

110TH CONGRESS
1ST SESSION

H. R. 424

To repeal the Military Selective Service Act.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2007

Mr. PAUL (for himself and Ms. BALDWIN) 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 is repealed.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-

1 tem, and the unexpended balances of any appropriations
2 available to the Selective Service System, shall be trans-
3 ferred to the Administrator of General Services upon the
4 repeal of the Act. The Director of the Office of Personnel
5 Management shall assist officers and employees of the Se-
6 lective Service System to transfer to other positions in the
7 executive branch.

8 (c) TERMINATION OF SANCTIONS FOR PERSONS PRE-
9 VIOUSLY SUBJECT TO REGISTRATION.—Notwithstanding
10 any other provision of law, a person may not be denied
11 a right, privilege, benefit, or employment position under
12 Federal law on the grounds that the person failed to
13 present himself for and submit to registration under sec-
14 tion 3 of the Military Selective Service Act (50 U.S.C.
15 App. 453), before the repeal of that Act by subsection (a).

16 (d) CONFORMING AMENDMENTS.—

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

19 (A) By striking section 3328.

20 (B) In the table of sections at the begin-
21 ning of chapter 33, by striking the item relating
22 to section 3328.

23 (C) In section 5102(b), by striking “, in-
24 cluding positions” and all that follows through
25 “those positions”.

6 (A) In section 101(a)(19) (8 U.S.C.
7 1101(a)(19))—

19 (C) In section 245A(a)(4) (8 U.S.C.
20 1255a(a)(4))—

21 (i) by adding “and” at the end of sub-
22 paragraph (B);
23 (ii) by striking “, and” at the end of
24 subparagraph (C) and inserting a period;
25 and

1 (iii) by striking subparagraph (D).

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

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 (F) In section 651(a), by striking “other

than a person deferred under the next to the
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

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

(ii) by striking “or under the Military Selective Service Act (50 U.S.C. App. 451 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:

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.”.

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12 Act (22 U.S.C. 2520) is repealed.

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).

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.

○