

AMENDMENT TO RULES COMMITTEE PRINT

117-13

OFFERED BY MR. DEFAZIO OF OREGON

After section 513, insert the following new section and redesignate subsequent sections accordingly:

1 **SEC. 514. PENALTIES FOR NONCOMPLIANCE WITH THE**
2 **MILITARY SELECTIVE SERVICE ACT.**

3 (a) IN GENERAL.—Section 12 of the Military Selec-
4 tive Service Act (50 U.S.C. 3811) is amended—

5 (1) by amending subsection (a) to read as fol-
6 lows:

7 “(a) Any member of the Selective Service System or
8 any other person charged as herein provided with the duty
9 of carrying out any of the provisions of this Act who
10 evades or refuses service in the Armed Forces after being
11 called to do so pursuant to this Act, or who knowingly
12 aids or abets another to refuse or evade service in the
13 Armed Forces, shall, upon conviction in any district court
14 of the United States of competent jurisdiction, be pun-
15 ished by imprisonment for not more than five years or a
16 fine of not more than \$10,000, or by both such fine and
17 imprisonment, or if subject to military or naval law may
18 be tried by court martial, and, on conviction, shall suffer

1 such punishment as a court martial may direct. No person
2 shall be tried by court martial in any case arising under
3 this Act unless such person has been actually inducted for
4 the training and service prescribed under this Act or un-
5 less such person is subject to trial by court martial under
6 laws in force prior to June 24, 1948.”; and

7 (2) by striking subsections (f) and (g) and in-
8 serting the following:

9 “(f) Notwithstanding any other provision of law, a
10 person may not be denied a right, privilege, benefit, or
11 employment position under Federal law on the grounds
12 that the person failed to present themselves for and submit
13 to registration or induction under section 3 of this Act.
14 Failing to present oneself for and submit to registration
15 or induction under section 3 shall not be reason for any
16 entity of the Federal Government to determine that a per-
17 son lacks good moral character or is unsuited for any
18 privilege or benefit.

19 “(g) A State, political subdivision of a State, or polit-
20 ical authority of two or more States may not enact or en-
21 force a law, regulation, or other provision having the force
22 and effect of law to penalize or deny any privilege or ben-
23 efit to a person who failed to present themselves for and
24 submit to registration or induction under section 3 of this
25 Act. In this subsection, the term ‘State’ means a State,

1 the District of Columbia, the Commonwealth of Puerto
2 Rico, or a Territory or possession of the United States.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) GOVERNMENT ORGANIZATION AND EMPLOY-
5 EES.—Section 3328 of title 5, United States Code,
6 is repealed.

7 (2) IMMIGRATION AND NATIONALITY ACT.—
8 Subsection (a) of section 101 of the Immigration
9 and Nationality Act (8 U.S.C. 1101) is amended by
10 striking paragraph (19) .

11 (3) HIGHER EDUCATION ACT OF 1965.—The
12 Higher Education Act of 1965 is amended—

13 (A) in section 483 (20 U.S.C. 1090), by
14 striking “registration for selective service,” both
15 places it appears; and

16 (B) in section 484 (20 U.S.C. 1091) by
17 striking subsection (n).

18 (4) WORKFORCE INNOVATION AND OPPOR-
19 TUNITY ACT.—Section 189 of the Workforce Innova-
20 tion and Opportunity Act (29 U.S.C. 3249) is
21 amended by striking subsection (h).

22 (c) RETROACTIVITY.—The amendments made by this
23 section shall have retroactive effect, and any person, pe-
24 nalized or denied a privilege or benefit under the laws
25 amended by this section, before the date of the enactment

1 of this Act, shall have such penalty reversed or privilege
2 or benefit restored.

