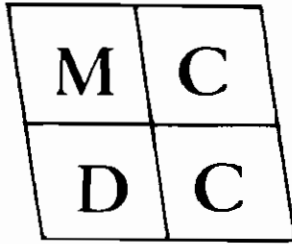


Midwest Committee



for Draft Counseling

711 South Dearborn Street, Chicago, Illinois 60605—312/427-3350

Regional office of CCCO / An Agency for Military and Draft Counseling

National office: 2016 Walnut Street, Philadelphia, Pennsylvania 19103—215/568-7971

West Coast office: 437 Market Street, San Francisco, California 94105—415/397-6917

SELECTIVE SERVICE CLASSIFICATIONS

May, 1970

A draft board is required by law to place a registrant in the lowest classification for which it finds him eligible. The law requires a registrant to supply his draft board with full information concerning all classifications, and notify it within 10 days of any change that might affect classification. (Thus, a man with a II-S student deferment must notify his board if he believes he is eligible for I-Y for a physical defect, or I-0 because of conscientious objection, even though the board won't place him in these higher classifications until he is no longer eligible for II-S.) The classifications are listed in order below, the highest first, and are briefly defined.

Available for Service

- I-A Available for military duty. (For order of call, see MDCD's memo, THE DRAFT LOTTERY.)
- I-A-0 Conscientious objector opposed to combatant duty and available for noncombatant duty only (usually Medical Corps).
- I-0 Conscientious objector opposed to both combatant and noncombatant military duty and available for assignment to civilian work.

NOTE: Conscientious objection (I-0 or I-A-0), under the present law, is based upon (1) religious belief, formal or personal, defined as a belief or value which is central to the individual's life, including (2) rejection of participation in "war in any form"; and (3) evidence that the applicant attempts to live in a manner consistent with his beliefs. (See CCCO's HANDBOOK FOR CONSCIENTIOUS OBJECTORS.)

Deferred or Exempt

- I-S Student deferments which must be given to: (a) high school student under 20 years of age: I-S(H); (b) full-time college student who receives an induction order during the school term: I-S(C). I-S(C) is not renewable and may be received only once. Not available to most graduate students. (See STUDENT DEFERMENT MEMO.)
- I-Y Medically disqualified for service except in time of war or Congressional declaration of national emergency; usually determined by armed forces physical examination, at which registrant should submit evidence from his doctor. (See I-Y AND IV-F MEMO and APPENDIX.)
- II-A (1) Apprentices and students in full-time junior college, business and vocational courses.
(2) If requested before April 23, 1970, deferred for employment (other than agriculture). (See OCCUPATIONAL DEFERMENT MEMO.)
- II-C If requested before April 23, 1970, deferred for essential agricultural employment. (See OCCUPATIONAL DEFERMENT MEMO.)
- II-S Deferred for full-time college study. (a) Must be given to an undergraduate if: (1) he has requested II-S by letter or on Form #104; (2) his school has sent Student Certificate (Form #109) each year; (3) he is receiving credit for his courses toward a degree; (4) he is taking a full-time course load (as defined by his school); (5) he is making satisfactory progress since July, 1967 (e.g., has finished 25% of credits needed for a 4-year degree by the end of his first academic year, 50% by the end of the second, etc.); and (6) he has not reached his 24th birthday. II-S is granted for one 12-month academic year at a

time. (b) Must be given to students of medicine, dentistry, veterinary medicine, osteopathy, and optometry. (c) May be given to full-time graduate students in other fields only if in their fifth year of continuous study toward a doctoral degree in fall 1970. (See STUDENT DEFERMENT MEMO.)

