

Senate Should Remove from NDAA: Selective Service Registration of Women for Draft and Push for National Service

During a closed-door **Senate Armed Services Committee** markup of the FY 2017 **National Defense Authorization Act (NDAA – SR 2814)**, Republican **Chairman John McCain (AZ)** passed without notice legislation to impose **Military Selective Service Act (MSSA)** obligations on young women ages **18-26**. Previously, the **House Armed Services Committee** narrowly approved similar legislation titled **“Draft America’s Daughters,”** but **HASC Chairmen “Mac” Thornberry** and **Rules Chairman Pete Sessions**, both Texas Republicans, successfully removed the problematic language prior to floor action.

If the Senate approves a mandate to register women with Selective Service and the House concurs, **President Obama** likely will sign it into law and young women will become eligible for a possible future draft. This result would do more damage than a court ruling striking women’s exemption, and all lawmakers voting for it will be responsible for harm done to both women and military readiness.

The Issue is National Security, Not “Women’s Rights”

The Selective Service system is a relatively low-cost insurance policy that backs up the **All-Volunteer Force (AVF)**. In a future national emergency beyond the capability of our severely-depleted volunteer force, full national mobilization might leave no choice but to re-activate the Selective Service system.

- In the **Army** and **Marine Corps**, the largest communities are **infantry**. The purpose of conscription is not to induct support troops; it is to provide an effective system for rapidly replacing casualties fallen in battle in order to fight and win a nation-threatening war.
- Any call-up of men for military service would have to include equal numbers of young women. The few who meet minimum standards would be trained and ordered not into support jobs, but into combat arms units such as the infantry, where the critical need to fight is greatest.
- Due to physical differences that will not change, the Selective Service system would have to divert scarce time and resources trying to evaluate and train thousands of women — just to find the small percentage who might be minimally qualified for the combat arms.
- A misguided quest for “gender equality” would disproportionately hurt women as well as readiness. A 2014 [study](#) of Marine Corps physical fitness programs reported that **training injury and attrition rates of volunteer female recruits average double those of men**.

A “gender-neutral” Selective Service call-up that ignores unchanging physical differences between men and women would create a political crisis and a paralyzing administrative overload that would weaken our armed forces at the worst possible time.

- Even though *some* exceptional women may be able to meet minimal standards, the fact remains that most women cannot meet combat arms standards while most men can. There is no justification for ordering *all* women of draft age to register with Selective Service.
- Jamming the induction system during a time of crisis, instead of concentrating on men who can be rapidly trained to fight in physically-demanding ground combat units, would weaken, not strengthen, military readiness in a time of national emergency.
- Given research confirming physical disparities affecting unit strength, speed, and superiority in battle, Congress could reasonably, rationally, and appropriately determine that it would not make sense for Selective Service to waste time and resources culling thousands of female draftees just to find the few who might meet standards in units that aggressively kill the enemy.
- Some men favor such a policy because they resent feminist activists, forgetting that civilian and military women have always volunteered to support war efforts and will do so again.

The Generals' Personal Opinions

According to a written statement reported in [The Hill](#), Chairman McCain was acting to support the “recommendation” of the Marine Commandant and Army Chief of Staff regarding Selective Service.

- But during the February 2 SASC hearing, in response to a question, the generals offered only personal opinions, not official recommendations. Civilian Secretaries of the Navy and Army (Acting), who were seated at the same table, demurred on the issue. But even if the president and all Pentagon officials did agree, the **Supreme Court *Rostker v. Goldberg*** ruling (1981) said that only Congress has the power to make policy regarding conscription.
- With power comes the responsibility to publicly reveal and debate the readiness consequences of clogging Selective Service with thousands of unqualified draftees, making it more difficult to mobilize at a time of national crisis when America is under attack and combat troops are dying.

Women Want Respect for Military Realities, Not Mandatory National or Public Service

In the course of filing FOIA requests, the Center for Military Readiness has learned that less than half of 50 Marine Corps research reports have been posted on the Defense Department’s website list. Instead of obtaining and revealing concise research results supporting the Marines’ official request for exceptions to women-in-combat mandates, Chairman McCain wants a **Commission on Military, National, and Public Service** that would, among other things, consider ways to “*improve recruiting.*”

- A major [survey](#) done for the Marines in 2012, which was not posted on the DoD website, reported that 5% of female Marine respondents said they would not have joined the Corps if women could volunteer to serve in the combat arms. “*This figure **increased dramatically (to 23%) if female assignments to combat arms [positions] were instead made involuntary.***” A similar question found that **22%** of male Marines expressed the same opinion. (pp. 34-37)

Defense Secretary **Ashton Carter** stated in December 2015 that women meeting minimal “gender-neutral” standards would be ordered into the combat arms on the same *involuntary* basis as men.

CMR also has learned that annual propensity surveys have not even asked young people about involuntary ground combat mandates, but survey results cited above indicate that current policies likely will **reduce propensity to enlist as well as retention**. *How does this improve military readiness?*

First, Do No Harm

If a federal court strikes the Selective Service law, women’s *status quo* exemption would continue. A CMR Policy Analysis titled [Women, War, and Selective Service](#) explains how Congress could promote readiness and preserve women’s exemptions by building a record of reality-based empirical research and sound policies that assign highest priority to military necessity, not egalitarianism.

Voting to register women for the draft would abdicate Congress’ responsibility to prepare for catastrophic emergencies. Congress would still have the constitutional power to write a new law encouraging women to volunteer without conscription, but legal challenge would require a record and rationale resting on the results of credible research on the *underlying* issue, women in ground combat.

No one can guarantee the outcome of a future Supreme Court decision, but congressional approval of legislation to register and draft women would send precisely the wrong message. If Chairman McCain’s legislation becomes law, the mandate would inflict immediate harm on women, while inviting future bureaucratic nightmares and complications that would do irreversible harm to military readiness and national security. **Congress should reject any legislation that would draft America’s daughters, and instead resolve to conduct diligent, independent oversight that is long overdue.**

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[More information](#) is available from the Center for Military Readiness, an independent public policy organization that reports on and analyzes military/social issues, and on the CMR website, www.cmrlink.org