



# **SELECTIVE SERVICE FOR THE 21<sup>st</sup> CENTURY**

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Selective Service for the 21<sup>st</sup> Century  
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## Executive Summary

Since switching to an all-volunteer force, the Department of Defense has not had to conscript any personnel into the US military. Only in the event of another major war would the DoD rely upon the provisions of the Selective Service Act to furnish the personnel needed to fight. The outbreak of conventional warfare in Ukraine in recent weeks has demonstrated that such a scenario remains a terrifying possibility. However, the act governing the draft has not been updated since 1971. The draft was written to fulfill the needs of an industrial war in the pre-digital age. Today, 71% of young Americans are ineligible for the draft, a shortfall of 24 million people unavailable for the sort of traditional military service the founders of Selective Service envisioned. Some method of modernization for the Selective Service Act must be found in order to maintain military readiness in this renewed era of “Great Power” competition.

The Chairman of the Joint Chiefs of Staff’s J-7 Directorate for Force Development is responsible for developing warfighting concepts and doctrine to support the Chairman’s statutory role in providing best military advice to the President of the United States. By recognizing the limitations of the existing system, the J-7 intends to recommend optimal methods of Selective Service reform through legislative channels in order to provide the US military with the necessary personnel in time for the outbreak of hostilities.

The Selective Service System as it currently stands was created in the 1970s to address the shortcomings of the draft as it was used during the Vietnam War. Concerns over equity, morale, and servicemember quality led to the creation of the All-Volunteer Force (AVF) of the US military, with the draft kept only as an emergency backup for meeting recruiting needs. While ongoing geopolitical events are demonstrating the continued need to retain this capability, the antiquated nature of the current system poses issues. First and foremost, less than a third of the conscription-aged population in the US would be eligible for military service, from a combination of criminal background, lack of education, obesity, mental health issues, and other medically disqualifying conditions, significantly reducing the pool of available recruits. Advancements in military technology and doctrine mean that those recruits that would meet standards would not necessarily have the skillsets needed to fight on the modern battlefield. And there yet exist questions about the equity of the Selective Service System, as the rising cost of housing, healthcare, and education leave many disadvantaged Americans with the military as their only career option that can meet those needs, arguably creating what has been called a “poverty draft”.

Other western countries’ militaries have mostly moved away from conscription as well for similar reasons. Of those who still practice conscription, some, like Israel, are contemplating abandoning it. Others, notably Norway, have refined their conscription process to be more selective about the personnel selected for military service, prioritizing skillsets over numbers. Other nations have turned to alternative sources of personnel to augment traditional military structures. Both Russia and the PRC use civilians as a cyberwarfare auxiliary. Russia also makes extensive use of private military contractors, while the PRC recruits fishermen into a maritime militia. The Ukrainians have had success in fielding volunteer militias alongside regular armed forces. Even in the US, an additional draft specific to medical personnel, the Health Care Personnel Delivery System (HCPDS), was created in the late 80s to address

potential national health emergencies, a system employed during the COVID-19 pandemic. All these examples show how the evolving nature of warfare in the 21<sup>st</sup> century has provided new methods of applying military power.

Three potential alternatives to the current Selective Service System are considered. Each is evaluated on the basis of four criteria: *Cost*, or how much of the taxpayer's money would it take to implement the alternative. *Military Effectiveness*, examining how well would the alternative improve military capabilities as defined under the current Joint Warfighting Concept (JWC). *Equity*, asking whether the solution would pose an undue burden on any sector of society. *Feasibility*, evaluating what sort of support each alternative could expect from Congress and the Department of Defense. These criteria are weighted according to the priorities of the Directorate to determine the optimal solution.

The first alternative is to update the system's categories to prioritize personnel with specific skillsets and to channel individuals of varying fitness levels into military billets where they could be of best use. Only a small increase in funding for the current system would create a system that directly addresses JWC guidance to improve all-domain capability, and it would partially eliminate historical exemptions to the draft. The success of the HCDPS indicates Congress would support such a move, and the DoD would be at least partially interested in such a solution.

Second, offering flexible military labor contracts to individuals to allow them to accomplish specific military tasks and to earn credits toward military benefits without the need to commit to traditional service commitments. Replacing the Selective Service System with this would be a significant undertaking and would encounter large legislative, administrative, and financial challenges. This would address some equity concerns by creating opportunities for anyone to serve, but would also create new avenues for exploitation. Finally, the ongoing war in Ukraine has shown the effectiveness of private citizens augmenting military forces in nontraditional ways – but the implementation of wartime conscription by both sides shows the continued need for a traditional draft as well.

Third, expanding the use and role of auxiliary forces such as the Civil Air Patrol and the various State Guard forces for disaster relief efforts and to bolster homeland defense. As most auxiliary forces are unpaid, this would be a relatively cost-effective method. They would complement the existing military forces, but only for in-CONUS conflicts. As all-volunteer forces that accommodate different levels of physical capability, this is the most equitable option, but the need to go from state to state to develop some auxiliary forces makes this alternative more difficult in terms of the legislative process.

After evaluation, Alternative 1 best addresses the guidance of the current JWC. It maximizes the scope and utility of the extant system to meet modern needs. To implement it, the DoD will have to identify the skillsets needed and the billets where fitness standards can be altered, which it has already done to a certain extent. Then the Armed Services Committees of Congress would need to introduce legislation to alter the Selective Service Act, similar to the creation of the HCPDS. Ultimately, this would allow the Selective Service System to call up personnel to address specific crises, whether another pandemic, disaster relief, or a general mobilization for war, and maximize the number of people and the skills they possess for such an event.

Dedicated to the people of Ukraine

Whose heroic efforts in the face of adversity have shown that the ideals of duty, courage, and honor may still be found in the hearts of free peoples

## **Introduction**

Let us speak frankly: the US military expects war with the People's Republic of China to break out within the next five years. This will not be another asymmetrical conflict like what the US has fought in Vietnam, Afghanistan, and Iraq. Even if this conflict were to remain non-nuclear, the PRC has developed technologically, militarily, and industrially to become a peer competitor to the US. Terms like "Great Power Competition" are being thrown around for the first time since the World Wars. The ongoing Russian invasion of Ukraine demonstrates the reality of this threat as Europe is plunged into its largest war in eighty years.

When previously faced with the rise of a hostile peer competitor, the US has implemented conscription efforts even prior to the outbreak of hostilities, such as prior to the Second World War or the first half of the Cold War (Marmion, 1968). The tremendous personnel requirements of a global conflict coupled with the training requirements for a modern military have meant that a lead time was felt necessary to ensure military readiness when war would finally be declared. The US military moved away from the use of conscription in the late 1970s, and the all-volunteer force used since then has proven highly successful in the smaller wars that have ensued since. But with today's threat environment, America must ensure that all its tools are ready for use as a matter of survival.

This work will examine the state of the Selective Service System in the US both past and present. The requirements of Selective Service will be identified, as will the challenges facing the system and the country as a whole. The influence of the advances in society and technology on conscription will be considered, and alternatives to traditional service models will be identified. These alternatives will be evaluated against a set list of criteria to determine their overall efficacy in addressing the needs of the nation, identifying the best way forward for the Department of Defense. Finally, an outline for implementation of reform will be presented for consideration.

## **Problem Statement**

In the event of another major war, the Department of Defense relies upon the provisions of the Selective Service Act to furnish the personnel needed to fight. However, the act governing the draft has not been updated since 1971. The draft was written to fulfill the needs of an industrial war in the pre-digital age. Today, 71% of young Americans are ineligible for the draft, a shortfall of 24 million people unavailable for the sort of traditional military service the founders of Selective Service envisioned. Some method of modernization for the Selective Service Act must be found in order to maintain military readiness in this renewed era of "Great Power" competition.