- I-D In reserves, including National Guard and advanced Reserve Officers Training Corps (ROTC).
- III-A Deferred because of dependents. (a) Must be given if registrant submitted information before April 23, 1970, that he was living with a child (or its pregnant mother-to-be); but not available to those who apply later or who requested and received II-S student deferment since June 30, 1967. (b) May be given when induction would cause "extreme hardship" to dependents; those not eligible for fatherhood III-A may qualify. (See III-A FATHERHOOD AND HARDSHIP DEFERMENTS memo.)
- IV-B Certain judges and elected officials of state or federal government, deferred by law.
- IV-C Certain foreign citizens (aliens) not on immigration visas, or on immigration visas but living outside the United States. (See ALIENS AND THE DRAFT memo.)
- IV-D Ministers of religion; divinity students and college students pre-enrolled in seminaries, under sponsorship of a church or denomination. (See DIVINITY STUDENT AND CLERGY MEMO.)
- IV-F Medically disqualified for any service; usually determined by local board medical advisor or an armed forces physical examination, to which registrant should submit evidence from his doctor. (See I-Y AND IV-F MEMO and APPENDIX.)
- IV-A Completed military duty; or is the sole surviving son in a family of which father, brother, or sister died as a result of military service.
- V-A Over age: over 26 for those never deferred; over 35 for those with "extended liability," i.e., who have ever held any deferment.

Performing Service

- I-W Conscientious objector (I-O) performing civilian alternative service. I-W (Rel.): conscientious objector who has completed civilian work, but who is not yet over age. (See COMPULSORY WORK PROGRAM FOR CONSCIENTIOUS OBJECTORS memo.)
- I-C Member of the active armed forces, or commissioned officer in Public Health Service or Environmental Science Services Administration.

NOTES:

1. No classification is permanent; all may be reviewed and, if evidence warrants, be changed upwards or downwards. Regulations are subject to change at any time, and the President has asked Congress for changes that would end most college and vocational training deferments. Watch newspapers and stay in touch with a good draft counselor.
2. The classification decisions of local boards are not final--a registrant has the right to personal appearance and state appeal. Further information on appeals and other procedures should be obtained from a qualified draft counselor or the HANDBOOK FOR CONSCIENTIOUS OBJECTORS, Part I.

WARNING: The information on this sheet is highly condensed. It is intended to be introductory, not to replace detailed memos and the HANDBOOK FOR CONSCIENTIOUS OBJECTORS. For assistance in finding a reliable draft counselor and for copies of any of the publications listed here, consult the Midwest Committee for Draft Counseling.

OUTLINE OF SELECTIVE SERVICE PROCEDURES

1. REGISTRATION is required within 5 days of one's 18th birthday. Lateness is often forgiven. If living far from the area of one's permanent residence, one can register at a nearby draft board and registration will be sent to the local board with jurisdiction over his permanent address. One cannot change his draft board once he has registered.
Except, a registrant outside the U.S. (and outside Puerto Rico, the Virgin Islands, Guam, and the Canal Zone) is registered with District of Columbia Local Board 100; but upon moving to the U.S. (or territories) his file is transferred to the local board nearest his new permanent address.
2. A REGISTRATION CARD (SS Form 2) is mailed shortly after registration, showing the SS number assigned to the registrant. This is one of the two draft cards the law requires a man to have in his personal possession.
3. The CLASSIFICATION QUESTIONNAIRE (SS Form 100) is given or mailed to the registrant at or sometime after registration. Occasionally it is filled at registration, contrary to the Regulations. (Sample copies available from AFSC.) The Form 100 provides the first chance to request deferment, exemption, and conscientious objector status; it must be returned within 10 days after date of issuance. The board cannot deny a registrant the 10 days to complete and return the form.
4. A SELECTIVE SERVICE FILE is kept for each registrant. In it are kept the SS forms the registrant has filled out, additional evidence the registrant has submitted, and SS records concerning his case. Evidence submitted to the local board at any time must be included in the file.
All correspondence sent to the local board should be by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to provide proof it was sent. If materials are handed to the clerk at the local board, the registrant should request a signed receipt. The registrant, or any person bearing written and dated permission from him, can inspect his SS file during office hours. (In case of difficulty, (1) point out SS Regulations 1606.32; (2) phone the State Director's office.) Procedural information on the case is recorded on the back pages of the SS Form 100, which should be inspected carefully when the registrant needs to know how the local board has handled his case.
5. A NOTICE OF CLASSIFICATION (SS Form 110), or "classification card", is mailed to the registrant soon after the Classification Questionnaire (Form 100) is returned. The Form 110 is notice to the registrant that the local board has opened his case at a board meeting, has considered available information on Form 100 and in the file, and has placed him in the lowest classification for which he is eligible. When there is no information to the contrary, the classification will be I-A, available for military duty. The law requires a registrant to keep his current classification card in his personal possession.
6. REOPENING A CASE occurs when the local board considers new information concerning a registrant which if true would warrant a change in classification. Reopening does not assure a registrant of a new classification; only the consideration of new information. The law requires each registrant to notify the local board within 10 days of any change in status which could affect his classification. A registrant's dependents or employer can also request his deferment and submit supporting evidence. After a case is reopened, the registrant will be notified of the board's decision in a new Notice of Classification--even if the new classification is the same as before. Reopening a case entitles the registrant to the appeal rights set forth below, and cancels any outstanding induction order or civilian work order (for conscientious objectors).

