

DEGRATT. Well don't stop there, counsellor, I hang on your every word.

JUDD. The news media, for example. What will two more days' coverage do for Enquirer's reputation?

DEGRATT. Or your client's, for that matter?

JUDD. No good, certainly. So what do we gain, any of us?

DEGRATT. In terms of the Jury award? Couple of thousand, give or take.

JUDD. Is it worth it? Why prolong the agony of our clients?

DEGRATT. You think I enjoy putting people through this? (sits back in amazement. But you—you really want to settle?)

JUDD. Won't hurt to talk about it.

DEGRATT. I wonder.

(Outer door heard banging, sound of approaching footsteps, and all heads turn as office door swings open. Harry Stratton is standing there, smiling.)

JUDD. (surprised, annoyed). What is it, Harry?

(Harry says nothing until he has marched into the center of the room.)

HARRY. I know you don't want me here. But it occurs to me you can't very well have a ping-pong match without the ball, can you?

(Indicates himself. A little funny. Aware of Degraatt's reaction, Ben strides over to Harry, draping an arm around his shoulder and turning him back toward the door.)

BEN. Harry, I'm going to be very diplomatic about this: Get out.

(Points to the door. Harry, brought up sharp, suddenly aware of his position, retreats awkwardly. Ben follows. Degraatt watches, shaking his head with a wry grin. Degraatt. People.)

Judd's reception room, night. Harry standing there, Ben closing the door to Judd's office, then fixing Harry with his eye.

BEN. What was that supposed to accomplish?

HARRY (holds up his hands). You see any fingernails left?

BEN. Well try to hang in there a little longer, will you?

(Harry sinks unhappily into a chair. Ben deliberately does the same.)

HARRY. Look. You don't have to baby-sit. BEN (pointed). Can I drive you home then?

HARRY. No. I'll behave. But I'm here to the bitter end.

Judd's office.

DEGRATT. I do all my haggling on a first-name basis (offering his hand) Sid.

JUDD (taking it). Clint.

DEGRATT. So make me an offer.

(Makes himself comfortable. So does Judd.)

JUDD. Let's start with the one you made me—back before the trial began, remember?

DEGRATT. Thirty-five thousand.

JUDD. Yes. But the figure's gone up, Sid.

That Jury's in a generous mood. (pause)

Three hundred thousand.

DEGRATT. What, the full amount? You can do better than that, friend.

JUDD. Yes I can. But it'll be like pulling teeth.

DEGRATT. Well, to be perfectly honest, I was thinking more like forty-thousand.

Looks like we've got some work to do.

(Silence. The men regard one another with vague amusement. Judd rises, goes to the bar, returning with a tray on which are glasses, some booze, and an ice bucket. Sets the bottle in front of Degraatt.)

DEGRATT. Clint, you're my kind of lawyer.

(Pours himself a shot, then reaches for Judd's glass.)

JUDD. No thanks.

(Degraatt thinks a moment, smiles, then very carefully pours his shot back into the bottle.)

DEGRATT. It's going to be that kind of an evening.

JUDD. You bet it is—friend.

Judd's reception room, night. Coatless now,

Ben has settled into a chair, toying with an empty liquor glass. Harry, also coatless and looking rumpled, is pacing a precise, measured rectangle. The action is so slow, so deliberate, it is maddening. Ben has held off as long as he can.

BEN. Does that really help?

HARRY. Yes.

(A few more measured steps and Harry suddenly makes for a desk clock. Picks it up, stares at it, shakes it, listens to its works.)

HARRY. Midnight? How can that possibly be. (looks at Ben). Has this thing stopped?

BEN (wearily). Harry. We've only been here two hours.

HARRY. Maybe to you its two hours. (waves glass). I'm dry.

BEN. Good. Stay that way.

(Harry rolls his eyes skyward, flops on the sofa. Immediately gets up again to resume walking in the same, precisely measured pattern. Intercom buzzes, startling the men a bit. Ben flips it on.)

BEN. Yes, Clint?

JUDD's voice (o.s.; filter). How many investigators have we got on the Stratton case?

BEN (thinks a moment). If you mean tonight, six.

JUDD's voice (o.s.; filter). When's the next report?

BEN. Eight a.m.

JUDD's voice (o.s.; filter). All right.

(Clicks off. Harry moves toward the desk.)

HARRY. Six men on what? What was that all about?

BEN. Forget it. Just a lot of noise to impress Degraatt.

HARRY. Hey Turn that back on. He could be selling me out for all I know.

BEN. Selling you . . . ! (warming). He's saving your neck!

HARRY. Maybe. Maybe not.

Judd's office, night. Ashttrays have a few butts in them. Judd and Degraatt are both coatless now, ties loosened, sleeves rolled up. Judd is at the little service counter making coffee. Turns to Degraatt.

JUDD. Suppose I do that, Sid. Suppose I go in there tomorrow and prove malice. We're talking punitive damages now which means the sky's the limit. Your clients have an extra four-five hundred thousand sitting around?

DEGRATT. They grossed one hundred million last year. Wouldn't surprise me if they do. But ah . . . prove malice? you haven't a prayer.

JUDD. Twenty-eight investigators on the Stratton file, right? You honestly believe not one of them found anything good to say about Harry Stratton? Don't kid yourself! (eyes him). All I have to do is find one man who's willing to admit it and there's your malice. One at a time, Sid, we're tracking them down.

DEGRATT. There's something here I can't quite fathom. Curiosity is a very persistent trait in me. (gesture). Of course it can be satisfied rather easily by dropping your price.

JUDD. No sale. If that isn't a one hundred thousand dollar jury, I've never seen one.

DEGRATT. Well I have and it didn't look like that. (thinks). Say . . . fifty thousand. And I'll answer any questions.

JUDD. In public?

DEGRATT (ignoring that). You know, I'm tempted to let this go another day just to get Harry under cross-examination.

JUDD. All right. That gives my investigators another day, too.

DEGRATT. Fair enough.

(He rises, begins going through the motions of departure.)

JUDD. See you in Court. Ten a.m.

(Degraatt continues staging his exit. Thinks, stops a minute to eye Judd.)

DEGRATT. You're bluffing.

JUDD. Sid, you found me out.

DEGRATT (more scrutiny). It is a bluff.

JUDD. Of course. I don't have any investigators. Who ever heard of such a thing?

(Degraatt eyes him some more. Judd returns his stare with supreme indifference. Degraatt wilts just a bit, debates with himself a moment longer.)

DEGRATT. Eighty thousand.

Reception room, night. Ben sunk low in his chair, wishing he could doze off, but keeping a weather eye on Harry, who is finally settled into a chair in order to stare glumly at the carpet. Door opens, Judd walks in. Goes directly to Harry.

JUDD. We've got a deal. Pending your approval, of course.

HARRY. What kind of deal?

JUDD. Eighty-five thousand and a full clarification.

BEN (really impressed). What'd you use—a club?

HARRY (coping with the numbers). Eighty-five thousand . . . (looks up) Clarification. Can I hear it first?

JUDD. No.

HARRY (mulls it). Suppose I accept.

JUDD. Well, we have to agree to a dismissal with prejudice. Then you get your money.

HARRY. With prejudice.

JUDD. Yes. Means very simply we can't ever sue them again. The whole thing's over and done with.

HARRY. Over? You know, after all these rotten months I'd almost settle for that all by itself? (rolling the words in his mouth) Eighty-five thousand dollars. (begins nodding) I think that's just great.

JUDD. Okay. Let's go inside.

Judd's office, night. Judd returning with Harry, Ben. Degraatt's eyes are expectantly on Judd's.

JUDD. It's a deal.

DEGRATT. Good. Good. (going to Harry takes his hand) Mr. Stratton, for my part I'm glad it's over. I don't enjoy . . .

