



**NATIONAL COMMISSION ON MILITARY, NATIONAL, AND
PUBLIC SERVICE
MEMORANDUM FOR THE RECORD**

Subject: Testimony of Dr. Nora Bensahel on March 16, 2018

The following is a record of a meeting between Commissioners and Dr. Nora Bensahel, which took place on March 16, 2018, at the Crystal City offices of the Commission. At the meeting, the All-Volunteer Force (AVF) and Selective Service were discussed. The conversation was moderated by Chairman Heck and included all commissioners present for the March meeting. Other Commission employees observed at least part of the meeting. Please note that the following is not a verbatim transcript of the discussion.

Dr. Bensahel opened with prepared testimony, a copy of which has been submitted for the record. The testimony may be found in Appendix A. Below are notes from the Commissioner's question and answer period with Dr. Bensahel as recorded by research staff.

Presenter: Dr. Nora Bensahel

Key Takeaways:

- Dr. Bensahel argued for preserving the selective service system in case of mass mobilization, and urged the Commission to consider ways in which the nation might conscript individuals with unique skills, such as financial analysts or software engineers.
- Reserve forces are critical to past and current operations. Their usage has not been translated into economic leverage or raised outcries from industry.
- One of the principle challenges of the AVF is the civil-military divide, which might be lessened by designing a legislative 'tripwire' that links conscription of a small number of youth with use of force decisions.
- According to Dr. Bensahel, there is no clear evidence that bonuses are drivers of retention or sole drivers of propensity to serve in recruiting an AVF.

Meeting Discussion

Dr. Bensahel opened the conversation by reading her prepared testimony.

Chairman Joe Heck asked a series of opening questions, including asking as to whether there is any empirical evidence for the standard Department of Defense talking points on the need to maintain the Selective Service System. He asked also whether the \$24M/year it costs to continue operating Selective Service is better spent elsewhere. Dr. Nora Bensahel agreed the deterrence argument for maintaining Selective Service is not a valid one, but argues that it will be necessary

to mobilize, not deter, in the next great power conflict – an outcome with low probability but high consequences. She also noted that \$24M is a bargain, stating it ought to be higher to make sure the SSS functions as it needs to should mass mobilization occur. She concluded that the nation should not have to choose between readiness and preparing for existential crises, from a budgetary perspective.

Avril Haines begins by asking whether Dr. Bensahel is advocating for the status quo or change, particularly what type of legislation she envisions and whether it would give President the ability to implement a draft singlehandedly. Dr. Bensahel responds that she is advocating for change, and she believes Congress should be involved, as a draft would only be triggered in extreme emergencies.

Use of Bonuses & the Role of Socioeconomics in Recruiting

Jeanette James notes some people argue that the AVF is inequitable due to the use of bonuses to induce enlistment, which skews the incentives towards the lower economic quintiles. Dr. Bensahel noted most people who serve want to serve their country, and while benefits are a piece of the calculation, there is no evidence that bonuses lead to socioeconomic misrepresentation specifically. She noted that geography tends to be a significant factor, with recruiting efforts focused on specific parts of the country, notably the South which tends to be more rural and poorer. This dynamic creates the problem that it is hard to isolate variables.

Janine Davidson follows up to ask whether it is a self-fulfilling prophecy due to recruiting in places where recruiting has been successful. Dr. Bensahel responded that the military invests few resources in trying to reach other populations, noting that the Army concentrates its resources on places where it is easiest to recruit. Part of this is due to how the military services choose to invest their recruiting resources, but she added that propensity to serve is extraordinarily complicated. In her opinion, services have a long way to go in reaching underserved areas, but she warned that improving diversity of recruitment efforts won't be a silver bullet.

Jeanette James notes in 2007-2010 services were having difficulty recruiting and using stop-loss/ increased dwell time/ and bonuses, which she implies seems to make Dr. Bensahel's argument that people would serve without financial inducement a bit shaky. Dr. Bensahel responded that there is a question as to whether bonuses are influential, noting they're often accepted by people who were going to stay anyways, citing the Army's 'Captain crisis' as one of the worst examples of trying to use bonuses to maintain retention [ie, those who were going to leave, left anyways, and those who were going to stay in took the money which resulted in lots of money spent but no real results]. Addressing Jeanette's point as to the number of volunteers available for wars, Dr. Bensahel noted that, during the time period in question, the U.S. was already in the middle of two unpopular wars, and the choice to use these levers was driven by a political decision that conscription is not an option. The expansion of the forces was small and temporary. For cases such as this, where expansion is on the margins (purely looking at the numbers), these types of policies may well be the right way to achieve results [small

expansions]. However, she noted that for large expansions - such as doubling or tripling the size of the force – the utility of these tools are questionable.