## **Client Overview**

The J-7 Directorate for Joint Force Development is the department within the training staff of the Chairman of the Joint Chiefs of Staff responsible for advancing operational effectiveness of both the current US Armed Forces and the anticipated future forces of the US military. The directorate oversees six core functions: Doctrine, Education, Concept Development & Experimentation, Training, Exercises, and Lessons Learned (DoD, n.d.). The sub-directorate

within the J-7 most concerned with reforming Selective Service is Future Force Development. These individuals focus on the Joint Concepts core functionality, by identifying and developing the future concepts that address emerging operational challenges and required capabilities (Ibid).

The emerging operational challenges posed by the rise of peer strategic competitors like the PRC have caused the directorate to reexamine the necessity of the Selective Service System. There is no question within US military leadership that a major conflict is likely, especially following the invasion of Ukraine, and so it falls upon the J-7 to determine the required capabilities of the Armed Forces for the anticipated conflict – and soon. By recognizing the limitations of the existing system, the J-7 intends to recommend optimal methods of Selective Service reform through legislative channels in order to provide the US military with the necessary personnel in time for the outbreak of hostilities.

## **Background**

### *Causes and Scale and Scope*

The authority to call up a draft come from Article I, Section 8 of the Constitution. It gives Congress the power to “provide for calling forth the Militia to execute the Laws of the Union”. This authority has been exercised on multiple occasions, including the Civil War and both World Wars, but the Selective Service System as it exists today came into being in 1948 in preparation for a third world war against the Soviet Bloc (Jordan & Flynn, 2002). The Korean War provided a reason for the draft to continue, but even towards the end of the war, changes in American military doctrine of emphasize air power and other machines of war over individual soldiers on the ground caused the draft to be questioned (MacPherson, 2001).

The draft as used in the world wars had included a very limited number of exemptions for full military service, essentially conscientious objectors and a small number of individuals employed in critical fields. This was in response to the system used during the Civil War, which had provoked riots over perceived unfairness (Jordan & Flynn, 2002). Polling conducted following the Korean War showed that two-thirds of draftees supported the system and considered it fair (Gallup, 1972). However, a series of deferments added by both Congress and the President starting in 1955 gradually increased opportunities for individuals to escape the draft, in response to pressure from advocacy groups for each of the deferment categories such as agriculture or other labor fields (Flynn, 2011). This was a deliberate attempt to “channel” young men into making socially desirable life choices in education, occupation, and marital status. Earning a college degree, working in an engineering or medical field, and starting a family were all methods of avoiding the draft (Geva, 2010). However, this led to significant disparities in who was drafted, as young men who were prevented from these pathways by economic disadvantage or institutionalized racism were subsequently overrepresented in the military during this time (Marmion, 1968).

The Vietnam War saw the draft deliberately used to indirectly induce enlistment amongst eligible young men. Expert testimony from Army leadership before Congress stated that for every man drafted, three more enlisted in order to avoid undesirable placement from the draft.



This is borne out by defense recruiting reports showing that between a third and a half of recruits volunteered so that they could guarantee a non-combat posting (Angrist, 1991).

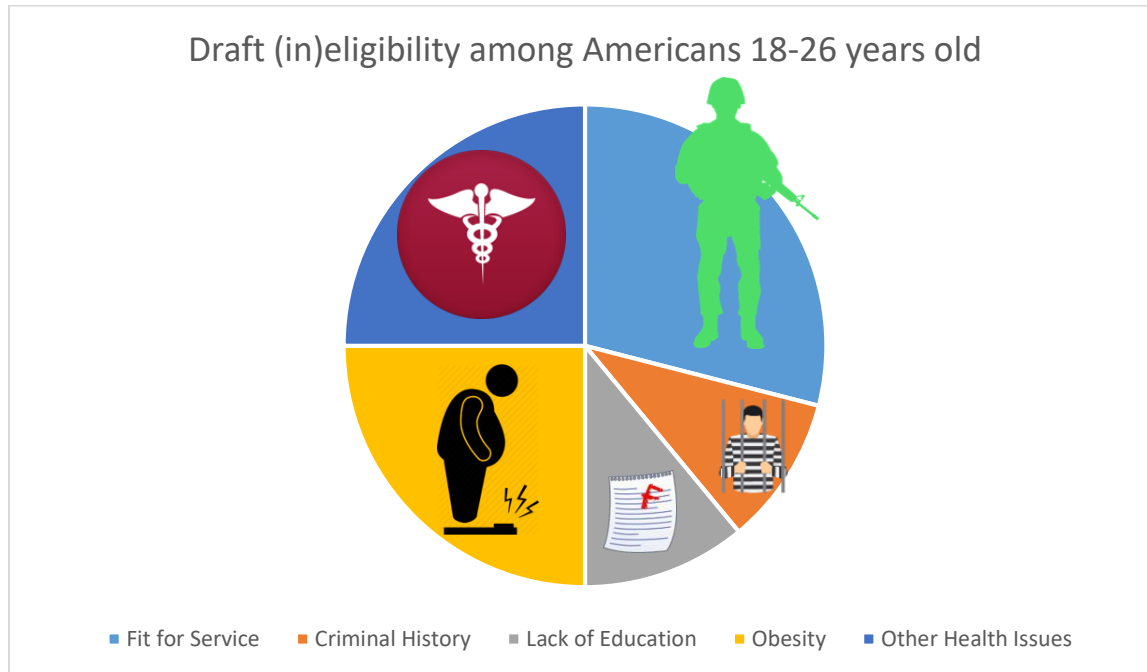
Active conscription came to an end in the US in 1972. Richard Nixon had campaigned partly on the promise of ending the draft; he supported this both out of belief in the superiority of an all-volunteer force and as a way of eroding leftist movements among college students (Ambrose, 1989). Despite a delay in implementing the new system due to ongoing hostilities in Vietnam, the last draft was conducted in December of that year. A reinstatement of the requirement to register for the draft was issued by President Carter in 1980, partly in response to fears of the Cold War turning hot following the Soviet invasion of Afghanistan. The requirement has remained in place since then, despite the end of the Cold War, but was never reimplemented even at the height of the Global War on Terror<sup>1</sup> (GPO, 1980).

The Selective Service System was expanded in 1989 to also cover a national health care crisis. The Health Care Personnel Delivery System (HCPDS) was successfully tested on multiple occasions in the late 90s (Hasbrouck, 2021). The Department of Defense is currently of the opinion that, if a draft of any sort were to be reinstated, it would most likely be for Americans with a particular set of skills rather than the general sort of draft as was seen in the world wars (Rosenberg, 2011). In addition to health care, a need for individuals with language or computer skills was identified as being the most likely categories for a modern-day draft. This has been partially enacted during the COVID pandemic; while a widescale draft of civilians with medical skills was not implemented, many veteran and National Guard medical personnel were recalled to active service during the height of the pandemic, and there have been talks recently of doing so again in response to healthcare workers refusing to get vaccinated (Layne, 2021).

The increasingly unstable geopolitical situation of the last few years has led to critical reevaluations of the operability of the Selective Service System. While some elements of the SSS have been modernized, most have not. For example, the draft lottery by which individuals are randomly chosen still requires that a physical drawing of numbers take place, in the same manner as the Powerball lottery. Numbers corresponding to months and dates are written onto balls and then picked from an air lottery drawing machine or a rotating drum in order to determine which people born in a given year will be called up to service (Lottery, 2021). Even when the Selective Service System is computerized, its systems are not up to the task at hand. Following the flare in tensions between the US and Iran in January of 2020, the official SSS website crashed as young Americans attempted to look up information on the draft (Vera, 2020).