HARRY. Never mind. Get to the clarification.

DEGRATT. Ah. Yes, that. (walks away) It's ironic in a way that such a little thing could cause all this trouble.

HARRY. Well?

DEGRATT. That questionnaire on automobiles, remember? It came up at the trial. (gets some "yes" nods) Among other things, Mr. Stratton, you indicated a preference for hardtops over sedans. Well you can't feed that verbatim into a computer, so you translate it into a series of numbers. (gesture) All right. Somewhere along the line two digits got switched or maybe omitted. Whatever, the wrong number went into that computer. And there it sat. Harmless. Some five years go by, comes the dispute over the credit card and a reevaluation is ordered. Follow so far?

JUDD. Go on.

DEGRATT. First thing they do is translate the numbers back into words. Proper card goes into the computer and out comes the Harry Stratton file, twelve thousand lines a minute on a big sheet. (gesture)

Ordinarily a phony number prints out gibberish or nothing at all. But in this case—and believe me it's a long shot—it prints out "Harry Stratton is destitute of moral qualities." (pauses, noting their shock) What fooled us, you see, they actually program such a category.

(Rather stunned silence.)

JUDD. Who did this? Who's responsible?

DEGRATT. The uh . . . entry was fed in from a remote terminal. It could have originated there, or the main office . . . some punch-card operator . . .

JUDD. (astounded) You don't know?

DEGRATT. Look. We'll give you the information. Maybe you can figure it out.

JUDD. Sid. What's to prevent this from happening again?

DEGRATT. It's a million to one shot.

JUDD. Don't quote me odds. Look at that man! Think what's been done to him!

(Indicates Harry, who is staring wordless, grim-faced, at Degraatt.)

BEN. (hotly). Did you know about this at the hearing?

DEGRATT. Try to understand their position. They'd checked this man out, given him an A-1 rating. He gets into this credit scrap and on top of everything it appears he's, well . . . "different."

BEN. Try to understand!

DEGRATT. Heads were rolling, I tell you. Hotshot Galion's put in charge of the thing and like a good professional investigator he runs up a dossier in a hurry.

JUDD. He's no investigator, he's a professional character assassin!

DEGRATT. Look. I know how you feel.

JUDD. Sure. But you take their money. (Harry mumbles something.)

JUDD. What?

(Harry who has been motionless, showing no flicker of reaction, rises, walking slowly toward Degraatt.)

HARRY. Little holes in little cards.

(Approaches Degraatt and, with no rise in intensity, lifts his hands to the man's throat and begins choking the life out of him. So swift and viselike is the grip, Degraatt can only emit a short-lived gasp. Harrys face betrays no fury, but his eyes could kill unaided. Ben, Judd take a moment to react.)

JUDD. Harry!

(Half expecting him to stop. No dice. Degraatt's throat is so restricted he is utterly silent, hands clawing weakly at Harry's forearms, his face revealing a growing desperation. Judd, Ben, at last find their senses, dashing toward the men, trying to separate them.)

JUDD. Harry, stop it!

BEN. Harry! You'll kill him!

(So wild in the man's strength they cannot break his grip until they pry his fingers open one at a time. Degraatt slumps to the floor on the verge of unconsciousness, gasping, choking. Harrys hands go limp. He turns, wordless, and moves. Judd leans down, helps Degraatt to his feet.)

JUDD. You all right?

(Legs like rubber, he wheezes, nods as best as he can, groping for a chair. Judd, Ben help him into one.)

DEGRATT. Getting . . . some air now . . .

(Ben has poured out a glass of water. Degraatt clutches it, gulps it down, coughs it right up again.)

DEGRATT. It's all right . . . all right . . .

(Judd, Ben, aware now of a steady thump . . . thump behind them, about the tempo of a heartbeat. They turn and see Harry who has moved to a far corner of the room. He stands with his back to them kind of nudging the wall with his fist.)

JUDD. Harry?

(The nudging continues, growing both in tempo and intensity, each little blow at the wall emphasizing some troubling, but unutterable thought.)

The blows, rising to sudden fury, end with a sickening crunch. Whether it is wood or bone that yields matters little to Harry Stratton. No one can do anything, say anything to help him. Degraatt has struggled over to where Judd and Ben are standing. They look at him—this time more with compassion than contempt because it's clear from his expression Degraatt is aware he's played a part in this tragic development.

Harry, unmindful of his battered fist, turns to them, eyes ablaze with a thousand thoughts. Stands there blinking, washed by a tidal wave of feeling. He struggles to give voice.)

HARRY. I . . .

(But he can say no more. The silent struggle is long and awful.)

DEGRATT. My God.

EPilogue

Stratton living room, day. Doubtless a beautiful, homey room at one time. Now, with

furniture gathered in one corner, various packing cases about, it seems dreary and lifeless. Beth has turned from her chores to greet Judd and Ben. They seem surprised.

JUDD. You closing the house Beth?

BETH. Selling it.

JUDD. Why? Where are you going?

BETH. Moving up nearer Harry. For one thing it'll cut down expenses.

JUDD. Maybe this will help, then.

(Hands her a check.)

BETH. Eighty-five thousand dollars.

(pause) Not so big spread out over the years, is it? (shakes her head) Probably just a tax write-off for them. (looks up) How do you write off a husband, Mr. Judd?

JUDD (with compassion). He's in good hands, Beth. He'll recover.

BETH. When? The doctors are talking in terms of years, you know. (wan smile) The world's first computer widow. How's that strike you?

JUDD. Not very well. We—Ben and I—we're going to press for appropriate legislation.

BEN. We won't be polite about it, Mrs. Stratton. It's going to get through.

JUDD. He's flying to Washington this week.

BETH. I don't suppose you can put a corporation in jail, can you? (eyes begin to rim with moisture) I know it's bad form to be bitter. It's just that yesterday . . . the doctors . . . (vague gesture) Why is it bad news requires such long explanations? They finally had to write it down. I have it here someplace—the name of Harry's condition, I mean.

(Tears cloud her eyes, she fumbles around in her purse for the paper—not really looking for it, just something to do with her hands. It isn't easy for Judd and Ben to just stand there, but what can they do? Ben, who has been toying with a punch card, moves to comfort her. In so doing, the card drops to the floor by her feet. She retrieves it.)

BETH. What's this?

BEN. They uh, . . . traced it down finally. The original mistake.

BETH. Little card with little holes. (pause) Looks harmless enough.

(Slowly tears it up. Judd, Ben, simply watch.)

BETH. I think of a phrase you used, Mr. Judd: I'm just going to have to tough it out. (picks up check) And this will help. Thank you.

JUDD. Is there anything you need? Anything we can do?

BETH. No. (studies check) Have you taken a close look at this?

JUDD. I know. Made out by machine.

(Beth nods, holds it up so it can be easily seen. Not a paper check, but one printed on a stiff card—like a government check—and perforated.)

BETH. Little square holes. (pause) What do you suppose they mean?

#### ORDER OF BUSINESS

The VICE PRESIDENT. Is there further morning business?

Mr. HATFIELD. Mr. President, I ask unanimous consent that I may proceed for 12 minutes in addition to the 3-minute allotment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### S. 503—INTRODUCTION OF BILL—VOLUNTARY MILITARY MANPOWER PROCUREMENT ACT OF 1969

Mr. HATFIELD. Mr. President, I am today introducing, for myself and Senators Cook, DOLE, GOLDWATER, McGOV-

ERN, NELSON, PACKWOOD, PROUTY, and SCHWEIKER, a bill entitled "The Voluntary Military Manpower Procurement Act of 1969."

It was nearly 2 years ago that I introduced in the Senate a bill to institute a fully voluntary armed force. Last September I reintroduced the 1967 bill with some revisions. The bill I am introducing today is a further revision of the 1967 bill.

