

1 (A) to prevent and to respond to incidents
2 of hazing involving members of the Armed
3 Forces;

4 (B) to track and encourage reporting, in-
5 cluding reporting anonymously, incidents of
6 hazing in the Armed Force; and

7 (C) to ensure the consistent implementa-
8 tion of anti-hazing policies.

9 (2) ADDITIONAL ELEMENTS.—Each report re-
10 quired by this subsection also shall address the same
11 elements originally addressed in the anti-hazing re-
12 ports required by section 534 of the National De-
13 fense Authorization Act for Fiscal Year 2013 (Pub-
14 lic Law 112–239; 126 Stat. 1726).

15 **Subtitle F—National Commission**
16 **on Military, National, and Pub-**
17 **lic Service**

18 **SEC. 551. PURPOSE, SCOPE, AND DEFINITIONS.**

19 (a) **PURPOSE.**—The purpose of this subtitle is to es-
20 tablish the National Commission on Military, National,
21 and Public Service to—

22 (1) conduct a review of the military selective
23 service process (commonly referred to as “the
24 draft”); and

1 (2) consider methods to increase participation
2 in military, national, and public service in order to
3 address national security and other public service
4 needs of the Nation.

5 **(b) SCOPE OF REVIEW.**—In order to provide the full-
6 est understanding of the matters required under the re-
7 view under subsection (a), the Commission shall con-
8 sider—

9 (1) the need for a military selective service
10 process, including the continuing need for a mecha-
11 nism to draft large numbers of replacement combat
12 troops;

13 (2) means by which to foster a greater attitude
14 and ethos of service among United States youth, in-
15 cluding an increased propensity for military service;

16 (3) the feasibility and advisability of modifying
17 the military selective service process in order to ob-
18 tain for military, national, and public service individ-
19 uals with skills (such as medical, dental, and nursing
20 skills, language skills, cyber skills, and science, tech-
21 nology, engineering, and mathematics (STEM)
22 skills) for which the Nation has a critical need, with-
23 out regard to age or sex; and

24 (4) the feasibility and advisability of including
25 in the military selective service process, as so modi-

1 fied, an eligibility or entitlement for the receipt of
2 one or more Federal benefits (such as educational
3 benefits, subsidized or secured student loans, grants
4 or hiring preferences) specified by the Commission
5 for purposes of the review.

6 (c) DEFINITIONS.—In this subtitle:

7 (1) The term “military service” means active
8 service (as that term is defined in subsection (d)(3)
9 of section 101 of title 10, United States Code) in
10 one of the uniformed services (as that term is de-
11 fined in subsection (a)(5) of such section).

12 (2) The term “national service” means civilian
13 employment in Federal or State Government in a
14 field in which the Nation and the public have critical
15 needs.

16 (3) The term “public service” means civilian
17 employment in any non-governmental capacity, in-
18 cluding with private for-profit organizations and
19 non-profit organizations (including with appropriate
20 faith-based organizations), that pursues and en-
21 hances the common good and meets the needs of
22 communities, the States, or the Nation in sectors re-
23 lated to security, health, care for the elderly, and
24 other areas considered appropriate by the Commis-
25 sion for purposes of this subtitle.

1 SEC. 552. PRELIMINARY REPORT ON PURPOSE AND UTIL-
2 ITY OF REGISTRATION SYSTEM UNDER MILI-
3 TARY SELECTIVE SERVICE ACT.

4 (a) REPORT REQUIRED.—To assist the Commission
5 in carrying out its duties under this subtitle, the Secretary
6 of Defense shall—

7 (1) submit, not later than July 1, 2017, to the
8 Committees on Armed Services of the Senate and
9 the House of Representatives and to the Commission
10 a report on the current and future need for a cen-
11 tralized registration system under the Military Selec-
12 tive Service Act (50 U.S.C. 3801 et seq.); and

13 (2) provide a briefing on the results of the re-
14 port.

15 (b) ELEMENTS OF REPORT.—The report required by
16 subsection (a) shall include the following:

17 (1) A detailed analysis of the current benefits
18 derived, both directly and indirectly, from the Mili-
19 tary Selective Service System, including—

20 (A) the extent to which mandatory reg-
21 istration benefits military recruiting;

22 (B) the extent to which a national registra-
23 tion capability serves as a deterrent to potential
24 enemies of the United States; and

1 (C) the extent to which expanding registra-
2 tion to include women would impact these bene-
3 fits.

