

Senators: Don't Draft Our Daughters

During a closed-door meeting in May, without prior notice, Republican **Senate Armed Services Committee Chairman John McCain** (R-AZ) proposed [surprise legislation](#) to force **18-26-year-old women** to register with **Selective Service** for a possible future draft, and to establish an unnecessary **Commission on National Service** to explore other options for co-ed conscription.

Six Republicans supported the attempt of **Sen. Mike Lee** (R-UT) to strike the **McCain "Draft America's Daughters"** Selective Service mandate in committee,¹ but six others joined with all the Democrats in supporting Chairman McCain. The Draft Our Daughters measure remains in the Senate version of the **FY 2017 National Defense Authorization Act (NDAA)**.²

A week earlier the **House Armed Services Committee** narrowly passed [similar legislation](#), but it was removed from the House NDAA prior to floor action and replaced by a measure calling for a full review of the Selective Service System. A **House/Senate Conference Committee** will resolve differences in the two versions of the massive NDAA shortly after **Labor Day**.³

Sen. Ben Sasse (R-NB) is circulating a **"Dear Colleague" letter** asking Chairman McCain to reconsider.⁴ Senators should be asked to co-sign Sen. Sasse's letter, and to personally persuade Chairman McCain to defer to the House version of the NDAA, which does not include a mandate to Draft America's Daughters.⁵ If McCain's language stays in the bill, **President Barack Obama** likely will sign it into law before he leaves office.

¹ The following Republican senators supported the Lee amendment to strike the McCain Draft Our Daughters language from the NDAA **James Inhofe** (OK), **Jeff Sessions** (AL), **Roger Wicker** (MS), **Tom Cotton** (AR), **Mike Rounds** (SD) and **Ted Cruz** (TX).

² The following Republican senators voted with all Armed Services Committee Democrats to retain the Draft Our Daughters language: **Kelly Ayotte** (NH); **Joni Ernst** (IA); **Deb Fischer** (NB); **Lindsay Graham** (SC); **John McCain** (AZ); **Dan Sullivan** (AK); and **Thom Tillis** (NC).

³ Republican House conferees are: **Mac Thornberry** (TX); **J. Randy Forbes** (VA); **Jeff Miller** (FL); **Joe Wilson** (SC); **Frank LoBiondo** (NJ); **Rob Bishop** (UT); **Mike Turner** (OH); **John Kline** (MN); **Mike Rogers** (AL); **Trent Franks** (AZ); **Bill Shuster** (PA); **Mike Conaway** (TX); **Doug Lamborn** (CO); **Rob Wittman** (VA); **Chris Gibson** (NY); **Vicky Hartzler** (MO); **Joe Heck** (NV); and **Elise Stefanik** (NY). With the exception of Joe Heck, all Republican conferees voted No in committee. Democratic conferees, except for **John Garamendi** (CA), voted Yes.

⁴ Excerpts of Sasse letter to Chairman McCain: "As you know, the Senate-passed bill includes language that would, for the first time, require women to register for the Selective Service. We believe it is better to refrain from this expansion and to instead, task an independent commission to study the purpose and utility of the Selective Service System, specifically determining whether the current system is unneeded, if it is sufficient, or if it needs an expanded pool of potential draftees. . . Our all-volunteer military is the best military the world has ever seen, and women who wish to serve in this military are free to do so. The provision of the FY 17 NDAA requiring women to register for the Selective Service should be removed. . . Specifically, we urge you to adopt the House position."

⁵ As of September 2, signers of the Sasse letter include: **John Boozman**, AR; **Ted Cruz**, TX; **Steve Daines**, MT; **Orrin Hatch**, UT; **John Hoeven**, ND; **James Inhofe**, OK; **Johnny Isakson**, GA; **James Lankford**, OK; **Mike Lee**, UT; **Jerry Moran**, KS; **David Perdue**, GA; **Jim Risch**, ID; **Pat Roberts**, KS; **Sen. Ben Sasse**, NE; **Tim Scott**, SC; **John Thune**, SD; and **Roger Wicker**, MS.

Over, please . . .

Don't Draft Our Daughters: The Issue is National Security, Not "Equality"

Purpose: The Selective Service (SS) system is a low-cost "insurance policy" that backs up the All-Volunteer Force. In a catastrophic emergency, full mobilization might require re-activation of SS.

- SS is not about drafting people for support positions. Its purpose is to quickly locate and train potential "combat replacements" who are needed when men are dying on the battlefield.

Problem: If "Draft Our Daughters" legislation becomes law, any call-up of men ages 18-26 for military service would have to include equal numbers of young women.

- 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.
- The SS system would have to divert scarce time and resources to find, evaluate, and train thousands of women – just to find the few who might be minimally qualified for combat arms.
- Jamming the SS system during a time of national emergency, instead of concentrating on men who can be rapidly trained to fight in physically-demanding ground combat units, would create a political crisis and a paralyzing administrative overload at the worst possible time.

Un-Equal Burdens on Women: Empirical studies have repeatedly shown that women's rates of injury are two- to ten-times greater than men's and even higher in load-bearing military occupations.

- It would not be "fair" or "equal" to register or draft women for the combat arms, since most do not have an equal opportunity to survive, or help follow soldiers survive in that environment.
- Misplaced resentment of feminists is no excuse; both military and civilian women have always volunteered to serve in times of national emergency, and they will do so again.

Legal Justification for Women's Exemptions. In 1981 The Supreme Court upheld women's exemption from SS registration because they did not serve in the infantry.

- The Court also recognized the right of Congress to decide that it would be "administratively unworkable" to register women with SS for a possible future draft.
- Even with women eligible for the combat arms, Congress could make a solid legal case for women's exemption from SS that is consistent with the *Rostker v. Goldberg* precedent: 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 infantry standards.
- Congress should have full, open hearings to publicly examine recent scientific research and tests comparing the physical capabilities of male and female volunteers. A Draft Our Daughters law would cause irreparable harm by creating a new legal precedent that would impede future readiness to deal with catastrophic national emergencies.

Over, please . . .

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Prepared by the Center for Military Readiness, an independent public policy organization that reports on and analyzes military/social issues. More information is available on the CMR website, www.cmrlink.org.