

105TH CONGRESS
1ST SESSION

H. R. 2421

To repeal the Military Selective Service Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 1997

Mr. STARK introduced the following bill; which was referred to the Committee on National Security

A BILL

To repeal the Military Selective Service Act.

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. REPEAL OF THE MILITARY SELECTIVE SERV-**
4 **ICE ACT.**

5 (a) REPEAL.—The Military Selective Service Act (50
6 U.S.C. App. 451 et seq.) is repealed.

7 (b) TRANSFERS IN CONNECTION WITH REPEAL.—
8 Notwithstanding the proviso in section 10(a)(4) of the
9 Military Selective Service Act (50 U.S.C. App. 460(a)(4)),
10 the Office of Selective Service Records shall not be rees-
11 tablished upon the repeal of such Act. The assets, con-
12 tracts, property, and records held by the Selective Service

1 System, and the unexpended balances of any appropria-
 2 tions available to the Selective Service System, shall be
 3 transferred to the Administrator of General Services upon
 4 the repeal of such Act. The Director of the Office of Per-
 5 sonnel Management shall assist officers and employees of
 6 the Selective Service System to transfer to other positions
 7 in the executive branch.

8 (c) CONFORMING AMENDMENTS.—

9 (1) TITLE 5.—Title 5, United States Code, is
 10 amended as follows:

11 (A) By striking out section 3328.

12 (B) In the table of sections at the begin-
 13 ning of chapter 33, by striking out the item re-
 14 lating to section 3328.

15 (C) In section 5102(b), by striking out “,
 16 including positions” and all that follows
 17 through “those positions”.

18 (2) TITLE 8.—The Immigration and Nationality
 19 Act (8 U.S.C. 1101 et seq.) is amended as follows:

20 (A) In section 101(a)(19) (8 U.S.C.
 21 1101(a)(19))—

22 (i) by striking out “section 3(a) of the
 23 Selective Training and Service Act of
 24 1940, as amended (54 Stat. 885; 55 Stat.
 25 844), or under section 4(a) of the Selective

1 Service Act of 1948, as amended (62 Stat.
2 605; 65 Stat. 76) or under”; and

3 (ii) by striking “sections or”.

4 (B) In section 245A(a)(4) (8 U.S.C.
5 1255a(a)(4))—

6 (i) by adding “and” at the end of sub-
7 paragraph (B);

8 (ii) by striking out “, and” at the end
9 of subparagraph (C) and inserting in lieu
10 thereof a period; and

11 (iii) by striking out subparagraph (D).

12 (C) In section 315(b) (8 U.S.C. 1426(b)),
13 by inserting “former” before “Selective Service
14 System”.

15 (3) TITLE 10.—Title 10, United States Code, is
16 amended as follows:

17 (A) In section 513—

18 (i) in subsection (a), by striking out
19 “(except as provided in subsection (c))”;

20 (ii) by striking out subsection (c); and

21 (iii) by redesignating subsection (d) as
22 subsection (c).

23 (B) In section 523(b), by striking out
24 paragraph (7).

25 (C) In section 641(1)—

1 (i) by inserting “or” at the end of
2 subparagraph (E);

3 (ii) by striking out subparagraph (F);

4 and

5 (iii) by redesignating subparagraph
6 (G) as subparagraph (F).

7 (D) In section 651(a), by striking out “,
8 other than a person deferred under the next to
9 the last sentence of section 6(d)(1) of the Mili-
10 tary Selective Service Act (50 U.S.C App.
11 456(d)(1))”.

12 (E) In section 1475(a)(5), by striking out
13 “who—” and all that follows through the period
14 and inserting in lieu thereof “who has been pro-
15 visionally accepted for that duty.”.

16 (F) In section 12103(b), by striking out
17 “, and who is not under orders to report for in-
18 duction into an armed force under the Military
19 Selective Service Act (50 U.S.C. App. 451 et
20 seq.),”.

21 (G) In section 12103(d), by striking out
22 “and who is not under orders to report for in-
23 duction into an armed force under the Military
24 Selective Service Act (50 U.S.C. App. 451 et

1 seq.), except as provided in section 6(c)(2)(A)
2 (ii) and (iii) of such Act,”.

3 (H) In section 12104(a)—

4 (i) by striking out “or under the Mili-
5 tary Selective Service Act (50 U.S.C. App.
6 451 et seq.),” in the first sentence; and

7 (ii) by striking out “or under the Mili-
8 tary Selective Service Act (50 U.S.C. App.
9 451 et seq.)” in the third sentence.

10 (I) In section 12208(a)—

11 (i) by striking out “or under the Mili-
12 tary Selective Service Act (50 U.S.C. App.
13 451 et seq.),” in the first sentence; and

14 (ii) by striking out “or under the Mili-
15 tary Selective Service Act (50 U.S.C. App.
16 451 et seq.)” in the third sentence.

17 (J) In section 12647—

18 (i) by striking out “who is assigned to
19 the Selective Service System or”;

20 (ii) by striking out “assignment or”;
21 and

22 (iii) in the section heading, by striking
23 out “**assigned to the Selective**
24 **Service System or**”.

1 (K) In the table of sections at the begin-
2 ning of chapter 1219, by striking out the item
3 relating to section 12647 and inserting in lieu
4 thereof the following new item:

“12647. Commissioned officers: retention in active status while serving as United States property and fiscal officers.”.

5 (4) TITLE 22.—Section 23 of the Peace Corps
6 Act (22 U.S.C. 2520) is repealed.

7 (5) TITLE 26.—Section 3121(n)(5) of the Inter-
8 nal Revenue Act of 1986 (26 U.S.C. 3121(n)(5)) is
9 amended by striking out “service—” and all that
10 follows through “or air service;” and inserting in
11 lieu thereof “service who has been provisionally ac-
12 cepted for such duty;”.

13 (6) TITLE 29.—The Job Training Partnership
14 Act (29 U.S.C. 1501 et seq.) is amended as follows:

15 (A) In section 426 (29 U.S.C. 1696)—

16 (i) by striking out subsection (b); and

17 (ii) by redesignating subsections (c)
18 and (d) as subsections (b) and (c), respec-
19 tively.

20 (A) By striking out section 604 (29 U.S.C.
21 1504).

22 (7) TITLE 37.—Title 37, United States Code, is
23 amended as follows:

1 (A) In section 209(a), by striking out the
2 last sentence.

3 (B) In section 308e(1)—

4 (i) in subparagraph (A), by striking
5 out “or under section 6(d)(1) of the Mili-
6 tary Selective Service Act (50 U.S.C. App.
7 456(d)(1))”; and

8 (ii) in subparagraph (B), by striking
9 out “or section 6(d)(1) of the Military Se-
10 lective Service Act (50 U.S.C. App.
11 456(d)(1))”.

12 (8) TITLE 42.—(A) Section 210(m)(5) of the
13 Social Security Act (42 U.S.C. 410(m)(5)) is
14 amended by striking out “service—” and all that
15 follows through “or air service;” and inserting in
16 lieu thereof “service who has been provisionally ac-
17 cepted for such duty;”.

18 (B) Section 1007(b) of the Legal Services Cor-
19 poration Act (42 U.S.C. 2996f(b)) is amended by
20 striking out paragraph (10) and inserting in lieu
21 thereof the following new paragraph:

22 “(10) to provide legal assistance with respect to
23 any proceeding or litigation arising out of desertion
24 from the Armed Forces.”.

1 (d) EFFECTIVE DATE.—This Act, and the amend-
2 ments made by this Act, shall take effect 180 days after
3 the date of the enactment of this Act.

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