Technical issues on the end of the government aside, there are also questions about the ability of the American public to supply sufficient numbers for the draft. Of 34 million young Americans between the ages of 17 and 24 (including both men and women), less than ten million meet the qualification standards of military service. The biggest reasons for this gap are lack of education, criminal history, and health concerns (Spoehr, 2018). Within this age group, approximately 25% lack a high school education or equivalent (Jordan, 2014), 10% have a disqualifying criminal history (Powers, 2019), and over 50% have a disqualifying health condition such as obesity (Stilwell, 2015), eyesight deficiencies, or mental health issues (Christeson et al., 2009). Of that remaining 10 million, only the male members would currently be eligible for the draft, meaning just 5 million Americans out of a population of 330 million would be called upon to serve in a

major conflict under existing legislation. Many young Americans who would otherwise volunteer to serve are turned away due to existing military requirements; for example, fifteen thousand applicants are turned away each year for not meeting body composition requirements (Ibid).



With a major war becoming more likely, the need for a way to expand our military quickly is a top national security priority. But the current system for doing so, wherein numbers are pulled out of a bucket for young men to learn to be footslogging infantry, is clearly a dated construct and was questioned as far back as the Eisenhower administration. Nowadays, technology allows war to be conducted via drone strike or hacker's computer; traditional conceptions of military service place unnecessary restrictions on who can accomplish necessary tasking across the modern battlespace. Future mobilization efforts must be made with technological and societal advancements in mind to accomplish the missions of today.

### *Consequences*

#### *-Lack of qualified recruits*

As discussed previously, over 70% of potential draftees are ineligible for military service. Many of these individuals still have a desire to serve their country, and while they may be disqualified from frontline service, a digital-age military still has plenty of places for them to go.

Testimony from military officials in recent years has shown that a lack of qualified recruits is one of the largest threats to the military's ability to support warfighting operations (Christeson et al., 2009). The 24 million young Americans who are currently ineligible for traditional military service represent a huge loss of available manpower to the nation. Even if the military were to

continue to exclude individuals with a criminal history, the available pool of potential recruits would triple if some method of service could be found for the remainder (Spoehr, 2018).

The cost of this consequence can be found in multiple places. The increase in enlistment and retention bonuses being paid out since the start of the Global War on Terror is one. Another would be the rate of “Failure to Adapt” cases, wherein new military personnel who have discipline problems related to an inability to meet military standards after enlisting are separated from the military. The cost of their wasted training could be factored in. Finally, costs of maintenance and workload creep due to undermanning should be considered. This has been particularly pertinent for the Navy following the 2017 destroyer collisions (Faturechi et al., 2019).

#### *-Out-of-sync skillsets*

The Selective Service System as it is set up now is intended to provide a general draft of low-skilled individuals for the Army to turn into regular infantry. Even in the 1950s this was a dubious prospect for the Department of Defense; today, it is the individuals with advanced skill sets who are most needed by the military (Rosenberg, 2011). The increasing importance of medical, linguistic, and especially computer skills to a modern fighting force cannot be understated. COVID has shown the need for a robust medical sector, while information gathering and cyberwarfare require skills that the average recruit would not have and could not develop within a reasonable time frame.

Costs of this consequence can be calculated from the training budgets of the Defense Language Institute and the various cyberwarfare and signals intelligence programs across the military. They can also be estimated by comparing the efficacy of Direct Accession programs for other fields like the supply corps and HR positions, to see the comparable impact inducting people who already have a given skillset has financially over training them from the ground up.

#### *-Inequitable selection for draft*

While the specifics of inequitable distribution will be explored below, the consequences of a draft which impacts disadvantaged groups more severely have been demonstrated historically. The relative popularity of a system which has few exemptions and does not discriminate compared to the protests against the draft that went on during the Vietnam era amply demonstrate the policy problems associated with a general draft (Marmion, 1968) (Geva, 2010).

Costs here could be determined by comparing the rate of draft dodging, the time and expense spent prosecuting cases of draft dodging, and the loss of personnel to the military’s accessions pipeline.

#### *Equity Implications*

Under the “channeling” system used during the Vietnam War era, the US government deliberately carved out deferments from the draft system in order to encourage young men to pursue socially acceptable paths in life. This had the effect of increasing the burden of the draft

onto disadvantaged youth from impoverished communities and certain minority groups, most notably African-Americans (Marmion, 1968). Some reforms to this system have been made since then, such as limiting the college deferment, making draft boards demographically representative of the local area, and using a lottery system rather than strictly going off of age order (SSS, 2008).

While these changes were popular and decreased resistance to the draft in its final years, there still are significant equity issues. First and most obviously is that the draft remains male-only<sup>1</sup> despite the fact that women are no longer excluded from combat roles, which was the rationale given for upholding the constitutionality of the draft in 1981. The Supreme Court had been preparing to address the issue but ultimately declined to hear the case, as Congress introduced legislation this past year to remove the gender requirement from the Selective Service Act (Turner, 2021). While this specific legislation was later removed, the issue will likely be addressed one way or another in the next year (Lanum, 2022). Regardless, though, the federal courts have ruled in the last few years that this gender division in the SSS is unconstitutional as it stands.

Another significant issue is the so-called “poverty draft”. Just as the bulk of draftees during the Vietnam era were from disadvantaged communities, today many military recruits in the all-volunteer force join due to financial pressures, especially for college tuition. This has the effect of making certain groups disproportionately represented amongst the military, most notably those of Southeast Asian backgrounds. The government takes advantage of this, which is why registering for the draft is a requirement for federal financial aid programs as well as some state benefits.

Finally, due to the overwhelming number of disqualified individuals within the draft age bracket today, any draft would disproportionately affect the shrinking pool of healthy and fit individuals. Furthermore, during the Vietnam era many affluent families were able to secure medical deferments for their children via family doctors. It is likely that this practice would resume if a new draft were reinstated, especially given the increased access to disqualifying anti-depressants for mental health diagnoses.

Reforming the Selective Service System would therefore need to take into account issues of race, gender, affluence, and medical status, in order to provide the equitable system which has historically determined the level of support received from the public.

## **Potential Solutions**

The United States government has recognized the need for reforming Selective Service. However, most strategies currently rely on outdated Cold War models wherein unskilled but physically fit youth are recruited for use as footslogging infantry. This model fails to take into account demographic, technological, and doctrinal shifts that have taken place in the last 50 years. A new model for Selective Service is needed, whether through alternatives to traditional military service, technological solutions to cover for manning shortfalls, or new sources of

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<sup>1</sup> Because the Selective Service System tracks birth gender only, this includes transwomen and excludes transmen.

personnel. Potential strategies can be found across the world among both friendly and adversary nations.

### *Technological Means*

One attempt to address the manning shortfall was the “Optimal Manning” construct of SECDEF Donald Rumsfeld. In the early 2000s, Rumsfeld was brought in from the business world to run the Department of Defense, and one of his corporate reforms was “Capital for Labor” substitutions. In order to reduce the manning requirements, more automation would be used aboard US warships (Faturechi et al., 2019). This strategy failed to take into account operational realities aboard US warships, however, as this resulted in a lack of watchstanders for extended operations and the inability to conduct maintenance aboard the Navy’s own ships by its sailors. This culminated with the collision of the USS JOHN S MCCAIN in 2017, and subsequent efforts by the Navy have sought to reintroduce manual backups and increase the number of sailors aboard manned warships (Chang et al., 2019).

### *Auxiliary Forces*

The Selective Service System in the US falls within what the DoD classifies as “the third tier of national defense”, with the active-duty forces as the first tier and reserve components to include the National Guard as the second (Benton, 2020). Historically, other agencies at this tier include the Civil Air Patrol, the Military Auxiliary Radio System, and the defunct Ground Observer Corps. All these auxiliary institutions were created as a part of the US Civil Defense Policy during the early Cold War for strategic nuclear deterrence (Civil Defense, 1950). The intention was that these institutions would together create a cadre of skilled civilians who could support military operations, provide disaster relief efforts in the wake of wartime devastation, and form the backbone of guerilla warfare efforts should enemy forces occupy the US (Benton, 2020).

