

1 **TITLE IV—STRENGTHENING OF NATIONAL**  
2 **MOBILIZATION**

3 **SEC. 401. MODERNIZATION OF THE SELECTIVE SERVICE SYSTEM.**

4 (a) REFERENCE.—Except as expressly provided otherwise, any reference  
5 in this section to a section or other provision shall be deemed to be a reference to  
6 that section or other provision of the Military Selective Service Act (50 U.S.C.  
7 3801 et seq.).

8 (b) PURPOSE OF SELECTIVE SERVICE.— Section 1(b) (50 U.S.C. 3801(b)) is  
9 amended—

10 (1) by striking “armed strength” and inserting “military strength”;

11 (2) by striking “insure” and inserting “ensure”; and

12 (3) by inserting before the period at the end the following: “by  
13 ensuring adequate personnel with the requisite capabilities to meet the  
14 mobilization needs of the Department of Defense during a national  
15 emergency and not solely to provide combat replacements”.

16 (c) SOLEMNITY OF MILITARY SERVICE.— Section 3 (50 U.S.C. 3802) is  
17 amended by adding at the end the following:

18 “(c) Regulations prescribed pursuant to subsection (a) shall include  
19 methods to convey to every person required to register the solemn obligation for  
20 military service in the event of a military draft.”.

21 (d) EXPANDED REGISTRATION TO ALL AMERICANS.—

22 (1) Section 3(a) (50 U.S.C. 3802(a)) is amended—

23 (A) by striking “male citizen” and inserting “citizen”;

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1 (B) by striking “male person” and inserting “person”; and

2 (C) by striking “present himself” and inserting “appear”;

3 and

4 (D) by striking “so long as he” and inserting “so long as

5 such alien”.

6 (2) Section 4(e) (50 U.S.C. 3804(e)) is amended by striking

7 “enlisted men” and inserting “enlisted persons”.

8 (3) Section 5 (50 U.S.C. 3805) is amended—

9 (A) in subsection (a)(1)—

10 (i) by striking “race or color” and inserting “race,

11 color, sex, or gender”; and

12 (ii) by striking “call for men” and inserting “call for

13 persons”; and

14 (B) in subsection (b), by striking “men” each place it

15 appears and inserting “persons”.

16 (4) Section 6 (50 U.S.C. 3806) is amended—

17 (A) in subsection (a)(1)—

18 (i) by striking “enlisted men” and inserting “enlisted

19 persons”; and

20 (ii) by striking “accrue to him” and inserting

21 “accrue to such alien”;

22 (B) in subsection (h)—

1 (i) by striking “(other than wives alone, except in  
2 cases of extreme hardship)”; and

3 (ii) by striking “wives and children” and inserting  
4 “spouses and children”.

5 (5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended—

6 (A) by striking “the President is requested” and all that  
7 follows through “within its jurisdiction” and inserting “the  
8 President is requested to appoint the membership of each local  
9 board so that each board has both male and female members and,  
10 to the maximum extent practicable, it is proportionately  
11 representative of the race, national origin, and sex of those  
12 registrants within its jurisdiction”; and

13 (B) by striking “race or national origin” and inserting “race,  
14 sex, or national origin”.

15 (6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking  
16 “men” and inserting “persons”.

17 (e) MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.—

18 Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following  
19 new paragraph:

20 “(5) The Selective Service System shall conduct exercises periodically of  
21 all mobilization plans, systems, and processes to evaluate and test the  
22 effectiveness of such plans, systems, and processes. Once every 4 years, the  
23 exercise shall include the full range of internal and interagency procedures to

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1 ensure functionality and interoperability and may take place as part of the  
2 Department of Defense mobilization exercise under section 10208 of title 10,  
3 United States Code. The Selective Service System shall conduct a public  
4 awareness campaign in conjunction with each exercise to communicate the  
5 purpose of the exercise to the public.”.

6 (f) DUE PROCESS FOR FAILURE TO REGISTER.—

7 (1) Section 12 (50 U.S.C. 3811) is amended—

8 (A) in subsection (f)—

9 (i) in paragraph (2), by inserting before the period at  
10 the end “or proof of registration in accordance with  
11 subsection (g)”;

12 (ii) in paragraph (3)—

13 (I) in the first sentence, by striking  
14 “compliance” and inserting “compliance or proof of  
15 registration”; and

16 (II) in the second sentence, by inserting  
17 before the period at the end “or proof of  
18 registration”;

19 (iii) in paragraph (4), in the second sentence—

20 (I) by striking “thereunder” and inserting  
21 “thereunder, or failure to provide proof of  
22 registration in accordance with subsection (g),”; and

1 (II) by inserting before the period at the end  
2 “or has registered in accordance with subsection  
3 (g)”; and  
4 (B) in subsection (g)—  
5 (i) in paragraph (1), by striking “; and” and inserting  
6 “and the person shows by a preponderance of the evidence  
7 that the failure of the person to register was not a knowing  
8 and willful failure to register; or”; and  
9 (ii) by amending paragraph (2) to read as follows:  
10 “(2) the person was provided notice of the person’s  
11 failure to register and the person registered within 30 days  
12 with the Selective Service System, regardless of the  
13 person’s age at the time of registration.”.

