

Senate Executive Departments and Administration Committee

Kevin Condict 271-7875

HB 55, relative to the Selective Service Compliance Act.

Hearing Date: March 26, 2025

Time Opened: 10:00 a.m.

Time Closed: 10:23 a.m.

Members of the Committee Present: Senators Pearl, McGough, Gannon, Altschiller and Reardon

Members of the Committee Absent : None

Bill Analysis: This bill relocates the Selective Service Registration Awareness and Compliance Act from RSA chapter 187-A to chapter 112, and removes the state university's requirement to enforce selective service registration.

Sponsors:

Rep. Tom Mannion

Rep. Noble

Rep. Read

Rep. Aures

Rep. Sabourin

Rep. H. Howard

Who supports the bill: Rep. Tom Mannion (Hills. 1), Aubrey Freedman, Lauren Banker (USNH), Curtis Howland, Eric Pauer, Caitlin Edwards-Appell, James Gardner, and Timothy Finney.

Who opposes the bill: Kevin Grady (SVAC).

Who is neutral on the bill: None.

Summary of testimony presented:

Representative Tom Mannion, Hillsborough 1

- Rep. Mannion introduced House Bill 55.
- Rep. Mannion explained that this bill takes a piece of an existing RSA, the Selective Service Compliance Act, out of the education RSA and into the military benefits statute. He said he wanted to remove the component that requires students applying for higher education must be registered for the draft to do so.
- Rep. Mannion said the federal government no longer requires draft registration for federal student aid. He said the responsibility for policing this act is now on

the State. He said it is a large burden that will now be inherited by New Hampshire's higher education system.

- Rep. Mannion stated his belief in an all-volunteer military. He said he believes the American public would rise to the occasion should the country be attacked. He said he does not think it is necessary to penalize students that are just trying to receive higher education, whether they are conscientious objectors or otherwise. He said they should not be forced to enroll in the selective service.
- Sen. Pearl asked if the bill does not require students to be enrolled in the selective service.
 - o Rep. Mannion said that is correct. He said there are two pieces to this: if you wish to be employed by the State or if you wish to attain higher education at a public school you must be registered for selective service. He said there was another part of the bill that was removed in the House. He said the Department of Military and Veterans Services (DMAVS) did not like the employment portion of the bill. He explained that the bill only deals with the higher education portion now. He said that the higher education system likes this bill because the Free Application for Federal Student Aid (FAFSA) used to do this, but now the higher education system would be responsible for it.
- Sen. Gannon asked if this bill would weaken morale in the military. He asked if there is a concern there would not be enough soldiers, should a war break out, because the selective service would not know who is eligible.
 - o Rep. Mannion said this bill does not stop federal compliance. He said there are still penalties for failure. This bill just makes ensuring compliance not a state requirement. He said this does not stop any federal penalties for failure to comply.
- Sen. Altschiller noted that failure to register for selective service comes with the penalties of incarceration and a \$250,000 fine. She said it is her understanding that failure to sign up for selective services means a person is not eligible for financial aid. She asked if FAFSA is ending that requirement.
 - o Rep. Mannion said that the requirement stopped in 2025.
- Sen. Altschiller asked for clarification that failure to register for selective services no longer disqualifies individuals from access to federal financial aid.
 - o Rep. Mannion said that is correct.
- Sen. Altschiller asked if an individual could get a Pell Grant, but to qualify for a financial aid program the university system would have to decide as to whether or not to follow up on someone's status.
 - o Rep. Mannion said that under current law that is correct.
- Sen. Altschiller asked if current state law is congruous with former federal law.
 - o Rep. Mannion said that is correct. He said this is now a burden that New Hampshire has elected to take on ourselves.
- Sen. Altschiller asked if there was any testimony in the House from the University System of New Hampshire (USNH) on plans for the current crop of students that are receiving acceptances now. She asked if there is a plan to address the issue for them.

- Rep. Mannion said the USNH provided no testimony. He said they supported removing the higher education requirement. He said he is not sure how they would have implemented the changes. He noted the governing RSA was added in the late 1990s.
- Sen. Pearl noted that the USNH signed in in favor of the bill.
- Sen. Altschiller asked if, in moving the language into a different RSA, it would be taking away the responsibility for verification.
 - Sen. Mannion said that it is up to the state. He said this bill uses the exact same language, just under a new section of law.

