

Citizen Soldier Protection Act of 2002

PENDING

Historical source: MikeNew.com — csp_act2k.html

To protect America's citizen soldiers.

IN THE HOUSE OF REPRESENTATIVES

NO SPONSOR

A BILL

To protect America's citizen soldiers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Citizen Soldier Protection Act of 2002”.

SEC. 2. FINDINGS, PURPOSES, AND STATEMENT OF CONSTITUTIONAL AUTHORITY.

(a) FINDINGS — The Congress finds that—

(1) in some instances members of the Armed Forces are being compelled, without lawful authority, to wear as part of their military uniform badges, symbols, helmets, headgear, and other visible indicia or insignia of the United Nations and foreign states; and

(2) in some instances members of the Armed Forces are being compelled, without lawful authority, to serve under military and other officers of the United Nations and foreign states.

(b) PURPOSES — The purposes of this Act are—

(1) to clarify existing law in order to protect United States citizens serving in the Armed Forces from involuntary service under military and other officers of foreign states; and

(2) to restore to Congress its rightful constitutional authority governing the deployment of members of the Armed Forces in service alongside and in conjunction with foreign states with which the United States from time to time is allied.

(c) CONSTITUTIONAL AUTHORITY — The specific constitutional powers authorizing the enactment of this Act are—

(1) that this Act is necessary to provide for the common defense and to secure the blessings of liberty to the people of the United States; and

(2) as provided in Article I, sections 8 and 9—

(A) Congress shall have power to raise and support armies;

(B) Congress shall provide and maintain a navy;

(C) Congress shall make rules for the government and regulation of the land and naval forces; and

(D) Congress shall provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States.

(d) LIMITATION UNDER ARTICLE II — This Act is enacted to effect the limits of Article II, section 2, of the Constitution in which—

(1) the President has the nondelegable power, by and with the advice and consent of the Senate, to appoint all executive officers of the United States, except in the case of inferior executive officers wherein Congress may vest appointment of such inferior officers, as they think proper, in the President alone or in the heads of executive departments; and

(2) in no case may the President or Congress vest any of the executive power of the United States in officers of a foreign state or delegate to an officer of a foreign state such executive power, except in time of military necessity in a lawfully declared state of war and as authorized by Congress.

SEC. 3. PROHIBITION AGAINST REQUIRING MEMBERS OF THE ARMED FORCES TO WEAR UNIFORMS OR OTHER INSIGNIA OF THE UNITED NATIONS AND FOREIGN STATES.

(a) PROHIBITION — Chapter 45 of title 10, United States Code, is amended by adding at the end the following new section:

Sec. 777. Insignia of the United Nations and foreign states: prohibition on requirement of wearing

No member of the armed forces may be required to wear as part of the military uniform any badge, symbol, headgear, or other visible indicia or insignia of the United Nations or any foreign state.

(b) CLERICAL AMENDMENT — The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

777. Insignia of the United Nations and foreign states: prohibition on requirement of wearing.

SEC. 4. PROHIBITION AGAINST REQUIRING MEMBERS OF THE ARMED FORCES TO SERVE UNDER FOREIGN OFFICERS.

(a) PROHIBITION — Chapter 39 of title 10, United States Code, is amended by adding at the end the following new section:

Sec. 692. Service under United Nations or other foreign command: prohibition

No member of the armed forces may be required to serve in any capacity under an officer of the United Nations or any foreign state, except as specifically provided by law and, then, only during time of war declared by Congress in accordance with Article I, section 8, of the Constitution.

(b) CLERICAL AMENDMENT — The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

692. Service under United Nations or other foreign command: prohibition.

Historical page closing text: Please ask your congressman to be a co-sponsor.