### 108TH CONGRESS 1ST SESSION S.89

To provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, and for other purposes.

#### IN THE SENATE OF THE UNITED STATES

JANUARY 7, 2003

Mr. HOLLINGS introduced the following bill; which was read twice and referred to the Committee on Armed Services

# A BILL

- To provide for the common defense by requiring that all young persons in the United States, including women, perform a period of military service or a period of civilian service in furtherance of the national defense and homeland security, 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; TABLE OF CONTENTS.

- 4 (a) SHORT TITLE.—This Act may be cited as the
- 5 "Universal National Service Act of 2003".
- 6 (b) TABLE OF CONTENTS.—The table of contents for
- 7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. National service obligation.

Sec. 3. Two-year period of national service.

Sec. 4. Implementation by the President.

Sec. 5. Induction.

Sec. 6. Deferments and postponements.

Sec. 7. Induction exemptions.

Sec. 8. Conscientious objection.

Sec. 9. Discharge following national service.

Sec. 10. Registration of females under the Military Selective Service Act.

Sec. 11. Relation of Act to registration and induction authority of Military Selective Service Act.

Sec. 12. Definitions.

#### 1 SEC. 2. NATIONAL SERVICE OBLIGATION.

(a) OBLIGATION FOR YOUNG PERSONS.—It is the ob3 ligation of every citizen of the United States, and every
4 other person residing in the United States, who is between
5 the ages of 18 and 26 to perform a period of national
6 service as prescribed in this Act unless exempted under
7 the provisions of this Act.

- 8 (b) FORM OF NATIONAL SERVICE.—National service9 under this Act shall be performed either—
- 10 (1) as a member of an active or reserve compo-11 nent of the uniformed services; or
- (2) in a civilian capacity that, as determined by
  the President, promotes the national defense, including national or community service and homeland security.

16 (c) INDUCTION REQUIREMENTS.—The President
17 shall provide for the induction of persons covered by sub18 section (a) to perform national service under this Act.

(d) SELECTION FOR MILITARY SERVICE.—Based
 upon the needs of the uniformed services, the President
 shall—

4 (1) determine the number of persons covered by
5 subsection (a) whose service is to be performed as a
6 member of an active or reserve component of the
7 uniformed services; and

8 (2) select the individuals among those persons
9 who are to be inducted for military service under
10 this Act.

(e) CIVILIAN SERVICE.—Persons covered by subsection (a) who are not selected for military service under
subsection (d) shall perform their national service obligation under this Act in a civilian capacity pursuant to subsection (b)(2).

#### 16 SEC. 3. TWO-YEAR PERIOD OF NATIONAL SERVICE.

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

(b) GROUNDS FOR EXTENSION.—At the discretion of
the President, the period of military service for a member
of the uniformed services under this Act may be extended—

(1) with the consent of the member, for thepurpose of furnishing hospitalization, medical, or

surgical care for injury or illness incurred in line of
 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 Act shall be terminated
8 before the end of such period under the following cir9 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.

(3) The enrollment and service of the person in
an officer candidate program, if the person has
signed an agreement to accept a Reserve commission
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. 4. IMPLEMENTATION BY THE PRESIDENT.
6	(a) IN GENERAL.—The President shall prescribe
7	such regulations as are necessary to carry out this Act.
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 for a person's national service obligation 13 under this Act.

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 Act, 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 Act 23 and the registration, examination, and classification 24 of such persons.

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

5 (6) Standards for compensation and benefits
6 for persons performing their national service obliga7 tion under this Act through civilian service.

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

10 (c) USE OF PRIOR ACT.—To the extent determined 11 appropriate by the President, the President may use for 12 purposes of this Act 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. 5. INDUCTION.

(a) IN GENERAL.—Every person subject to induction
for national service under this Act, except those whose
training is deferred or postponed in accordance with this
Act, shall be called and inducted by the President for such
service at the time and place specified by the President.

(b) AGE LIMITS.—A person may be inducted under
this Act only if the person has attained the age of 18 and
has not attained the age of 26.

(c) VOLUNTARY INDUCTION.—A person subject to in duction under this Act may volunteer for induction at a
 time other than the time at which the person is otherwise
 called for induction.

5 (d) EXAMINATION; CLASSIFICATION.—Every person
6 subject to induction under this Act shall, before induction,
7 be physically and mentally examined and shall be classified
8 as to fitness to perform national service. The President
9 may apply different classification standards for fitness for
10 military service and fitness for civilian service.