Ed Allard *asks about the role of reserve forces.* Dr. Bensahel noted the reserve force is absolutely essential and the nation could not have fought without them save a return to conscription. She emphasized that we shifted from a strategic reserve to an operational reserve. She noted that DoD still relies on the reserves, which requires outreach to people and employers from the DoD, as it's no longer the "one weekend a month, two weeks in the summer" commitment it used to be. She noted that the Army is piloting programs where soldiers serve more than 39 days a year.

Ed Allard *asks about the number of people diminishing in service, noting they are typically engaged through a family member and therefore asking if there are sustainability concerns.* Dr. Bensahel addressed family ties to service, noting the data shows strong familial recruiting ties over and over. As a result, she is concerned about sustainability, particularly taking into account the DoD eligibility numbers. She noted that, while concerning, it is not yet near a point that requires returning to conscription and therefore sustained outreach from the DoD to communities is important. She noted that the reserve forces can be leveraged and are a critical component of reaching communities, as reserve forces don't live on bases and are underleveraged as the 'connective tissue' to communities.

Legislative Tripwire to Close the Civil-Military Divide

Steve Barney *brings up Dr. Bensahel's example of a selective lottery for a small number of conscripts and asks whether the idea was primarily for creating national discussion for specific conflicts or fostering an ongoing connection to the American people.* Dr. Bensahel noted she believes it's easier to support war when you don't know anyone who is affected by it. She referenced the 2015 Harvard Institute of Politics poll which found that while a majority of youths aged 18-29 supported sending troops to fight ISIS, a majority also would not be willing to serve themselves if the military needed personnel.¹ She noted her legislative tripwire proposal would be to ensure real debate, while maintaining the professional advantages and capabilities of an AVF. She also recognized it would have a profound political effect, as American citizen couldn't be quite as disconnected from use of force discussions.

Avril Haines *then asks how her proposal would function legislatively, particularly what the involvement of the President would be in triggering a limited draft?* Dr. Bensahel clarified that her proposal would require a triggering function contained in legislation. In principle, she would recommend that it be tied to an Authorization for the Use of Military Force (AUMF) but in practice given the infrequency with which an AUMF is passed, that might not be ideal.

Avril Haines *follows up by asking whether the triggering function would be available for any deployment.* Dr. Bensahel clarified that either an AUMF or threshold trigger of greater than 6 months involvement or ten thousand people, or a similar quantitative measure, should be used.

¹ Harvard Institute of Politics, "Executive Summary: Survey of Young Americans' Attitudes Toward Politics and Public Service," Fall 2015, http://iop.harvard.edu/sites/default/files_new/pictures/151208_Harvard%20IOP%20Fall%202015%20Report.pdf.

Avril Haines follows up, noting there would be no second step from Congress with a vote they could be held accountable for [such as the Iraq war vote which haunted Presidential prospects and made members skittish about voting for military action].

Chairman Joe Heck notes it was an interesting proposal, and highlights that while the military did not “break” in the challenging recruiting environment of the post-9/11 wars, if conscription had been an option, maybe the strain would not have been as bad. Dr. Bensahel emphasized her proposal is for political reasons [to lessen the civil-military divide], not military necessity or to relieve stresses. She noted she doesn’t know that it would relieve the stresses [on the force in the 05-09 timeframe].

Shawn Skelly adds it’s a testament to the All-Volunteer Force that it got creative and made things work but it did a disservice of not forcing a dialogue due to the high level of competence. Dr. Bensahel added that while the force was under extraordinary stress, it’s a myth that service members come back broken. Most came home and reintegrated successfully.

Janine Davidson asks how Dr. Bensahel thinks the operational leadership would respond to her proposal. Dr. Bensahel responded she believes they would be adamantly opposed, based on the argument of it eroding military efficacy. Her proposal is addressing a higher-level national policy question to ensure a stake in the nation without undermining the professionalism of the AVF.

Role of the Reserves and Private Industry

Janine Davidson asks about the theory of pressure being turned up on the nation when the Guard and Reserves are used, asking if there’s a way to do so via leveraging employers as stakeholders. Why would it happen for 18-year-olds if it didn’t with employers and the guard and reserve?