4 (2) An analysis of the functions currently per-
5 formed by the Selective Service System that would
6 be assumed by the Department of Defense in the ab-
7 sence of a national registration capability.

8 (3) An analysis of the systems, manpower, and
9 facilities that would be needed by the Department to
10 physically mobilize inductees in the absence of the
11 Selective Service System.

12 (4) An analysis of the feasibility and utility of
13 eliminating the current focus on mass mobilization
14 of primarily combat troops in favor of a system that
15 focuses on mobilization of all military occupational
16 specialties, and the extent to which such a change
17 would impact the need for both male and female in-
18 ductees.

19 (5) A detailed analysis of the Department's per-
20 sonnel needs in the event of an emergency requiring
21 mass mobilization, including—

22 (A) a detailed timeline, along with the fac-
23 tors considered in arriving at this timeline, of
24 when the Department would require—

1 (i) the first inductees to report for
2 service;

3 (ii) the first 100,000 inductees to re-
4 port for service; and

5 (iii) the first medical personnel to re-
6 port for service; and

7 (B) an analysis of any additional critical
8 skills that would be needed in the event of a na-
9 tional emergency, and a timeline for when the
10 Department would require the first inductees to
11 report for service.

12 (6) A list of the assumptions used by the De-
13 partment when conducting its analysis in preparing
14 the report.

15 (c) **COMPTROLLER GENERAL REVIEW.**—Not later
16 than December 1, 2017, the Comptroller General of the
17 United States shall submit to the Committees on Armed
18 Services of the Senate and the House of Representatives
19 and to the Commission a review of the procedures used
20 by the Department of Defense in evaluating selective serv-
21 ice requirements.

22 **SEC. 553. NATIONAL COMMISSION ON MILITARY, NATIONAL,
23 AND PUBLIC SERVICE.**

24 (a) **ESTABLISHMENT.**—There is established in the ex-
25 ecutive branch an independent commission to be known

1 as the National Commission on Military, National, and
2 Public Service (in this subtitle referred to as the “Com-
3 mission”). The Commission shall be considered an inde-
4 pendent establishment of the Federal Government as de-
5 fined by section 104 of title 5, United States Code, and
6 a temporary organization under section 3161 of such title.

7 (b) MEMBERSHIP.—

8 (1) NUMBER AND APPOINTMENT.—The Com-
9 mission shall be composed of 11 members appointed
10 as follows:

11 (A) The President shall appoint three
12 members.

13 (B) The Majority Leader of the Senate
14 shall appoint one member.

15 (C) The Minority Leader of the Senate
16 shall appoint one member.

17 (D) The Speaker of the House of Rep-
18 resentatives shall appoint one member.

19 (E) The Minority Leader of the House of
20 Representatives shall appoint one member.

21 (F) The Chairman of the Committee on
22 Armed Services of the Senate shall appoint one
23 member.

1 (G) The ranking minority member of the
2 Committee on Armed Services of the Senate
3 shall appoint one member.

4 (H) The Chairman of the Committee on
5 Armed Services of the House of Representatives
6 shall appoint one member.

7 (I) The ranking minority member of the
8 Committee on Armed Services of the House of
9 Representatives shall appoint one member.

10 (2) DEADLINE FOR APPOINTMENT.—Members
11 shall be appointed to the Commission under para-
12 graph (1) not later than 90 days after the Commis-
13 sion establishment date.

14 (3) EFFECT OF LACK OF APPOINTMENT BY AP-
15 POINTMENT DATE.—If one or more appointments
16 under subparagraph (A) of paragraph (1) is not
17 made by the appointment date specified in para-
18 graph (2), the authority to make such appointment
19 or appointments shall expire, and the number of
20 members of the Commission shall be reduced by the
21 number equal to the number of appointments so not
22 made. If an appointment under subparagraph (B),
23 (C), (D), (E), (F), (G), (H), or (I) of paragraph (1)
24 is not made by the appointment date specified in
25 paragraph (2), the authority to make an appoint-

1 ment under such subparagraph shall expire, and the
2 number of members of the Commission shall be re-
3 duced by the number equal to the number otherwise
4 appointable under such subparagraph.

5 (c) CHAIR AND VICE CHAIR.—The Commission shall
6 elect a Chair and Vice Chair from among its members.

