To deauthorize the Military Selective Service Act, including the registration requirement and the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System, except during a national emergency declared by the President, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2011

Mr. COFFMAN of Colorado introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To deauthorize the Military Selective Service Act, including the registration requirement and the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System, except during a national emergency declared by the President, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Emergency Selective Service Act of 2011”.

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SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Congress has not given serious consideration to conscription since establishing the current Selective Service System in 1979.

(2) The Department of Defense has neither plans nor the capabilities to deal with conscription, were conscription under the Military Selective Service Act ever reimposed.

(3) The amendments made by this section would allow 175 Reserve officers to return to more important duties.

(4) The estimated savings of $24.2 million annually from the amendments made by this section would be better used to reduce the Federal budget deficit.

SEC. 3. DEAUTHORIZATION OF MILITARY SELECTIVE SERVICE ACT EXCEPT DURING NATIONAL EMERGENCIES.

(a) Restriction of Registration Requirement to National Emergency.—Section 3 of the Military Selective Service Act (50 U.S.C. App. 453) is amended—

(1) in subsection (a), by striking “Except as otherwise provided in this title,” and inserting “During any period in which a declaration of national emergency is in effect under subsection (e),”; and
(2) by adding at the end the following new subsections:

“(c) Declaration of National Emergency.—The President shall have the authority to declare, by executive order, a period of national emergency during which the registration requirements of subsection (a) shall apply. The President shall provide for the prompt termination of the declaration of national emergency upon the termination of the national emergency.

“(d) Deauthorization of Registration Requirement.—Unless a declaration of national emergency is in effect pursuant to subsection (c), on and after the date of the enactment of the National Emergency Selective Service Act of 2011, no person shall be registered for possible induction for training and service in the Armed Forces, including persons who were subject to such registration requirements before that date but who had not complied with such registration requirements by that date.”.

(b) Suspension of Local Boards, Appeal Boards, and Other Selective Service System Agencies; Safeguarding Data.—Section 10 of the Military Selective Service Act (50 U.S.C. App. 460) is amended—
(1) in subsection (c), by adding at the end the following new sentence: “Whenever operations of the Selective Service System are suspended under subsection (i), the Secretary of Defense shall assume responsibility for security of Selective Service System data bases.”; and

(2) by adding at the end the following new subsection:

“(i) Unless a declaration of national emergency is in effect pursuant to section 3(c), the President may not appoint a person as a member of a civilian local board, civilian appeal board, or similar local agency of the Selective Service System, and any such board established under subsection (b)(3) may not meet.”.

(c) Suspension of Sanctions for Persons Subject to Registration.—Section 12 of the Military Selective Service Act (50 U.S.C. App. 462) is amended by adding at the end the following new subsection:

“(h) In addition to the exception provided by subsection (g), a person may not be denied a right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for and submit to registration under section 3 unless a declaration of national emergency is in effect pursuant to subsection (c) of such section.”.
(d) Restriction on Authorization of Appropriations.—Section 17(b) of the Military Selective Service Act (50 U.S.C. App. 467(b)) is amended in the first sentence—

(1) by striking “There” and inserting “If a declaration of national emergency is in effect under section 3(c), there”; and

(2) by inserting before the period at the end of the sentence the following: “during such national emergency”.

SEC. 4. EFFECTIVE DATE AND TRANSFER OF UNOBLIGATED FUNDS.

(a) Effective Date.—This Act, and the amendments made by this Act, shall take effect 90 days after the date of the enactment of this Act.

(b) Transfer of Unobligated Funds.—The Secretary of the Treasury shall transfer the unobligated balances available (as of the effective date of this Act) to carry out the Military Selective Service Act to the general fund of the Treasury to reduce the deficit.