



# Center for Military Readiness — Policy Analysis —

September 2021

## Remove Blank Check “Draft Our Daughters” Mandate from National Defense Bill

The debate in Congress about “**Draft Our Daughters**” legislation – whether **Selective Service** should include young women in registration for a possible future draft – has taken a new and disturbing turn.

To see the big picture, consider **President Joe Biden**’s unilateral imposition of unprecedented public health COVID shot mandates on millions of Americans. Signing executive orders affecting private employers and individuals without congressional authorization, Biden announced with a grimace, “*This is not about freedom or personal choice.*”

Even for fully vaccinated observers, Biden’s use of a public health emergency to expand Big Government power smacks of tyranny. Now consider this: What would happen if Congress authorized even more executive power for use during another type of emergency – one involving national defense?

The nation could find out, too late, if Congress gives final approval to a pending defense bill that would authorize Selective Service registration of both men and women for reasons that have never justified conscription before.

On September 1, five misguided Republicans joined with all but one Democrat on the **House Armed Services Committee** to approve a “**Purpose of Selective Service**” amendment that **Rep. Chrissy Houlahan**, (D-PA) sponsored for addition to the **National Defense Authorization Act (NDAA) for 2022**.<sup>1</sup>

The “**Expanded Registration to All Americans**” section of the Houlahan amendment would authorize Selective Service registration and possible conscription of all “**citizen(s)**,” including women “*[To ensure] adequate personnel with the requisite capabilities to meet the mobilization needs of the Department of Defense during a national emergency and not solely to provide combat replacements.*” (Emphasis added)

This is a blank check that the full Congress must not sign. If the provision becomes law, Pentagon bureaucrats would be empowered to interpret and stretch the language beyond anyone’s expectations or imagination.

The fact that such a radical, unjustified change is being made without hearings, public debate, or informed national discussion is unconscionable.

A Selective Service draft is one of only a few reasons why the federal government may restrict personal freedom. From World War I until today, the purpose of a draft always has been to provide replacements for soldiers fallen in battle during a nation-threatening war.

Its purpose is **military readiness**, not “**equity**” between the sexes. The Supreme Court has upheld the constitutionality of this limited purpose, which the Houlihan amendment would acknowledge for the first time by summarily erasing it.

Even with the new language, however, nothing would preclude a draft to conscript equal numbers of minimally qualified men and women to fight in combat in a future war. Persons in the Selective Service pool would be sent to units where the need is greatest, such as the infantry.

As CMR has explained previously, inclusion of women for purposes of “equity” would jam the induction system and slow mobilization due to physical differences that are not going to change. The predictable clash between egalitarian theories and harsh physical realities could cost lives and weaken national defense at the worst possible time.<sup>2</sup>

More complications could ensue because, as we have seen over the last 18 months, “national emergency” is an ill-defined, elastic term. Secretary of Defense **Lloyd Austin** and Joint Chiefs Chairman **General Mark Milley**, for example, already have redefined the needs of the Department of Defense to include “climate change.” In addition, all branches of the service are pursuing racial and gender quotas in pursuit of “*Diversity as a strategic imperative.*”<sup>3</sup>

Secretary Austin began his term in office by ordering military-wide stand-downs to obsess about “extremism” in the ranks with a “woke” bias against non-minorities. And General Milley has vigorously defended divisive and demoralizing “**critical race theory**” (CRT) instruction programs in all branches of the service.<sup>4</sup>

The Houlihan language is so broad, unelected, faceless Pentagon bureaucrats could cite it to pursue more social justice warrior agendas and to establish vast data bases collecting all sorts of personal and private information from young men and women between the ages of 18 and 26, nationwide, on a mandatory basis.

The Houlihan language did not emerge out of the blue; it is only the first part of an ambitious Big Government **National Service** agenda. It repeats word-for-word Section 401 (Title IV) of the grandiose “**Inspire to Serve Act**,” which the **\$45 million**, three-year **National Commission on Military, National, and Public Service** set forth in its 2020 Final Report.<sup>5</sup>

In a 388-page Legislative Annex, the National Commission proposed that the purpose of Selective Service be changed to something other than “combat replacements” — the phrase used in a U.S. **Senate** report that the **Supreme Court** upheld as constitutional in its 1981 *Rostker v. Goldberg* landmark decision.

Such a change would be an incremental, possibly irreversible step in the direction of **Universal National Service**. This is not about freely chosen volunteer activities in one’s own community.

