

108TH CONGRESS
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S. 89

To provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

Mr. HOLLINGS introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Universal National Service Act of 2003”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. National service obligation.
 Sec. 3. Two-year period of national service.
 Sec. 4. Implementation by the President.
 Sec. 5. Induction.
 Sec. 6. Deferments and postponements.
 Sec. 7. Induction exemptions.
 Sec. 8. Conscientious objection.
 Sec. 9. Discharge following national service.
 Sec. 10. Registration of females under the Military Selective Service Act.
 Sec. 11. Relation of Act to registration and induction authority of Military Selective Service Act.
 Sec. 12. Definitions.

1 SEC. 2. NATIONAL SERVICE OBLIGATION.

2 (a) OBLIGATION FOR YOUNG PERSONS.—It is the ob-
 3 ligation of every citizen of the United States, and every
 4 other person residing in the United States, who is between
 5 the ages of 18 and 26 to perform a period of national
 6 service as prescribed in this Act unless exempted under
 7 the provisions of this Act.

8 (b) FORM OF NATIONAL SERVICE.—National service
 9 under this Act shall be performed either—

10 (1) as a member of an active or reserve compo-
 11 nent of the uniformed services; or

12 (2) in a civilian capacity that, as determined by
 13 the President, promotes the national defense, includ-
 14 ing national or community service and homeland se-
 15 curity.

16 (c) INDUCTION REQUIREMENTS.—The President
 17 shall provide for the induction of persons covered by sub-
 18 section (a) to perform national service under this Act.

1 (d) SELECTION FOR MILITARY SERVICE.—Based
2 upon the needs of the uniformed services, the President
3 shall—

4 (1) determine the number of persons covered by
5 subsection (a) whose service is to be performed as a
6 member of an active or reserve component of the
7 uniformed services; and

8 (2) select the individuals among those persons
9 who are to be inducted for military service under
10 this Act.

11 (e) CIVILIAN SERVICE.—Persons covered by sub-
12 section (a) who are not selected for military service under
13 subsection (d) shall perform their national service obliga-
14 tion under this Act in a civilian capacity pursuant to sub-
15 section (b)(2).

16 **SEC. 3. TWO-YEAR PERIOD OF NATIONAL SERVICE.**

17 (a) GENERAL RULE.—Except as otherwise provided
18 in this section, the period of national service performed
19 by a person under this Act shall be two years.

20 (b) GROUNDS FOR EXTENSION.—At the discretion of
21 the President, the period of military service for a member
22 of the uniformed services under this Act may be ex-
23 tended—

24 (1) with the consent of the member, for the
25 purpose of furnishing hospitalization, medical, or

1 surgical care for injury or illness incurred in line of
2 duty; or

3 (2) for the purpose of requiring the member to
4 compensate for any time lost to training for any
5 cause.

6 (c) EARLY TERMINATION.—The period of national
7 service for a person under this Act shall be terminated
8 before the end of such period under the following cir-
9 cumstances:

10 (1) The voluntary enlistment and active service
11 of the person in an active or reserve component of
12 the uniformed services for a period of at least two
13 years, in which case the period of basic military
14 training and education actually served by the person
15 shall be counted toward the term of enlistment.

16 (2) The admission and service of the person as
17 a cadet or midshipman at the United States Military
18 Academy, the United States Naval Academy, the
19 United States Air Force Academy, the Coast Guard
20 Academy, or the United States Merchant Marine
21 Academy.

22 (3) The enrollment and service of the person in
23 an officer candidate program, if the person has
24 signed an agreement to accept a Reserve commission
25 in the appropriate service with an obligation to serve

1 on active duty if such a commission is offered upon
2 completion of the program.

3 (4) Such other grounds as the President may
4 establish.

5 **SEC. 4. IMPLEMENTATION BY THE PRESIDENT.**

6 (a) IN GENERAL.—The President shall prescribe
7 such regulations as are necessary to carry out this Act.

8 (b) MATTER TO BE COVERED BY REGULATIONS.—
9 Such regulations shall include specification of the fol-
10 lowing:

11 (1) The types of civilian service that may be
12 performed for a person's national service obligation
13 under this Act.