Aubrey Freedman

- Mr. Freedman said he supports this bill.
- Mr. Freedman noted that the United States has had an all-volunteer military for over fifty years. He said when the United States is attacked, citizens sign up for the military. He noted that foreign wars are a different story.
- Mr. Freedman stated there were no issues with volunteers when the country has been attacked.
- Mr. Freedman said that to work for the State or to receive federal student loans individuals are essentially registering their bodies.
- Mr. Freedman said that selective service goes against the spirit of the Thirteenth Amendment.
- Mr. Freedman noted that even the federal government is dropping some of its requirements, which is why he supports the bill.

Kevin Grady, State Veterans Advisory Committee

- Mr. Grady said the State Veterans Advisory Committee (SVAC) did not discuss this bill much, but they are unanimously opposed.
- Mr. Grady said there were two bills that addressed selective service last session.
- HB 1338 would have restricted information flow out of the state to the federal government about people's status and provided a mechanism via a form at the Department of Motor Vehicles (DMV) to say that you wanted to be a conscientious objector. He said that bill was ruled inexpedient to legislate.
- Mr. Grady said there was another bill that would have required posting statistics about casualties and other data at recruiting stations and at the DMV. That bill was ruled inexpedient to legislate as well.
- Mr. Grady stated that the current statute dates from 1998. He said there were four central components to the statute. That you were ineligible to register for higher education, you were ineligible for grants and loans, you were ineligible for a state job, and who is responsible for ensuring that this is done. He said the final component was decided to be the responsibility of the university system and the person making the hiring decision in the state government.

- Mr. Grady explained that the original bill was going to get rid of the entire Selective Service Compliance Act.
- Mr. Grady said he used to teach high school. He said the priorities for eighteen-year-old males was education, scholarships, and state jobs, in that order. He said that as a disincentive the State picked the easiest and most desirable components to tacitly encourage that person to blow off something that would take five minutes.
- Mr. Grady noted that there has not been a draft since 1973. He said that if people want to have this discussion at the federal level, then they can have it at that level.
- Mr. Grady said that it has seemed that the state level penalties encouraged people to do the right thing. He said this bill would be tacitly approving people to do the wrong thing.
- Mr. Grady said there are federal penalties for failure to register, but that there have been no prosecutions since 1986. He said twenty males have been charged since the draft ended, and only twelve have been convicted.
- Mr. Grady stated that removing this language from law would be a step down the road to encouraging people to do the wrong thing.
- Sen. Gannon asked if having the selective service list will help with readiness if the country comes into a situation.
 - o Mr. Grady said he believes it would. He said this would help allow the government to contact people, even if it was a volunteer scenario.
- Sen. Altschiller noted that this bill does not impede anyone who is required to register for selective service. She said it removes the responsibility to check up on the status to state jobs. She said that since federal officials are not doing the screening for federal loans, it moves the responsibility to the state. She said the federal government can still call up the list. She asked if this bill was just removing it from the federal scholarship program that is no longer vetting that status.
 - o Mr. Grady said the current statute takes the federal requirement for all males eighteen years and older to register for selective service and provides a set of penalties associated with the failure to register. At the state level in 1998, New Hampshire put a couple of incentives to encourage people to register. He said that he is unfamiliar with changes at the federal level. He said there are states that do not have something like RSA 187-A. He questioned how those states would comply with selective service. He said the selective service does refer people to the Department of Justice, but there have been no prosecutions since 1986.
- Sen. Gannon asked if Mr. Grady was saying that if the State removes these incentives statewide then there would be a disincentive to sign up.
 - o Mr. Grady said there would not be a disincentive. He said it would feel like the State is saying tacitly for someone to not comply with selective service if they do not want to. He said SVAC has a different perspective because they are a group comprised of people that served in an all-volunteer capacity.
- Sen. Gannon asked if states should support the federal government in this.

- Mr. Grady said that states should support the federal government in everything.
- Sen. McGough asked what the percentage of compliance of males in New Hampshire is.
 - Mr. Grady said New Hampshire does not keep statistics on that. He said the federal government is the only one who might.
- Sen. McGough asked if this bill only affects New Hampshire residents contained within the roughly four thousand and eight hundred males who go to the University of New Hampshire.
 - Mr. Grady said that in theory it applies to everyone in the USNH. He said selective service is required for state grants, scholarships, and federal loans.

KC

Date Hearing Report completed: March 31, 2025