

SASC-Approved “Draft Our Daughters” Legislation Makes NDAA for 2023 Unacceptable

The text of the **Senate Armed Services Committee’s** version of the **National Defense Authorization Act for 2023** has been released: [FY2023 Bill Text \(senate.gov\)](#) “Draft Our Daughters” legislation appears in **Sections 521-522, pages 185-193**:

“Sec. 521. Modernization of the Selective Service System

....

“(b) **Purpose of Selective Service.** – Subsection (b) of Section 1 (50 U.S.C. 3801) is amended to read as follows:

“ ‘ (b) The Congress declares that the security of the Nation requires that **adequate military strength** be achieved and maintained by ensuring a requisite number of personnel with the necessary capabilities **to meet the diverse mobilization needs of the Department of Defense during a time of war.**’ ” (Emphasis added throughout)

This slightly revised language is no better than the 2021 Reed amendment:

Basic reasons for opposing **Draft Our Daughters** legislation are stated in this two-pager:

- **CMR: [Congress Should Reject Defense Bill “Draft Our Daughters” Mandate](#)**

1. Revised Language:

In addition, note the revision at the end of this year’s Senate language, which states “**. . . during a time of war**” instead of last year’s language that read “**. . . during a national emergency**.”

Why the change? The new “softer” language addressing the purpose of the **Selective Service Act (SSA)** is not as aggressive as previous legislation, particularly in the House version of the NDAA for 2022, but it is no more acceptable than either version of the bill proposed last year.

An amendment sponsored by **Rep. Chrissy Houlahan** (which did not come up in the current House) would have enacted specific language to change the purpose of Selective Service by authorizing the SSS to meet “*. . . mobilization needs of the Department of Defense during a national emergency and **not solely to provide combat replacements.***”

SASC Chairman Sen. Jack Reed’s 2021 version of Draft Our Daughters was less specific than Houlahan’s measure, but it would have had the same effect. The variation in this year’s Senate bill does not disguise an attempt to impose on all young Americans obligations to perform government-directed “national service” for less than compelling reasons.

2. What Does “Time of War” Mean?

The phrase “In time of war” in the revised Senate language is nebulous and unclear. Does it

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mean a declaration of war, which hasn't happened since **World War II**, or the 20-year "time of war" that ended in **Afghanistan** last year? Either interpretation would have the same effect.

The only justifiable reason for Selective Service registration or a possible draft is to mobilize quickly to provide combat replacements during a catastrophic national emergency when troops are dying on the battlefield. This purpose of Selective Service was affirmed by the Senate and upheld as constitutional by the **Supreme Court** in the landmark 1981 *Rostker v. Goldberg* ruling.

The "modernized" language in the Senate NDAA for 2023 could authorize call-ups for any purpose deemed "necessary" by the Department of Defense, including "**peace wars**" of dubious value to American interests, or social causes such as "**climate change.**"

3. Misleading Restatement of the Obvious

This passage appears on page 193 of the Senate defense bill:

"Section 522. Prohibition on Induction Under the Military Selective Service Act Without Express Authorization.

"Section 9 of the Military Selective Service Act (50 U.S.C. 3809) is amended by adding at the end the following new subsection:

" '(i) No person shall be inducted for training and service in the Armed Forces under this title **unless Congress first passes and there is enacted a law expressly authorizing such induction into service.**' "

To state the obvious, there is no existing authority to draft anyone. The purpose of Section 522 is unclear, except to give false confidence to gullible lawmakers who want to believe that a vote for the bill would not really be a vote to Draft Our Daughters. On the contrary, enactment of the Senate bill would be a major incremental step in the march to impose both Selective Service and **National Service** obligations on all young people, without good cause.

We appreciate and need young volunteers for military or civilian service, but federal bureaucrats should not be empowered to commandeer the lives of young men and women for **Big Government**-directed National Service. Nothing in this passage justifies what is in Section 521: Authorization to register and draft women on the same basis as men. Inclusion of this unnecessary, problematic legislation justifies defeat of the entire defense bill.

We know from historic experience that thousands of women have volunteered to serve during a time of national emergency, and they will do so again. Supporters of Draft Our Daughters have yet to make the case for unprecedented legislation that would weaken our military at the worst possible time. As in 2021, the Senate Draft Our Daughters provision is a "**blank check**" that Congress must not sign.

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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 at www.cmrlink.org.*