In the past 2 years criticism of our present military draft system has grown, and substantial additional support has been indicated for the early transition to a fully voluntary military manpower procurement system.

President Nixon has endorsed the principle of a volunteer army; the Department of Defense has indicated through various spokesmen the advantages of this manpower procurement concept; and numerous political, social, religious, and educational organizations have indicated their agreement.

A certain amount of this support has resulted, of course, from the growing discontent with the Vietnam adventure and the large-scale drafting of men for this conflict. The young of the country on whom the draft falls so inequitably, especially for the maintenance of a war many of them feel is morally indefensible, are reflecting their dissent in ever more vocal numbers. The minorities are also restive under the draft. The Nation is divided by the provisions of an act which require what so many patently do not believe in.

There also has been in the same time period, a growing concern in this country about infringement on our individual liberty and a desire for freedom from unjustified government intrusion.

The present draft system, in addition to its other drawbacks, is a drastic invasion of individual liberty. Conscription is involuntary servitude, plain and simple. It is the complete usurpation by the Government of an individual's freedom of choice. The Wall Street Journal has stated editorially that it is "about the most odious form of Government control we have yet accepted."

I firmly believe that each man has a moral obligation to serve his country, but he must be granted as much freedom as possible to choose what form this service shall take. Conscription must always be the last desperate resort in meeting military manpower needs, and not merely the easy way out, as it is now. There have been periods in our history when conscription was the only alternative to destruction, but circumstances have changed and forcing men into service is no longer the only alternative in meeting manpower requirements.

The draft also has numerous other drawbacks, including the fact that it is militarily inefficient, inherently inequitable to draft-age Americans, and productive of low morale in the Armed Forces. Let me point out now the practical aspects of the volunteer force and the provisions of this bill which would do away with these handicaps.

The volunteer service system would provide an efficient military force with emphasis on quality rather than quan-

tity. The present draft system is designed only to provide large numbers of men. This point was clearly emphasized in the 1957 Report of the Defense Advisory Committee on Military Personnel—the Cordiner Report:

As the tools of modern defense and the technology of their use become more intricate and complex, men—the human element in defense—become more, not less important. . . . The Committee is firmly convinced that human beings are the most important component of all modern weapons systems. . . . If the armed forces are manned with personnel of minimum or marginal capability, they cannot achieve operational effectiveness in proportion to the technical capacity built into the materiel. . . . Greater numbers of men do not satisfy this need. Only marked increases in the level of competence and experience of the men in the force can provide for the effective, economical operation required by the changing times and national needs.

That report was published nearly 12 years ago, but little has been done to upgrade the skill and competence of our men. The sad fact is that draftees, who have been taken from civilian life against their wishes, spend their 2 years of military service counting the days until they get out. As soon as the required period is over, they inevitably return to civilian life. Their empty bunks are filled with other unwilling draftees and the cycle continues. Any personnel manager would be quick to agree that low morale and inefficiency are the obvious results.

The eagerness of draftees to return to civilian life also prevents specialized training and in-depth knowledge of the complex weapons systems of our country. With its emphasis on quantity rather than quality, the draft automatically produces a high turnover rate in personnel. At the present time, only about 7 percent of the young men drafted stay in the Armed Forces beyond their 2-year obligation.

This high turnover rate causes many of the services' most experienced personnel to be tied down in training new recruits. Today, seven out of every 10 men in the Army have less than 2 years military experience. As one Pentagon military official has noted:

As soon as we are able to operate as a unit, the trained men leave and we have to start all over again.

A major portion of the bill I am introducing is directed at upgrading the conditions and status of a military career—from increasing educational opportunities to improving the social, cultural, and recreational facilities for military men and their families. As military life becomes more attractive and as it enjoys a higher status, the number of young men entering the service freely would increase, with many considering a career in the military. The turnover rate of these willing enlistees would be dramatically reduced, making it necessary to recruit fewer men, and the services would have a higher percentage of skilled, motivated men.

Another provision of the bill would accelerate the substitution of civilians for noncombatant military personnel. This would effectively reduce the size of

the armed services and would also reduce the number of new enlistees.

A third provision would help insure the recruitment of the necessary number of young men by accepting many who now try to volunteer and who would like a military career but who are currently rejected because of slight physical or educational deficiencies. Through additional and specialized training programs, these men could become productive members of the armed services.

Most important of all in attracting sufficient enlistees would be the improvement of military pay scales. We certainly cannot expect to recruit young men into military life when the salary offered them is at least one-third less than what they could be earning as civilians.

It is difficult to project the costs necessary for the establishment of a volunteer force. Authoritative studies indicate that the pay increases needed to recruit the necessary number of volunteers would come to \$5 to \$7 billion more per year. The bill I am introducing calls for \$100 per month pay raises for enlisted men with the price tag coming to about \$3.7 billion at our present force level.

While this additional outlay in salaries would be significant it must be weighed against the substantial savings that would result under a volunteer force. Presently, it costs \$6,000 just to train the average serviceman, making the total training cost for draftees now in uniform—those men who will leave the service the moment their 2-year hitch expires—about \$3 billion. Many training centers that are expensive to maintain and operate could be closed. Other cost adjustments would result, such as the increase in tax revenue from civilians who otherwise would be drafted. Unfortunately, it is difficult to estimate the very real savings that would result because of the increased competence and efficiency of the armed services.

I do not think there is any question that the volunteer system could supply the necessary number of military personnel. The manpower pool is increasing with nearly 2 million new men attaining draft age each year. The total number of draft-eligible males in the 18 to 26 age category now stands at more than 12 million. To meet necessary personnel requirements the military needs to recruit only about 5 percent of this total each year. Certainly, sufficient inducement can be made to attract that many.

The bill I am introducing also responds to the main point of criticism of the volunteer force—that the system lacks the necessary flexibility for meeting crises. It includes a special provision for the improvement of the Ready Reserve and the National Guard. I submit that the volunteer force would be more flexible and, in conjunction with a strengthened Reserve and National Guard, would be better able to respond to an emergency military situation than is the current draft system.

Even in the past, for such emergencies as the Korean conflict in 1950 and the Berlin crisis of 1961 the Defense Depart-

ment relied largely on recall of trained reserves rather than draftees. Military emergencies being what they are in this day of speed and highly complex weaponry, they cannot be resolved by summoning large numbers of untrained men to boot camp. Competence, not compulsion, is the key to an effective national defense.

As recognized by the bill, the volunteer system could be phased in gradually. There already is a large base from which to start since draftees comprise only 15 percent of the enlisted members of the present Armed Force. In case of emergency during the transition or later, and the President determines that the military manpower needs of the country are not being met, the bill provides that the President shall recommend to Congress legislation calling for the involuntary induction of persons into the Armed Forces.

I feel strongly that a volunteer military manpower system will work. But for such a system to be given a chance to prove its merit, we must dispel the myth that the draft, however undesirable, is inevitable. We must be willing to accept the challenge of new realities and have the foresight and confidence to accept logic over habit and reason over the retarding security of tradition.

I believe the volunteer force is a workable alternative, that it will remove the inequities of the old system which have caused tension and division, and that it will help restore unity to this Nation.

Mr. President, I ask unanimous consent that following my remarks, the text of the "Voluntary Military Manpower Procurement Act of 1969" be printed in the Record and that the following items be printed thereafter:

A radio address on October 17, 1968, by Richard M. Nixon, entitled "The All-Volunteer Armed Force."

An essay from the January 10, 1969, issue of Time magazine, entitled "The Case for a Volunteer Army."

An article entitled "Mr. Nixon's Second Promise" by Stewart Alsop in the December 9, 1968, issue of Newsweek magazine.

A selection of quotations by respected public figures on the subject of "The Draft and the Voluntary Army."

A statement by Dr. Milton Friedman, University of Chicago from the December 19, 1966, issue of Newsweek magazine.

