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H.R.3598 -- Universal Military Training and Service Act of 2001 (Introduced in House - IH)

HR 3598 IH

107th CONGRESS

1st Session

H. R. 3598

To require the induction into the Armed Forces of young men registered under the Military Selective Service Act, and to authorize young women to volunteer, to receive basic military training and education for a period of up to one year.

IN THE HOUSE OF REPRESENTATIVES

December 20, 2001

Mr. SMITH of Michigan (for himself and Mr. WELDON of Pennsylvania) introduced the following bill; which was referred to the Committee on Armed Services

A BILL



FEEDBACK

To require the induction into the Armed Forces of young men registered under the Military Selective Service Act, and to authorize young women to volunteer, to receive basic military training and education for a period of up to one year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE- This Act may be cited as the `Universal Military Training and Service Act of 2001'.

(b) TABLE OF CONTENTS- The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Definitions.

Sec. 3. Basic military training and education.

Sec. 4. Period of basic military training and education.

Sec. 5. Educational services and prorated Montgomery GI Bill benefits.

Sec. 6. Role of Selective Service System.

Sec. 7. Induction of conscripts and acceptance of volunteers.

Sec. 8. Deferments and postponements.

Sec. 9. Exemptions.

Sec. 10. Military training in branch of member's choice; conscientious objection.

Sec. 11. Pay and allowances.

Sec. 12. Discharge following training.

Sec. 13. Relation to authorized end strengths for active forces.

Sec. 14. Conforming amendments.

Sec. 15. Transitional provision.

SEC. 2. DEFINITIONS.

In this Act:

(1) The term `armed forces' means the Army, Navy, Marine Corps, Air Force, and Coast Guard.

(2) The term `basic military training and education' means a program consisting of--

(A) basic training established by the Secretary concerned for members of the armed forces inducted as conscripts or accepted as volunteers pursuant to this Act;

(B) educational services described in section 4; and

(C) such specialty training as the Secretary concerned considers appropriate.

(3) The term `between the ages of 18 and 22' refers to men who have attained the 18th anniversary of the day of their birth and who have not attained the 22d anniversary of the day of their birth.

(4) The term `Director' means the Director of the Selective Service System.

(5) The term `local board' means a county local board or intercounty local board established by the President under section 10(b) of the Military Selective Service Act (50 U.S.C. App. 460(b)).

(6) The term `Secretary concerned' means the Secretary of Defense, with respect to the Army, Navy, Marine Corps, and Air Force, and the Secretary of Transportation, with respect to the Coast Guard.

(7) The term `United States', when used in a geographical sense, means the several States, the District of Columbia, Puerto Rico, the Virgin Islands, and Guam.

SEC. 3. BASIC MILITARY TRAINING AND EDUCATION.

(a) **OBLIGATION FOR YOUNG MEN-** It is the obligation of every male citizen of the United States, and every other male person residing in the United States, who is between the ages of 18 and 22 to receive basic military training and education as a member of the armed forces unless the citizen or person is exempted under the provisions of this Act.

(b) **ACCEPTANCE OF YOUNG WOMEN VOLUNTEERS-** Female citizens of the United States, and other female persons residing in the United States, who are

between the ages of 18 and 22 may volunteer for enlistment in the armed forces to receive basic military training and education under this Act. At the discretion of the Secretary concerned, the Secretary concerned may accept such volunteers to receive such training and education.

SEC. 4. PERIOD OF BASIC MILITARY TRAINING AND EDUCATION.

(a) **GENERAL RULE-** Except as otherwise provided in this section, a person inducted as a conscript or accepted as a volunteer pursuant to this Act shall receive basic military training and education as a member of one of the armed forces for a period of not less than six months, but not more than one year, as established by the Secretary concerned.

(b) **EXTENDED TRAINING AND EDUCATIONAL SERVICES FOR HIGH SCHOOL DROPOUTS-** A person inducted as a conscript or accepted as a volunteer pursuant to this Act who has not obtained a high school diploma or its equivalent, shall receive basic military training and education as a member of one of the armed forces for an additional period of up to six months after the completion of the period established for members of that armed force under subsection (a). The Secretary concerned shall assist such members in earning the equivalent of a high school

diploma while receiving their basic military training and education.

