

General HERSHEY. There is some difference of opinion. I think I make a lot. I make the decision of whether I will take an appeal or whether I will not, because when I appeal, it immediately gives the fellow what amounts to a postponement, because I can't take an appeal without postponing, because you have to pull the record out of the line, so they won't induct him he is getting a chance to be heard by somebody else.

Mr. THOMPSON. Are there public records kept of these?

General HERSHEY. Yes. Under the present law, anyone can see what he wants.

We will be glad to furnish any information you want. We can furnish the number of appeals the Directors have taken by years back to the year 1940, or most of them now will be from the State appeal board to the National Appeal Board, because the uninterrupted right of the registrant to appeal to the appeal board of his State does not change except when he overruns.

I do not like to see an individual let his appeal time go by, either, because he is careless, or didn't know, because I do not like to have a decision made that hinges on the fact that if he only had done something, the decision would have been different.

I tend to take an appeal in any case, or I open up his right to let him take his appeal. That I have the power to do.

Mr. THOMPSON. I see my time is used up.

I thank you very much, General, for your very valuable contribution.

Mrs. GREEN. Congressman Erlenborn.

Mr. ERLNBORN. I think we have talked a great deal today about what the problems are. I am certain that all of us are aware that there are very difficult problems facing graduate and undergraduate students.

I would like to explore what some of the alternatives might be, either legislatively, although I personally think the legislative process would perhaps be too slow, or administratively within the present legislation.

Am I correct, General Hershey, in my understanding that the law we passed last year prohibits you from using any method of selection other than the method of selection that was in effect at that time, and that is the oldest shall be taken first from his age group?

General HERSHEY. It prohibited random choice, but it did not prohibit, for instance, the establishment of the so-called 19-year-olds. That would depend on the call from the Secretary of Defense to the Selective Service System.

Now, there is a little question, because we have never done it, whether or not if we would get calls each month for, let us say, six different age groups, I would rule now, and probably get overruled by some attorney somewhere, that that did not constitute a prime age group, because it is still scattered.

But if they ask me from the Department of Defense for 10,000 individuals who are 23 years old, under the law I have to take the oldest 23-year-old who is a 1-A.

M. ERLNBORN. If the Secretary of Defense designated the 19-year-olds, would you have the administrative ability, within the framework of the present law, to rule that those who had recently become