An article entitled "Draft 'Crisis' in Graduate Schools" in the January 20, 1969, issue of U.S. News & World Report, and

An article entitled "Can We Afford the Draft?" by Walter Y. Oi, published in the July 1968 issue of Current History.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and the material referred to will be printed in the Record.

The bill (S. 503) to provide for meeting the manpower needs of the Armed Forces of the United States through a completely voluntary system of enlistments, and to further improve, upgrade, and strengthen such Armed Forces, and for other purposes, introduced by Mr. HATFIELD, for himself and other Sena-

tors, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voluntary Military Manpower Procurement Act of 1969".

#### CONGRESSIONAL FINDINGS

SEC. 2. The Congress hereby finds that—

- (1) the Armed Forces of the United States can be materially improved and strengthened by increasing and improving the economic and educational benefits of the members thereof, by elevating the status of military personnel generally, and by developing and maintaining a system of military manpower procurement based on the free choice of the individual;

- (2) the present system of military manpower procurement, which is based primarily on conscription, is an undesirable infringement on individual liberty; militarily inefficient; inherently inequitable to draft age Americans; and productive of low morale in the Armed Forces;

- (3) the military manpower requirements of the Nation can be adequately met through the effective administration of a voluntary system;

- (4) a voluntary system should be instituted and given a fair test as soon as practicable while providing necessary safeguards in the event that unforeseen circumstances create a need for additional military manpower;

- (5) the President, the Secretary of Defense, and the Secretaries of the military departments should exercise all authority available to them to promote the success of a voluntary system of meeting the military manpower needs of the Nation; and

- (6) the authority to induct persons into military service under the Military Selective Service Act of 1967 should be terminated promptly.

#### TERMINATION OF INDUCTIONS

SEC. 3. (a) No person shall be inducted for training and service in the Armed Forces of the United States under the Military Selective Service Act of 1967 after six months following the date of enactment of this Act.

(b) If at any time after the termination of induction of persons into the Armed Forces, as provided in subsection (a) of this section, the President determines that the military manpower needs of the Nation are not being adequately met through a voluntary system and that conscription is necessary for the national security, he shall promptly notify the Congress of such determination, and of the facts upon which such determination is based, and submit to the Congress such recommendations for legislation as he deems necessary and desirable to provide for the involuntary induction of persons into the Armed Forces.

#### CONGRESSIONAL DIRECTIVES RELATING TO THE IMPROVEMENT OF THE ARMED FORCES

SEC. 4. (a) The President, the Secretary of Defense, and the Secretaries of the military departments shall exercise the authority vested in them by law to provide for the military manpower needs of the Nation and for the improvement of the Armed Forces through a voluntary program of enlistments. In the exercise of such authority, the Secretaries of the military departments shall, under the direction and supervision of the Secretary of Defense, specifically provide for—

- (1) the inducements necessary to take full advantage of career selection motivations in attracting persons to military careers;

- (2) the adjustment of physical induction standards to accommodate volunteers who cannot meet the physical requirements necessary for combat service but who can

meet those physical requirements necessary for noncombatant service;

- (3) the adjustment of the mental induction standards to accommodate volunteers who have inadequate educational backgrounds but who have the aptitudes and capabilities to overcome their educational deficiencies through special courses conducted as part of their military training;

- (4) the improvement and expansion of the program for utilizing civilian personnel in lieu of military personnel for non-combatant service;

- (5) the improvement and expansion of in-service educational opportunities at the technical, vocational, and college levels;

- (6) the improvement and expansion of programs under which the education of specialists, such as doctors and dentists, is paid for by the Armed Forces in return for an obligated period of military service by the person receiving the educational assistance;

- (7) the improvement and expansion of officer training programs, particularly programs to facilitate the qualifying and training of enlisted members who wish to become officers;

- (8) the reduction of time-in-grade and time-in-service requirements for promotion eligibility of enlisted military personnel;

- (9) the improvement and expansion of the reenlistment bonus program;

- (10) the improvement and expansion of social, cultural, and recreational facilities for military personnel; and

- (11) the institution of any other appropriate actions designed to upgrade the conditions of military service and the status of military personnel generally.

(b) Not later than eighteen months after the date of enactment of this Act, the Secretary of Defense shall submit to the Congress a detailed report regarding the operation of the voluntary system of meeting the military manpower needs of the Nation and for the improvement of the Armed Forces, and shall include in such report such recommendations for legislation to improve such system as he deems appropriate.

#### CONTINUED REGISTRATION

SEC. 5. Notwithstanding the delimiting date specified in section 17(c) of the Military Selective Service Act of 1967, the President shall provide for the continued registration under such Act of all male persons in the United States between the ages of eighteen and twenty-six years in order that the involuntary induction of persons under such Act may be reinstituted without serious delay in the event the President determines under section 2(b) of this Act that such action is necessary.

#### INCREASE IN PAY RATES OF CERTAIN ENLISTED GRADES

SEC. 6. (a) The monthly rates of basic pay authorized enlisted members of the uniformed services under section 203(a) of title 37, United States Code, including any adjustments made in such rates pursuant to section 8 of the Act entitled "An Act to increase the basic pay for members of the uniformed services, and for other purposes", approved December 16, 1967 (81 Stat. 649), are each increased by \$100.

(b) The increase authorized by subsection (a) of this section shall become effective on the first day of the first calendar month beginning after the date of enactment of this Act.

#### JOINT COMMITTEE ON IMPROVEMENT OF READY RESERVE AND NATIONAL GUARD

SEC. 7. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on the Improvement of the Ready Reserve and National Guard (hereinafter in this section referred to as the "committee") to be composed of six members of the Committee on Armed Services of the Senate, to be appointed by the President of the Senate, and six members of the

Committee on Armed Services of the House of Representatives, to be appointed by the Speaker of the House of Representatives. A vacancy in the membership of the committee shall not affect the powers of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original appointment. The committee shall select a chairman and a vice chairman from among its members. A majority of the members of the committee shall constitute a quorum for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(b) The committee shall conduct a thorough study and investigation of the National Guard and the Ready Reserve program of the Armed Forces with a view to determining what action is necessary to (1) insure that National Guard and Ready Reserve units will at all times be adequately equipped and trained to meet combat assignments, and (2) increase the attractiveness of the National Guard program and the Ready Reserve program to insure adequate manpower for each program.

(c) The committee shall report to the Senate and the House of Representatives not later than one year after the date of enactment of this Act the results of its study and investigation, together with such recommendations for necessary legislation, and such other recommendations as it may deem advisable, to achieve the purposes stated in clauses (1) and (2) of subsection (b) of this section. Ten days after making such report the committee shall cease to exist.

(d) In carrying out its duties, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The committee may make such rules respecting its organization and procedures as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or by any member designated by him or by the committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses. Members of the committee, and its employees and consultants, while traveling on official business for the committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

(e) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

(f) The expenses of the committee shall be paid from the contingent fund of the Senate from funds appropriated for the committee, upon vouchers signed by the chairman of the committee or by any member of the committee duly authorized by the chairman.

The material, presented by Mr. HATFIELD, is as follows:

RADIO ADDRESS BY RICHARD M. NIXON, REPUBLICAN PRESIDENTIAL NOMINEE, THURSDAY, OCTOBER 17, 1968

#### THE ALL-VOLUNTEER ARMED FORCE

I speak tonight about a matter important to us all, but especially to young Americans and their parents.

I refer to compulsory military service—or, as most of you know it, "The Draft."

We have lived with the draft now for almost thirty years. It was started during the dark uncertainty before the Second World War, as a temporary, emergency measure. But since then we have kept it—through our ordeals in Korea and Vietnam, and even in the years of uneasy peace between.

We have lived with the draft so long, in fact, that too many of us now accept it as normal and necessary.

