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March, 2020

News Advisory:

Anti-draft activists call on Congress to end draft registration in response to court case on Selective Service and report of National Commission on Military, National, and Public Service

As Congress prepares to debate the issue of the military draft, anti-draft activists are calling on Congress to enact legislation to end draft registration entirely.

The 5th Circuit Court of Appeals heard arguments March 3, 2020 in a case in which a Federal District Court judge has already ruled that the current requirement for men to register with the Selective Service System for a possible military draft is unconstitutional. A decision on that appeal could come at any time. The National Commission on Military, National, and Public Service (NCMNPS) will release its recommendations regarding the Selective Service System on March 25, 2020.

Both this court case and the report of the NCMNPS are likely to put increased pressure on Congress to choose whether to end draft registration for men, or to extend it to women.

Numerous anti-draft organizations have endorsed H.R. 5492, a bi-partisan bill introduced in Congress (and submitted to the NCMNPS for it to consider) in December 2019.

Anticipating the NCMNPS report and the debate in Congress likely to follow in 2020 or 2021, H.R. 5492 would end both draft registration and contingency planning and preparations for a military draft, and eliminate both federal and state penalties for failure to register with the Selective Service System that currently burden tens of millions of Americans ages 18-60.

According to a statement by anti-draft organizations and activists:

“The issue is not whether women should have to register for the draft, but whether the government should be planning or preparing to draft anyone.

“We don’t know yet what the courts will decide, or what the NCMNPS will recommend. But as peace and anti-draft activists and organizations including anti-war feminists, we already know what Congress should do: Congress should end draft registration for all, not try to expand it to young women as well as young men.

“H.R. 5492 would end the current contingency planning for a future draft as well as draft registration, and would end all sanctions against those who didn’t register. That’s a more comprehensive and appropriate choice for Congress and the American public than the NCMNPS is likely to recommend.

“The NCMNPS was directed by Congress to consider the ‘feasibility’ of any draft. But registering or drafting women would not be feasible in the face of the likely widespread noncompliance. Women and men will join in resistance to any attempt to expand draft registration, or plans for a draft, to women.

“Draft registration for men failed: criminal enforcement had to be abandoned decades ago in the face of pervasive noncompliance. Even the former Director of the Selective Service System testified to the NCMNPS that the current Selective Service System database is ‘less than useless’ as the basis for a draft. Trying to draft women or get them to register to be drafted would be even more of a fiasco.

“Making contingency plans for a draft that would include women would be an exercise in self-delusion by the Selective Service System and military planners. Even more women than men would resist if the government tried to draft them.

“Nonregistrants face potentially lifetime penalties including ineligibility for federal student grants and loans, federal jobs, drivers’ licenses and state jobs in some states, and naturalization as U.S. citizens. Ending Selective Service registration won’t give closure to this issue or put an end to the inevitable decades of federal and state-by-state litigation over penalties for nonregistration unless Congress repeals all federal penalties and preempts all state penalties against those who haven’t registered.”

Spokespeople for the organizations endorsing this statement – many of which met with the NCMNPS and participated in NCMNPS hearings and events – are available for interviews now, and will be able to comment on the NCMNPS report as soon as it is released on March 25th.

More information on the draft, draft registration, draft resistance, the Selective Service System, the current court case, the NCMNPS, and H.R. 5492 is available at <<https://resisters.info>> and from the other organizations endorsing this statement (see list of organizations and contacts at top of first page).

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