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TRANSPORTATION AND  
INFRASTRUCTURE  
CHAIRMAN



**Congress of the United States**  
**House of Representatives**  
December 20, 2019

PLEASE RESPOND TO:

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Dear Chairman Heck and Members of the Commission,

As you know, I submitted testimony to the Commission on April 12, 2019, arguing in favor of disbanding the Selective Service System (SSS) altogether. Today I am submitting to the Commission bipartisan legislation I have introduced in the U.S. House of Representatives: H.R. 5492, an "Act to repeal the Military Selective Service Act (MSSA) and thereby terminate the registration requirements of such Act and eliminate civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System."

I urge the Commission to recommend that the SSS be disbanded and repealed, use H.R. 5492 as a legislative roadmap for achieving this goal, and include this bill as part of your legislative proposals in your March 2020 Final Report. This legislation, which I have introduced with Republican Congressman Rodney Davis, has a history of bipartisan support. In 2016 I co-led this legislation with former Republican Congressman Mike Coffman, who introduced this legislation in prior years as well.

In H.R. 5492, I have maintained the legislative text of our 2016 legislation and added the following important updates: 1) A federal preemption provision to ensure there is uniform protection from sanctions or prosecution in all U.S. states and territories against individuals who did not register with the SSS prior to H.R. 5492 becoming law; 2) A provision to ensure that individuals cannot be denied U.S. citizenship for "lack of good moral character" for having failed to register with the SSS; and 3) A provision ensuring that the federal protections for conscientious objectors included in the MSSA are maintained following the passage of H.R. 5492. You can find the legislative text of my bipartisan bill here: <https://www.congress.gov/bill/116th-congress/house-bill/5492>.

As I explained in my previous testimony to the Commission: the Pentagon, Republican and Democratic administrations, and Congress have consistently agreed there is no military or national security imperative to reinstate the draft. I learned this firsthand during the Carter administration while serving as a congressional aide to Oregon Congressman Jim Weaver, when I obtained a draft copy of then-SSS Director Bernard Rostker's report stating that draft "registration was redundant and unnecessary." Congressman Weaver entered this report, which the Carter administration tried to hide, into the Congressional Record.

What we already knew in the 1970s is still true today: the SSS is an unnecessary, unwanted, archaic, wasteful, and potentially unconstitutional program whose funding could be better spent on encouraging and enhancing public service or reducing our federal deficit.

Thank you for your consideration. Again, I urge the Commission to disband the SSS and use H.R. 5492 as a legislative solution to repeal this program.

Sincerely,

Peter A. DeFazio  
Member of Congress