The commission-recommended cabinet-level **Council on Military, National & Public Service** would be empowered to commandeer the lives of young people – with a combination of financial carrots and punitive sticks – for purposes of the government’s choice.

Do Americans want their young men and women to be conscripted for wide-open, undefined “emergency” purposes such as this? We don’t know because Congress is about to pass a monumental change with no thought given to what the blank check would cost America in terms of

personal freedom and a strong national defense.

It is time to apply the brakes. There is no compelling reason to “Draft Our Daughters,” since we know that women have always volunteered to serve and will do so again.

The National Commission did *not* make the case for changing the purpose of Selective Service, or for its imperious plans to replace Americans’ **Presumption of Freedom** with a **Presumption of Service** directed by the government.

Nor did the commission consider the dangerous consequences of pretending that great numbers of average female draftees would be the physical equals of average male draftees. According to scientific research the commission brushed aside, men are stronger, faster, less likely to be injured, and more likely to complete combat missions.<sup>6</sup>

As leading pro-defense and pro-family groups have stated in a united, unequivocal message to Congress, this is a matter of **national security**, not “men’s rights” or “women’s rights.”<sup>7</sup>

All members of Congress should understand what they are being asked to vote for. Selective Service for purposes separated from combat would justify almost anything to meet Defense Department “emergency needs.”

The two problematic Houlahan provisions analyzed above, plus the unreasonably short (one-year) time allowed for implementation, are unacceptable. The Houlahan amendment and a shorter version approved by the **Senate Armed Services Committee** should be stricken before the NDAA is enacted in federal law.

Instead of rubber-stamping blank check Draft Our Daughters legislation, Congress should show true respect for women by taking this issue seriously.

\* \* \* \* \*

*The **Center for Military Readiness** is an independent, non-partisan public policy organization that reports on and analyzes military/social issues. More information is available on the CMR website, [www.cmrlink.org](http://www.cmrlink.org).*

---

<sup>1</sup> [Houlahan amendment](#) to **H.R. 4350**, the National Defense Authorization Act (NDAA) for 2022. **Andy Kim** (D-NJ) voted No, but Republicans **Liz Cheney** (MT), **Mike Waltz** (FL), **Jack Bergman** (MI), **Pat Fallon** (TX), and **Scott Franklin** (FL) voted Yes for a total of **35-24** in the HASC. On July 22, the **Senate Armed Services Committee (SASC)** [reportedly](#) voted to change the words “male citizens” in the Selective Service law to “all Americans.” Republicans who voted for the amendment, sponsored by SASC Chairman **Jack Reed** (D-RI), included **Senators Deb Fischer** (NE), **Joni Ernst** (IA), **Thom Tillis** (NC), **Dan Sullivan** (AK), **Kevin Cramer** (ND), **Rick Scott** (FL), **Tommy Tuberville** (AL), and **Marsha Blackburn** (TN).

<sup>2</sup> CMR Policy Analysis: [Senate and House Should Oppose Selective Service Registration of Women for Draft and Push for National Service](#)

<sup>3</sup> Aaron Mehta, *Defense News*, [Climate Change is Now a National Security Priority for the Pentagon](#), Jan. 27, 2021. Also see [Task Force One Navy Final Report \(defense.gov\)](#)

<sup>4</sup> CMR: [“Diversity & Inclusion Strategic Plan” Will Weaken Special Operations Forces](#); and Bruce Golding, *New York Post*, [Joint Chiefs Chair Gen. Mark Milley Defends Teaching ‘Critical Race Theory’ at West Point](#), June 23, 2021.

<sup>5</sup> Title IV is linked [here](#). The full Final Report is archived at [https://webarchive.loc.gov/all/\\*/http://inspire2serve.gov/](https://webarchive.loc.gov/all/*/http://inspire2serve.gov/) (Click on the circle shown on the calendar slot for Aug. 7, 2020, then the link shown, “12:42:45,” which goes to the full Report, including the Legislative Annex and Summary.)

<sup>6</sup> [CMR President Elaine Donnelly Statement for the Record – National Commission on Military, National, & Public Service](#), Nov. 15, 2018

<sup>7</sup> [Special Message to the 117<sup>th</sup> Congress – Don’t Draft Our Daughters](#) and 2-page CMR Summary, [Congress Should Remove or Reject Any Legislation to ‘Draft Our Daughters’](#)