This strategy was revitalized last year by Special Operations Command – Europe (SOCEUR) as the Resistance Operating Concept (ROC), also known as Total Defense (Fiala, 2020). The intention was to sponsor the creation of auxiliary forces in small allied nations near the borders of adversaries who were likely to bear the brunt of initial aggression. By creating civilian auxiliary groups within nations such as South Korea and NATO members in Central Europe, the cadre for future asymmetric actions would be established outside of the regular military chain, allowing for partial mobilization without the bureaucratic or legal burdens of the regular military (Ibid). The successes of volunteer militias on both sides of the Ukrainian conflict (Pancevski, 2014), especially the controversial Azov Battalion, is evidence for the utility of partisans to combat potential irredentist military actions by Russia or the PRC (Lazaredes, 2015).

Other nations, particularly potential adversaries, already make heavy use of auxiliary forces. Modern mercenary forces are often employed as deniable or expendable assets. The Wagner Group, a Russia-backed Private Military Contractor (PMC), has made the news often in recent years for its efforts in supporting Russian national security interests in the Ukraine, Syria, and Libya (Cavanagh, 2018). Captured documents revealed that Wagner deliberately seeks out individuals who would be considered unfit for regular military service due to criminal backgrounds, offering a potential model for including similarly disadvantaged Americans into

alternative military service (Ibrahim & Barabanov, 2021). However, the highly negative impact this would likely have on public perception would make this prospect difficult to achieve (Powers, 2019).

The PRC has a significant auxiliary force in the form of the Maritime Militia. Ostensibly a fishing fleet, this force consists of 16,966 civilian vessels who ostensibly conduct fishing on behalf of China's enormous population (Gutierrez & Jobbins, 2020). Even these efforts are suspicious; the fleet has been accused in recent years of illegal fishing, and has been involved in clashes over fishing rights from the Philippines to Ecuador (Goodman, 2021). But their activities cover up a more martial purpose. In exchange for fuel subsidies and other perks, these vessels challenge maritime claims, engage in reconnaissance of foreign warships, and receive training to allow them to conduct minelaying operations (Luo & Panter, 2021).

### *Ending Gender Restrictions*

With the removal of the ban on women serving in combat roles in 2013, the possibility of requiring women as well as men to register for the draft has been raised again in the US (Pager, 2019). There is currently legislation before Congress to amend the Selective Service Act accordingly (Turner, 2021). The immediate effect of this action would be to effectively double the pool of potential recruits for the military, allowing for greater selectivity among draftees as well as establishing a more equitable policy, a vital factor in ensuring popular support for the draft (Jordan & Flynn, 2002).

The effects of this action can be predicted through the example of other militaries which draft women. Currently there are eight nations which actively draft both men and women; of those, three are comparable to the US in social and technological terms: Israel, Norway, and Sweden (Persson & Sundevall, 2019).

Israel is unique amongst these nations in that it has drafted women since its founding in 1949. While women initially served in combat arms branches, they were removed to support roles following the end of the Arab-Israeli War due to concerns that they were at significantly greater risk of sexual abuse should they be captured (MFA, 1997), women performed in combat actions throughout the successive wars in the 60s and 70s, and the end to this segregation was made law in 2000. The conscription of Israeli women has been rooted in the population disparity between Israel and its hostile neighbors (Ibid). It is estimated that without female conscripts, the duration of men's service would need to be extended by 50% or more in order to maintain sufficient military strength (Strategy Page, 2015). However, recent peace agreements in the Middle East and a growing number of draft dodgers in Israel has caused the IDF to consider shifting to an all-volunteer force in the model of the US (Ibid).

Norway became the first European nation and the first member of NATO to extend conscription to women in 2013. The primary reason stated for doing so was to establish gender equality between the sexes, but lawmakers also cited the need to ensure top-quality recruits were selected (Reuters, 2013). Norway only drafts roughly one in six individuals from a given age group, making selections on the basis of physical fitness, useful skillsets, and personal motivation (DW,

2013). By drafting women too, the number of qualified recruits with these desirable skillsets went up, ensuring higher quality military personnel.

Activists in Sweden had been calling for extending the draft to women since 1965, but it was not until 2018 that gender-neutral conscription was enacted (Persson & Sundevall, 2019). Women had served in the military previously, but as volunteers only; Swedish law explicitly differentiated between female service as an equal right and male conscription as a social obligation (Ibid). The arguments for conscripting women changed periodically too. In the 1960s, it was argued as necessary so that men could be freed from support roles to combat roles. In the 90s and early 2000s, female soldiers were requested so that they could interact with local women in cultures with stronger gendered norms. Finally, conscription for women was authorized due to a combination of personnel shortages caused by declining birth rates and a desire to put gender equality rhetoric into practice (Ibid).

Across all three militaries, the primary impetus for conscripting women was to make up for manning shortfalls. However, the fact that Israel, who has had the longest experience with and the most pressing need for female conscription, is considering shifting to an all-volunteer model suggests that this strategy alone is insufficient. The Norwegian model, in which female conscription permitted for more selectivity among applicants, appears to have the most relevance to modern needs, as conscripts are bringing technical skills needed by a digital-age military which serve as a force multiplier.

### *Cyber Auxiliaries*

Both Russia and the PRC employ significant numbers of civilians in cyber activities, in excess of two million by some estimates (King et al., 2017). Russian cyber auxiliaries have been blamed for significant cyber attacks against the US and allies, including the Colonial pipeline shutdown this year (Nakashima & Timberg, 2020). Communist China, meanwhile, pays civilians for posting nationalist content online and engaging in other disruptive activities against their enemies. This has led to this organization being named the “50c Party” after the microtransactions received for every post made<sup>2</sup> (King et al., 2017). In this way, the PRC has financially incentivized nationalist actions in a weaponization of the 21st century’s gig economy.

### *Skillset Conscription*

The Selective Service System was expanded in 1989 to also cover a national health care crisis. The Health Care Personnel Delivery System (HCPDS) was successfully tested on multiple occasions in the late 90s (Hasbrouck, 2021). The Department of Defense is currently of the opinion that, if a draft of any sort were to be reinstated, it would most likely be for Americans with a particular set of skills rather than the general sort of draft as was seen in the world wars (Rosenberg, 2011). In addition to health care, a need for individuals with linguistic or computer skills was identified as being the most likely categories for a modern-day draft. This has been partially enacted during the COVID pandemic; while a widescale draft of civilians with medical skills was not implemented, many veteran and National Guard medical personnel were recalled

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<sup>2</sup> About \$0.08

to active service during the height of the pandemic, and there have been talks recently of doing so again in response to healthcare workers refusing to get vaccinated (Layne, 2021).

## **Analysis**

Many nations have experimented with solutions beyond traditional forms of military conscription. Some have attempted technological solutions by leveraging the possibilities of the digital age. But while some functions can be outsourced, the failure of the Optimal Manning construct shows the need for skilled personnel remains (Chang et al., 2019).

The success of the Norwegian military's conscription expansion efforts show how these skillsets can be made available to the military through selectivity within a widened pool of recruits, while increasing equity within the conscription system raises public support for the program. Specifically drafting people with needed skillsets has been done in the US, notably within the health care field, and offers a model for future efforts. This model is especially important when considering the fact that nations with longstanding conscription efforts have been moving away from the practice in recent years, such as Germany, Taiwan, and Israel. The Norwegian reforms highlight the importance of selecting for quality over quantity in the digital age.

Promoting militarily-useful skillsets within a populace has also been proven effective even when done outside of the active-duty armed forces, whether historically within the US or in modern-day Eastern Europe. Civilian auxiliaries from hackers to fishermen are demonstrating that non-military forces can augment national security efforts. Even the traditional model of Selective Service wherein high school graduates with no other skills were preferred draftees was augmented by specialists in the Civil Air Patrol and the Military Auxiliary Radio Service, as discussed previously, to take advantage of then-new fields of technology (Benton, 2020). Creating auxiliary forces as force multipliers is a proven strategy past and present.