7 (d) TERMS.—Members shall be appointed for the life
8 of the Commission. A vacancy in the Commission shall not
9 affect its powers, and shall be filled in the same manner
10 as the original appointment was made.

11 (e) STATUS AS FEDERAL EMPLOYEES.—Notwith-
12 standing the requirements of section 2105 of title 5,
13 United States Code, including the required supervision
14 under subsection (a)(3) of such section, the members of
15 the Commission shall be deemed to be Federal employees.

16 (f) PAY FOR MEMBERS OF THE COMMISSION.—

17 (1) IN GENERAL.—Each member, other than
18 the Chair, of the Commission shall be paid at a rate
19 equal to the daily equivalent of the annual rate of
20 basic pay payable for level IV of the Executive
21 Schedule under section 5315 of title 5, United
22 States Code, for each day (including travel time)
23 during which the member is engaged in the actual
24 performance of duties vested in the Commission.

1 (2) CHAIR.—The Chair of the Commission shall
2 be paid at a rate equal to the daily equivalent of the
3 annual rate of basic pay payable for level III of the
4 Executive Schedule under section 5314, of title 5,
5 United States Code, for each day (including travel
6 time) during which the member is engaged in the ac-
7 tual performance of duties vested in the Commis-
8 sion.

9 (g) USE OF GOVERNMENT INFORMATION.—The
10 Commission may secure directly from any department or
11 agency of the Federal Government such information as the
12 Commission considers necessary to carry out its duties.
13 Upon such request of the chair of the Commission, the
14 head of such department or agency shall furnish such in-
15 formation to the Commission.

16 (h) POSTAL SERVICES.—The Commission may use
17 the United States mails in the same manner and under
18 the same conditions as departments and agencies of the
19 United States.

20 (i) AUTHORITY TO ACCEPT GIFTS.—The Commis-
21 sion may accept, use, and dispose of gifts or donations
22 of services, goods, and property from non-Federal entities
23 for the purposes of aiding and facilitating the work of the
24 Commission. The authority in this subsection does not ex-
25 tend to gifts of money.

1 **(j) PERSONAL SERVICES.—**

2 **(1) AUTHORITY TO PROCURE.—**The Commis-
3 sion may—

4 **(A)** procure the services of experts or con-
5 sultants (or of organizations of experts or con-
6 sultants) in accordance with the provisions of
7 section 3109 of title 5, United States Code; and

8 **(B)** pay in connection with such services
9 travel expenses of individuals, including trans-
10 portation and per diem in lieu of subsistence,
11 while such individuals are traveling from their
12 homes or places of business to duty stations.

13 **(2) LIMITATION.—**The total number of experts
14 or consultants procured pursuant to paragraph (1)
15 may not exceed five experts or consultants.

16 **(3) MAXIMUM DAILY PAY RATES.—**The daily
17 rate paid an expert or consultant procured pursuant
18 to paragraph (1) may not exceed the daily rate paid
19 a person occupying a position at level IV of the Ex-
20 ecutive Schedule under section 5315 of title 5,
21 United States Code.

22 **(k) FUNDING.—**Of the amounts authorized to be ap-
23 propriated by this Act for fiscal year 2017 for the Depart-
24 ment of Defense, up to \$15,000,000 shall be made avail-
25 able to the Commission to carry out its duties under this

1 subtitle. Funds made available to the Commission under
2 the preceding sentence shall remain available until ex-
3 pended.

4 **SEC. 554. COMMISSION HEARINGS AND MEETINGS.**

5 (a) **IN GENERAL.**—The Commission shall conduct
6 hearings on the recommendations it is taking under con-
7 sideration. Any such hearing, except a hearing in which
8 classified information is to be considered, shall be open
9 to the public. Any hearing open to the public shall be an-
10 nounced on a Federal website at least 14 days in advance.
11 For all hearings open to the public, the Commission shall
12 release an agenda and a listing of materials relevant to
13 the topics to be discussed. The Commission is authorized
14 and encouraged to hold hearings and meetings in various
15 locations throughout the country to provide maximum op-
16 portunity for public comment and participation in the
17 Commission's execution of its duties.

18 (b) **MEETINGS.**—

19 (1) **INITIAL MEETING.**—The Commission shall
20 hold its initial meeting not later than 30 days after
21 the date as of which all members have been ap-
22 pointed.