(c) **OTHER GROUNDS FOR EXTENSION-** At the discretion of the Secretary concerned, the period of basic military training and education for a member of the armed forces under this Act may be extended--

(1) with the consent of the member, for the purpose of furnishing hospitalization, medical, or surgical care for injury or illness incurred in line of duty; or

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

(d) **TRANSFER TO NATIONAL AND COMMUNITY SERVICE PROGRAMS-** The Secretary concerned may enter into a cooperative agreement with another Federal agency, a State or political subdivision of a State (including a State Commission on National and Community Service maintained by a State pursuant to section 178 of the National and Community Service Act of 1990 (42 U.S.C. 12638)), and other entities carrying out a national service program described in section 122 of such Act (42 U.S.C. 12572) to provide for a transfer of a person receiving basic military training and education, upon completion of the initial military training component of the training, to complete the remainder of the person's required service in a national service program.

(e) **EARLY TERMINATION-** The period of basic military training and education for a person shall be terminated before the end of such period under the following circumstances:

(1) The voluntary enlistment and service of the person in any of the regular components of the armed forces for a period of at least two years. The period of basic military training and education actually served by the person shall be counted toward the term of enlistment.

(2) The admission and service of the person as 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.

(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 if such a commission is offered upon completion of the program.

(4) Such other grounds as the Secretary concerned may establish.

(f) **TREATMENT OF BASIC MILITARY TRAINING AND EDUCATION-** For purposes of computing the years of service of a member of the armed forces, any

period during which the member received basic military training and education shall be counted.

SEC. 5. EDUCATIONAL SERVICES AND PRORATED MONTGOMERY GI BILL BENEFITS.

(a) **INSTRUCTION AS PART OF MILITARY TRAINING-** As part of the basic military training and education provided under this Act, the Secretary concerned shall include instruction in physical fitness, international relations, military tactics, homeland security, United States and world history, vocational training, and such other topics as the Secretary considers appropriate.

(b) **MONTGOMERY GI BILL BENEFITS-** Upon the successful completion by a person of basic military training and education as a member of one of the armed forces, the person shall be entitled to the program of educational assistance provided under chapter 30 of title 38, United States Code, on a prorated basis corresponding to the period of basic military training and education completed by the person.

SEC. 6. ROLE OF SELECTIVE SERVICE SYSTEM.

(a) **IN GENERAL-** The Selective Service System shall administer all matters in connection with the induction of persons subject to the obligation to receive basic military training and education under section 3(a) and the registration, examination, classification, allocation, delivery, and maintenance of records, of such persons.

(b) **LOCAL BOARDS-** Under rules and regulations promulgated by the Director, the local boards shall have the power within their respective jurisdictions to hear and determine, subject to the right of appeal to appeal boards authorized by the Military Selective Service Act, all questions or claims with respect to determinations of dependency, inclusion for, or exemption or deferment from induction or allocation for basic military training and education under this Act.

SEC. 7. INDUCTION OF CONSCRIPTS AND ACCEPTANCE OF VOLUNTEERS.

(a) **IN GENERAL-** Every person subject to induction for basic military training and education under section 3(a), except those whose training is deferred or postponed in accordance with this Act, shall be called, inducted, and delivered by his local board to the armed forces for such training at the time and place specified by the Director.

(b) **AGE LIMITS-** No person may be inducted for basic military training and education under section 3(a), or accepted as a volunteer under section 3(b), who is not between the ages of 18 and 22.

(c) **SCHEDULES FOR INDUCTION AND ACCEPTANCE OF VOLUNTEERS-** Each Secretary concerned, in consultation with the Director, shall determine schedules to be used for the induction of persons and the acceptance of volunteers under this Act and the number of persons to be inducted or accepted pursuant to such schedules. The Secretary concerned may phase in, over not longer than a 10-year period, the induction of persons subject to the obligation to receive basic military training and education.

(d) **VOLUNTARY INDUCTION-** A person subject to basic military training and education under section 3(a) may volunteer for induction at a time other than the time at which the person is otherwise called for induction.

(e) **EXAMINATION; CLASSIFICATION-** Every person subject to basic military training and education under section 3(a) and every person volunteering for basic military training and education under section 3(b) shall, before induction or acceptance, be physically and mentally examined, and the appropriate local board shall classify the person.

SEC. 8. DEFERMENTS AND POSTPONEMENTS.

(a) **HIGH SCHOOL STUDENTS**- A person who is pursuing a standard course of study, on a full-time basis in a high school or a similar institution of learning shall be entitled to have his induction under section 3(a) postponed until he obtains a high school diploma, ceases to pursue satisfactorily such course of study, or attains the age of 20, whichever occurs first.

(b) **HARDSHIP AND DISABILITY**- Deferments from basic military training and education may be made for extreme hardship or physical or mental disability.

