

September 16, 2021

Dear Members of the House Committee on Rules,

As organizations opposed to militarism and committed to promoting freedom of conscience, civil and human rights, the rule of law, and equality for all, we have long called for an end to the Selective Service System. **As the Rules Committee decides which amendments to the FY 2022 National Defense Authorization Act (NDAA) should be ruled in order, we ask that you prioritize Rep. Davis' Amendment #133, to repeal the Military Selective Service Act, for a floor vote.** We also note our support for Rep. DeFazio's amendment #353, which—if the Military Selective Service Act is not repealed—would mitigate some of the serious harms perpetuated by the Selective Service System by eliminating the extrajudicial penalties that are automatically levied on individuals who fail to register with the Selective Service.

Amendment #133, which has bipartisan support from Rep. Rodney Davis (IL-14) and Rep. Peter DeFazio (OR-4), would end the outdated and ineffective Selective Service System (SSS). While the United States has not drafted anyone since 1973, it still records information of those who could be conscripted into the military, requiring men ages 18-26 to report their new address to the Selective Service System each time they move—a requirement that is rarely met, rendering the current database incomplete and inaccurate. In testimony at federal hearings in 2019, SSS records were described by former SSS director Bernard Rostker as “less than useless” if a draft were reinstated. Because the current list is not usable, eliminating the Selective Service agency would not impact military readiness.

By repealing the Military Selective Service Act, Amendment #133 would also end ongoing hardships caused by SSS policy. Since draft registration was reinstated in 1980, millions of men have chosen not to register for a variety of reasons, including sincerely held religious or moral beliefs and values. Others have failed to register because they were unaware of the registration requirement. Men who do not register by their 26th birthday are disqualified for life from some state and federal programs entirely unrelated to any military purpose. The extrajudicial punishments levied on non-registrants include:

- Ineligibility for many federal and state jobs or trainings;
- Denial of state IDs and driver's licenses;
- Denial of some state-based student financial aid; and
- A five-year delay for those seeking citizenship.

In addition to these extrajudicial punishments, if someone were to be criminally convicted of not registering, or of failing to notify Selective Service of a change of address within 10 days of moving, they could be fined up to \$250,000 and sent to jail for up to 5 years—although no one has been prosecuted since the 1980s. Amendment #133 would solve these problems by eliminating the entire system, and bipartisan amendment #353, led by Rep. DeFazio and

cosponsored by Representatives Davis (IL-13), Speier (CA-14), and Omar (MN-5), also would significantly mitigate these ongoing harms by ending extrajudicial punishments and preserving the rights of conscientious objectors.

In recent years, the issue of expanding Selective Service registration to women has been wrongly framed by some as an issue of gender equality. On the contrary, feminism is about addressing unjust systems, extending personal choice, and producing equal positive outcomes for individuals regardless of their gender. Since 2015, all roles in the U.S. military have been open to both men and women who choose to pursue them. This policy change opened up personal career choices for women, whereas requiring registration does the opposite, taking away personal choice and freedom. Feminists do not support expanding Selective Service to women, opposing any effort to impose compulsory military service on men or women.

The burden of the Selective Service System has been unjustly placed on men for too long. Rather than expand this burden to women, both the onerous registration requirement and extrajudicial sanctions must be eliminated. **We urge that Amendment #133, which would repeal the Military Selective Service Act, be prioritized for a floor vote under the rule providing for consideration of H.R. 4350, National Defense Authorization Act for Fiscal Year 2022.** We also note our support for Rep. DeFazio's amendment #353, which would mitigate some of the serious harms of this unnecessary and unjust system.

Sincerely,

American Friends Service Committee
Center on Conscience and War
Courage to Resist
Feminists Against the Draft
Friends Committee on National Legislation
Massachusetts Peace Action
Mennonite Central Committee U.S.
Presbyterian Peace Fellowship
Resisters.info
United Church of Christ, Justice and Witness Ministries
Women's Action for New Directions (WAND)