14 (g) TECHNICAL AND CONFORMING AMENDMENTS.—The Military  
15 Selective Service Act is amended—

16 (1) in section 4—  
17 (A) in subsection (a)—  
18 (i) in the third undesignated paragraph, by striking  
19 “his acceptability in all respects, including his” and  
20 inserting “such persons’ acceptability in all respects,  
21 including such persons’”; and

1 (ii) in the third undesignated paragraph, by striking  
2 “he may prescribe” and inserting “the President may  
3 prescribe”;

4 (B) in subsection (c)—

5 (i) in paragraph (2), by striking “any enlisted  
6 member” and inserting “any person who is an enlisted  
7 member”;

8 (ii) in paragraphs (3), (4), and (5), by striking “in  
9 which he resides” and inserting “in which such person  
10 resides”;

11 (C) in subsection (g), by striking “coordinate with him” and  
12 inserting “coordinate with the Director”;

13 (D) in subsection (k)(1), by striking “finding by him” and  
14 inserting “finding by the President”;

15 (2) in section 5(d), by striking “he may prescribe” and inserting  
16 “the President may prescribe”;

17 (3) in section 6—

18 (A) in subsection (c)(2)(D), by striking “he may prescribe”  
19 and inserting “the President may prescribe”;

20 (B) in subsection (d)(3), by striking “he may deem  
21 appropriate” and inserting “the President may deem appropriate”;

22 and

1 (C) in subsection (h), by striking “he may prescribe” each  
2 place it appears and inserting “the President may prescribe”;  
3 (4) in section 10—  
4 (A) in subsection (b)—  
5 (i) in paragraph (3)—  
6 (I) by striking “He shall create” and  
7 inserting “The President shall create”; and  
8 (II) by striking “upon his own motion” and  
9 inserting “upon the President’s own motion”;  
10 (ii) in paragraph (4), by striking “his status” and  
11 inserting “the individual’s status; and  
12 (iii) in paragraphs (4), (6), (8), and (9), by striking  
13 “he may deem” each place it appears and inserting “the  
14 President may deem”; and  
15 (B) in subsection (c), by striking “vested in him” and  
16 inserting “vested in the President”;  
17 (5) in section 13(b), by striking “regulation if he” and inserting  
18 “regulation if the President”;  
19 (6) in section 15—  
20 (A) in subsection (b), by striking “his” each place it appears  
21 and inserting “the registrant’s”; and  
22 (B) in subsection (d), by striking “he may deem” and  
23 inserting “the President may deem”;

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1 (7) in section (16)(g)—

2 (A) in paragraph (1), by striking “who as his regular and  
3 customary vocation” and inserting “who, as such person’s regular  
4 and customary vocation,”; and

5 (B) in paragraph (2)—

6 (i) by striking “one who as his customary vocation”  
7 and inserting “a person who, as such person’s customary  
8 vocation,”; and

9 (ii) by striking “he is a member” and inserting “such  
10 person is a member”;

11 (8) in section (18)(a), by striking “he is authorized” and inserting  
12 “the President is authorized”;

13 (9) in section 21—

14 (A) by striking “he is sooner” and inserting “sooner”;

15 (B) by striking “he” each subsequent place it appears and  
16 inserting “such member”; and

17 (C) by striking “his consent” and inserting “such member’s  
18 consent”;

19 (10) in section 22(b), in paragraphs (1) and (2), by striking “his”  
20 each place it appears and inserting “the registrant’s”; and

21 (11) except as otherwise provided in this section—

22 (A) by striking “he” each place it appears and inserting  
23 “such person”;



1 (B) by striking “his” each place it appears and inserting

2 “such person’s”;

3 (C) by striking “him” each place it appears and inserting

4 “such person”; and

5 (D) by striking “present himself” each place it appears in

6 section 12 and inserting “appear”.