I say it's time we took a new look at the draft—at the question of permanent conscription in a free society.

If we find we can reasonably meet our peacetime manpower needs by other means, then we should prepare for the day when the draft can be phased out of American life.

I have looked into this question very carefully. And this is my belief: Once our involvement in the Vietnam War is behind us, we move toward an all-volunteer armed force.

This means, that just as soon as our reduced manpower requirements in Vietnam will permit us to do so, we should stop the draft and put our selective service structure on stand-by.

For the many years since World War II, I believed that, even in peacetime, only through the draft could we get enough servicemen to defend our nation and meet our heavy commitments abroad. Over these years it seemed we faced a Hobson's choice: Either constrict the freedom of some, or endanger the freedom of all.

But conditions have changed, and our needs have changed. So, too, I believe, our defense manpower policies should change.

Tonight, I would like to share with you some of the reasons why I think this is so.

First, let me talk about what we cannot do.

First of all, we must recognize that conditions in the world today require us to keep a powerful military force. Being prepared for war is our surest guarantor of peace. While our adversaries continue to build up their strength, we cannot reduce ours. While they continue to brandish the sword, we cannot lay aside our shield.

So any major change in the way we obtain military manpower must not keep us from maintaining a clearly superior military strength.

In the short run, we need also to recognize the limits imposed by the war in Vietnam. However we might wish to, we can't stop the draft while we are in a major war.

What we can do, and what we should do now, is to commit ourselves as a nation to the goal of building an all-volunteer armed force.

The arguments about the draft center first on whether it's right, and second, on whether it's necessary.

Three decades ago, Senator Robert Taft declared that the draft "is absolutely opposed to the principles of individual liberty which have always been considered a part of American Democracy."

I feel this way: A system of compulsory service that arbitrarily selects some and not others simply cannot be squared with our whole concept of liberty, justice and equality under the law. Its only justification is compelling necessity.

The longer it goes on, the more troublesome are the questions it raises. Why should your son be forced to sacrifice two of the most important years of his life, so that a neighbor's son can go right along pursuing his interests in freedom and safety? Why should one young American be forced to take up military service while another is left free to make his own choice?

We all have seen, time and time again, how hit-or-miss the workings of the draft are. You know young people, as I do, whose lives have been disrupted first by uncertainty, next by conscription. We all have seen the unfairness of the present system.

Some say we should tinker with the present system, patching up an inequity here and there. I favor this too, but only for the short term.

But in the long run, the only way to stop the inequities is to stop using the system.

It does not work fairly, and given the facts of American life, it just can't.

The inequity stems from one simple fact—that some of our young people are forced to spend two years of their lives in our nation's defense, while others are not. It's not as much the way they're selected that's wrong, as it is the fact of selection.

Even now, only about 40 percent of our eligible young people ever serve. As our population grows, and the manpower pool expands, that percentage will shrink even further. Ten years ago about a million men became of draft age each year. Now there are almost two million.

There has also been a change in the armed forces we need. The kinds of war we have to be prepared for now include not only conventional war and nuclear war, but also guerrilla war of the kind we are now experiencing in Vietnam. In nuclear war, huge ground armies operating in massive formations would be terribly vulnerable. That way of fighting, where nuclear weapons are in use, is a thing of the past.

An all-out non-nuclear war, on the other hand (that is what we knew before as large-scale conventional war), is hard to see happening again. Of course, a sudden Soviet ground attack from Eastern Europe could mix Soviet forces with the populations in the West and thereby prevent swift resort to nuclear weapons. But even in this situation a massing of huge ground units would be impossible because of their nuclear vulnerability. So again, even this kind of struggle would break up into smaller unit actions.

In a guerrilla war of the Vietnam type, we face something else entirely. Here we need a highly professional, highly motivated force of men trained in the techniques of counter-insurgency. Vietnam has shown us that success in such wars may depend on whether our soldiers are linguists and civil affairs specialists, as well as warriors. Also, the complex weapons of modern war demand a higher level of technical and professional skill.

Of course, we will still need conventional forces large by standards of only a few decades ago to guard our vital interests around the world. But I don't believe we will need them in such quantity that we cannot meet our manpower needs through voluntary enlistments.

Conscription was an efficient mechanism for raising the massive land armies of past wars. Also, it is easier and cheaper simply to order men into uniform rather than recruiting them. But I believe our military needs in the future will place a special premium on the services of career soldiers.

How, then, do we recruit these servicemen? What incentives do we offer to attract an adequate number of volunteers?

One kind of inducement is better housing, and better living conditions generally. But to recruit and to retain the highly skilled specialists the services need, military life has to be more competitive with the attractions of the civilian world.

The principal incentives are the most obvious: higher pay and increased benefits.

The military services are the only employers today who don't have to compete in the job market. Supplied by the draft with the manpower they want when they want it, they've been able to ignore the laws of supply and demand. But I say there's no reason why our military should be exempt from peacetime competition for manpower, any more than our local police and fire departments are exempt.

A private in the American Army is paid less than \$100 a month. This is a third of the minimum wage in the civilian economy. Now

to this we should add food, uniforms and housing which are furnished free. Taken all together, a single young man can probably get by on this. But it's hardly competitive with what most people can earn in civilian life. Even with allowances, many married servicemen in enlisted ranks have actually been forced to depend on relief payments to support their families.

These pay scales point up another inequity of the draft system. Our servicemen are singled out for a huge hidden tax, the difference between their military pay and what they could otherwise earn. The draftee has been forced by his country not only to defend his neighbors but to subsidize them as well.

The total cost of the pay increases needed to recruit an all-volunteer army cannot be figured out to the dollar, but authoritative studies have suggested that it could be done for 5 to 7 billions of dollars more a year. While this cost would indeed be heavy, it would be increasingly offset by reductions in the many costs which the heavy rate of turnover now causes. Ninety-three percent of the army's draftees now leave the service as soon as their time is up, taking with them skills that it costs some \$6000 per man to develop. The net additional annual cost of shifting to an all-volunteer armed force would be bound to be much less.

It will cost a great deal to move to a voluntary system, but unless that cost is proved to be prohibitive, it will be more than worth it.

The alternative is never-ending compulsion in a society consecrated to freedom. I think we can pay a great deal to avoid that.

In any case, in terms of morale, efficiency and effectiveness, a volunteer armed force would assuredly be a better armed force.

Today, seven out of every ten men in the army have less than two years military experience. As an army chief of personnel put it: "As soon as we are able to operate as a unit, the trained men leave and we have to start all over again. A volunteer force would have a smaller turnover; it would be leavened by a higher percentage of skilled, motivated men; fewer would be constantly in training, and fewer trained men would be tied down training others."

The result would be, on the average, more professional fighting men, and less invitation to unnecessary casualties in case of war.

The same higher pay scales needed to get more volunteers would also strengthen incentives for career service. I am sure the spirit and self-confidence of the men who wear the nation's uniform would be enhanced.

In proposing that we start toward ending the draft when the war is over, I would enter two cautions: first, its structure needs to be kept on stand-by in case some all-out emergency requires its reactivation, but this can be done without leaving 20 million young Americans who will come of draft age during the next decade in constant uncertainty and apprehension.

The second caution I would enter is this: the draft can't be ended all at once. It will have to be phased out, so that at every step we can be certain of maintaining our defense strength.

But the important thing is to decide to begin, and at the very first opportunity to begin.

Now, some are against a volunteer armed force because of its cost, or because they're used to the draft and hesitant to change. But three other arguments are often raised. While they sound plausible, I say they don't stand up under examination.

The first is that a volunteer army would be a black army, so it is a scheme to use Negroes to defend a white America. The second is that a volunteer army would actually be an army of hired mercenaries. The third is that a volunteer army would dangerously increase military influence in our society.