Note--Sometimes a local board will claim the right to consider submitted evidence without reopening the registrant's case, thereby denying him appeal rights. Attempts should be made to persuade the local board, the Government Appeal Agent (see 10 below), and the State and National Directors of SS that such a refusal to reopen denies the registrant full consideration. Courts have invalidated induction orders issued after refusal to reopen when new evidence for reclassification was submitted.

After the local board has issued an Order To Report For Induction (Form 252) to a registrant, it does not usually reopen his case for reclassification. (See 18 below.)

7. A PERSONAL APPEARANCE BEFORE THE LOCAL BOARD is the registrant's right when his classification is unsatisfactory to him. Request for personal appearance should be made in writing, and must be made within 30 days of the date of mailing of the unfavorable Notice of Classification (Form 110). (30 days if registrant is in U.S. territories, Mexico, or Canada; 60 days, if abroad.)

Though there is no provision for official transfer of a personal appearance to another local board, when a registrant's current residence is distant from his local board a "courtesy transfer" may sometimes be obtained. However, the home board is not obliged to act on the recommendation of the transfer board; usually it is worth traveling long distances to make use of an official personal appearance before one's local board.

8. PREPARING FOR A PERSONAL APPEARANCE can significantly strengthen one's case.

It is wise to arrange an interview before the date set for the appearance with the GOVERNMENT APPEAL AGENT attached to the local board, whose name and address can be obtained at the board. The appeal agent may be able to help prepare one's SS file before the appearance, to describe the board's general attitudes and the sort of evidence that convinces them, and to anticipate the questions board members will ask. The appeal agent should be encouraged to make a written statement in support of the registrant's claim for reclassification.

It is recommended that a registrant take a WITNESS to the personal appearance--though the local board may refuse to admit a witness. The witness should be familiar with the registrant and his SS case, and be prepared to offer facts in support of the registrant's claim for classification.

9. AFTER A PERSONAL APPEARANCE, the registrant should prepare a WRITTEN SUMMARY of the personal appearance. It should be written immediately after the personal appearance, and should be as close to a word-for-word transcript as memory permits. If a witness attended, he can help to reconstruct the meeting and sign the summary. If the local board seems to have acted arbitrarily, has refused to consider certain evidence, or declined to admit a witness, the report should include these matters. It should be sent to the local board for inclusion in the registrant's file.

After a personal appearance, the local must issue a new classification card (Form 110), notifying the registrant of his new classification, even if it is the same as the old one.

10. The APPEAL TO THE STATE APPEAL BOARD is the second step in the appeal process. The state appeal must be requested through the local board within 30 days of the date of issuance of the new Notice of Classification following a personal appearance. (60 days if outside U.S. territories, Mexico, and Canada.) The registrant's file will then be sent to the office of the State Director of SS, to await the next meeting of the State Appeal Board.

The registrant can bypass the personal appearance stage, and request a state appeal after the first unsatisfactory classification card. But to make the strongest

case, he should use both parts of the appeal process. In his request, he should specify either "personal appearance" or "state appeal"; using the word "appeal" alone may lead to loss of the personal appearance.

The registrant may request transfer of the state appeal to the board having jurisdiction over the area in which he is currently living or working. In general there is one appeal board for each federal court district within each state.

An employer who has requested an occupational deferment, or a dependent of the registrant, can appeal to the state appeal board on the registrant's behalf through his local board within 30 days of the unfavorable classification. The decision of the appeal board must be mailed to the employer or dependent on a Classification Advice, SS Form 111.