## **Alternatives and Criteria**

Three separate alternatives to the existing Selective Service System are proposed. The first would be to update how the system categorizes individuals so that potential recruits with valuable technical and professional skills could be quickly identified, while recruits who fail to meet the standards required for front-line combat would be accepted for those other billets within a modern military which require different standards. The second alternative would be for the traditional enlistment contract of several years of service to be replaced with a flexible task-oriented service requirement, utilizing gig-economy labor practices to permit individuals to work through military service on a job-by-job basis. The third alternative would be to build up auxiliary forces which employ civilians in vital support roles for the regular military, allowing for resiliency in the face of war or catastrophe.

In order to determine the optimal alternative for Selective Service reform, each will be considered through the lens of four criteria. The first is the economic cost of the alternatives. Military spending already takes up over half of the federal government's discretionary spending, and over 16% of the overall federal budget. Can the option be implemented within the DoD's



existing warfighting doctrine, or will it require additional expenditures? Is there an opportunity cost to selecting for this option that precludes an existing capability of the SSS?

Second is how well each alternative maintains military effectiveness. The entire purpose of the Selective Service System is to allow for the US military to retain sufficient personnel to remain combat-effective in another world war. Accordingly, the metric of military effectiveness must be considered for all alternatives. Determining military effectiveness is a matter of asking whether a given alternative meets the intent of the Selective Service System and provides an effective service to the US military. This could be in the form of improving the DoD's all-domain warfighting capabilities in accordance with the 2022 National Defense Strategy, providing potential Integrated Deterrence capacity, or addressing current force development guidance promulgated in the Joint Warfighting Concept<sup>3</sup>.

The third criterion is the measure of equity for the pool of potential recruits. The general public's support for the World War II-era draft, which explicitly eliminated most exemptions from service (Marmion, 1968), contrasted against the "channeling" system of the Vietnam-era draft which provoked widespread protests amply demonstrated the American public's preference for equal-opportunity conscription (Geva, 2010). The introduction of the Selective Service System in 1971 addressed these issues and had resulted in a significant decrease in opposition to the draft at that time. For the current set of proposed alternatives, all stress an increase in selectivity for general military service and offer less strenuous opportunities to serve to individuals. These factors have the potential to increase inequity of mandatory military service requirements, even if not intended to do so – the "poverty draft" allegations against the all-volunteer force are an example of precisely those unintended consequences (Ibid). An inequitable draft could create vulnerabilities for our adversaries to exploit through information warfare with the goal of fomenting civil unrest in the US and potentially creating conditions for the further growth of extremist movements within and without the ranks of the US military. By contrast, an equitable system would address the Joint Warfighting Concept guidance to "ensure that all who meet the requirements to serve are able to serve" (Hitchens, 2021).

Of note regarding gender equity: There is an ongoing discussion regarding removing the male-only gender restriction for the Selective Service System. The federal court system has indicated that, without the exclusion of women from combat roles which previously justified the gender difference, the current system is likely unconstitutional. However, the Supreme Court has indicated its intention to wait for a legislative solution to this issue (Turner, 2021). The most recent attempt to end the gender restriction has failed to pass Congress, but there are other pending Supreme Court cases which will address the issue as well (Lanum, 2022). Regardless of whether the gender restriction is ended by Congress or the Supreme Court, it is the opinion of the author that this is both necessary and unavoidable in the near future; as such, all alternatives will be evaluated without regard to gender.

Fourth and final is the feasibility of implementation, both through Congress and the Department of Defense. Considerations include will the option require new legislation or policy changes, will the alternative pose geographical limitations, and will the option conflict or compete with

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<sup>3</sup> The current Joint Warfighting Concept document is classified and will not be quoted directly in this paper. All information regarding the JWC presented here is open-source.

extant force development programs. The partisan nature of US politics at the moment means that it is difficult to pass any legislation at this time, although framing the implementation in terms of countering the PRC threat may be the key to bipartisanship. Currently the majority of changes to the Selective Service System have come from executive orders (Jordan & Flynn, 2002), but a reform of this magnitude would almost certainly have to be passed by Congress to avoid being overturned by judicial review due to the authority to “raise armies” explicitly granted to Congress in the Constitution. Having a solid implementation plan that addresses legislative hurdles would be key to this project being successfully implemented instead of being discarded in committee, and this is something the client is aware of. The potential for resistance from within the military has already been touched upon under the “Military Effectiveness” criterion; specifically, it may be difficult to convince members of the military to compromise on physical fitness standards even for non-combat roles or for them to be willing to outsource certain military tasks to personnel with an uncertain role within the chain of command. These concerns would also be echoed in Congress, along with ideological opposition from those who oppose the idea of any sort of military conscription.

### **Alternative 1: Update Selective Service Categorization**

The Selective Service System classifies men into 28 separate categories for consideration for the draft (DoD, 2021). However, these classifications overwhelmingly have to do with the occupation of the individual. All medically disqualified individuals are lumped in to the same category *4-F*, whether the disqualification is due to flat feet or quadriplegia. With the opportunities afforded by the digital age, physical fitness is often a poor measure of ability within certain military fields. The ability to march for hours on end with a heavy pack is not necessary for piloting a drone, operating or configuring cyber defenses, or routing administrative paperwork, all vital tasks for a modern nation’s military force. Creating categories of limited eligibility would funnel these potential personnel into billets where they could free up those qualified for general military service to fill other, more physically demanding roles.

Another layer of categorization to consider is job skills. Tracking job qualifications for militarily useful skills such as computer programming, truck driving, heavy construction, or a multitude of other needed roles would not only allow for recruits of higher quality to be identified during conscription, such as how Norway’s military operates, but would also allow for specialized drafts of personnel with particular vital skills, such as the program for medical personnel, to be implemented in times of need, whether cyber defense or supply chain issues. The Department of Defense is currently of the opinion that, if a draft of any sort were to be reinstated, it would most likely be for Americans with a particular set of skills rather than the general sort of draft as was seen in the world wars (Rosenberg, 2011). In addition to health care, a need for individuals with linguistic or computer skills was identified as being the most likely categories for a modern-day draft.

This alternative would be implemented as two modifications to the extant Selective Service System. First would be the need to determine physical requirements for different jobs within the military, instead of having a single standard under the old intention that all conscripts would be considered for front-line service first. These alternative standards would and should be concentrated on rear-echelon functions such as supply, administrative, IT, and other support

roles identified as “non-Maneuver Joint Functions” (JP 3-0, 2018). Once identified, categorization for these varying levels of fitness would need to be added to the existing system, so that when the physical examination portion of the intake is conducted, recruits’ fitness levels are paired against billet standards and the jobs they could be assigned to would be identified. This would be implemented in similar fashion to the Armed Services Vocational Aptitude Battery (ASVAB), a test designed to determine cognitive ability in recruits (ASVAB, 2020). A recent example of this is the Space Force’s decision to forego a formal fitness test for its members in favor of continuous health and welfare evaluation. Recognizing that their warfighting domain requires little combat fitness, the Space Force is looking to adopt this system as more appropriate to what its troops will be asked to do (Cohen, 2022). The other branches could use this model in support of this alternative for those servicemembers who hold similar billets.

The second portion would be to identify valuable skillsets within the population. This would be an expansion of the system used for the Health Care Personnel Delivery System (HCPDS), wherein the Selective Service System works with medical licensing agencies to compile a list of medically qualified individuals around the country. By cross-referencing that list against its own records, Selective Service is able to call medical professionals to service. Similar systems would be established with other licensing agencies in the country which handle occupations relevant to the military. Skillsets of military use which do not require formal licensing to practice would instead be screened for as part of the intake process. Some are already included in the existing system, such as foreign language and computer programming skills; this would simply add to a comprehensive database. Subcategories have already been added to the Selective Service’s classification system for medical expertise<sup>4</sup>; similar subcategories would be added to an individual’s record to indicate similar specialties (DoD, 2021).

