

103^D CONGRESS
1ST SESSION

H. R. 2513

To repeal the Military Selective Service Act.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 1993

Mr. STARK (for himself and Mr. ROHRBACHER) 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 is repealed.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 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—

11 (A) by striking out section 3328;

12 (B) in section 3551—

13 (i) by striking out “, on release from
14 duty within the time limits specified in sec-
15 tion 9(g) of the Military Selective Service
16 Act of 1967 (50 U.S.C. App. 459(g)),”;
17 and

18 (ii) by striking out the second sen-
19 tence; and

20 (C) in section 5102(b), by striking out “,
21 including positions” and all that follows
22 through “those positions”.

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

1 (A) in section 101(a)(19) (8 U.S.C.
2 1101(a)(19))—

3 (i) by striking out “section 3(a) of the
4 Selective Training and Service Act of
5 1940, as amended (54 Stat. 885; 55 Stat.
6 844), or under section 4(a) of the Selective
7 Service Act of 1948, as amended (62 Stat.
8 605; 65 Stat. 76) or under”; and

9 (ii) by striking “sections or”;

10 (B) in section 241(a)(2)(D)(iii) (8 U.S.C.
11 1251(a)(2)(D)(iii)), by striking out “the Mili-
12 tary Selective Service Act (50 U.S.C. App. 451
13 et seq.) or”;

14 (C) in section 245(a)(4) (8 U.S.C.
15 1255a(a)(4))—

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

18 (ii) by striking out “, and” at the end
19 of subparagraph (C) and inserting in lieu
20 thereof a period; and

21 (iii) by striking out subparagraph (D);

22 and

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

1 (3) TITLE 10.—Title 10, United States Code, is
2 amended—

3 (A) in section 511(b), by striking out “,
4 and who is not under orders to report for in-
5 duction into an armed force under the Military
6 Selective Service Act (50 U.S.C. App. 451 et
7 seq.),”;

8 (B) in section 511(d), by striking out “and
9 who is not under orders to report for induction
10 into an armed force under the Military Selective
11 Service Act (50 U.S.C. App. 451 et seq.), ex-
12 cept as provided in section 6(c)(2)(A) (ii) and
13 (iii) of such Act,”;

14 (C) in section 512(a)—

15 (i) by striking out “or under the Mili-
16 tary Selective Service Act (50 U.S.C. App.
17 451 et seq.),” in the first sentence; and

18 (ii) by striking out “or under the Mili-
19 tary Selective Service Act (50 U.S.C. App.
20 451 et seq.)” in the third sentence;

21 (D) in section 513—

22 (i) in subsection (a), by striking out
23 “(except as provided in subsection (c))”;
24 and

25 (ii) by striking out subsection (c);

1 (E) by striking out paragraph (7) of sec-
2 tion 523(b);

3 (F) in section 595(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 (G) in section 641(1)—

11 (i) by inserting “or” at the end of
12 subparagraph (E);

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

14 and

15 (iii) by redesignating subparagraph

16 (G) as subparagraph (F);

17 (H) in section 651(a), by striking out “,
18 other than a person deferred under the next to
19 the last sentence of section 6(d)(1) of the Mili-
20 tary Selective Service Act (50 U.S.C. App.
21 456(d)(1))”;

22 (I) in section 1007—

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

1 (ii) by striking out “assignment or”;

2 and

3 (iii) by striking out “**assigned to**

4 **the Selective Service System or**”

5 in the section heading;

6 (J) in the table of contents at the begin-

7 ning of chapter 51, by striking out the item re-

8 lating to section 1007 and inserting in lieu

9 thereof the following new item:

“1007. Commissioned officers: retention in active status while serving as United States property and fiscal officers.”; and

10 (K) in section 1475(a)(5), by striking out

11 “who—” and all that follows through the period

12 and inserting in lieu thereof “who has been pro-

13 visionally accepted for that duty.”.

14 (4) TITLE 22.—Section 23 of the Peace Corps

15 Act (22 U.S.C. 2520) is repealed.

16 (5) TITLE 26.—Section 3121(n)(5) of the Inter-

17 nal Revenue Act of 1986 (26 U.S.C. 3121(n)(5)) is

18 amended by striking out “service—” and all that

19 follows through “or air service;” and inserting in

20 lieu thereof “service who has been provisionally ac-

21 cepted for such duty;”.

22 (6) TITLE 28.—Section 631(j) of title 28, Unit-

23 ed States Code, is amended—

1 (A) in the first sentence of paragraph (1),
2 by striking out “A magistrate who is inducted”
3 and all that follows through “with such forces”
4 and inserting in lieu thereof “A magistrate who
5 is ordered to active duty with the Armed Forces
6 of the United States”; and

7 (B) in paragraph (2), by striking out “re-
8 ceives a certificate of service under section 9(a)
9 of the Military Selective Service Act of 1967
10 (50 U.S.C. App. 459(a)), or”.

11 (7) TITLE 29.—The Job Training Partnership
12 Act (29 U.S.C. 1501 et seq.) is amended—

13 (A) by striking out section 604 (29 U.S.C.
14 1504); and

15 (B) by striking out subsection (b) of sec-
16 tion 426 (29 U.S.C. 1696).

17 (8) TITLE 37.—Title 37, United States Code, is
18 amended—

19 (A) in section 301(a), by striking out the
20 last sentence; and

21 (B) in section 308e(1), by striking out “or
22 under section 6(d)(1) of the Military Selective
23 Service Act (50 U.S.C. App. 456(d)(1))” both
24 places it appears.

1 (9) TITLE 38.—Title 38, United States Code, is
2 amended—

3 (A) in section 2021(a)—

4 (i) by striking out “the Military Selec-
5 tive Service Act (or under any prior or
6 subsequent corresponding law)” and insert-
7 ing in lieu thereof “a law providing for
8 such induction”; and

9 (ii) by striking out “a certificate de-
10 scribed in section 9(a) of the Military Se-
11 lective Service Act (relating to the satisfac-
12 tory completion of military service)” and
13 inserting in lieu thereof “a certificate relat-
14 ing to the satisfactory completion of mili-
15 tary service”; and

16 (B) in section 2024(a)—

17 (i) by striking out “the provisions of
18 the Military Selective Service Act (or prior
19 or subsequent”; and

20 (ii) by striking out “Armed Forces)”
21 and inserting in lieu thereof “Armed
22 Forces”.

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

1 “or air service;” and inserting in lieu thereof “serv-
2 ice who has been provisionally accepted for such
3 duty;”.

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

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

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

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