#### 11 SEC. 6. DEFERMENTS AND POSTPONEMENTS.

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

- 17 (1) obtains a high school diploma;
- 18 (2) ceases to pursue satisfactorily such course19 of study; or
- 20 (3) attains the age of 20.

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

- 23 (1) extreme hardship; or
- 24 (2) physical or mental disability.

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

6 (d) TERMINATION.—No deferment or postponement
7 of induction under this Act shall continue after the cause
8 of such deferment or postponement ceases.

#### 9 SEC. 7. INDUCTION EXEMPTIONS.

10 (a) QUALIFICATIONS.— No person may be inducted 11 for military service under this Act unless the person is 12 acceptable to the Secretary concerned for training and 13 meets the same health and physical qualifications applica-14 ble under section 505 of title 10, United States Code, to 15 persons seeking original enlistment in a regular compo-16 nent of the Armed Forces.

17 (b) OTHER MILITARY SERVICE.—No person shall be18 liable for induction under this Act who—

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

(2) is or becomes a cadet or midshipman at the
United States Military Academy, the United States
Naval Academy, the United States Air Force Academy, the Coast Guard Academy, the United States

Merchant Marine Academy, a midshipman of a Navy
 accredited State maritime academy, a member of the
 Senior Reserve Officers' Training Corps, or the
 naval aviation college program, so long as that per son satisfactorily continues in and completes two
 years training therein.

#### 7 SEC. 8. CONSCIENTIOUS OBJECTION.

(a) CLAIMS AS CONSCIENTIOUS OBJECTOR.—Any 8 9 person selected under this Act for induction into the uni-10 formed services who claims, because of religious training and belief (as defined in section 6(j) of the Military Selec-11 12 tive Service Act (50 U.S.C. 456(j))), exemption from com-13 batant training included as part of that military service and whose claim is sustained under such procedures as 14 15 the President may prescribe, shall, when inducted, participate in military service that does not include any combat-16 ant training component. 17

(b) TRANSFER TO CIVILIAN SERVICE.—Any such
person whose claim is sustained may, at the discretion of
the President, be transferred to a national service program
for performance of such person's national service obligation under this Act.

#### 23 SEC. 9. DISCHARGE FOLLOWING NATIONAL SERVICE.

(a) DISCHARGE.—Upon completion or termination ofthe obligation to perform national service under this Act,

a person shall be discharged from the uniformed services
 or from civilian service, as the case may be, and shall not
 be subject to any further service under this Act.

4 (b) COORDINATION WITH OTHER AUTHORITIES.—
5 Nothing in this section shall limit or prohibit the call to
6 active service in the uniformed services of any person who
7 is a member of a regular or reserve component of the uni8 formed services.

## 9 SEC. 10. REGISTRATION OF FEMALES UNDER THE MILI-10 TARY SELECTIVE SERVICE ACT.

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

(1) by striking "male" both places it appears;
(2) by inserting "or herself" after "himself";
and

17 (3) by striking "he" and inserting "the per-18 son".

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

# SEC. 11. RELATION OF ACT TO REGISTRATION AND INDUC TION AUTHORITY OF MILITARY SELECTIVE SERVICE ACT.

4 (a) REGISTRATION.—Section 4 of the Military Selec5 tive Service Act (50 U.S.C. App. 454) is amended by in6 serting after subsection (g) the following new subsection:
7 "(h) This section does not apply with respect to the
8 induction of persons into the Armed Forces pursuant to
9 the Universal National Service Act of 2003.".

10 (b) INDUCTION.—Section 17(c) of the Military Selec-11 tive Service Act (50 U.S.C. App. 467(c)) is amended by 12 striking "now or hereafter" and all that follows through 13 the period at the end and inserting "inducted pursuant 14 to the Universal National Service Act of 2003.".

#### 15 SEC. 12. DEFINITIONS.

16 In this Act:

17 (1) The term "military service" means service
18 performed as a member of an active or reserve com19 ponent of the uniformed services.

(2) The term "Secretary concerned" means the
Secretary of Defense with respect to the Army,
Navy, Air Force, and Marine Corps, the Secretary
of Homeland Security with respect to the Coast
Guard, the Secretary of Commerce, with respect to
matters concerning the National Oceanic and Atmospheric Administration, and the Secretary of

Health and Human Services, with respect to matters
concerning the Public Health Service.
(3) The term "United States", when used in a
geographical sense, means the several States, the
District of Columbia, Puerto Rico, the Virgin Is-
lands, and Guam.
(4) The term "uniformed services" means the
Army, Navy, Air Force, Marine Corps, Coast Guard,
commissioned corps of the National Oceanic and At-
mospheric Administration, and commissioned corps
of the Public Health Service.

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