Tom Kilgannon asks about registering by skillset and what the pros and cons are of conscription versus contracting out, and what would happen with the other agencies in the national security apparatus. Is filling their ranks constitutional? Dr. Bensahel responded by referencing her cyber corps piece with Dave Barno in War on the Rocks, noting cyber capabilities need to be in uniform for Geneva Convention protections and to fall under the UCMJ, and that some capabilities need to be military to integrate into operations.²

² Dave Barno and Nora Bensahel, “Strategic Outpost Debates a Cyber Corps,” *War on the Rocks*, January 20, 2018, <https://warontherocks.com/2018/02/strategic-outpost-debates-cyber-corps/>.

Appendix A: Prepared testimony submitted to the Commission by Dr. Nora Bensahel

Written Testimony to the National Commission on Military, National, and Public Service

Dr. Nora Bensahel*

March 16, 2018

Thank you very much for the opportunity to testify before you today, and to share my thoughts on the future of national military service. The all-volunteer force has produced the strongest and most capable military in U.S. history, and despite some challenges, it remains the best model for transforming civilians into soldiers, sailors, airmen, and Marines. Yet, as has happened throughout the nation's history, the United States may find itself fighting a future war whose scale exceeds the number of volunteers. No matter how unlikely that might seem, the United States must nevertheless remain prepared to conscript citizens into the military during a dire national emergency. The Selective Service System fills that role today, but its mechanisms must be updated to ensure that the military can rapidly access the complex range of skills necessary for warfare in the 21st century.

The Enduring Strengths of the All-Volunteer Force

The United States fields the strongest and most capable military in the world, which is largely due to the strengths of the all-volunteer force (AVF). The men and women who serve in uniform are highly motivated and deeply dedicated to their mission. They are better educated and more racially diverse than the U.S. population as a whole.³The quality of the force is higher than it has ever been, which enables it to excel the highly critical, complex tasks that characterize modern warfare. The AVF has proved adaptive and resilient since it was adopted in 1973, through the Cold War, Desert Storm, the peacekeeping operations of the 1990s, and the lengthy wars in Afghanistan and Iraq. During the early years of those wars, there were great concerns that the AVF would “break,” that repeated deployments to demanding combat environments would leave the military unable to recruit and retain enough volunteers. Yet despite the very real stresses that the wars placed on those in uniform, the AVF rose to the challenge, and the force has remained very well disciplined and effective.

The AVF does face a number of challenges, which must be addressed to ensure that it maintains (and even improves) its high quality and capabilities into the future. It needs to invest more resources in recruiting young Americans across the entire country, especially from the coastal and urban areas which are significantly underrepresented. It needs to provide more flexible career paths, so those in uniform can move more freely across the active component, the reserve

*Nora Bensahel is currently a Distinguished Scholar in Residence at the School of International Service at American University; in July 2018, she will become a Visiting Professor of Strategic Studies at the Johns Hopkins School of Advanced International Studies. Many of the ideas contained in this testimony were jointly developed with Lieutenant General David Barno, USA (Ret.), with whom she writes the Strategic Outpost column at War on the Rocks.

³ U.S. Department of Defense, 2016 Demographics: Profile of the Military Community, 2016.

component, and civilian society.⁴ The military might need to create very different policies and organizations structures to attract those with expertise in particularly critical skills, such as establishing a Cyber Force as a new military service.⁵

And it remains expensive, which requires a sustained national commitment to adequately fund the Department of Defense. Despite these challenges, the AVF remains the best model for staffing the U.S. military. Conscription would erode almost all of the current strengths of the force, replacing highly motivated and educated professionals with people who are not serving willingly and most likely with shorter terms of service. At a time when the challenges to U.S. national security are increasing and warfare is growing more technologically complex, a return to conscription would severely undermine all of the current strengths of the force and leave the nation unacceptably vulnerable. And though the AVF is and will continue to be expensive, as Secretary of Defense Jim Mattis has recently noted, “America can afford survival.”⁶