7 (h) CONFORMING AMENDMENTS TO OTHER LAWS.—

8 (1) Section 3328 of title 5, United States Code, is amended by

9 striking subsection (a) and inserting the following:

10 “(a) An individual who was required to register under section 3 of the  
11 Military Selective Service Act (50 U.S.C. 3803) but failed to meet the registration  
12 requirements of section 2 of that Act shall be ineligible for appointment to a  
13 position in an Executive agency, unless—

14 “(1) the requirement for the person to so register has terminated or  
15 become inapplicable to the person and the person shows by a  
16 preponderance of the evidence that the failure of the person to register was  
17 not a knowing and willful failure to register; or

18 “(2) the person was provided notice of the person’s failure to  
19 register and the person registered within 30 days with the Selective  
20 Service System, regardless of the person’s age at the time of registration.

21 (2) Section 484(n) of the Higher Education Act of 1965 (20 U.S.C.  
22 1091(n)) is amended by striking “(50 U.S.C. App. 462(f))” and inserting  
23 “(50 U.S.C. 3811(f))”.

1 (i) EFFECTIVE DATE.—The amendments made by this section shall take  
2 effect on the date of the enactment of this Act, except that the amendments made  
3 by subsections (d) and (h)(1) shall take effect 1 year after such date of enactment.

4 **SEC. 402. REPORT ON EXEMPTIONS AND DEFERMENTS FOR A**  
5 **POSSIBLE MILITARY DRAFT.**

6 The Director of the Selective Service System, in coordination with the  
7 Secretaries of Defense and of Homeland Security, shall submit a report to  
8 Congress, not later than 120 days after the date of the enactment of this Act,  
9 providing a review of exemptions and deferments from registration, training, and  
10 service under the Military Selective Service Act and of proposed revisions to  
11 those exemptions and deferments, taking into account amendments to the Military  
12 Selective Service Act under section 401(d) of this Act to require registration of all  
13 United States citizens and persons residing in the United States.

14 **SEC. 403. RESPONSIBILITIES FOR NATIONAL MOBILIZATION;**  
15 **PERSONNEL REQUIREMENTS.**

16 (a) LEAD OFFICIAL FOR NATIONAL MOBILIZATION.—The President shall  
17 designate an employee of the National Security Council to serve as lead national  
18 mobilization official, whose duties and responsibilities shall include coordinating  
19 the planning and execution of any national effort to mobilize government and  
20 industry to respond to a national emergency.

21 (b) EXECUTIVE AGENT FOR NATIONAL MOBILIZATION.—The Secretary of  
22 Defense shall designate a senior official within the Office of the Secretary of

1 Defense as the Executive Agent for National Mobilization. The Executive Agent  
2 for National Mobilization shall be responsible for—

3 (1) developing, managing, and coordinating policy and plans that  
4 address the full spectrum of military mobilization readiness, including full  
5 mobilization of personnel from volunteers to draftees in the event of a  
6 draft activation;

7 (2) providing Congress and the Selective Service System with  
8 updated requirements and timelines for obtaining draft inductees in the  
9 event of a national emergency requiring mass mobilization and activation  
10 of the draft; and

11 (3) providing Congress with a plan, developed in coordination with  
12 the Selective Service System, to induct large numbers of volunteers who  
13 may respond to a national call for volunteers during an emergency.

14 (c) REPORT REQUIRED.—Not later than 12 months after the date of the  
15 enactment of this Act, the Secretary of Defense shall provide to Congress a plan  
16 for obtaining draft inductees as part of a mobilization timeline for the Selective  
17 Service System. The plan shall include a description of resources, locations, and  
18 capabilities of the military services required to train, equip, and integrate drafted  
19 personnel into the total force, addressing scenarios that would include 300,000,  
20 600,000, and 1,000,000 new volunteer and drafted personnel. The plan may be  
21 provided in classified form.

1     **SEC. 404. ENHANCEMENTS TO NATIONAL MOBILIZATION**

2                     **EXERCISES.**

3             Section 10208 of title 10, United States Code, is amended by adding at the  
4     end the following:

5             “(c) The Secretary shall, beginning in the first fiscal year that begins after  
6     the date of the enactment of this subsection, and every 5 years thereafter, as part  
7     of the major mobilization exercise under subsection (a), include the processes of  
8     the Selective Service System in preparation for a draft, and submit to Congress a  
9     report on the results of this exercise. The report may be submitted in classified  
10    form.