14 (2) Standards for satisfactory performance of
15 civilian service and of penalties for failure to per-
16 form civilian service satisfactorily.

17 (3) The manner in which persons shall be se-
18 lected for induction under this Act, including the
19 manner in which those selected will be notified of
20 such selection.

21 (4) All other administrative matters in connec-
22 tion with the induction of persons under this Act
23 and the registration, examination, and classification
24 of such persons.

1 (5) A means to determine questions or claims
2 with respect to inclusion for, or exemption or
3 deferment from induction under this Act, including
4 questions of conscientious objection.

5 (6) Standards for compensation and benefits
6 for persons performing their national service obliga-
7 tion under this Act through civilian service.

8 (7) Such other matters as the President deter-
9 mines necessary to carry out this Act.

10 (c) USE OF PRIOR ACT.—To the extent determined
11 appropriate by the President, the President may use for
12 purposes of this Act the procedures provided in the Mili-
13 tary Selective Service Act (50 U.S.C. App. 451 et seq.),
14 including procedures for registration, selection, and induc-
15 tion.

16 **SEC. 5. INDUCTION.**

17 (a) IN GENERAL.—Every person subject to induction
18 for national service under this Act, except those whose
19 training is deferred or postponed in accordance with this
20 Act, shall be called and inducted by the President for such
21 service at the time and place specified by the President.

22 (b) AGE LIMITS.—A person may be inducted under
23 this Act only if the person has attained the age of 18 and
24 has not attained the age of 26.

1 (c) VOLUNTARY INDUCTION.—A person subject to in-
2 duction under this Act may volunteer for induction at a
3 time other than the time at which the person is otherwise
4 called for induction.

5 (d) EXAMINATION; CLASSIFICATION.—Every person
6 subject to induction under this Act shall, before induction,
7 be physically and mentally examined and shall be classified
8 as to fitness to perform national service. The President
9 may apply different classification standards for fitness for
10 military service and fitness for civilian service.

11 **SEC. 6. DEFERMENTS AND POSTPONEMENTS.**

12 (a) HIGH SCHOOL STUDENTS.—A person who is pur-
13 suing a standard course of study, on a full-time basis, in
14 a secondary school or similar institution of learning shall
15 be entitled to have induction under this Act postponed
16 until the person—

17 (1) obtains a high school diploma;

18 (2) ceases to pursue satisfactorily such course
19 of study; or

20 (3) attains the age of 20.

21 (b) HARDSHIP AND DISABILITY.—Deferments from
22 national service under this Act may be made for—

23 (1) extreme hardship; or

24 (2) physical or mental disability.

1 (c) TRAINING CAPACITY.—The President may post-
2 pone or suspend the induction of persons for military serv-
3 ice under this Act as necessary to limit the number of per-
4 sons receiving basic military training and education to the
5 maximum number that can be adequately trained.

6 (d) TERMINATION.—No deferment or postponement
7 of induction under this Act shall continue after the cause
8 of such deferment or postponement ceases.

9 **SEC. 7. INDUCTION EXEMPTIONS.**

10 (a) QUALIFICATIONS.— No person may be inducted
11 for military service under this Act unless the person is
12 acceptable to the Secretary concerned for training and
13 meets the same health and physical qualifications applica-
14 ble under section 505 of title 10, United States Code, to
15 persons seeking original enlistment in a regular compo-
16 nent of the Armed Forces.

17 (b) OTHER MILITARY SERVICE.—No person shall be
18 liable for induction under this Act who—

19 (1) is serving, or has served honorably for at
20 least six months, in any component of the uniformed
21 services on active duty; or

22 (2) is or becomes a cadet or midshipman at the
23 United States Military Academy, the United States
24 Naval Academy, the United States Air Force Acad-
25 emy, the Coast Guard Academy, the United States

1 Merchant Marine Academy, a midshipman of a Navy
2 accredited State maritime academy, a member of the
3 Senior Reserve Officers' Training Corps, or the
4 naval aviation college program, so long as that per-
5 son satisfactorily continues in and completes two
6 years training therein.