A Mechanism for Conscription Remains Necessary as a Hedge

There’s an old joke in Washington that only three groups of people oppose a military draft: Democrats, Republicans, and independents. Recent survey data suggests that only 29 percent of all voters support the idea of returning to a draft, with the rest either opposed or unsure.⁷ That deep unpopularity, combined with the remarkable performance of the AVF during the wars in Afghanistan and Iraq, has led to numerous calls to get rid of compulsory service altogether. In 2016, four members of Congress from both political parties introduced a bill to abolish the Selective Service. One of the four, Rep. Mike Coffman (R-Colo.), argued that maintaining it “simply makes no sense,” and that the “all-volunteer military has given us the most elite fighting force in the history of this country.”⁸ One editorial even argued, “It’s hard to imagine a conflict in today’s world in which this nation could not rely on its volunteer forces.”⁹

Yet that is exactly what we need to imagine. As demanding as the recent wars have been, they remain quite small in historical context. At the peak of the war in Afghanistan, just over 100,000 U.S. troops were deployed; in Iraq, that number was over 170,000. In Vietnam, by comparison, the peak number was 537,000 (which was considered a limited war at the time), and in World War II, it was over 8 million. History shows that the United States has relied on conscription for its large wars, no matter how strong the support of the American people. In World War I, for example, only 300,000 people volunteered to serve in the Army, and another 2.7 million were

⁴ Greater permeability was one of the many excellent recommendations contained in the Force of the Future initiative, which was led by Secretary of Defense Ashton Carter. See https://www.defense.gov/News/SpecialReports/0315_Force-of-the-Future/.

⁵ David Barno and Nora Bensahel, “Strategic Outpost Debates a Cyber Corps,” War on the Rocks, February 20, 2018.

⁶ U.S. Department of Defense, “Remarks by Secretary Mattis on the National Defense Strategy,” January 19, 2018.

⁷ “Most Women Oppose Having to Register for the Draft,” Rasmussen Reports, February 10, 2016.

⁸ Rebecca Kheel, “Bill Introduced to End the Draft,” The Hill, February 11, 2016.

⁹ “It’s Time to Abolish the Selective Service and End the Draft,” The Denver Post, February 11, 2016.

conscripted. In World War II, which was arguably the most-supported war in American history, draftees accounted for more than 60 percent of the 18 million people who served in uniform.¹⁰

A future large conflict could quickly dispel the idea that the nation will always be able to fight its wars with volunteers. The odds that the United States would find itself in a really big war – one with many hundreds of thousands of troops (if not more), with widespread destruction and casualties – remains low, although the recently-released National Defense Strategy points out that the renewal of long-term strategic competition with China and Russia may be slowly increasing those odds. No matter how likely, though, the consequences of any such conflict would be immense, and possibly existential. Those incredibly high stakes are why the nation continues to invest its blood and treasure in maintaining a U.S. military that is prepared to fight and win whatever future conflicts come its way – and why it must retain some sort of mechanism to mobilize its citizens.

The widespread public opposition to a draft could shift far more quickly than most people realize. In the event of a genuine national emergency, when the stakes involved are clear rather than abstract, the American people may swiftly realize that a draft remains necessary. When I speak on this issue, I often ask audiences to remember how they, their family, and friends felt on the afternoon of September 11, 2001. Then I ask them to imagine that, for whatever reason, President George W. Bush had gone on television that evening and told the American people that a draft was needed to defeat those who had caused the attacks and the death of 3,000 fellow citizens. I tell them that I personally believe that the American people would have supported a draft to do so. But then, regardless of whether they agree with that, I ask them to imagine the same scenario, but that instead of 3,000 deaths, there had been 30,000. Or 300,000. Or, if a weapon of mass destruction had been used, 3 million. Or 30 million. At some point, the scale of the national emergency would become so grave that there would be widespread (if grudging) support for a draft, because the American public would understand the stakes involved. Those types of scenarios are the reason why calls to abolish the Selective Service are so dangerous; they could very easily require the nation to rapidly expand its military force to address a severe or even existential threat.

Updating Selective Service for the 21st Century

One of the reasons why the draft remains so unpopular with the American people is that they assume that people would be conscripted in the same ways that they were in Vietnam – the only draft that they or most people in their family can remember. The Vietnam draft was widely perceived as unfair, and by the end of the war, the U.S. military suffered from severe problems with discipline, drug use, and racial tensions. That’s why many Americans, and especially those who serve or have served in the military, believe that conscripts would make the force far less capable and effective. Any future draft could – and should – look very different. Issues of fairness and equity, for example, must be addressed to ensure that all citizens share in bearing the

¹⁰ See David Barno and Nora Bensahel, “Mirages of War: Six Illusions From Our Recent Conflicts,” *War on the Rocks*, April 11, 2017.

burdens of war. But even deeper changes are needed to the Selective Service system in order to provide the type of force that is capable of winning its future wars.