(c) **TRAINING CAPACITY**- The Secretary concerned may postpone or suspend the induction of persons or the acceptance of volunteers under this Act as necessary to limit the number of persons receiving basic military training and education to the maximum number that can be adequately trained.

(d) **TERMINATION**- No deferment or postponement of induction for basic military training and education under this Act shall continue after the cause of such deferment or postponement ceases to exist.

SEC. 9. EXEMPTIONS.

(a) **ACCEPTED BY ARMED FORCES**- No person may be inducted or accepted as a volunteer for basic military training and education unless the person is acceptable to the Secretary concerned for training. The same health and physical qualifications applicable under section 505 of title 10, United States Code, to persons seeking original enlistment in a regular component of the armed forces shall apply to persons to be inducted or accepted under this Act.

(b) **OTHER MILITARY SERVICE**- No person shall be liable for induction under section 3(a) who--

(1) is serving, or has served honorably for at least six months, in any of the armed forces 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 he satisfactorily continues in and completes two years training therein.

SEC. 10. MILITARY TRAINING IN BRANCH OF MEMBER'S CHOICE; CONSCIENTIOUS OBJECTION.

(a) **SELECTION BY MEMBER**- Subject to such limitations and standards of qualification and selection as may be established by the Secretary concerned to ensure a proper balance of trained manpower between the ground, air, and naval arms, each person inducted or accepted as a volunteer under this Act shall be entitled to request and receive training in the service of the person's choice.

(b) **CONSCIENTIOUS OBJECTORS**- (1) Any person who claims, because of religious training and belief (as defined in section 6(j) of the Military Selective Service Act (50 U.S.C. 456(j))), exemption from combatant training included as part of the program of basic military training and education and whose claim is sustained by the local board shall, when inducted, participate in basic military training and education that does not include any combatant training component. The person may be transferred to a national service program, as provided in section 4(d).

(2) A person claiming exemption from combatant training under this subsection shall, if such claim is not sustained by the local board, be entitled to an appeal to the appropriate appeal board established under the Military Selective Service Act. Each person whose claim for exemption from combatant training because of religious training and belief is sustained shall be listed by the local board on a register of conscientious objectors.

SEC. 11. PAY AND ALLOWANCES.

A person inducted or accepted as a volunteer under this Act and receiving basic military training and education shall be considered to be on active duty for purposes of pay and allowances under title 37, United States Code, except that the monthly basic pay of the person may not exceed 35 percent of the basic pay of an enlisted member in a regular component in the pay grade E-1 with less than four months of service.

SEC. 12. DISCHARGE FOLLOWING TRAINING.

Upon completion or termination of the obligation to receive basic military training and education, a person shall be discharged from the armed forces and shall not be subject to any further training or service under this Act. Nothing in this section shall limit or prohibit the call to active service in the armed forces of any person who is a member of a regular or reserve component of the armed forces.

SEC. 13. RELATION TO AUTHORIZED END STRENGTHS FOR ACTIVE FORCES.

The authorized end strengths for active duty personnel of the armed forces do not include persons inducted or accepted into the armed forces to receive basic military training and education.

SEC. 14. CONFORMING AMENDMENTS.

(a) TITLE 10- (1) Section 505(c) of title 10, United States Code, is amended--

(A) by inserting '(1)' after '(c)'; and

(B) by adding at the end the following new paragraph:

'(2) Paragraph (1) does not apply to a person inducted or accepted into the armed forces to receive basic military training and education pursuant to the Universal Military Training and Service Act of 2001.'

(2) Section 691 of title 10, United States Code, is amended by adding at the end the following new subsection:

'(g) The numbers specified in subsection (b) do not include persons inducted or accepted into the armed forces to receive basic military training and education pursuant to the Universal Military Training and Service Act of 2001.'

(b) MILITARY SELECTIVE SERVICE ACT- (1) Section 4 of the Military Selective Service Act (50 U.S.C. App. 454) is amended by inserting after subsection (g) the following new subsection:

'(h) RELATION TO OTHER INDUCTION AUTHORITY- This section does not apply with respect to the induction of persons into the Armed Forces to receive basic military training and education pursuant to the Universal Military Training and Service Act of 2001.'

(2) Section 17(c) of the Military Selective Service Act (50 U.S.C. App. 467(c)) is amended by striking 'now or hereafter' and all that follows through the period at the end and inserting 'inducted pursuant to the Universal Military Training and Service Act of 2001.'

SEC. 15. TRANSITIONAL PROVISION.

A person who has obtained a high school diploma or its equivalent before January 1, 2003, shall not be subject to the obligation under section 3(a) to receive basic military training and education under this Act.

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