The GOVERNMENT APPEAL AGENT attached to the local board can, at any time before issuance of an induction order (or work order for a I-0 conscientious objector), take an appeal to the state appeal board. The appeal agent, whose name and address can be obtained at the local board, will act only when he is convinced by the registrant that this is necessary to prevent an injustice.

11. In PREPARING FOR A STATE APPEAL, the registrant should realize that the appeal board bases its decision solely on what is in the file. Any statements or further information should be submitted to the local board before or with the request for appeal. The registrant should inspect his file for any deficiencies of evidence. If the local board has filed its own report of a personal appearance, the registrant should prepare a written statement correcting any misimpressions or errors in it. The government appeal agent can be asked to prepare a written statement encouraging the state appeal board to reclassify.
12. The VOTE OF THE STATE APPEAL BOARD is returned with the registrant's file to the local board. The board issues a new Notice of Classification (Form 110), on which the vote of the appeal board must be recorded.
13. A PRESIDENTIAL APPEAL is available after a state appeal when the state appeal board did not vote unanimously (e.g., voted 2 to 1). Such an appeal must be requested in writing to the local board within 30 days after the mailing of the Notice of Classification resulting from the state appeal. The file will be forwarded to the National Director's office to await the next meeting of the Presidential Appeal Board. The decision of the Presidential board, which is final, will be forwarded to the registrant through a new Notice of Classification. Because the unfavorable decisions of state appeal boards are usually unanimous, this step is not automatically available to the registrant.
14. AFTER A UNANIMOUS UNFAVORABLE DECISION BY THE STATE APPEAL BOARD, the following steps should be taken to gain reclassification.
 - A. RECONSIDERATION BY THE APPEAL BOARD can be required by order of the State Director, when he is convinced that this is necessary in the national interest or to prevent an injustice. A letter setting forth such an argument should be sent him, with copies sent to the local board and to the National Director. (List of addresses available from AFSC.) The government appeal agent should be asked to write a letter to the State Director, urging him to require the appeal board to reconsider. The National Director of SS also has the power to require the state appeal board to reconsider the case; he should be written a letter requesting such action some time after the State Director has been asked to take action.
 - B. APPEAL TO THE PRESIDENTIAL APPEAL BOARD can be ordered by the State Director, even though the state appeal board's decision was unanimous, if he is convinced this is necessary. A letter requesting this step should be sent to him (with copies to the local board and the National Director) after the attempt to have the case reconsidered at the state appeal board

has been initiated. The Government Appeal Agent should be asked to write a letter to the State Director, urging him to appeal the case to the Presidential Appeal Board. The National Director, who also has the power to appeal the case to the Presidential Appeal Board in spite of the State Board's vote, should be asked to take this step if the State Director has not.

- C. U.S. CONGRESSMEN AND SENATORS can be asked to look into the facts of the case and make recommendations to SS officials. Often they will not take positive action so long as they feel appropriate SS officials are dealing with the case.
- D. NEW EVIDENCE can be introduced at the end of the appeal process in an effort to secure a reopening of the case at the local board.

15. REFUSAL OF INDUCTION AND COURT ACTION offer the only further remedy. The courts will normally give full consideration only to those cases in which the registrant has exhausted all his administrative remedies---that is, has used the appeal processes, obeyed an order to report for a physical, and cooperated with the induction procedure up to (but stopping at) the point where he is asked to step forward. The services of an experienced draft lawyer are essential in planning and undertaking such a case.

16. The PRE-INDUCTION PHYSICAL EXAMINATION may come a few months or years after classification. Tests of intelligence, physical and mental health, "loyalty," education, and criminal record are administered at an Armed Forces Examining and Entrance Station. The physical may be transferred by a registrant living far from his home board by taking the order to report (SS Form 223) to a nearby draft board, before the reporting date. Doctors' letters and other evidence (e.g., X-Rays) should be taken to the physical. Two sets of physical, psychological, moral, and mental standards exist under Army Regulations 40-501; one defines disqualification during "peace time" in classification I-Y; the other set provides classification IV-F for registrants ineligible for induction at any time. (Further information available from AFSC.)

As a part of the physical examination (and later as part of the induction process), registrants are asked to sign an ARMED FORCES SECURITY QUESTIONNAIRE (DD 98). (Sample copies available from AFSC.) It is not legally required that a registrant sign it; many feel the form is an abridgement of basic civil liberties. Non-signers are subject to a security investigation by Army Intelligence authorities, which usually delays processing for some weeks.

