

111TH CONGRESS
2^D SESSION

H. R. 5741

To require all persons in the United States between the ages of 18 and 42 to perform national service, either as a member of the uniformed services or in civilian service in furtherance of the national defense and homeland security, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2010

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

A BILL

To require all persons in the United States between the ages of 18 and 42 to perform national service, either as a member of the uniformed services or in civilian service in furtherance of the national defense and homeland security, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Universal National Service Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL SERVICE

Sec. 101. Definitions.
Sec. 102. National service obligation.
Sec. 103. Induction to perform national service.
Sec. 104. Two-year period of national service.
Sec. 105. Implementation by the President.
Sec. 106. Examination and classification of persons.
Sec. 107. Deferments and postponements.
Sec. 108. Induction exemptions.
Sec. 109. Conscientious objection.
Sec. 110. Discharge following national service.

TITLE II—AMENDMENTS TO MILITARY SELECTIVE SERVICE ACT

Sec. 201. Registration of females.
Sec. 202. Registration and induction authority.

6 **TITLE I—NATIONAL SERVICE**

7 **SEC. 101. DEFINITIONS.**

8 In this title:

9 (1) The term “contingency operation” has the
10 meaning given that term in section 101(a)(13) of
11 title 10, United States Code.

12 (2) The term “military service” means service
13 performed as a member of an active or reserve com-
14 ponent of the uniformed services.

15 (3) The term “national service” means military
16 service or service in a civilian capacity that, as deter-
17 mined by the President, promotes the national de-

1 fense, including national or community service and
2 service related to homeland security.

3 (4) The term “Secretary concerned” means the
4 Secretary of Defense with respect to the Army,
5 Navy, Air Force, and Marine Corps, the Secretary
6 of Homeland Security with respect to the Coast
7 Guard, the Secretary of Commerce, with respect to
8 the National Oceanic and Atmospheric Administra-
9 tion, and the Secretary of Health and Human Serv-
10 ices, with respect to the Public Health Service.

11 (5) The term “United States”, when used in a
12 geographical sense, means the several States, the
13 District of Columbia, Puerto Rico, the Virgin Is-
14 lands, and Guam.

15 (6) The term “uniformed services” means the
16 Army, Navy, Air Force, Marine Corps, Coast Guard,
17 commissioned corps of the National Oceanic and At-
18 mospheric Administration, and commissioned corps
19 of the Public Health Service.

20 **SEC. 102. NATIONAL SERVICE OBLIGATION.**

21 (a) OBLIGATION FOR SERVICE.—It is the obligation
22 of every citizen of the United States, and every other per-
23 son residing in the United States, who is between the ages
24 of 18 and 42 to perform a period of national service as

1 prescribed in this title unless exempted under the provi-
2 sions of this title.

3 (b) FORMS OF NATIONAL SERVICE.—The national
4 service obligation under this title shall be performed ei-
5 ther—

6 (1) as a member of an active or reserve compo-
7 nent of the uniformed services; or

8 (2) in a civilian capacity that, as determined by
9 the President, promotes the national defense, includ-
10 ing national or community service and service re-
11 lated to homeland security.

12 (c) AGE LIMITS.—A person may be inducted under
13 this title only if the person has attained the age of 18
14 and has not attained the age of 42.

15 **SEC. 103. INDUCTION TO PERFORM NATIONAL SERVICE.**

16 (a) INDUCTION REQUIREMENTS.—The President
17 shall provide for the induction of persons described in sec-
18 tion 102(a) to perform their national service obligation.

19 (b) LIMITATION ON INDUCTION FOR MILITARY SERV-
20 ICE.—Persons described in section 102(a) may be in-
21 ducted to perform military service only if—

22 (1) a declaration of war is in effect;

23 (2) the President declares a national emer-
24 gency, which the President determines necessitates
25 the induction of persons to perform military service,

1 and immediately informs Congress of the reasons for
2 the declaration and the need to induct persons for
3 military service; or

4 (3) members of the Army, Navy, Air Force, or
5 Marine Corps are engaged in a contingency oper-
6 ation pursuant to a congressional authorization for
7 the use of military force.

8 (c) LIMITATION ON NUMBER OF PERSONS INDUCTED
9 FOR MILITARY SERVICE.—When the induction of persons
10 for military service is authorized by subsection (b), the
11 President shall determine the number of persons described
12 in section 102(a) whose national service obligation is to
13 be satisfied through military service based on—

14 (1) the authorized end strengths of the uni-
15 formed services;

16 (2) the feasibility of the uniformed services to
17 recruit sufficient volunteers to achieve such end-
18 strength levels; and

19 (3) provide a mechanism for the random selec-
20 tion of persons to be inducted to perform military
21 service.