11            “(d) The exercise under subsection (c)—

12                    “(1) shall include a review of national mobilization strategic and  
13                    operational concepts;

14                    “(2) shall include a simulation of a mobilization of all armed forces  
15                    and reserve units, with plans and processes for incorporating Selective  
16                    Service System inductees; and

17                    “(3) shall involve the Selective Service System, the Department of  
18                    Homeland Security, the Department of Commerce, the Department of  
19                    Labor, and other relevant interagency stakeholders.”.

20     **SEC. 405. CRITICAL SKILLS FOR THE DEPARTMENT OF DEFENSE.**

21            (a) FINDINGS.—The Congress finds the following:

1           (1) The Department of Defense needs a workforce of skilled  
2 individuals to meet the national security challenges facing the United  
3 States.

4           (2) As the Department develops tools to bring individuals with  
5 critical skills into civilian and military service, it must identify the type  
6 and number of critically skilled personnel that are needed.

7           (b) CRITICAL SKILLS AND SKILLED INDIVIDUALS.—The Secretary of  
8 Defense, acting through the Under Secretary of Defense for Personnel and  
9 Readiness, shall develop and maintain a list of the critical skills and numbers of  
10 skilled individuals needed for the Department of Defense, the armed forces, and  
11 the National Guard.

12          (c) RESPONSIBILITY.—

13           (1) IN GENERAL.—The Under Secretary of Defense for Personnel  
14 and Readiness shall ensure that the list developed under subsection (b) is  
15 updated annually in accordance with paragraph (2). Critical skills are  
16 those skills for which the Department of Defense has a critical need, such  
17 as medical, dental, and nursing skills, language skills, cyber skills, and  
18 science, technology, engineering, and mathematics skills.

19           (2) COORDINATION.—The Under Secretary of Defense for  
20 Personnel and Readiness shall develop, maintain, and update the list of  
21 critical skills in close consultation with each military department, through  
22 its Assistant Secretaries for Manpower and Reserve Affairs, with the Chief  
23 of the National Guard Bureau, with the Director of the Selective Service

1           System, and with the Council on Military, National, and Public Service  
2           established under section 201.

3                   (3) IMPLEMENTATION.—The Under Secretary of Defense for  
4           Personnel and Readiness shall implement the list of critical skills under  
5           this section not later than January 1, 2022.

6   **SEC. 406. INDIVIDUAL READY RESERVE FOR CRITICAL SKILLS.**

7           (a) IN GENERAL.—Chapter 1005 of title 10, United States Code, is  
8           amended by adding at the end the following new section:

9    “**§10155. Ready Reserve: Individual Ready Reserve for Critical Skills**

10           “(a) ESTABLISHMENT.— For the purpose of recruiting personnel with the  
11           requisite critical skills, the Secretary of each military department, under the  
12           direction of the President, may establish and maintain an Individual Ready  
13           Reserve for Critical Skills within the Ready Reserve of each of the reserve  
14           components.

15           “(b) MEMBERSHIP REQUIREMENTS.—The Secretary of Defense shall  
16           outline the requirements for membership in the Individual Ready Reserve for  
17           Critical Skills, including providing guidance on—

18                   “(1) a means for each military service to establish qualifying  
19           critical skills for inclusion in its Individual Ready Reserve for Critical  
20           Skills;

21                   “(2) the standards and process for selection of individuals who are  
22           not otherwise in a reserve status to qualify for Individual Ready Reserve  
23           for Critical Skills of a military service;

1                   “(3) requirements for screening and re-evaluation of members in  
2                   the Individual Ready Reserve for Critical Skills;

3                   “(4) the training and obligations required for members in the  
4                   Individual Ready Reserve for Critical Skills; and

5                   “(5) the use of allowances and nonmonetary incentives to retain  
6                   members in the Individual Ready Reserve for Critical Skills.

7                   “(c) MOBILIZATION.—

8                   “(1) ACTIVE DUTY.—A member of the Individual Ready Reserve  
9                   for Critical Skills may be ordered to active duty without the consent of the  
10                  member in accordance with section 12304, or in accordance with any  
11                  other provision of law authorizing activation of individual ready reserve  
12                  members.

13                  “(2) ELIGIBILITY FOR BENEFITS.—A member of the Individual  
14                  Ready Reserve for Critical Skills who is mobilized under paragraph (1)  
15                  shall be eligible for benefits available to members of the Selected  
16                  Reserve.”.

17                  (b) CONFORMING AMENDMENT.—The table of sections at the beginning of  
18                  chapter 1005 of title 10, United States Code, is amended by adding at the end the  
19                  following new item:

20                  “Sec. 10155. Ready Reserve: Individual Ready Reserve for Critical Skills.”.

21                  (c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be  
22                  appropriated such sums as may be necessary to carry out this section.