### *Cost*

The Selective Service System currently operates under a budget of \$27.1M per year. Of this budget, the majority (\$16.6M) is allocated towards its traditional mission of providing timely manpower to the Department of Defense, including both trained and untrained personnel. This figure includes all registration and classification operations, and the HCPDS falls within this allocation (SSS, 2021). Another \$2.8M is earmarked specifically for alternative service for conscientious objectors, supporting an alternative service employer network structure and providing a mechanism for adapting to future alternative service models (Ibid). Accordingly, a good rough estimation of the cost of adapting this alternative would be \$3M, considering the additional categories to be created and the ability to adapt the existing frameworks for alternative and specialized services extant within the system. This reflects the expectation that personnel with desired skill sets would be drafted first and under circumstances besides that of a total war, while individuals who only meet alternative service fitness requirements as discussed above would only be drafted as part of a general mobilization, and therefore the portion of the system needed to accommodate them would only exist as a framework under a peacetime budget. This cost represents only a slight increase to peacetime military expenditures and requires little

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<sup>4</sup> Simply by appending the letter “M” to the end of the preexisting category; e.g. a conscientious objector with medical training would be classified as “1-OM”

change to current doctrine, without decreasing the availability of currently qualified recruits for conscription, and thus represents a significant improvement to the system.

### *Military Effectiveness*

The intention to refocus the draft to individuals with specialized skillsets over a more general conscription model was first stated in 2003 by the Selective Service System (Lalich, 2004). The increasing pace of technological sophistication has only further increased the need for specialized skillsets in the military. This alternative would therefore directly address a stated need for the US military and could be expected to add to their effectiveness.

A general mobilization which established categories of service for individuals who do not meet traditional requirements would be of more mixed value. Their inclusion would free up more physically fit individuals for frontline service, but may result in additional burdens for support units both logistically and administratively. However, in the event that a general mobilization was needed, the ability to field more frontline fighters would likely prove a qualitative advantage that could not be ignored. Furthermore, this would allow individuals who possess needed skillsets but who do not quite meet fitness requirements to be recruited, addressing the all-domain warfighting goals of the DoD. Overall, both parts of this alternative would lead to an increase in military effectiveness in both limited and total war scenarios.

### *Equity*

The current draft system was welcomed by the general public as it did away with the “channeling” policies used in the 1960s, which deliberately singled out unskilled and disadvantaged communities within the US for military conscription (Marmion, 1968). A draft which went in the opposite direction and particularly focused on skilled recruits would likely affect individuals from more privileged backgrounds, but could also provoke a backlash from the general public who have historically supported general conscription over narrower drafts (Flynn, 2011). This alternative could also unfairly target professionals with working-class backgrounds who have already struggled to afford educational or certification programs. This could be offset by the extant educational benefits of the Post-9/11 GI Bill, which include the opportunity to retroactively pay for educational loans (Geva, 2010).

Opening up selective service to individuals who do not meet current military requirements would potentially result in a more equitable system. It is conceivable that privileged individuals could receive medical exemptions or similar documentation which would ensure their posting to a non-combat role, such as a diagnosis of bone spurs or the prescription of certain medications. However, this would still be an improvement over the current system, wherein individuals with these conditions are completely ineligible for any sort of military service, as was seen during the Vietnam War era (Marmion, 1968). While not a perfect solution, this would still be a step towards a *more* equitable system. Accordingly, this alternative would lead to a net improvement towards equity.

### *Feasibility of Implementation*

The fact that a limited form of this alternative has already been implemented in the form of the HCPDS indicates that the first part of this alternative is eminently feasible. Expanding the skillset draft to include other professions is in keeping with the Department of Defense and the Selective Service System's stated goals (Rosenberg, 2011), and therefore would receive strong support from the Executive branch. Getting this legislation through Congress would likely be difficult only in the details of which professions to include, but that some sort of expansion could be passed is highly likely.

Getting all parties to agree to accepting individuals who do not meet current standards for support billets would be somewhat more difficult. While Congress would likely support a system which increases the potential recruiting pool if framed as a measure of military preparedness and increased equity, it is unlikely the Department of Defense would be willing to make more than token adjustments. Some exemptions already exist within the military. Special Operations Forces (SOF) units have more strenuous fitness requirements than regular servicemembers, individuals with colorblindness are usually barred from frontline service but are allowed to serve in most support billets, and waivers for many requirements were frequently granted during the height of the war in Iraq (Loyn, 2021). Similarly, it is likely that the DoD could accept this portion of the alternative if it was specifically legislated as a total-war mobilization measure only.

Overall, this would require only minor policy changes, in how the military judged physical fitness of recruits, and of changes to classification of recruits in line with what has already been done with the HCPDS. This alternative therefore represents a net gain, if only somewhat.

### **Alternative 2: Offer Flexible Military Labor Contracts**

Even the modern US military is structured in many ways like a company from 1950s America. It is possible and even encouraged to spend one's entire working life within the military, with a generous retirement package on the way out. Some minor concessions to the modern American economy have been made in recent years. The Post-9/11 GI Bill greatly expanded the post-secondary educational benefits offered to servicemembers, addressing the skyrocketing price of college education (VA, 2021). It is estimated that 70% of enlistments in the US military today are motivated at least in part by the tuition benefits offered to servicemembers, and the Congressional Budget Office estimated that these benefits increased enlistment rates by 16% across the armed forces (Clark, 2008). Additionally, military retirement benefits were reformed in 2018 in part to allow military members to transfer accumulated benefits between the military and civilian employers' retirement benefits plans (DoD, 2017).

This alternative would take these efforts a step further. The rise of the gig-economy model offers opportunities for similar programs within the US military. Rather than serve as a member on active duty for a set number of years, Americans interested in serving could take on temporary contracts or assignments from the US military, such as transporting material, piloting unmanned systems, or performing administrative work, to name a few potential tasks. Accumulated service could count towards a set Selective Service requirement in the same way

that collegiate credit-hours count towards a degree; alternately, continued service in this manner could unlock benefits such as hiring preference points, tax credits, or tuition assistance.

### *Cost*

Cost for these freelancer contracts would be difficult to estimate, but would depend on the exact form this alternative takes. If intended to replace Selective Service, then rather than pay for services rendered, individuals could be required to complete a minimum service requirement wherein more difficult or time-consuming tasks earn greater progress toward meeting the requirement. Benefits from the Post-9/11 GI bill could be unlocked by progression towards the service requirement, incurring some costs to the program but less than what feeding, housing, and paying full-time personnel would require. Considering that a third of the US military budget goes towards personnel costs, this would still represent a significant savings.

A cost unique to this alternative would be the potential legal liability for damages unlawfully incurred by personnel conducting freelance work, who would not be covered by the laws governing uniformed service members. Historically, the example has been to require personnel picking up contracts involving military operations to post a bond to be used in the event of legal issues (Bump, 2022).

Furthermore, this alternative would require the creation of a DoD agency responsible for managing the freelance assignments and verifying the users of the system – which, if intended to replace Selective Service, would number thirty-six million young Americans. The cost of this can be estimated by comparing the numbers to Uber, itself a large, private-sector gig employer. Uber had 37 million users in 2016; in that same year, its required funding was \$9.1B (Iqbal, 2022). If the number of personnel is reduced to the average number of draftees during the Vietnam War, approximately 220,000 per year (Dunnigan, 1999), then the expected annual cost falls to \$541M. This of course is weighed against the savings mentioned previously, but is still not a small amount.

Finally, by replacing Selective Service with this system, the government loses the ability to directly compel citizens into uniformed service, costing it the ability to field frontline fighters or direct people to take less-desired assignments.

