

113TH CONGRESS
1ST SESSION

H. R. 748

To require all persons in the United States between the ages of 18 and 25 to perform national service, either as a member of the uniformed services or as civilian service in a Federal, State, or local government program or with a community-based agency or community-based entity, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, to provide for the registration of women under the Military Selective Service Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2013

Mr. RANGEL introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To require all persons in the United States between the ages of 18 and 25 to perform national service, either as a member of the uniformed services or as civilian service in a Federal, State, or local government program or with a community-based agency or community-based entity, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, to provide for the registration of women under the Military Selective Service Act, 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”.

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

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL SERVICE

Sec. 101. Definitions.
 Sec. 102. National service obligation.
 Sec. 103. Induction to perform national service.
 Sec. 104. Two-year period of national service.
 Sec. 105. Implementation by the President.
 Sec. 106. Examination and classification of persons.
 Sec. 107. Deferments and postponements.
 Sec. 108. Induction exemptions.
 Sec. 109. Conscientious objection.
 Sec. 110. Discharge following national service.

TITLE II—AMENDMENTS TO MILITARY SELECTIVE SERVICE ACT

Sec. 201. Registration of females.
 Sec. 202. Registration and induction authority.

8 **TITLE I—NATIONAL SERVICE**

9 **SEC. 101. DEFINITIONS.**

10 In this title:

11 (1) The terms “community-based agency” and
 12 “community-based entity” have the meanings given
 13 those terms in section 101 of the National and Com-
 14 munity Service Act of 1990 (42 U.S.C. 12511).

15 (2) The term “contingency operation” has the
 16 meaning given that term in section 101(a)(13) of
 17 title 10, United States Code.

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

4 (4) The term “national service” means—

5 (A) military service; or

6 (B) civilian service in a Federal, State, or
7 local government program or with a commu-
8 nity-based agency or community-based entity
9 that, as determined by the President, is en-
10 gaged in meeting human, educational, environ-
11 mental, or public safety needs.

12 (5) The term “Secretary concerned” means—

13 (A) the Secretary of Defense with respect
14 to the Army, Navy, Air Force, and Marine
15 Corps;

16 (B) the Secretary of Homeland Security
17 with respect to the Coast Guard;

18 (C) the Secretary of Commerce with re-
19 spect to the National Oceanic and Atmospheric
20 Administration; and

21 (D) the Secretary of Health and Human
22 Services with respect to the Public Health Serv-
23 ice.

24 (6) The term “United States”, when used in a
25 geographical sense, means the several States, the

1 District of Columbia, Puerto Rico, the Virgin Is-
2 lands, and Guam.

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

8 **SEC. 102. NATIONAL SERVICE OBLIGATION.**

9 (a) OBLIGATION FOR SERVICE.—It is the obligation
10 of every citizen of the United States, and every other per-
11 son residing in the United States, who is between the ages
12 of 18 and 25 to perform a period of national service as
13 prescribed in this title unless exempted under the provi-
14 sions of this title.

15 (b) FORMS OF NATIONAL SERVICE.—The national
16 service obligation under this title shall be performed either
17 through—

18 (1) military service; or

19 (2) civilian service in a Federal, State, or local
20 government program or with a community-based
21 agency or community-based entity that, as deter-
22 mined by the President, is engaged in meeting
23 human, educational, environmental, or public safety
24 needs.

1 (c) AGE LIMITS.—A person may be inducted under
2 this title only if the person has attained the age of 18
3 and has not attained the age of 25.

4 **SEC. 103. INDUCTION TO PERFORM NATIONAL SERVICE.**

5 (a) INDUCTION REQUIREMENTS.—The President
6 shall provide for the induction of persons described in sec-
7 tion 102(a) to perform their national service obligation.

8 (b) LIMITATION ON INDUCTION FOR MILITARY SERV-
9 ICE.—Persons described in section 102(a) may be in-
10 ducted to perform military service only if—

11 (1) a declaration of war is in effect;

12 (2) the President declares a national emer-
13 gency, which the President determines necessitates
14 the induction of persons to perform military service,
15 and immediately informs Congress of the reasons for
16 the declaration and the need to induct persons for
17 military service; or

18 (3) members of the Army, Navy, Air Force, or
19 Marine Corps are engaged in a contingency oper-
20 ation pursuant to a congressional authorization for
21 the use of military force.