23 (2) **SUBSEQUENT MEETINGS.**—After its initial
24 meeting, the Commission shall meet upon the call of
25 the chair or a majority of its members.

1 (3) PUBLIC MEETINGS.—Each meeting of the
2 Commission shall be held in public unless any mem-
3 ber objects or classified information is to be consid-
4 ered.

5 (c) QUORUM.—Six members of the Commission shall
6 constitute a quorum, but a lesser number may hold hear-
7 ings or meetings.

8 (d) PUBLIC COMMENTS.—

9 (1) SOLICITATION.—The Commission shall seek
10 written comments from the general public and inter-
11 ested parties on matters of the Commission's review
12 under this subtitle. Comments shall be requested
13 through a solicitation in the Federal Register and
14 announcement on the Internet website of the Com-
15 mission.

16 (2) PERIOD FOR SUBMITTAL.—The period for
17 the submittal of comments pursuant to the solicita-
18 tion under paragraph (1) shall end not earlier than
19 30 days after the date of the solicitation and shall
20 end on or before the date on which recommendations
21 are transmitted to the Commission under section
22 555(d).

23 (3) USE BY COMMISSION.—The Commission
24 shall consider the comments submitted under this
25 subsection when developing its recommendations.

1 (e) SPACE FOR USE OF COMMISSION.—Not later
2 than 90 days after the date of the enactment of this Act,
3 the Administrator of General Services, in consultation
4 with the Secretary, shall identify and make available suit-
5 able excess space within the Federal space inventory to
6 house the operations of the Commission. If the Adminis-
7 trator is not able to make such suitable excess space avail-
8 able within such 90-day period, the Commission may lease
9 space to the extent the funds are available.

10 (f) CONTRACTING AUTHORITY.—The Commission
11 may acquire administrative supplies and equipment for
12 Commission use to the extent funds are available.

13 SEC. 555. PRINCIPLES AND PROCEDURE FOR COMMISSION
14 RECOMMENDATIONS.

15 (a) CONTEXT OF COMMISSION REVIEW.—The Com-
16 mission shall—

17 (1) conduct a review of the military selective
18 service process; and

19 (2) consider methods to increase participation
20 in military, national, and public service opportunities
21 to address national security and other public service
22 needs of the Nation.

23 (b) DEVELOPMENT OF COMMISSION RECOMMENDA-
24 TIONS.—The Commission shall develop recommendations
25 on the matters subject to its review under subsection (a)

1 that are consistent with the principles established by the
2 President under subsection (c).

3 (c) **PRESIDENTIAL PRINCIPLES.**—

4 (1) **IN GENERAL.**—Not later than three months
5 after the Commission establishment date, the Presi-
6 dent shall establish and transmit to the Commission
7 and Congress principles for reform of the military
8 selective service process, including means by which
9 to best acquire for the Nation skills necessary to
10 meet the military, national, and public service re-
11 quirements of the Nation in connection with that
12 process.

13 (2) **ELEMENTS.**—The principles required under
14 this subsection shall address the following:

15 (A) Whether, in light of the current and
16 predicted global security environment and the
17 changing nature of warfare, there continues to
18 be a continuous or potential need for a military
19 selective service process designed to produce
20 large numbers of combat members of the
21 Armed Forces, and if so, whether such a system
22 should include mandatory registration by all
23 citizens and residents, regardless of sex.

24 (B) The need, and how best to meet the
25 need, of the Nation, the military, the Federal

1 civilian sector, and the private sector (including
2 the non-profit sector) for individuals possessing
3 critical skills and abilities, and how best to em-
4 ploy individuals possessing those skills and
5 abilities for military, national, or public service.

6 (C) How to foster within the Nation, par-
7 ticularly among United States youth, an in-
8 creased sense of service and civic responsibility
9 in order to enhance the acquisition by the Na-
10 tion of critically needed skills through education
11 and training, and how best to acquire those
12 skills for military, national, or public service.

13 (D) How to increase a propensity among
14 United States youth for service in the military,
15 or alternatively in national or public service, in-
16 cluding how to increase the pool of qualified ap-
17 plicants for military service.

18 (E) The need in Government, including the
19 military, and in the civilian sector to increase
20 interest, education, and employment in certain
21 critical fields, including science, technology, en-
22 gineering, and mathematics (STEM), national
23 security, cyber, linguistics and foreign language,
24 education, health care, and the medical profes-
25 sions.