22 (d) SELECTION FOR INDUCTION.—

23 (1) RANDOM SELECTION FOR MILITARY SERV-
24 ICE.—When the induction of persons for military
25 service is authorized by subsection (b), the President

1 shall utilize a mechanism for the random selection of
2 persons to be inducted to perform military service.

3 (2) CIVILIAN SERVICE.—Persons described in
4 section 102(a) who do not volunteer to perform mili-
5 tary service or are not inducted for military service
6 shall perform their national service obligation in a
7 civilian capacity pursuant to section 102(b)(2).

8 (e) VOLUNTARY SERVICE.—A person subject to in-
9 duction under this title may—

10 (1) volunteer to perform national service in lieu
11 of being inducted; or

12 (2) request permission to be inducted at a time
13 other than the time at which the person is otherwise
14 called for induction.

15 **SEC. 104. TWO-YEAR PERIOD OF NATIONAL SERVICE.**

16 (a) GENERAL RULE.—Except as otherwise provided
17 in this section, the period of national service performed
18 by a person under this title shall be two years.

19 (b) GROUNDS FOR EXTENSION.—At the discretion of
20 the President, the period of military service for a member
21 of the uniformed services under this title may be ex-
22 tended—

23 (1) with the consent of the member, for the
24 purpose of furnishing hospitalization, medical, or

1 surgical care for injury or illness incurred in line of
2 duty; or

3 (2) for the purpose of requiring the member to
4 compensate for any time lost to training for any
5 cause.

6 (c) EARLY TERMINATION.—The period of national
7 service for a person under this title shall be terminated
8 before the end of such period under the following cir-
9 cumstances:

10 (1) The voluntary enlistment and active service
11 of the person in an active or reserve component of
12 the uniformed services for a period of at least two
13 years, in which case the period of basic military
14 training and education actually served by the person
15 shall be counted toward the term of enlistment.

16 (2) The admission and service of the person as
17 a cadet or midshipman at the United States Military
18 Academy, the United States Naval Academy, the
19 United States Air Force Academy, the Coast Guard
20 Academy, or the United States Merchant Marine
21 Academy.

22 (3) The enrollment and service of the person in
23 an officer candidate program, if the person has
24 signed an agreement to accept a Reserve commission
25 in the appropriate service with an obligation to serve

1 on active duty if such a commission is offered upon
2 completion of the program.

3 (4) Such other grounds as the President may
4 establish.

5 **SEC. 105. IMPLEMENTATION BY THE PRESIDENT.**

6 (a) IN GENERAL.—The President shall prescribe
7 such regulations as are necessary to carry out this title.

8 (b) MATTER TO BE COVERED BY REGULATIONS.—
9 Such regulations shall include specification of the fol-
10 lowing:

11 (1) The types of civilian service that may be
12 performed in order for a person to satisfy the per-
13 son's national service obligation under this title.

14 (2) Standards for satisfactory performance of
15 civilian service and of penalties for failure to per-
16 form civilian service satisfactorily.

17 (3) The manner in which persons shall be se-
18 lected for induction under this title, including the
19 manner in which those selected will be notified of
20 such selection.

21 (4) All other administrative matters in connec-
22 tion with the induction of persons under this title
23 and the registration, examination, and classification
24 of such persons.

1 (5) A means to determine questions or claims
2 with respect to inclusion for, or exemption or
3 deferment from induction under this title, including
4 questions of conscientious objection.

5 (6) Standards for compensation and benefits
6 for persons performing their national service obliga-
7 tion under this title through civilian service.

8 (7) Such other matters as the President deter-
9 mines necessary to carry out this title.

10 (c) USE OF PRIOR ACT.—To the extent determined
11 appropriate by the President, the President may use for
12 purposes of this title the procedures provided in the Mili-
13 tary Selective Service Act (50 U.S.C. App. 451 et seq.),
14 including procedures for registration, selection, and induc-
15 tion.

16 **SEC. 106. EXAMINATION AND CLASSIFICATION OF PER-**
17 **SONS.**

18 (a) EXAMINATION.—Every person subject to induc-
19 tion under this title shall, before induction, be physically
20 and mentally examined and shall be classified as to fitness
21 to perform national service.

22 (b) DIFFERENT CLASSIFICATION STANDARDS.—The
23 President may apply different classification standards for
24 fitness for military service and fitness for civilian service.

1 **SEC. 107. DEFERMENTS AND POSTPONEMENTS.**

2 (a) HIGH SCHOOL STUDENTS.—A person who is pur-
3 suing a standard course of study, on a full-time basis, in
4 a secondary school or similar institution of learning shall
5 be entitled to have induction under this title postponed
6 until the person—

7 (1) obtains a high school diploma;

8 (2) ceases to pursue satisfactorily such course
9 of study; or

10 (3) attains the age of 20.