22 (c) LIMITATION ON NUMBER OF PERSONS INDUCTED
23 FOR MILITARY SERVICE.—When the induction of persons
24 for military service is authorized by subsection (b), the
25 President shall determine the number of persons described

1 in section 102(a) whose national service obligation is to
2 be satisfied through military service based on—

3 (1) the authorized end strengths of the uni-
4 formed services; and

5 (2) the feasibility of the uniformed services to
6 recruit sufficient volunteers to achieve such end-
7 strength levels.

8 (d) SELECTION FOR INDUCTION.—

9 (1) RANDOM SELECTION FOR MILITARY SERV-
10 ICE.—When the induction of persons for military
11 service is authorized by subsection (b), the President
12 shall utilize a mechanism for the random selection of
13 persons to be inducted to perform military service.

14 (2) RANDOM SELECTION FOR CIVILIAN SERV-
15 ICE.—Persons described in section 102(a) who do
16 not volunteer to perform military service or are not
17 inducted for military service shall perform their na-
18 tional service obligation in a civilian capacity pursu-
19 ant to section 102(b)(2).

20 (e) VOLUNTARY SERVICE.—A person subject to in-
21 duction under this title may—

22 (1) volunteer to perform national service in lieu
23 of being inducted; or

1 (2) request permission to be inducted at a time
2 other than the time at which the person is otherwise
3 called for induction.

4 **SEC. 104. TWO-YEAR PERIOD OF NATIONAL SERVICE.**

5 (a) GENERAL RULE.—Except as otherwise provided
6 in this section, the period of national service performed
7 by a person under this title shall be two years.

8 (b) GROUNDS FOR EXTENSION.—At the discretion of
9 the President, the period of military service for a member
10 of the uniformed services under this title may be ex-
11 tended—

12 (1) with the consent of the member, for the
13 purpose of furnishing hospitalization, medical, or
14 surgical care for injury or illness incurred in line of
15 duty; or

16 (2) for the purpose of requiring the member to
17 compensate for any time lost to training for any
18 cause.

19 (c) EARLY TERMINATION.—The period of national
20 service for a person under this title shall be terminated
21 before the end of such period under the following cir-
22 cumstances:

23 (1) The voluntary enlistment and active service
24 of the person in an active or reserve component of
25 the uniformed services for a period of at least two

1 years, in which case the period of basic military
2 training and education actually served by the person
3 shall be counted toward the term of enlistment.

4 (2) The admission and service of the person as
5 a cadet or midshipman at the United States Military
6 Academy, the United States Naval Academy, the
7 United States Air Force Academy, the Coast Guard
8 Academy, or the United States Merchant Marine
9 Academy.

10 (3) The enrollment and service of the person in
11 an officer candidate program, if the person has
12 signed an agreement to accept a Reserve commission
13 in the appropriate service with an obligation to serve
14 on active duty if such a commission is offered upon
15 completion of the program.

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

18 **SEC. 105. IMPLEMENTATION BY THE PRESIDENT.**

19 (a) IN GENERAL.—The President shall prescribe
20 such regulations as are necessary to carry out this title.

21 (b) MATTER TO BE COVERED BY REGULATIONS.—
22 Such regulations shall include specification of the fol-
23 lowing:

1 (1) The types of civilian service that may be
2 performed in order for a person to satisfy the per-
3 son's national service obligation under this title.

4 (2) The types of Federal, State, and local gov-
5 ernment programs and programs carried out by a
6 community-based agency or community-based entity
7 that may be used for the performance of national
8 service.

9 (3) Standards for satisfactory performance of
10 civilian service and of penalties for failure to per-
11 form civilian service satisfactorily.

12 (4) The manner in which persons shall be se-
13 lected for induction under this title, including the
14 manner in which those selected will be notified of
15 such selection.

16 (5) All other administrative matters in connec-
17 tion with the induction of persons under this title
18 and the registration, examination, and classification
19 of such persons.

20 (6) A means to determine questions or claims
21 with respect to inclusion for, or exemption or
22 deferment from induction under this title, including
23 questions of conscientious objection.

1 (7) Standards for compensation and benefits
2 for persons performing their national service obliga-
3 tion under this title through civilian service.

