

113TH CONGRESS
1ST SESSION

H. R. 978

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

MARCH 6, 2013

Mr. COFFMAN (for himself, Mr. DEFAZIO, and Mrs. ROBY) 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.

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.**

4 This Act may be cited as the “National Emergency
5 Selective Service Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Congress has not given serious consider-
4 ation to conscription since establishing the current
5 Selective Service System in 1979.

6 (2) The Department of Defense has neither
7 plans nor the capabilities to deal with conscription,
8 were conscription under the Military Selective Serv-
9 ice Act ever reimposed.

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

13 (4) The estimated savings of \$24.2 million an-
14 nually from the amendments made by this Act would
15 be better used to reduce the Federal budget deficit.

16 **SEC. 3. DEAUTHORIZATION OF MILITARY SELECTIVE SERV-**
17 **ICE ACT EXCEPT DURING NATIONAL EMER-**
18 **GENCIES.**

19 (a) RESTRICTION OF REGISTRATION REQUIREMENT
20 TO NATIONAL EMERGENCY.—Section 3 of the Military Se-
21 lective Service Act (50 U.S.C. App. 453) is amended—

22 (1) in subsection (a), by striking “Except as
23 otherwise provided in this title,” and inserting “Dur-
24 ing any period in which a declaration of national
25 emergency is in effect under subsection (c),”; and

1 (2) by adding at the end the following new sub-
2 sections:

3 “(c) DECLARATION OF NATIONAL EMERGENCY.—

4 The President shall have the authority to declare, by Exec-
5 utive order, a period of national emergency during which
6 the registration requirements of subsection (a) shall apply.
7 The President shall provide for the prompt termination
8 of the declaration of national emergency upon the termi-
9 nation of the national emergency.

10 “(d) DEAUTHORIZATION OF REGISTRATION RE-
11 QUIREMENT.—Unless a declaration of national emergency
12 is in effect pursuant to subsection (c), on and after the
13 date of the enactment of the National Emergency Selective
14 Service Act, no person shall be registered for possible in-
15 duction for training and service in the Armed Forces, in-
16 cluding persons who were subject to such registration re-
17 quirements before that date but who had not complied
18 with such registration requirements by that date.”.

19 (b) SUSPENSION OF LOCAL BOARDS, APPEAL
20 BOARDS, AND OTHER SELECTIVE SERVICE SYSTEM
21 AGENCIES; SAFEGUARDING DATA.—Section 10 of the
22 Military Selective Service Act (50 U.S.C. App. 460) is
23 amended—

24 (1) in subsection (c), by adding at the end the
25 following new sentence: “Whenever operations of the

1 Selective Service System are suspended under sub-
2 section (i), the Secretary of Defense shall assume re-
3 sponsibility for security of Selective Service System
4 data bases.”; and

5 (2) by adding at the end the following new sub-
6 section:

7 “(i) Unless a declaration of national emergency is in
8 effect pursuant to section 3(c), the President may not ap-
9 point a person as a member of a civilian local board, civil-
10 ian appeal board, or similar local agency of the Selective
11 Service System, and any such board established under
12 subsection (b)(3) may not meet.”.

13 (c) SUSPENSION OF SANCTIONS FOR PERSONS SUB-
14 JECT TO REGISTRATION.—Section 12 of the Military Se-
15 lective Service Act (50 U.S.C. App. 462) is amended by
16 adding at the end the following new subsection:

17 “(h) In addition to the exception provided by sub-
18 section (g), a person may not be denied a right, privilege,
19 benefit, or employment position under Federal law on the
20 grounds that the person failed to present himself for and
21 submit to registration under section 3 unless a declaration
22 of national emergency is in effect pursuant to subsection
23 (c) of such section.”.

24 (d) RESTRICTION ON AUTHORIZATION OF APPRO-
25 PRIATIONS.—Section 17(b) of the Military Selective Serv-

1 ice Act (50 U.S.C. App. 467(b)) is amended in the first
2 sentence—

3 (1) by striking “There” and inserting “If a dec-
4 laration of national emergency is in effect under sec-
5 tion 3(c), there”; and

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

9 **SEC. 4. EFFECTIVE DATE AND TRANSFER OF UNOBLIGATED**
10 **FUNDS.**

11 (a) **EFFECTIVE DATE.**—This Act, and the amend-
12 ments made by this Act, shall take effect 90 days after
13 the date of the enactment of this Act.

14 (b) **TRANSFER OF UNOBLIGATED FUNDS.**—The Sec-
15 retary of the Treasury shall transfer the unobligated bal-
16 ances available (as of the effective date of this Act) to
17 carry out the Military Selective Service Act to the general
18 fund of the Treasury to reduce the deficit.

○