Now, let's take these arguments in order: First, the "Black Army" one. I regard this as sheer fantasy. It supposes that raising military pay would be in some way slow up or stop the flow of white volunteers, even as it stepped up the flow of black volunteers. Most of our volunteers now are white. Better pay and better conditions would obviously make military service more attractive to black and white alike.

Second, the "Mercenary" argument. A mercenary is a soldier of fortune—one who fights for or against anyone for pay. What we're talking about now is American soldiers, serving under the American flag. We are talking about men who proudly wear our country's uniform in defense of its freedom. We're talking about the same kind of citizen armed force America has had ever since it began, excepting only the period when we have relied on the draft.

The third argument is the threat of universal military influence. This, if ever it did come, would come from the top officer ranks, not from the enlisted ranks that draftees now fill and we already have a career officer corps. It is hard to see how replacing draftees with volunteers would make officers more influential.

Today all across our country we face a crisis of confidence. Nowhere is it more acute than among our young people. They recognize the draft as an infringement on their liberty, which it is. To them, it represents a government insensitive to their rights, a government callous to their status as free men. They ask for justice, and they deserve it.

So I say, it's time we looked to our consciences. Let's show our commitment to freedom by preparing to assure our young people theirs.

[From Time magazine, Jan. 10, 1969]

#### THE CASE FOR A VOLUNTEER ARMY

The concept of a volunteer armed force for the U.S. is one of the few national propositions that have scarcely a single enemy. President-elect Richard Nixon is strongly for it. The Department of Defense holds that "reliance upon volunteers is clearly in the interest of the armed forces." Such conservatives as Barry Goldwater and William Buckley back the idea, and so do many liberals, including James Farmer and David Dellinger. Young men under the shadow of the draft want it, and so do their parents. Most of American tradition from the Founding Fathers on down is in favor, as were the untold millions of immigrants who came to America to avoid forced service in the conscript armies of czars and kaisers.

A volunteer armed force would seem to have something for everybody. For the Pentagon, it would provide a careerist body of men staying in the ranks long enough to learn their jobs, and do them well; as it is, 93% of drafted soldiers leave the service when their two-year tour of duty ends. For constitutionalists, a volunteer army would affirm the principle that free men should not be forced into involuntary servitude in violation of the 13th Amendment. For philosophers, it would restore freedom of choice; if a man wants to be a soldier, he can do so, and if not, he does not have to. The idea also appeals to all those who have become increasingly aware that the draft weighs unfairly upon the poor and the black, the dropout and the kid who does not get to college.

For all this rare unanimity of opinion, however, it seems hardly likely that the U.S. will soon achieve what Nixon has promised to build toward: "an all-volunteer armed force." A main reason for this is that the Pentagon's basic support for the idea of a volunteer army is heavily qualified by worries that it will not work—while the draft has now delivered the bodies without fail for two decades.

#### WORRIES IN THE PENTAGON

Burned into military memories is the hasty dismantlement of the U.S. armed forces after

World War II, when the nation returned to its traditional military stance: a small number of voluntary regulars, backed up by reserves and the National Guard. The Army managed to attract 300,000 volunteers, of whom West Point's Colonel Samuel H. Hays wrote: "In an infantry battalion during that period one might find only two or three high school graduates in nearly a thousand men. Technical proficiency was not at a high level; delinquency and court-martial rates were." Getting choosier, the army raised qualifying scores on aptitude tests from 59 to 70, 80, and finally 90. Simultaneously, it limited recruits to men without dependents and those willing to sign up for a three-year hitch. When the Berlin blockade and the Communist seizure of Czechoslovakia took place in 1948, the Pentagon complained that it was far under strength and that relying on volunteers had failed. Congress was told that the draft was needed to get manpower and show U.S. determination to check Communist aggression. The clumsily titled Universal Military Training and Service Act was passed. After that, proposals for returning to a volunteer army was not heard for years.

The military arguments against the volunteer army nowadays derive from new judgments about the size of the forces needed, the cost, and the necessity of flexibility. Certainly nothing but a draft could have supplied the 2,800,000 doughboys of World War I or the 10 million GI's of World War II, and the Pentagon's estimate of its current needs runs to similar magnitudes: 3,454,160 at the present moment, and 2,700,000 when peace returns. To raise the Viet Nam-inflated forces, the Department of Defense has relied on the draft to bring in about one-third of new troops and on the scare power of the draft to induce thousands of others to "volunteer." The draftees go to the Army, mostly to the infantry; the glamorous Air Force never has to draft anyone, and the Navy and Marines only rarely.

The Defense Department's study of the practicability of a volunteer army, made five years ago, proved to the department's satisfaction that it still would not work. Even allowing for growth in military-age population, DOD found that it could not expect to get more than 2,000,000 men, at least 700,000 short of pre-Viet Nam needs. As for the possibilities of increasing incentives, the Pentagon concluded that "pay alone is a less potent factor than might be expected" and that fringe benefits have small appeal for young men not deeply conscious of the value of medical care or retirement pay. On the other hand, Richard Nixon holds to the old American idea that it should be possible to devise incentives—pay among them—that will draw men into service.

The Pentagon's estimates of pay increases sufficient to attract a volunteer army ranged startlingly from \$4 billion to \$17 billion a year; Nixon says that he has found "authoritative studies" suggesting that a volunteer force could be set up for \$5 billion to \$7 billion extra. The Pentagon speculates that pensions for a volunteer army might be astronomical, but presumably they would at least partly and eventually replace the \$6 billion a year (sixth largest single item in the federal budget) that the nation pays to ex-servicemen who feel that something is their due for having been drafted. Savings in training costs could run to \$750 million a year, according to the Department of Defense; another economy would result because the proportion of time spent in training would be smaller in relation to a volunteer's long hitch than to a draftee's quick in-and-out. More basically, the extra cost of a volunteer army would be more apparent than real, because paying servicemen wages lower than they could get in a free market is, in effect, a subsidy for the Department of Defense. "We shift the cost of military service from the well-to-do taxpayer, who benefits by lower taxes, to the impecunious young draftee," explains Economist John Kenneth Galbraith.

A number of military thinkers contend that establishing a volunteer armed force limits the flexibility or response to threats. When Khrushchev got tough with President Kennedy in 1961, for example, the President easily increased U.S. might by authorizing Selective Service to have each of its 4,000 draft boards pull in more men. Presumably war on a big scale could rapidly outrun the capacities of a volunteer army, possibly requiring every able-bodied man. Reserves therefore would have to be maintained—with incentives for reservists instead of the threat of the draft. Even the draft itself probably should be kept on stand-by, perhaps for use with the permission of Congress or in case of declared wars.

Another reason that military men would hate to see the draft go is that they think it provides them with manpower of greater quality as well as quantity. As Colonel Hays noted, volunteers, unpressured by the draft, tended to be "marginal" when the Army last tried them. But he was speaking of men who had grown up in the pinched and deprived Depression years. With the right inducements, a modern technological army should be able to attract technology-minded volunteers, educated and educable enough to cope with missile guidance, intelligence analysis, computer programming, medical care and other demanding jobs. Given five or ten years in service, volunteers should be trainable to considerable skills, to judge from the experience of Canada and Britain, the only major nations that have volunteer forces. Though these armies are small, not having the great global responsibilities of the American forces, they provide enviable examples of high effectiveness, low turnover and contented officers. Lieut. General A. M. Sharp, Vice Chief of the Defense Staff of Canada, contends that freewill soldiers are "unquestionably going to be better motivated than men who are just serving time."