4 (8) Such other matters as the President deter-
5 mines necessary to carry out this title.

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

12 **SEC. 106. EXAMINATION AND CLASSIFICATION OF PER-**
13 **SONS.**

14 (a) EXAMINATION.—Every person subject to induc-
15 tion under this title shall, before induction, be physically
16 and mentally examined and shall be classified as to fitness
17 to perform national service.

18 (b) DIFFERENT CLASSIFICATION STANDARDS.—The
19 President may apply different classification standards for
20 fitness for military service and fitness for civilian service.

21 **SEC. 107. DEFERMENTS AND POSTPONEMENTS.**

22 (a) HIGH SCHOOL STUDENTS.—A person who is pur-
23 suing a standard course of study, on a full-time basis, in
24 a secondary school or similar institution of learning shall

1 be entitled to have induction under this title postponed
2 until the person—

3 (1) obtains a high school diploma;

4 (2) ceases to pursue satisfactorily such course
5 of study; or

6 (3) attains the age of 20.

7 (b) POST SECONDARY STUDENTS.—A person who is
8 pursuing a standard course of study, on a full-time basis,
9 in a university, technical school or similar institution of
10 learning shall be entitled to have induction under this title
11 postponed until the person—

12 (1) obtains a certificate or diploma;

13 (2) ceases to pursue satisfactorily such course
14 of study; or

15 (3) attains the age of 24.

16 (c) HARDSHIP AND DISABILITY.—Deferments from
17 national service under this title may be made for—

18 (1) extreme hardship; or

19 (2) physical or mental disability.

20 (d) TRAINING CAPACITY.—The President may post-
21 pone or suspend the induction of persons for military serv-
22 ice under this title as necessary to limit the number of
23 persons receiving basic military training and education to
24 the maximum number that can be adequately trained.

1 (e) TERMINATION.—No deferment or postponement
2 of induction under this title shall continue after the cause
3 of such deferment or postponement ceases.

4 **SEC. 108. INDUCTION EXEMPTIONS.**

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

12 (b) OTHER MILITARY SERVICE.—No person shall be
13 liable for induction under this title who—

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

17 (2) is or becomes a cadet or midshipman at the
18 United States Military Academy, the United States
19 Naval Academy, the United States Air Force Acad-
20 emy, the Coast Guard Academy, the United States
21 Merchant Marine Academy, a midshipman of a Navy
22 accredited State maritime academy, a member of the
23 Senior Reserve Officers' Training Corps, or the
24 naval aviation college program, so long as that per-

1 son satisfactorily continues in and completes at least
2 two years training therein.

3 **SEC. 109. CONSCIENTIOUS OBJECTION.**

4 (a) CLAIMS AS CONSCIENTIOUS OBJECTOR.—Noth-
5 ing in this title shall be construed to require a person to
6 be subject to combatant training and service in the uni-
7 formed services, if that person, by reason of sincerely held
8 moral, ethical, or religious beliefs, is conscientiously op-
9 posed to participation in war in any form.

10 (b) ALTERNATIVE NONCOMBATANT OR CIVILIAN
11 SERVICE.—A person who claims exemption from combat-
12 ant training and service under subsection (a) and whose
13 claim is sustained by the local board shall—

14 (1) be assigned to noncombatant service (as de-
15 fined by the President), if the person is inducted
16 into the uniformed services; or

17 (2) be ordered by the local board, if found to
18 be conscientiously opposed to participation in such
19 noncombatant service, to perform civilian service for
20 the period specified in section 104(a) and subject to
21 such regulations as the President may prescribe.

22 **SEC. 110. DISCHARGE FOLLOWING NATIONAL SERVICE.**

23 (a) DISCHARGE.—Upon completion or termination of
24 the obligation to perform national service under this title,
25 a person shall be discharged from the uniformed services

1 or from civilian service, as the case may be, and shall not
2 be subject to any further service under this title.

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

8 **TITLE II—AMENDMENTS TO**
9 **MILITARY SELECTIVE SERV-**
10 **ICE ACT**

11 **SEC. 201. REGISTRATION OF FEMALES.**

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

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

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

17 and

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

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

1 **SEC. 202. REGISTRATION AND INDUCTION AUTHORITY.**

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

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

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

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