The draft in Vietnam, as with its predecessors, was designed to generate large volumes of combat forces. While those will almost certainly remain necessary in future wars, they may be far from sufficient. A future war will require the nation will need to generate a wider range of capabilities than ever before. Space and cyberspace are two entirely new operating domains, for example, and are deeply changing the character of warfare in ways that we are only beginning to grasp. Any future big war will clearly have a major cyber component, which would require conscripting the nation's most talented code writers, hackers, and cyber security experts into a world-class cadre of cyber warriors. Furthermore, future adversaries may choose to fight the United States in all sorts of non-traditional domains. In 1999, two Chinese colonels published a remarkable book called *Unrestricted Warfare*, which may be even more relevant today than when it was published. They argued that war had evolved to "using all means, included armed force or non-armed force, military and non-military, and lethal and non-lethal means to compel the enemy to accept one's interests."¹¹ That might require the United States to quickly draft financial experts to help protect the nation from economic warfare, for example, or social media gurus to conduct information operations, or other types of expertise that we cannot yet imagine would be required during wartime. Doing so would require the Selective Service to register citizens by their profession or expertise, and to update that information over time. Plans to do so have existed at least since the 1990s, but have garnered very little interest.¹² Yet this is one clear way to reform the Selective Service system in order to ensure that the nation can quickly access the talents that already exist throughout American society during a time of national emergency.

Another vital reform is requiring women as well as men to register with the Selective Service. Although the debate over this issue frequently becomes politicized, it is absolutely critical to ensure that the military can access all of the nation's talent in times of crisis. Exempting 51 percent of Americans from registration means exempting more than half of the nation's talent – a price that the United States cannot and should not have to pay. Requiring women to register will also help restore the principles of equity and fairness into the conscription process. Since all combat positions are now open to women who meet the requirements, continuing to exempt them from Selective Service registration is deeply unfair. Now that American women have the right to serve in all combat positions, they must share equal responsibility for protecting and defending the nation.

Conscription and the Responsibilities of Citizenship

¹¹ See David Barno and Nora Bensahel, "A New Generation of Unrestricted Warfare," *War on the Rocks*, April 19, 2016.

¹² David Wood, "Uncle Sam Needs Coders. Here's How the Military Could Draft Them." *Huffington Post*, May 10, 2016.

The AVF has been a tremendous success, but it has had one very dangerous and unintended consequence: it has severed the link between military service and the vast majority of the American people. After more than 40 years and two protracted wars, most Americans now expect the nation's wars to be fought by other people, the 1 percent of their fellow citizens who volunteer to serve. The American people hold the military in very high esteem and even venerate those in uniform, as demonstrated by ubiquitous yellow ribbons, generous commercial discounts, and countless thanks for their service. Such nearly universal adulation is far preferable to the contempt with which those in the military were treated after Vietnam, of course, but it exacerbates the perception of soldiers, sailors, airmen, and Marines as others, as different from the rest of us, as those who fight on the nation's behalf. Yet defending the nation in times of crisis is perhaps the most profound obligation of citizenship and a fundamental tenet of American democracy. The Constitution gives we, the people, many rights, but also charges us with providing for the common defense. Yet the AVF has made it all too easy for Americans to forget that fundamental responsibility. It has also made it too easy for them to support going to war, since they have no personal stake in the outcome. It is much easier to send other people's sons and daughters into harm's way if you know that yours will remain safely at home.

There is no easy way to address this problem. Replacing the AVF with conscription is too high a price to pay, because it would undermine the great strengths of today's military. One possible way to reconnect the American people with the nation's wars might be to require that every use of military force be accompanied by a lottery that drafts up to 10,000 men and women, who might or might not end up being deployed. That number, while small, should be enough to trigger a serious national debate about whether the nation should be fought, since almost every family would include someone at risk of being drafted. It would thus retain most of the advantages of the AVF while still sharing the burdens of war a bit more evenly throughout the country.¹³ At the very minimum, however, the Selective Service must be retained. It is the only remaining thread in American society that connects all (male) U.S. citizens to their military, and also provides a vital mechanism for mobilizing the full population in times of national emergency.

¹³ See David W. Barno, "A New Moral Compact," *Foreign Policy*, November 9, 2012.