#### PHANTOM FEARS

Civilian reservations about volunteer armed forces also focus on some fears that tend to dissolve upon examination. Some critics have raised the specter of well-paid careerists becoming either mercenaries or a "state within a state." Nixon, for one, dismisses the mercenary argument as nonsense. The U.S. already pays soldiers a salary. Why should a raise in pay—which for an enlisted man might go from the present \$2,900 a year to as much as \$7,300—turn Americans into mercenaries? Said Nixon: "We're talking about the same kind of citizen armed force America has had ever since it began, excepting only in the period when we have relied on the draft." The Pentagon itself rejects the Wehrmacht-type army, in which men spend all their professional lives in service.

Nixon has also addressed himself to the possibility that a careerist army might become a seedbed for future military coups. That danger is probably inherent in any military force, but, as the President-elect points out, a coup would necessarily come from "the top officer ranks, not from the enlisted ranks, and we already have a career-officer corps. It is hard to see how replacing draftees with volunteers would make officers more influential." Nixon might have added that conscript armies have seldom proved any barrier to military coups. Greece's army is made up of conscripts, but in last year's revolution they remained loyal to their officers, not to their King.

Might not the volunteer army become disproportionately black, perhaps a sort of internal Negro Foreign Legion? Labor Leader Gus Tyler is one who holds that view; he says that a volunteer army would be "low-income and, ultimately, overwhelmingly Negro. These victims of our social order 'prefer' the uniform because of socio-economic compulsions—for the three square meals a day, for the relative egalitarianism of the barracks or the foxhole, for the chance to be promoted." Conceivably, Negroes could

flock to the volunteer forces for both a respectable reason, upward mobility, and a deplorable one, to form a domestic revolutionary force.

As a matter of practice rather than theory, powerful factors would work in a volunteer army toward keeping the proportion of blacks about where it is in the draft army—11%, or roughly the same as the nation as a whole. Pay rises would attract whites as much as blacks, just as both are drawn into police forces for similar compensation. The educational magnets, which tend to rule out many Negroes as too poorly schooled and leave many whites in college through deferments, would continue to exert their effect. Black Power militancy would work against Negroes' joining the Army. Ronald V. Delums, a Marine volunteer 13 years ago and now one of two black councilmen in Berkeley, opposes the whole idea of enlistment as a "way for the black people to get up and out of the ghetto existence. If a black man has to become a paid killer in order to take care of himself and his family economically, there must be something very sick about this society." But even if all qualified Negroes were enrolled, the black proportion of the volunteer army could not top 25%. Nixon holds that fear of a black army is fantasy: "It supposes that raising military pay would in some way slow up or stop the flow of white volunteers, even as it stepped up the flow of black volunteers. Most of our volunteers now are white. Better pay and better conditions would obviously make military service more attractive to black and white alike."

One consideration about the volunteer army is that it could eventually become the only orderly way to raise armed forces. The draft, though it will prevail by law at least through 1971, is under growing attack. In the mid-'50s, most military-age men eventually got drafted, and the inequities of exempting the remainder were not flagrant. Now, despite Viet Nam, military draft needs are dropping, partly because in 1966 Secretary of Defense Robert McNamara started a "project 100,000," which slightly lowered mental and physical standards and drew 70,000 unanticipated volunteers into the forces. Meanwhile, the pool of men in the draftable years is rising, increasingly replenished by the baby boom of the late '40s. Armed forces manpower needs have run at 300,000 a year lately, but they will probably drop to 240,000 this year. On the other hand, the number of men aged 19 to 25 has jumped from 8,000,000 in 1958 to 11.5 million now—and will top 13 million by 1974. The unfairness inherent in the task of arbitrarily determining the few who shall serve and the many who shall be exempt will probably overshadow by far the controversies over college deferments and the morality of the Viet Nam war. In the American conscience, the draft-card burners planted a point: that conscription should be re-examined and not necessarily perpetuated. The blending of war protest with draft protest, plus the ever more apparent inequities of Selective Service, led Richard Nixon to move his proposal for a volunteer army to near the top of his priorities.

#### HEALING TENSIONS

The position from which to start working for a volunteer army is that, to a large extent, the nation already has one—in the sense that two-thirds of its present troops are enlistees. Neither Nixon nor anyone else visualizes a rapid changeover. The draft will doubtless endure until the war in Viet Nam ends, but it could then be phased out gradually. After that, the draft structure can be kept in stand-by readiness, thinks Nixon, "without leaving 20 million young Americans who will come of age during the next decade in constant uncertainty and apprehension."

If Nixon and his executive staff can move ahead with legislation and the new Secretary of Defense prod and cajole his generals

and admirals, the new Administration will go far toward its aim. A volunteer army might help ease racial tensions, perhaps by ending the imbalance that has blacks serving in the front lines at almost three times their proportion in the population and certainly by removing the arbitrariness of the draft that puts them there. The move would also eliminate the need to force men to go to war against their consciences, and end such other distortions as paying soldiers far less than they would get if they were civilians, or forcing other young men into early marriages and profitless studies to avoid the draft. Incentives, substituted for compulsion, could cut waste and motivate pride. Not least, a volunteer army would work substantially toward restoring the national unity so sundered by the present inequities of the draft.

[From Newsweek magazine, Dec. 9, 1968]

MR. NIXON'S SECOND PROMISE

(By Stewart Alsop)

WASHINGTON.—President-elect Richard M. Nixon made just two explicit campaign promises. He promised to end the war in Vietnam. And he promised, after the war ended, to end the draft. The two promises are closely related, for the draft is the main reason the war is so unpopular. And if the war is not settled, or at least sharply scaled down, rather soon after Richard Nixon becomes President, he could become as unpopular as the war.

No doubt ideology and honest idealism play a part in the passionate opposition to the war among the college-educated young. But the draft supplies the passion. The young men who demonstrate against the war passionately do not want to be drafted. With draft calls up and the number of college men in the draft soon due to be multiplied at least five times over, the passion will deepen.

It is silly for the middle-aged to display indignation at this youthful desire not to be shouted at by top sergeants or shot at by strangers. It is a perfectly natural desire, and this generation of the young is not the first to experience it. When the draft law passed in 1940, my younger brother and I discovered that the regulations provided that a person adjudged "markedly unsightly" by a draft board would be placed in the 4-F category, so we spent a good deal of time making horrible faces at each other, in preparation for our first encounter with a draft board.

#### MASS RESISTANCE

Eventually, we changed our minds about the desirability of staying out of uniform—but then, if there ever was a war that had to be fought, it was World War II. Among the young in the universities, there are hardly any who think the war in Vietnam has to be fought, or ought to be fought. They are no doubt wrong, but that is the way they feel, and they feel so passionately that, if the war drags on indefinitely, President Nixon could quite conceivably be faced with a near-insurrectionary situation, with mass resistance to the draft in many universities.

This prospect raises a question—whether this country is capable of fighting a long, distant and limited war for limited national interests. The question is important, for if the United States is incapable of using limited power for limited purposes, it will cease to be an effective world power, and the world power balance will shift sharply to the Communist side. The evidence so far suggests that the answer to the question is: not with a conscript army.

That is not a very surprising answer. Great world powers have rarely relied on conscription except where the national territory was threatened. Professional armies fought for the Roman Empire and the British Empire, too—the British did not resort to the draft until a year and a half after World War I had started. Even the French, who invented conscription in its modern form, rarely used

conscripts in non-European wars—they fought their war in Indochina, for example, entirely with professionals. But can this prosperous, traditionally inward-looking nation raise a serious military force without conscription?

#### DISPROPORTIONATE?

Innumerable "feasibility studies" have been made in the Pentagon and elsewhere, and many reasons why an all-volunteer army is not practical have been put forward. For economic and other reasons, for example, a professional army might be disproportionately black. But the Pentagon experts who have studied the figures doubt that the proportion of Negroes in an all-volunteer army would go much above 20 percent, about the current proportion in the infantry.