11 (b) HARDSHIP AND DISABILITY.—Deferments from
12 national service under this title may be made for—

13 (1) extreme hardship; or

14 (2) physical or mental disability.

15 (c) TRAINING CAPACITY.—The President may post-
16 pone or suspend the induction of persons for military serv-
17 ice under this title as necessary to limit the number of
18 persons receiving basic military training and education to
19 the maximum number that can be adequately trained.

20 (d) TERMINATION.—No deferment or postponement
21 of induction under this title shall continue after the cause
22 of such deferment or postponement ceases.

23 **SEC. 108. INDUCTION EXEMPTIONS.**

24 (a) QUALIFICATIONS.—No person may be inducted
25 for military service under this title unless the person is
26 acceptable to the Secretary concerned for training and

1 meets the same health and physical qualifications applica-
2 ble under section 505 of title 10, United States Code, to
3 persons seeking original enlistment in a regular compo-
4 nent of the Armed Forces.

5 (b) OTHER MILITARY SERVICE.—No person shall be
6 liable for induction under this title who—

7 (1) is serving, or has served honorably for at
8 least six months, in any component of the uniformed
9 services on active duty; or

10 (2) is or becomes a cadet or midshipman at the
11 United States Military Academy, the United States
12 Naval Academy, the United States Air Force Acad-
13 emy, the Coast Guard Academy, the United States
14 Merchant Marine Academy, a midshipman of a Navy
15 accredited State maritime academy, a member of the
16 Senior Reserve Officers' Training Corps, or the
17 naval aviation college program, so long as that per-
18 son satisfactorily continues in and completes at least
19 two years training therein.

20 **SEC. 109. CONSCIENTIOUS OBJECTION.**

21 (a) CLAIMS AS CONSCIENTIOUS OBJECTOR.—Noth-
22 ing in this title shall be construed to require a person to
23 be subject to combatant training and service in the uni-
24 formed services, if that person, by reason of sincerely held

1 moral, ethical, or religious beliefs, is conscientiously op-
2 posed to participation in war in any form.

3 (b) ALTERNATIVE NONCOMBATANT OR CIVILIAN
4 SERVICE.—A person who claims exemption from combat-
5 ant training and service under subsection (a) and whose
6 claim is sustained by the local board shall—

7 (1) be assigned to noncombatant service (as de-
8 fined by the President), if the person is inducted
9 into the uniformed services; or

10 (2) be ordered by the local board, if found to
11 be conscientiously opposed to participation in such
12 noncombatant service, to perform national civilian
13 service for the period specified in section 104(a) and
14 subject to such regulations as the President may
15 prescribe.

16 **SEC. 110. DISCHARGE FOLLOWING NATIONAL SERVICE.**

17 (a) DISCHARGE.—Upon completion or termination of
18 the obligation to perform national service under this title,
19 a person shall be discharged from the uniformed services
20 or from civilian service, as the case may be, and shall not
21 be subject to any further service under this title.

22 (b) COORDINATION WITH OTHER AUTHORITIES.—
23 Nothing in this section shall limit or prohibit the call to
24 active service in the uniformed services of any person who

1 is a member of a regular or reserve component of the uni-
2 formed services.

3 **TITLE II—AMENDMENTS TO**
4 **MILITARY SELECTIVE SERV-**
5 **ICE ACT**

6 **SEC. 201. REGISTRATION OF FEMALES.**

7 (a) REGISTRATION REQUIRED.—Section 3(a) of the
8 Military Selective Service Act (50 U.S.C. 453(a)) is
9 amended—

10 (1) by striking “male” both places it appears;

11 (2) by inserting “or herself” after “himself”;

12 and

13 (3) by striking “he” and inserting “the per-
14 son”.

15 (b) CONFORMING AMENDMENT.—Section 16(a) of
16 the Military Selective Service Act (50 U.S.C. App. 466(a))
17 is amended by striking “men” and inserting “persons”.

18 **SEC. 202. REGISTRATION AND INDUCTION AUTHORITY.**

19 (a) REGISTRATION.—Section 4 of the Military Selec-
20 tive Service Act (50 U.S.C. App. 454) is amended by in-
21 serting after subsection (g) the following new subsection:

22 “(h) This section does not apply with respect to the
23 induction of persons into the Armed Forces pursuant to
24 the Universal National Service Act.”.

1 (b) INDUCTION.—Section 17(c) of the Military Selec-
2 tive Service Act (50 U.S.C. App. 467(c)) is amended by
3 striking “now or hereafter” and all that follows through
4 the period at the end and inserting “inducted pursuant
5 to the Universal National Service Act.”.

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