



## **WOMAN AND THE DRAFT**

### **Women Aren't Required to Register**

Here's why:

#### **THE LAW**

Selective Service law as it's written now refers specifically to "male persons" in stating who must register and who would be drafted. For women to be required to register with Selective Service, Congress would have to amend the law.

#### **THE SUPREME COURT**

The constitutionality of excluding women was tested in the courts. A Supreme Court decision in 1981, *Rostker v. Goldberg*, held that registering only men did not violate the due process clause of the Constitution.

#### **DEPARTMENT OF DEFENSE**

At President Clinton's request, the Department of Defense reviewed this issue in 1994. DoD noted that America's prior drafts were used to supply adequate numbers of Army ground combat troops. Because women are excluded by policy from front line combat positions, excluding them from the draft process remains justifiable in DoD's view. Although no conclusions were reached, DoD recognized that policies regarding women need to be reviewed periodically because the role of women in the military continues to expand.

The Selective Service System, if given the mission and additional funding, is capable of registering and drafting women with its existing infrastructure.

(A backgrounder on Women and the Draft is available at this site.)

**FAX 703-605-4106**

**E-mail: [information@sss.gov](mailto:information@sss.gov)**

**Web: <http://www.sss.gov>**

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