each infantry and cavalry brigade three machine gun companies, and for each infantry and cavalry division four machine

gun companies, all in addition to the machine gun companies comprised in organizations included in such brigades and divisions; provided further, that the President in his discretion may organize for each division one armored motor car machine gun company. The machine gun companies organized under this section shall consist of such commissioned and enlisted personnel and be equipped in such manner as the President may prescribe; and provided further, that officers with rank not above that of colonel shall be appointed by the President alone, and officers above that grade by the President by and with the advice and consent of the senate; provided further, that the President may in his discretion recommitment in the coast guard persons who have heretofore held commissions in the revenue cutter service or the coast guard and have left the service honorably, after ascertaining that they are qualified for service physically, morally, and as to age and military fitness.

4. The President is further authorized, in his discretion and at such times as he may determine, to raise and begin the training of an additional force of 500,000 men organized, officered and equipped, as provided for the force first mentioned in the preceding paragraph of this section.

5. To raise by draft, organize, equip, and officer, as provided in the third paragraph of this section, in addition to and for each of the above forces, such recruit training units as he may deem necessary for the maintenance of such forces at the maximum strength.

6. To raise, organize, officer and maintain during the emergency such number of ammunition batteries and battalions, depot batteries and battalions, and such artillery parks, with such numbers and grades of personnel as he may deem necessary. Such organizations shall be officered in the manner provided in the third paragraph of this section, and enlisted men may be assigned to said organizations from any of the forces therein provided for or raised by selective draft as by this act provided.

7. The President is further authorized to raise and maintain by voluntary enlistment, to organize and equip, not to exceed four infantry divisions, the officers of which shall be selected in the manner provided by paragraph three of section 1 of this act; provided, that the organization of said force shall be the same as that of the corresponding organization of the regular army; and provided further, that there shall be no enlistments in said force of men under 25 years of age at time of enlisting; and provided further, that no such volunteer force shall be accepted in any unit smaller than a division.

Sec. 2. That the enlisted men required to raise and maintain the organizations of the regular army and to complete and maintain the organizations embodying the members of the national guard drafted into the service of the United States, at the maximum legal strength as by this act provided, shall be raised by voluntary enlistment, or if and whenever the President decided that they can not effectually be so raised or maintained, then by selective draft; and all other forces hereby authorized, except as provided in the seventh paragraph of section 1, shall be raised and maintained by selective draft exclusively; but this provision shall not prevent the transfer to any force of training cadres from other forces. Such draft as herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act. Quotas for the several states, territories and the District of Columbia, or subdivisions thereof, shall be determined in proportion to the population thereof, and credit shall be given to any state, territory, district or subdivision thereof, for the number of men who were in the military service of the United States as members of the national guard on April 1, 1917, or who have since said date entered the military service of the United

States from any such state, territory, district or subdivision, either as members of the regular army or the national guard. All persons drafted into the service of the United States and all officers accepting commissions in the forces herein provided for shall from the date of said draft or acceptance, be subject to the laws and regulations governing the regular army, except as to promotions, so far as such laws and regulations are applicable to persons whose permanent retention in the military service on the active or retired list is not contemplated by existing law, and those drafted shall be required to serve for the period of the existing emergency unless sooner discharged; provided, that the President is authorized to raise and maintain by voluntary enlistment or draft, as herein provided, special and technical troops as he may deem necessary, and to embody them into organizations and to officer them as provided in the third paragraph of section 1 and section 9 of this act. Organizations of the forces herein provided for, except the regular army and the divisions authorized in the seventh paragraph of section 1, shall, as far as the interests of the service permit, be composed of men who come, and of officers who are appointed from, the same state or locality.

Sec. 3. No bounty shall be paid to induce any person to enlist in the military service of the United States; and no person liable to military service shall hereafter be permitted or allowed to furnish a substitute for such service; nor shall any substitute be received, enlisted or enrolled in the military service of the United States; and no such person shall be permitted to escape such service or to be discharged therefrom prior to the expiration of his term of service by the payment of money or any other valuable thing whatsoever as consideration for release from military service or liability thereto.

Sec. 4. That the vice-president of the United States, the officers, legislative, executive and judicial, of the United States and of the several states, territories and the District of Columbia, regular or duly ordained ministers of religion, students who at the time of the approval of this act are preparing for the ministry in recognized theological or divinity schools, and all persons in the military and naval service of the United States shall be exempt from the selective draft herein prescribed; and nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant; and the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only those liable to draft as in this act provided, persons of the following classes: County and municipal officials, customs house clerks, persons employed by the United States in the transmission of mail, artificers and workmen employed in the armories, arsenals and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate; pilots, mariners actually employed in the sea service of any citizens or merchant within the United States; persons engaged in industries, including agriculture, found to be necessary to the maintenance of the military establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge advisable; and those found to be physically or morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists; provided, that notwithstanding the exemptions enumerated herein, each state, territory and the District of Columbia shall be required to supply its quota in the proportion that its pop-

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