7 **SEC. 8. CONSCIENTIOUS OBJECTION.**

8 (a) CLAIMS AS CONSCIENTIOUS OBJECTOR.—Any
9 person selected under this Act for induction into the uni-
10 formed services who claims, because of religious training
11 and belief (as defined in section 6(j) of the Military Selec-
12 tive Service Act (50 U.S.C. 456(j))), exemption from com-
13 batant training included as part of that military service
14 and whose claim is sustained under such procedures as
15 the President may prescribe, shall, when inducted, partici-
16 pate in military service that does not include any combat-
17 ant training component.

18 (b) TRANSFER TO CIVILIAN SERVICE.—Any such
19 person whose claim is sustained may, at the discretion of
20 the President, be transferred to a national service program
21 for performance of such person's national service obliga-
22 tion under this Act.

23 **SEC. 9. DISCHARGE FOLLOWING NATIONAL SERVICE.**

24 (a) DISCHARGE.—Upon completion or termination of
25 the obligation to perform national service under this Act,

1 a person shall be discharged from the uniformed services
2 or from civilian service, as the case may be, and shall not
3 be subject to any further service under this Act.

4 (b) COORDINATION WITH OTHER AUTHORITIES.—
5 Nothing in this section shall limit or prohibit the call to
6 active service in the uniformed services of any person who
7 is a member of a regular or reserve component of the uni-
8 formed services.

9 **SEC. 10. REGISTRATION OF FEMALES UNDER THE MILI-**
10 **TARY SELECTIVE SERVICE ACT.**

11 (a) REGISTRATION REQUIRED.—Section 3(a) of the
12 Military Selective Service Act (50 U.S.C. 453(a)) is
13 amended—

14 (1) by striking “male” both places it appears;

15 (2) by inserting “or herself” after “himself”;

16 and

17 (3) by striking “he” and inserting “the per-
18 son”.

19 (b) CONFORMING AMENDMENT.—Section 16(a) of
20 the Military Selective Service Act (50 U.S.C. App. 466(a))
21 is amended by striking “men” and inserting “persons”.

1 **SEC. 11. RELATION OF ACT TO REGISTRATION AND INDUC-**
2 **TION AUTHORITY OF MILITARY SELECTIVE**
3 **SERVICE ACT.**

4 (a) REGISTRATION.—Section 4 of the Military Selec-
5 tive Service Act (50 U.S.C. App. 454) is amended by in-
6 serting after subsection (g) the following new subsection:

7 “(h) This section does not apply with respect to the
8 induction of persons into the Armed Forces pursuant to
9 the Universal National Service Act of 2003.”.

10 (b) INDUCTION.—Section 17(c) of the Military Selec-
11 tive Service Act (50 U.S.C. App. 467(c)) is amended by
12 striking “now or hereafter” and all that follows through
13 the period at the end and inserting “inducted pursuant
14 to the Universal National Service Act of 2003.”.

15 **SEC. 12. DEFINITIONS.**

16 In this Act:

17 (1) The term “military service” means service
18 performed as a member of an active or reserve com-
19 ponent of the uniformed services.

20 (2) The term “Secretary concerned” means the
21 Secretary of Defense with respect to the Army,
22 Navy, Air Force, and Marine Corps, the Secretary
23 of Homeland Security with respect to the Coast
24 Guard, the Secretary of Commerce, with respect to
25 matters concerning the National Oceanic and At-
26 mospheric Administration, and the Secretary of

1 Health and Human Services, with respect to matters
2 concerning the Public Health Service.

3 (3) The term “United States”, when used in a
4 geographical sense, means the several States, the
5 District of Columbia, Puerto Rico, the Virgin Is-
6 lands, and Guam.

7 (4) The term “uniformed services” means the
8 Army, Navy, Air Force, Marine Corps, Coast Guard,
9 commissioned corps of the National Oceanic and At-
10 mospheric Administration, and commissioned corps
11 of the Public Health Service.

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