

109TH CONGRESS
1ST SESSION

H. R. 2455

To repeal the Military Selective Service Act.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2005

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

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 is repealed.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 the Act. The assets, contracts,
12 property, and records held by the Selective Service Sys-

tem, and the unexpended balances of any appropriations available to the Selective Service System, shall be transferred to the Administrator of General Services upon the repeal of the Act. The Director of the Office of Personnel Management shall assist officers and employees of the Selective Service System to transfer to other positions in the executive branch.

(c) TERMINATION OF SANCTIONS FOR PERSONS PREVIOUSLY SUBJECT TO REGISTRATION.—Notwithstanding any other provision of law, 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 of the Military Selective Service Act (50 U.S.C. App. 453), before the repeal of that Act by subsection (a).

(d) CONFORMING AMENDMENTS.—

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

(A) By striking section 3328.

(B) In the table of sections at the beginning of chapter 33, by striking the item relating to section 3328.

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

(D) In section 5315, by striking the paragraph relating to the Director of Selective Service.

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

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

(i) by striking “section 3(a) of the Selective Training and Service Act of 1940, as amended (54 Stat. 885; 55 Stat. 844), or under section 4(a) of the Selective Service Act of 1948, as amended (62 Stat. 605; 65 Stat. 76) or under”; and

(ii) by striking “sections or”.

(B) In section 237(a)(2)(D)(iii) (8 U.S.C. 1227(a)(2)(D)(iii)), by striking “any provision of the Military Selective Service Act (50 U.S.C. App. 451 et seq.) or”.

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

(i) by adding “and” at the end of subparagraph (B);

(ii) by striking “, and” at the end of subparagraph (C) and inserting a period; and

1 (iii) by striking subparagraph (D).

2 (D) In section 315(b) (8 U.S.C. 1426(b)),
3 by inserting “former” before “Selective Service
4 System”.

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

7 (A) In section 101(d)(6)(B), by striking
8 clause (v).

9 (B) In section 513—

10 (i) in subsection (a), by striking “(ex-
11 cept as provided in subsection (c))”;

12 (ii) by striking subsection (c); and

13 (iii) by redesignating subsection (d) as
14 subsection (c).

15 (C) In section 523(b), by striking para-
16 graph (7).

17 (D) In section 641(1)—

18 (i) by inserting “or” at the end of
19 subparagraph (E);

20 (ii) by striking subparagraph (F); and

21 (iii) by redesignating subparagraph
22 (G) as subparagraph (F).

23 (E) In section 651(a), by striking “, other
24 than a person deferred under the next to the
25 last sentence of section 6(d)(1) of the Military

1 Selective Service Act (50 U.S.C. App.
2 456(d)(1))”.

3 (F) In section 671(c)(1), by striking “and
4 may be established notwithstanding section 4(a)
5 of the Military Selective Service Act (50 U.S.C.
6 App. 454(a))”.

7 (G) In section 1049(2), by striking “and
8 selective service registrants called for induc-
9 tion”.

10 (H) In section 1475(a)(5), by striking
11 “who—” and all that follows through the period
12 and inserting “who has been provisionally ac-
13 cepted for that duty.”.

14 (I) In section 12103—

15 (i) in subsection (b), by striking “,
16 and who is not under orders to report for
17 induction into an armed force under the
18 Military Selective Service Act (50 U.S.C.
19 App. 451 et seq.),”; and

20 (ii) in subsection (d), by striking “and
21 who is not under orders to report for in-
22 duction into an armed force under the
23 Military Selective Service Act (50 U.S.C.
24 App. 451 et seq.), except as provided in

1 section 6(c)(2)(A) (ii) and (iii) of such
2 Act,”.

3 (J) In section 12104(a)—

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

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

10 (K) In section 12208(a)—

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

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

17 (L) In section 12647—

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

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

21 (iii) by striking the section heading
22 and inserting the following:

1 **“§ 12647. Commissioned officers: retention in active**
 2 **status while serving as United States**
 3 **property and fiscal officers”.**

4 (M) In the table of sections at the begin-
 5 ning of chapter 1219, by striking the item re-
 6 lating to section 12647 and inserting the fol-
 7 lowing new item:

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

8 (4) TITLE 20.—Section 484 of the Higher Edu-
 9 cation Act of 1965 (20 U.S.C. 1091) is amended by
 10 striking subsection (n).

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

13 (6) TITLE 26.—Section 3121(n)(5) of the Inter-
 14 nal Revenue Act of 1986 (26 U.S.C. 3121(n)(5)) is
 15 amended by striking “service—” and all that follows
 16 through “such place;” and inserting “service who
 17 has been provisionally accepted for such duty and
 18 has been ordered or directed to proceed to such
 19 place.”.

20 (7) TITLE 29.—The Workforce Investment Act
 21 of 1998 (29 U.S.C. 2801 et seq.) is amended as fol-
 22 lows:

23 (A) In section 146 (29 U.S.C. 2886)—
 24 (i) by striking subsection (a); and

1 (ii) by striking “(b) Period of Enroll-
2 ment.—”.

3 (B) In section 189 (29 U.S.C. 2939)—

4 (i) by striking subsection (h); and

5 (ii) by redesignating subsection (i) as
6 subsection (h).

7 (8) TITLE 36.—Section 902(d)(5) of title 36,
8 United States Code, is amended by striking subpara-
9 graph (D).

10 (9) TITLE 37.—Title 37, United States Code, is
11 amended as follows:

12 (A) In section 209(a), by striking the last
13 sentence.

14 (B) In section 308e(1)—

15 (i) in subparagraph (A), by striking
16 “or under section 6(d)(1) of the Military
17 Selective Service Act (50 U.S.C. App.
18 456(d)(1))”; and

19 (ii) in subparagraph (B), by striking
20 “or section 6(d)(1) of the Military Selec-
21 tive Service Act (50 U.S.C. App.
22 456(d)(1))”.

23 (10) TITLE 42.—(A) Section 210(m)(5) of the
24 Social Security Act (42 U.S.C. 410(m)(5)) is
25 amended by striking out “service—” and all that

1 follows through “such place;” and inserting “service
2 who has been provisionally accepted for such duty
3 and has been ordered or directed to proceed to such
4 place.”.

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

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

12 (e) EFFECTIVE DATE.—This Act, and the amend-
13 ments made by this Act, shall take effect 180 days after
14 the date of the enactment of this Act.

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