### *Military Effectiveness*

The ongoing conflict in Ukraine has shown how effective private citizens contributing towards the war-effort in nontraditional ways can be. Teenagers are using WhatsApp to call in the locations of Russian combatants, tech professionals are hacking Russian IT networks to disrupt logistics and identify high-value targets, and private business owners are manufacturing improvised weapons and defenses. Streamlining this process under this alternative would directly address the desires of the DoD to improve its all-domain warfighting capacity, while improving the ability of citizens to contribute to the common defense is in keeping with the Total Defense strategy of integrated deterrence (Fiala, 2020). The Russian conscription model, by contrast, has seen badly trained recruits thrown into combat, with disastrous results for their military campaign.

On the other hand, the Ukrainian government has also been requiring its military-aged males to stay and fight the enemy. Young men and women have been given brief military training and sent to man defensive lines within days. 21<sup>st</sup> century technology has not replaced the need for bodies on the ground to hold territory. Accordingly, this alternative, while offering multi-domain expansion opportunities to leverage modern technology and provide needed auxiliary support, could hinder regular military forces from traditional military needs. Though it does not preclude the US's current all-volunteer force from continuing in its current model, adopting this alternative would offer only modest all-domain capability while potentially weakening a primary domain.

### *Equity*

This alternative would require US citizens to contribute in whatever ways they can. This has the potential to increase equity, as it would permit many otherwise unqualified individuals to contribute their services to the nation, while eliminating traditional means of avoiding service, and allowing persons who contribute their talents in this way to avoid being sent to combat zones against their will. This would be in keeping with the JWC guidance to ensure that all individuals are able to serve through establishing alternative requirements for service.

The flip side of this argument is that access to technology would itself serve as a new barrier to entry. People who could afford education in vital non-combat skillsets, who had better access to information systems and could therefore claim easier jobs early, or who simply had social networks which could afford them preferential treatment in assignments would counter whatever gains in equity were made. Not everyone has a laptop or a smartphone with which to check postings, and this alternative, while eliminating many previous barriers to entry, has the potential for new economic inequities. This could potentially be a vulnerability for adversaries to exploit by highlighting an apparently lack of opportunity caused by economic privilege, and thus has the potential to create more problems than it immediately solves.

### *Feasibility of Implementation*

This alternative would probably be the most difficult to implement of the three, as it would require completely overhauling the Selective Service System and establishing an agency responsible for managing these contracts, handling requests from the different services and validating the activities of individuals signed up for this program, as mentioned above. Convincing the DoD and Congress to shift to this new and untested system would be quite difficult. This option would require extensive legislative and administrative changes making this the most difficult of the three alternatives to accomplish.

From a legal perspective, however, Article 1, Section 8 of the Constitution already authorizes Congress to issue letters of marque and reprisal. Combined with existing legislation regarding private contractors hired out to the military, this could be the legal justification needed to allow Congress to adopt a system of freelance contracts for military services (Bump, 2022). Overall, though, a reluctance to adopt a completely new model for compulsory military service when the

largest war in Europe since 1945 is currently ongoing can be anticipated, making this alternative politically unfeasible.

### **Alternative 3: Create Modern Auxiliary Forces**

The effectiveness of auxiliary forces historical and modern has been recognized in Europe and Asia. We are seeing this now with the enormous successes civilian militias are having against the Russian military in the ongoing conflict in Ukraine. This strategy was heavily promoted in recent years by Special Operations Command – Europe (SOCEUR) as the Resistance Operating Concept (ROC), also known as Total Defense (Fiala, 2020). The intention was to sponsor the creation of auxiliary forces in small allied nations near the borders of adversaries who were likely to bear the brunt of initial aggression. By creating civilian auxiliary groups within friendly nations near potential adversaries such as Russia and the PRC, the cadre for future asymmetric actions would be established outside of the regular military chain, allowing for partial mobilization without the bureaucratic or legal burdens of the regular military (Ibid). The successes of volunteer militias within the Ukrainian conflict is evidence for the utility of partisans to combat irredentist military actions by Russia, or potentially the PRC (Lazaredes, 2015).

Currently, the Department of Defense lists four active auxiliary forces in the US: the Civil Air Patrol, the Coast Guard Auxiliary, the Military Auxiliary Radio System, and State Defense Forces (Scott, 2018). Establishing further auxiliary forces, especially for cyber operations like those that have been formed in Russia and the PRC, would enhance US capabilities in an emerging domain in which the US does not hold a significant competitive advantage and which does not hold the same physical eligibility requirements as traditional military service. The US Marine Corps has already begun recruiting for its own cyber auxiliary force (Harkins, 2019).

This alternative proposes to increase funding to auxiliary forces around the US, increasing personnel levels to those of the Cold War as an alternative to drafting individuals into the regular armed forces. Extending some of the benefits of the Post-9/11 GI bill to members of auxiliary forces would drive up recruitment without needing to directly pay most members of these auxiliary forces, resulting in savings compared to active and reserve military members (Clark, 2008).

#### *Cost*

Of these organizations, all operate on a volunteer basis, and few operate with any cost to the taxpayer (AFMARS, 2022). For example, the Military Auxiliary Radio System requires that all members provide their own equipment, while the majority of State Defense Force servicemembers are unpaid, excepting times of active service (Carafano & Zuckerman, 2010). While some expenses are paid by state or national governments, the value of the work done is often greatly in excess of these expenses. It is estimated that the Georgia State Guard, an organization of 800 individuals, saves their state \$1.5M per year (Ibid). The Civil Air Patrol, a national organization, has an annual budget of \$56.2M for 59,268 individuals, yet the value of its mission set is estimated by the federal government at \$193.7M (CAP, 2021). As this alternative



would simply be an expansion of existing programs, this would require no change to the DoD's existing doctrine.

There are currently some 98,000 members of the various US auxiliary forces, including 14,000 in the state defense forces. During the Second World War, there were about 150,000 members of the state defense forces alone (Carafano & Zuckerman, 2010). A similar expansion in a new war would naturally result in an increase in the necessary operational budget, although as shown the savings over paid National Guard troops would be significant, allowing for a cost-effective strategy to bolster American fighting capacity. If we expanded the current budgets to cover wartime levels of manning, we would expect to see a budget of approximately \$204M. All together, this would require a slightly larger peacetime budget than alternative 1, but would result in greater savings in a wartime scenario.

### *Military Effectiveness*

Auxiliary forces have a complementary skill set to regular military forces in many ways. Most are set up for search and rescue or disaster relief efforts (CAP, 2021). Only a few state defense forces are equipped for combat operations, though prior military experience is preferred and those without are often given basic military instruction (Carafano & Zuckerman, 2010). The expected role of the state defense forces in a war would be to fulfill disaster relief missions ordinarily filled by National Guard units called off to war and to serve as a cadre for defensive operations against an occupying force. Furthermore, this demonstration of increased defensive resiliency would represent an improvement to our ingrained deterrence capacity, as was seen during the Cold War with the initial establishment of many of these programs (Benton, 2020).

There are two issues with the military effectiveness of auxiliaries. First is the wide disparity in quality between state forces. The Department of Defense has called for standardization in training since after 9/11 (Hall, 2003), but reforms have been slow in coming, as evinced by a series of scandals involving political appointees to the New York (Vitello, 2007) and the disarming of the Alaska State Defense Force from 2008 until 2016, when stronger training standards were introduced (Demer, 2016). Improving these forces' capabilities is thus entirely in keeping with the current National Defense Strategy and the Total Defense doctrine.

The recent success of Ukrainian militias in the ongoing conflict against Russian aggression shows how auxiliary forces can have an outsized impact against invading forces (Lazaredes, 2015). The lack of a shared border between the US and any adversary nation at the moment however means that the most likely contribution auxiliary forces would make to increasing military effectiveness would be to serve as first responders and disaster relief personnel in the absence of regulars called away for military service (Fiala, 2020). As such, while this alternative does address some areas of the all-domain warfighting strategy, by itself it is unlikely to improve the US's offensive capabilities.