The results of the physical will be sent to the local board, which will issue to the registrant a Certificate of Acceptability (DD Form 62), stating whether or not he has been found acceptable.

17. An ORDER TO REPORT FOR INDUCTION (SS Form 252) can be issued to I-A and I-A-0 registrants only, and only after the expiration of time periods allowed for the appeal process. The order must allow 10 days for the registrant to report for induction at the induction center. In addition, the date set for induction must be at least 21 days after the date of issuance of the DD 62, showing the registrant has passed a pre-induction physical. An induction order can be transferred in the same way as a physical order (see 16, above).

Under the present regulations, men classified I-A or I-A-0 can be inducted only in the following order:

- a) Delinquents 19 and over (inducted even if they haven't previously received a pre-induction physical examination, but are examined and may be rejected on the day of induction).
- b) Volunteers under 26, in order of volunteering.
- c) Unmarried men and men married after August 26, 1965, aged 19 through 25, the oldest first.

Men in the last two categories have not been drafted for many years. Receipt of any deferment extends draft liability to the 35th birthday (instead of the 26th), but except for doctors (who, under the doctor's draft, are subject to special call-up rules) and delinquents, those over 26 with "extended liability" may not be inducted until all those classified I-A or I-A-O aged 19 through 25 have been taken.

This call-up order is not necessarily permanent. The Secretary of Defense has discretion under the 1967 law to declare a "prime age group" consisting of 19 year olds (or any other designated age) plus all those who have requested and received student deferments under the new draft law (i.e., since July 1, 1967); if a prime age group were ever declared, those in it classified I-A or I-A-O would be drafted ahead of all others.

18. REOPENING A CASE AFTER ISSUANCE OF AN INDUCTION ORDER (or civilian work order) is usually available only when "there has been a change in the registrant's status over which the registrant had no control." (Except, a full-time undergraduate college student can apply for I-S(C) deferment, and the order will be cancelled.) Some conscientious objectors have realized their beliefs only after receipt of induction orders' several circuit courts have held that local board must consider post-induction-order C.O. claims. The State and National Directors of SS have authority to cancel induction orders, and should be asked to use these powers. The government appeal agent should be asked to recommend to the local board that the case be reopened, and to write the State and National Directors asking that they cancel the induction order. Registrants who find themselves in this position should contact an experienced draft counselor, and consult an experienced draft lawyer.

19. DELINQUENCY STATUS is assigned to registrants who fail to obey the administrative requirements of the draft law. Delinquents classified I-A, I-A-O, or I-O are at the top of the call-up order, and are called up without first being given pre-induction physicals. Delinquency status itself may not be appealed; most local boards will however withdraw the delinquency if the registrant takes steps to repair the cause of the delinquency.

20. CONSCIENTIOUS OBJECTORS use the same appeal procedures and are eligible for the same deferment and exemptions as other registrants. (The special appeal process for C.O.s involving a Justice Department investigation and hearing is no longer in effect.) I-A-Os are included in the quotas local boards must fill, and are processed along with the I-As; I-Os do not fill quotas, but are called up at the same time they would have been issued induction orders, were they I-A or I-A-O. (Sample work orders, SS Form 153, available from AFSC.)

WARNING---The information on this sheet is highly condensed. For detailed information consult a reliable draft counselor or a counseling agency such as the Midwest Committee for Draft Counseling (711 South Dearborn Street, Chicago, Illinois 60605 - 312/427-3350), the Lincoln Draft Information Service (333 North 14th Street, Lincoln, Nebraska 68508 - 402/475-5438), or the Omaha Draft Information Service (Brandeis Student Center, Creighton University, Omaha, Nebraska 68131 - 402/536-2793). Individual counselors throughout the state are Rev. Keith Shepherd, 502 East 1st Street, Cozad; Rev. Don Rollsten, Doniphan; Rev. Cecil Bliss, 514 Main, Wayne; Rev. Truman Bachenberg, Curtis; Rev. Jay Schmidt, 735 Lincoln, Hebron; and Rev. Lincoln B. Justice, Humboldt.