1 (F) How military, national, and public
2 service may be incentivized, including through
3 educational benefits, grants, federally-insured
4 loans, Federal or State hiring preferences, or
5 other mechanisms that the President considers
6 appropriate.

7 (G) Any other matters the President con-
8 siders appropriate for purposes of this subtitle.

9 (d) CABINET RECOMMENDATIONS.—Not later than
10 seven months after the Commission establishment date,
11 the Secretary of Defense, the Attorney General, the Sec-
12 retary of Homeland Security, the Secretary of Labor, and
13 such other Government officials, and such experts, as the
14 President shall designate for purposes of this subsection
15 shall jointly transmit to the Commission and Congress rec-
16 ommendations for the reform of the military selective serv-
17 ice process and military, national, and public service in
18 connection with that process.

19 (e) COMMISSION REPORT AND RECOMMENDA-
20 TIONS.—

21 (1) REPORT.—Not later than 30 months after
22 the Commission establishment date, the Commission
23 shall transmit to the President and Congress a re-
24 port containing the findings and conclusions of the
25 Commission, together with the recommendations of

1 the Commission regarding the matters reviewed by
2 the Commission pursuant to this subtitle. The Com-
3 mission shall include in the report legislative lan-
4 guage and recommendations for administrative ac-
5 tion to implement the recommendations of the Com-
6 mission. The findings and conclusions in the report
7 shall be based on the review and analysis by the
8 Commission of the recommendations made under
9 subsection (d).

10 (2) REQUIREMENT FOR APPROVAL.—The rec-
11 ommendations of the Commission must be approved
12 by at least five members of the Commission before
13 the recommendations may be transmitted to the
14 President and Congress under paragraph (1).

15 (3) PUBLIC AVAILABILITY.—The Commission
16 shall publish a copy of the report required by para-
17 graph (1) on an Internet website available to the
18 public on the same date on which it transmits that
19 report to the President and Congress under that
20 paragraph.

21 (f) JUDICIAL REVIEW PRECLUDED.—Actions under
22 this section of the President, the officials specified or des-
23 ignated under subsection (d), and the Commission shall
24 not be subject to judicial review.

1 SEC. 556. EXECUTIVE DIRECTOR AND STAFF.

2 (a) EXECUTIVE DIRECTOR.—The Commission shall
3 appoint and fix the rate of basic pay for an Executive Di-
4 rector in accordance with section 3161 of title 5, United
5 States Code.

6 (b) STAFF.—Subject to subsections (c) and (d), the
7 Executive Director, with the approval of the Commission,
8 may appoint and fix the rate of basic pay for additional
9 personnel as staff of the Commission in accordance with
10 section 3161 of title 5, United States Code.

11 (c) LIMITATIONS ON STAFF.—

12 (1) NUMBER OF DETAILEES FROM EXECUTIVE
13 DEPARTMENTS.—Not more than one-third of the
14 personnel employed by or detailed to the Commission
15 may be on detail from the Department of Defense
16 and other executive branch departments.

17 (2) PRIOR DUTIES WITHIN EXECUTIVE
18 BRANCH.—A person may not be detailed from the
19 Department of Defense or other executive branch
20 department to the Commission if, in the year before
21 the detail is to begin, that person participated per-
22 sonally and substantially in any matter concerning
23 the preparation of recommendations for the military
24 selective service process and military and public
25 service in connection with that process.

1 **(d) LIMITATIONS ON PERFORMANCE REVIEWS.—No**
2 **member of the uniformed services, and no officer or em-**
3 **ployee of the Department of Defense or other executive**
4 **branch department (other than a member of the uni-**
5 **formed services or officer or employee who is detailed to**
6 **the Commission), may—**

7 **(1) prepare any report concerning the effective-**
8 **ness, fitness, or efficiency of the performance of the**
9 **staff of the Commission or any person detailed to**
10 **that staff;**

11 **(2) review the preparation of such a report**
12 **(other than for administrative accuracy); or**

13 **(3) approve or disapprove such a report.**

14 **SEC. 557. TERMINATION OF COMMISSION.**

15 **Except as otherwise provided in this subtitle, the**
16 **Commission shall terminate not later than 36 months**
17 **after the Commission establishment date.**