

# Union Calendar No. 295

110TH CONGRESS  
1ST SESSION

# H. R. 4108

[Report No. 110-479]

To amend section 3328 of title 5, United States Code, relating to Selective Service registration.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2007

Mr. GEORGE MILLER of California (for himself and Mr. ISSA) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

DECEMBER 10, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

To amend section 3328 of title 5, United States Code, relating to Selective Service registration.

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. SELECTIVE SERVICE REGISTRATION.**

4 Subsection (b) of section 3328 of title 5, United  
5 States Code, is amended to read as follows:

1 “(b) The Director of the Office of Personnel Manage-  
2 ment, in consultation with the Director of the Selective  
3 Service System, shall prescribe regulations to carry out  
4 this section. Such regulations—

5 “(1) shall include procedures—

6 “(A) for the adjudication of determinations of  
7 whether a failure to register was knowing and will-  
8 ful; and

9 “(B) under which such a determination may  
10 not be made if the individual concerned shows by a  
11 preponderance of the evidence that the failure to  
12 register was neither knowing nor willful;

13 “(2) may provide that determinations of eligibility  
14 under the requirements of this section shall be adjudicated  
15 by the Executive agency making the appointment for  
16 which the eligibility is determined; and

17 “(3) shall provide for exceptions to determinations of  
18 ineligibility under this section to allow for—

19 “(A) the appointment of an individual who was  
20 discharged or released from active duty in the armed  
21 forces under honorable conditions; and

22 “(B) the continued employment of an indi-  
23 vidual, notwithstanding an appointment for which  
24 such individual was ineligible under subsection (a),  
25 if—

1           “(i) such individual has performed at least  
2           10 years of civilian service with 1 or more Ex-  
3           ecutive agencies;

4           “(ii) such individual’s most recent perform-  
5           ance rating was at least fully successful (or the  
6           equivalent); and

7           “(iii) the employing agency determines  
8           that such individual’s continued employment  
9           would be in the best interests of the Govern-  
10          ment.”.

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