

117TH CONGRESS
1ST SESSION

S. 1291

To provide for a standard record of service on active duty for members of the reserve components of the Armed Forces, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 21, 2021

Mr. PETERS (for himself, Mr. LANKFORD, Mr. MORAN, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide for a standard record of service on active duty for members of the reserve components of the Armed Forces, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Record of Military
5 Service for Members of the Armed Forces Act of 2021”.

1 **SEC. 2. RECORD OF MILITARY SERVICE FOR MEMBERS OF**
 2 **THE ARMED FORCES.**

3 (a) STANDARD RECORD OF SERVICE REQUIRED.—
 4 Chapter 59 of title 10, United States Code, is amended
 5 by inserting after section 1168 the following new sections:

6 **“§ 1168a. Discharge or release: record of military**
 7 **service**

8 “(a) RECORD OF SERVICE REQUIRED.—

9 “(1) IN GENERAL.—The Secretary of Defense
 10 shall establish and implement a standard record of
 11 military service for all members of the active and re-
 12 serve components of the armed forces to encompass
 13 all duty under this title and titles 32, and 14.

14 “(2) DESIGNATION.—The record of service shall
 15 be known as the ‘Certificate of Military Service’.

16 “(b) NATURE AND SCOPE.—The record of service re-
 17 quired by subsection (a) shall—

18 “(1) consist of a standardized summary of the
 19 service on active duty, inactive duty, annual train-
 20 ing, active duty for training, and State active duty
 21 in the armed forces of each member who serves in
 22 the armed forces;

23 “(2) be the same document for all members of
 24 the armed forces; and

25 “(3) replace and serve the same function as a
 26 discharge certificate or certificate of release from ac-

1 tive duty for purposes of section 1168 of this title
2 that is performed as of the date of the enactment of
3 this Act by Department of Defense Form DD-214.

4 “(c) COORDINATION.—In carrying out this section,
5 the Secretary of Defense shall coordinate with all applica-
6 ble stakeholders, including the Secretary of Veterans Af-
7 fairs, in order to ensure that the record of service required
8 by subsection (a) serves as acceptable proof of military
9 service for receipt of applicable benefits under the laws
10 administered by such stakeholders.”.

11 (b) ISSUANCE TO MEMBERS OF RESERVE COMPO-
12 NENTS.—Chapter 59 of such title, as amended by sub-
13 section (a), is further amended by inserting after section
14 1168a the following new section:

15 **“§ 1168b. Record of military service: issuance to mem-**
16 **bers of reserve components**

17 “An up-to-date record of service (as provided for by
18 section 1168a of this title) shall be issued to members of
19 the reserve components of the armed forces as follows:

20 “(1) Upon permanent change to duty status
21 (retirement, resignation, Expiration Term of Service,
22 commissioning to officer/warrant officer, or perma-
23 nent transfer to active duty).

1 “(2) Upon discharge or release from temporary
2 active duty orders (minimum of 90 days on orders
3 or 30 days for a contingency operation).

4 “(3) Upon promotion to each grade (starting at
5 O–3 for commissioned officers, W–3 for warrant of-
6 ficers, and E–4 for enlisted members).

7 “(4) In the case of a member of the National
8 Guard, upon any transfer to the National Guard of
9 another State or territory (commonly referred to as
10 an ‘Interstate Transfer’).”.

11 (c) CONFORMING AMENDMENTS RELATED TO CUR-
12 RENT DISCHARGE CERTIFICATE AUTHORITIES.—

13 (1) IN GENERAL.—Subsection (a) of section
14 1168 of title 10, United States Code, is amended—

15 (A) by striking “his discharge certificate or
16 certificate of release from active duty, respec-
17 tively, and his final pay” and inserting “the
18 member’s record or military service (as provided
19 for by section 1168a of this title), and the
20 member’s final pay”; and

21 (B) by striking “him or his” and inserting
22 “the member or the member’s”.

23 (2) HEADING AMENDMENT.—The heading of
24 such section 1168 is amended to read as follows:

1 **“§ 1168. Discharge or release from active duty: limita-**
 2 **tions; issuance of record of military serv-**
 3 **ice”.**

4 (d) CLERICAL AMENDMENT.—The table of sections
 5 at the beginning of chapter 59 of such title is amended
 6 by striking the item relating to section 1168 and inserting
 7 the following new items:

“1168. Discharge or release from active duty: limitations; issuance of record of
 military service.

“1168a. Discharge or release: record of military service.

“1168b. Record of military service: issuance to members of reserve compo-
 nents.”.

