

117TH CONGRESS
1ST SESSION

S. 1139

To repeal the Military Selective Service Act.

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2021

Mr. WYDEN (for himself and Mr. PAUL) introduced the following bill; which
was read twice and 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. SHORT TITLE.**

4 This Act may be cited as the “Selective Service Re-
5 peal Act of 2021”.

6 **SEC. 2. REPEAL OF MILITARY SELECTIVE SERVICE ACT.**

7 (a) REPEAL.—The Military Selective Service Act (50
8 U.S.C. 3801 et seq.) is repealed.

9 (b) TRANSFERS IN CONNECTION WITH REPEAL.—
10 Notwithstanding the proviso in section 10(a)(4) of the
11 Military Selective Service Act (50 U.S.C. 3809(a)(4)), the
12 Office of Selective Service Records shall not be reestab-

1 lished upon the repeal of the Act. Not later than 180 days
2 after the date of the enactment of this Act, the assets,
3 contracts, property, and records held by the Selective
4 Service System, and the unexpended balances of any ap-
5 propriations available to the Selective Service System,
6 shall be transferred to the Administrator of General Serv-
7 ices upon the repeal of the Act. The Director of the Office
8 of Personnel Management shall assist officers and employ-
9 ees of the Selective Service System to transfer to other
10 positions in the executive branch.

11 (c) EFFECT ON EXISTING SANCTIONS.—

12 (1) Notwithstanding any other provision of law,
13 a person may not be denied a right, privilege, ben-
14 efit, or employment position under Federal law on
15 the grounds that the person failed to present himself
16 for and submit to registration under section 3 of the
17 Military Selective Service Act (50 U.S.C. 3802), be-
18 fore the repeal of that Act by subsection (a).

19 (2) A State, political subdivision of a State, or
20 political authority of two or more States may not
21 enact or enforce a law, regulation, or other provision
22 having the force and effect of law to penalize or
23 deny any privilege or benefit to a person who failed
24 to present himself for and submit to registration
25 under section 3 of the Military Selective Service Act

1 (50 U.S.C. 3802), before the repeal of that Act by
2 subsection (a). In this section, “State” means a
3 State, the District of Columbia, and a territory or
4 possession of the United States.

5 (3) Failing to present oneself for and submit to
6 registration under section 3 of the Military Selective
7 Service Act (50 U.S.C. 3802), before the repeal of
8 that Act by subsection (a), shall not be reason for
9 any entity of the U.S. Government to determine that
10 a person lacks good moral character or is unsuited
11 for any privilege or benefit.

12 (d) CONSCIENTIOUS OBJECTORS.—Nothing con-
13 tained in this Act shall be construed to undermine or di-
14 minish the rights of conscientious objectors under laws
15 and regulations of the United States.

○