### *Equity*

All US auxiliary forces are volunteer-only, preventing the usual equity issues of conscription from arising. Additionally, expansion of military benefits to auxiliary forces would help

alleviate the “poverty draft” issues often faced by disadvantaged communities, providing access to these benefits with less likelihood of facing combat (Geva, 2010). Furthermore, the relaxed fitness standards of most auxiliary forces would permit individuals who hold a strong desire to serve but who are ineligible for regular military service to still do their part, increasing access to this career field in keeping with JWC guidance (Harkins, 2019).

### *Feasibility of Implementation*

The Department of Defense and the Coast Guard have increased their operations with auxiliary forces in recent years as part of the Total Defense concept revitalizing old Cold War civil defense policies for the new era of great power competition (Benton, 2020). An increase in their size and potential would likely be welcomed by these agencies. The recent attempts to establish cyber auxiliaries by some of the branches of the military also indicate their support for programs such as those the Russians and Chinese have established within their own cyber operations domains (King et al., 2017). Congress has attempted to pass legislation regulating state defense forces, though all have failed to gain sufficient traction to pass.

The recent politicization of state defense forces presents a significant hurdle to implementation feasibility. The use of the Texas State Guard to “oversee” US military exercise JADE HELM 15 in response to right-wing conspiracy theories (Fernandez, 2015) and the backlash to the recent attempt by Florida Governor Ron DeSantis to establish a Florida State Guard (Nunn, 2021) demonstrate that many politicians in Washington are concerned with the possibility that state defense forces could be the nuclei for secessionist movements by Republican governors. The best way to overcome these concerns would be to revitalize previous legislation to standardize training and mission sets for state defense forces at the national level.

There are also concerns that these auxiliary forces could draw upon the same manpower pools that the regular military is attempting to draw from. One factor going into these forces is that, unlike National Guardsmen, personnel in state auxiliary forces are explicitly not exempt from the draft. This means that adopting this alternative would not compromise the DoD’s existing force development programs.

Overall, this alternative is feasible as it simply represents an increase in existing capacity for most auxiliary forces. However, the state defense forces offer unique challenges in their recent politicization and the necessity of adopting legislation on a state-by-state basis for each force.

### **Outcomes Matrix**

The Outcomes Matrix takes the evaluations of each alternative and assigns each a score on a scale of 1-5, with 1 as the low end and 5 as the high end.

- 1: Worse than the current Selective Service System
- 2: No net improvement over the current system
- 3: A slight overall improvement, although some specific areas may not improve
- 4: Definite overall improvement, with no aspects that are worse off
- 5: A significant improvement in all ways over the current system

Criteria are weighted on a 32-point scale developed in conjunction with the client, prioritizing effectiveness above all followed by cost. This scale has been converted to a percentile system in order to determine an overall aggregate score that uses the same 5-point scale.

	Update Categories	Flexible Contracts	Auxiliary Forces
Cost (28%)	5	3	4
Effectiveness (37.5%)	4	3	4
Equity (12.5%)	3	3	5
Feasibility (22%)	4	1	3
TOTAL	4.155	2.560	3.905

## Recommendation

The final recommendation is that Alternative 1, Updating Selective Service Categorization, be adopted of the three. Its low cost of implementation, ability to maintain existing military effectiveness while expanding all-domain capabilities, and superior ease of legislative and administrative action make it the winner. Alternative 3, Creating Modern Auxiliary Forces, was a close runner-up. However, once the weighting system was applied, the advantages of the first alternative in cost and feasibility won out. The two alternatives are not mutually exclusive, and this paper offers a secondary recommendation that efforts to develop some auxiliary forces such as the USMC's cyber auxiliary be sustained to further address all-domain and integrated deterrence needs. The primary line of effort, though, should be in reforming the Selective Service System to prioritize recruiting individuals possessing the vital technical skillsets required for the 21<sup>st</sup> century battlefield.

## Implementation

Adopting this alternative would follow a similar pathway to the Health Care Personnel Delivery System (DoD, 2021). First, the Department of Defense would need to identify the additional skillsets specifically desired for inclusion in the revamped Selective Service System, and the modified physical fitness standards it would be willing to accept for non-frontline billets. The former skillsets have already been identified in principle for some time now (Rosenberg, 2011), and finalizing this list would largely be a matter of determining the specific qualification metrics, such as formal licensing programs, which the DoD could use to identify individuals. A combination of coordination with extant licensing agencies for professional skills (Lalich, 2004) and implementing a screener for new draftees similar to how our Norwegian allies in NATO operate (Deutsche Welle, 2013) would be sufficient to accomplish this. As for the second, the recent efforts to modernize the US Army's fitness tests and the initiatives regarding the Space Force's fitness program would offer a template for efforts to determine relative levels of fitness required for branches as a whole and billets in particular (Cohen, 2022).

This portion of the alternative would likely be the most difficult to implement. While there have been some efforts to modernize military fitness programs and tailor them to the current needs of the service in recent years, there is a strong cultural stigma within the US military, both at an organizational level and at the individual level, against "weakening" the force (Ibid.). Getting

this alternative implemented would require buy-in from senior leadership within the US military before it would even be proposed as legislation. As the client is part of the staff of the Joint Chiefs and specifically that directorate assigned to propose and implement new methods of force development, this alternative is prepositioned to address those individuals who would be needed to ensure the DoD's support for this project (DoD, n.d.). Furthermore, the client could compromise on this alternatives to only implement a part of the suggested solution; while both portions are in keeping with the current Joint Warfighting Concept (Hitchens, 2021), neither requires the other to be implemented to see effective returns (Benton, 2020).

Once this alternative has the backing of the senior leadership of the US military, it would need to be added to the next fiscal year's National Defense Authorization Act (Lanum, 2022). While most previous changes to the Selective Service System have been made via executive order, significant changes to the functioning and scope of the draft must go through Congress as this deals with their constitutional authority to raise armies (Scott, 2018). The NDAA would be introduced into Congress via the House and Senate Armed Service Committees, as usual, and would need the support of those committees to pass Congress, and from there to hopefully be signed into law by the President.

Once the Selective Service Act has been formally amended to adopt this alternative, the significant changes to be made within the system would include adding the new categories to the Selective Service draft classifications and developing instructions for those personnel who would conduct medical screening for inductees in the event that the draft is activated (DoD, 2021). The majority of the changes to the system would not come into effect until such a time as a draft was reimplemented.

The greatest potential risk to adopting this alternative would be the inclusion of large numbers of individuals who would previously have been considered physically unqualified in the event of a general mobilization, especially for the half of individuals who are medically unqualified by reason of obesity (Christeson et al., 2009). This risk can be mitigated by retaining the current DoD policies which disincentivize physical unfitness by requiring members who fail to meet certain standards to attend additional physical training and by blocking promotion opportunities. This would ensure that individuals who are brought into the US military on an emergency basis are either motivated to improve their physical health, or are mustered out at the conclusion of the conflict without having been in leadership positions which would have potentially compromised the integrity of the institution.

## **Conclusion**

This alternative follows a previously established legislative pathway to implementation as demonstrated by the HCPDS and the attempts to remove the gender restriction from the Selective Service Act in recent years. While parts of it may go against the grain for military culture within the DoD, and so might encounter resistance in certain areas, overall it addresses the guidelines laid down by the Joint Warfighting Concept to allow all Americans the opportunity to serve to the extent of their abilities and by recent DoD initiatives to boost the recruitment of individuals with militarily-useful skillsets. Whether this alternative is adopted in whole or in part, it will improve upon the antiquated design of the Selective Service System as it currently stands.

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