

Monday, August 9, 1965
12:50 p.m.

FOR THE PRESIDENT

THESE: HJ-AS

This order, recommended by Defense, would rescind an earlier order (of September 10, 1963) that placed married men without children in a lower order of draft call than single men. Issuance of this proposed order would restore their situation to one of equal treatment with single men.

Budget and Justice approve the basic policy of the new order. The change is required by stepped-up draft calls.

On a minor issue there was disagreement. The Defense order would affect men who marry after the date of the new order; it is felt that men who married between September 10, 1963 and the present, relying on a more remote draft status, should be protected. Budget and Justice agree, but would also protect men who marry on the date of the new order. Defense was reluctant to accept this out of fear that many men would rush into marriage on that date, to gain protection. Now, however, Norm Paul has agreed with the Budget-Justice position.

I recommend issuance of the Budget-Justice version, attached. The order should be truly prospective. If we send the order to the Federal Register by 2 or 3 PM, it will be effective on that date, and the number of hurried marriages would be practically non-existent.

Harry C. McPherson, Jr.

Attachments Memo for The President from Norbert A. Schlei,
Asst Attorney General, dated August 6, 1965.
Cy ltr to Hon. Nicholas deB. Katzenbach from Arthur
B. Focke, General Counsel, BOB, dtd Aug 3.
Cy ltr to Arthur B. Focke from Lewis B. Hershey,
Director, Selective Svc System, dtd August 3.
Executive Order - Amending the Selective Service
Regulations // and Alternate.

cc: [unclear]
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