

Congress Should Remove or Reject Any Legislation to “Draft Our Daughters”

The **Supreme Court** recently affirmed that the **U.S. Constitution** assigns decision-making authority on military matters to **Congress**, not the courts. This includes the question of whether women should be subject to **Selective Service** registration for a possible future draft.

This is a matter of **national security**, not “**men’s rights**” or “**women’s rights.**” For many reasons, Congress should remove or reject any legislative attempt to “**Draft Our Daughters.**”

In 2016, legislation to register women for military conscription was withdrawn, but the **NDA for 2017** established a **National Commission on Military, National, and Public Service**. The Commission was supposed to conduct a thorough review and make recommendations on possible revisions to the **Military Selective Service Act (MSSA)**.

But after spending **\$45 million** over three years, the National Commission produced a vacuous recommendation: Women should register with Selective Service for a possible future draft because “*the time is right.*” (p. 122, [Final Report](#))

The Case for Co-Ed Conscription Has Not Been Made

The National Commission’s unsupported recommendation ignored inconvenient facts that did not support the members’ pre-conceived social agenda:

- The Commission report barely mentioned then-Commandant **Gen. Joseph Dunford’s** request that some **infantry** and **Special Operations Forces** remain all-male and the scientific research findings supporting that request.
- According to three years of scientific research done by the Marine Corps, major gender-related differences exist in physical strength, speed, and endurance. In field tests, **all-male units** with average-ability men **outperformed mixed-gender teams** with highly qualified women in **69%** of evaluated tasks, including hiking under load.
- A four-page research [Summary](#) reported that servicewomen were **two to six times** more likely to be injured. Women suffer serious [health problems](#) such as [infertility](#) and [higher risks of suicide](#), and female [attrition](#) has been double in units that used to be all-male.
- In 2018, **Training & Doctrine Command (TRADOC)** announced plans for a six-event **Army Combat Fitness Test (ACFT)** to be a “gender-neutral” replacement for the longstanding **Physical Fitness Test (PFT)**, which allowed for physical differences.
- After unofficial pass/fail records of **3,206** soldiers in 11 battalions performing the ACFT resulted in an [84% failure rate](#) among female trainees and **30%** among the men, the Army attempted several [adjustments](#) in test requirements and scoring systems. None of these have disguised gender-related differences in failure and injury rates.

Empirical findings such as this suggest that involuntary conscription of women would make combat arms units **less strong**, **less fast**, more vulnerable to **debilitating injuries**, **less ready** for deployment on short notice, and **less accurate** with offensive weapons during combat operations.

The **Selective Service** system is a relatively low-cost insurance policy that backs up the **All-Volunteer Force (AVF)**. Its purpose is **military readiness**, not “**equity**” between the sexes.

Over, please . . .

As when the Supreme Court issued its landmark *Rostker v. Goldberg* decision (1981), the inconvenient facts listed above indicate that women and men are not “*similarly situated*” insofar as physical strength and endurance required to succeed in the deadly environment of the battlefield.

- The purpose of **conscription** is not to induct support troops or persons with special skills, such as medical or cyber. Selective Service is and should remain a system for rapidly replacing **casualties fallen in battle** to fight during a nation-threatening war.
- Some exceptional women may be able to meet minimal standards, but extensive research has shown that **most women cannot meet combat arms standards while most men can**. There is *no justification* for ordering all draft age women to register.
- As Law Professor Emeritus **William A. Woodruff** has explained in a detailed [analysis](#), if Selective Service called up women and men ages 18-26 in roughly equal numbers, the administrative burden of finding the theoretical one-in-four woman who might be qualified would make it **more difficult** to find and mobilize American forces.
- If women are in the Selective Service pool, the few who meet minimum standards would be ordered on the same basis as men into combat arms units such as the **infantry**, where the need for **combat replacements** is greatest.
- A “gender-neutral” call-up that ignores unchanging physical differences between men and women would **jam the induction system** during a time of catastrophic national emergency, weakening defense and creating a **political crisis** at the worst possible time.
- Polls often detect a cohort of resentful men, sometimes called “**hostile proponents**,” who forget that civilian and military women have always volunteered to serve in times of national emergency. There is no reason to believe that women will not do so again.

Congress Should Prioritize Military Requirements, not “Equity”

Congress has the constitutional responsibility to recognize objective realities. *A Selective Service call up of women and men in equal numbers during a catastrophic national emergency would weaken readiness to mobilize, fight, and win.*

The National Commission also failed to make a plausible argument for shifting the *purpose* of Selective Service away from **combat replacement requirements** – an obvious and unnecessary step toward mandatory Big Government-directed “**national service.**” (p. 113, Final Report)

Opportunities are wide-open for women in the AVF, but there is no evidence that military or civilian women want to be forced into the combat arms on the same involuntary basis as men. Nor is there evidence that Selective Service mandates would improve **recruiting** or readiness.

Congress should seriously consider the military, legal, and social consequences of rubber-stamping the Commission’s ill-considered agenda. Involuntary “**Draft Our Daughters**” conscription would irreversibly harm young women, without strengthening military readiness.

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*For more information, see the detailed [Statement for the Record](#) that the **Center for Military Readiness** submitted to the **National Commission**. **CMR** is an independent, non-partisan public policy organization that reports on and analyzes military/social issues: www.cmrlink.org.*