A more serious problem is that of attracting and keeping men with economically valuable skills—an electronics expert, for example, who could earn \$15,000 in the civilian economy, is not likely to enlist voluntarily for less than half that amount. But that problem already exists, of course, and it is dealt with more or less successfully by offering ambitious young men on-the-job training in valuable skills in return for fairly long enlistments.

The central problem is money. During the heyday of the British Empire, poor men would enlist for a shilling a week and three square meals a day. To provide the American Army with "competitive pay" in the middle of a booming civilian economy would require pay scales undreamed of in all military history.

According to one Pentagon study, competitive pay would mean a buck sergeant getting \$6,500 a year, a captain \$12,800 and a chicken colonel \$26,000. The extra cost of an all-volunteer force has been estimated all the way from \$4 billion a year to \$20 billion. But the best current guess is that the extra cost of non-draft post-Vietnam armed forces of about 2.7 million would come to around \$8 billion.

Money is not the whole secret of attracting men into the armed forces, of course. There are intangibles, which the stodgy American Army has always underestimated. There are men, surprisingly, who enjoy the hierarchical certainties of military life, and there are even men, far more surprisingly, who rather enjoy shooting and getting shot at. Such men make far better soldiers than those conscripted against their will.

The Europeans, the British especially, use all sorts of ways of attracting such men, from what the British call "found"—special privileges—to magnificent costumes designed to attract the ladies and reinforce self-esteem. The American Army, even before the computer age, always tended to treat its men like faceless numbers, which is one reason why the U.S. Army has been so dependent on the draft.

#### EXPENSE ACCOUNT

With the draft there to call on, like an unlimited expense account, the American Army has also been profligate in its use of manpower. It has by a very wide margin the longest non-combat "tail" of any army in the world—or in the history of the world. If the Army had to rely on volunteers, it would be under useful pressure to cut back its tail, and thus deliver a greater return in real combat power.

The military, of course, dislike the whole idea of a non-draft force, for reasons just as natural as those which cause the young to dislike the whole idea of the draft. It is true that there are very serious problems involved, and that a professional Army would cost a great deal of money. But it is also true that the monstrously unfair draft system has helped to create the kind of passionate dissonance which has almost torn this country apart. The United States must be able to use limited military power for limited ends, if it

is to stay in business as a great power, and even \$8 billion a year does not seem too great a price to pay to avoid tearing the country apart in the process.

#### THE DRAFT AND THE VOLUNTARY ARMY SELECTED QUOTATIONS

Senator ROBERT A. TAFT. It is said that a compulsory draft is a democratic system. I deny that it has anything to do with democracy. It is neither democratic nor undemocratic. It is far more typical of totalitarianism nations than of democratic nations. The theory behind it leads directly to totalitarianism. It is absolutely opposed to the principles of individual liberty which have always been considered a part of American democracy. . . . The principle of a compulsory draft is basically wrong.—CONGRESSIONAL RECORD, August 14, 1940, page 15768.

Senator BURTON K. WHEELER. Peacetime conscription . . . is the greatest step toward regimentation and militarism ever undertaken by the Congress of the United States.—CONGRESSIONAL RECORD, August 21, 1940, page 16255.

Senator ARTHUR VANDENBERG. These reasons must have been related in some indispensable fashion to the fundamental theory that peacetime military conscription is repugnant to the spirit of democracy and the soul of Republican institutions, and that it leads in dark directions.—CONGRESSIONAL RECORD, August 12, 1940, page 10123.

ADLAI E. STEVENSON. Every young man who has served in our armed forces knows the incredible waste of our present system of forced but short-term service. He knows the money that could be saved, the new efficiency that could result from a volunteer system which calls on young men not to endure two years of service because they have to, but to choose it for a longer period because it offers advantages that seem to them appealing.—Speech at Youngstown, Ohio, October 18, 1956; cited in the Report of Special Subcommittee on Utilization of Military Manpower of the Committee on Armed Services, House of Representatives, 86th Congress, Second Session, page 154.

RALPH J. CORDINER (Chairman, Defense Advisory Committee on Professional and Technical Compensation). Reduced to its simplest terms the personnel problem appears to be a matter of quality as opposed to quantity. It is not a matter of the total number of people on hand, but it is a matter of the level of retention of those possessing a high degree of leadership quality and those with the technical training and experience the services so urgently need. It is a matter of not being able, at the present time and under the present circumstances, to keep and challenge and develop the kinds of people needed for the periods of time necessary for them to make an effective contribution to the operation of the force. . . . It is foolish for the Armed Forces to obtain highly advanced weapons systems and not have men of sufficient competence to understand, operate and maintain such equipment. . . . The solution here, of course, is not to draft more men to stand and look helplessly at the machinery. The solution is to give the men already in the armed forces the incentives required to make them want to stay in the services long enough and try hard enough to take on these higher responsibilities, gain the skill and experience levels we need and then remain to give the services the full benefit of their skills—"A Modern Concept of Compensation for Personnel of the Uniformed Services", (Cordiner Report), March, 1957.

Major General HAROLD MADDUX (Department of Defense, Division of Manpower Requirements). We need drastic changes in pay and attitudes to upgrade a military career in the eyes of the nation. We can't get that

change with large numbers of men compelled to serve against their will.—House Armed Services Committee Hearings on HR 2260, Extension of the Draft, January, 1959, #2, page 130.

Admiral BEN MOREELL (president, Americans for Constitutional Action). It is my firm conviction that the two greatest intrusions on individual freedom in the history of the Republic are, first, the Sixteenth Amendment . . . and second, the Act of May 18, 1917, whereby Congress "authorized and ordained" a conscript army for use in foreign war.—The Freeman, July, 1960.

Senator STUART SYMINGTON. A force made up of volunteer professional military personnel is more effective and less costly than one dependent on involuntary draftees. If the current atmosphere of complacency were dissolved, and a military career made more respected and attractive, the draft could be eliminated.—Cited in Newsweek magazine, April 4, 1960.

RUSSELL KIRK. Universal military training, the most crushing burden that the state can impose upon its people, the most terrible curse of the better types of humanity—highly strung, sensitive and nervous—is found in conjunction with levelling democracy not merely by coincidence. The armed horde is a concomitant of equalitarian socialism and state planning; and it is a natural reaction of any society which has abandoned all the old habitual and internal disciplines, so that it must rely (as Burke predicted) upon arbitrary internal disciplines.—The Conservative Mind, Russell Kirk, Chicago, Regnery, 1961, page 378.

Professor JOHN K. GALBRAITH. The draft survives principally as a device by which we use compulsion to get young men to serve at less than the market rate of pay. We shift the cost of military service from the well-to-do taxpayer, who benefits by lower taxes, to the impecunious young draftee. This is a highly regressive arrangement which we would not tolerate in any other area. Presumably freedom of choice here as elsewhere would be worth paying for. . . . As an important added benefit a shift from compulsion to fully paid service would give us a better trained force—something that modern weapons make most desirable. We would not, as now, have a force which consists of partly trained men who leave about as soon as their training is complete.—Quoted by Reverend Montgomery J. Shroyer, Extension of the Draft and Related Authorities. Hearing before a Subcommittee of the Committee on Armed Services, United States Senate, 89th Congress, First Session on HR 2438 (S 846), page 80.

Senator ROBERT A. TAFT. It is said that we are going to teach the boys citizenship in the camps. This argument makes clear a real danger in the whole system. By handing boys over to the arbitrary and complete domination of the Government, we put it in the power of the Government to indoctrinate them with the political doctrines then popular with the Government. . . . In wartime it is bad enough; in peacetime, it would be intolerable.—Quoted by Reverend Montgomery J. Shroyer, Extension of the Draft and Related Authorities. Hearing before a Subcommittee of the Committee on Armed Services, United States Senate, 89th Congress, First Session on HR 2438 (S 846), page 159.

HANSON W. BALDWIN. There is no doubt that it would be desirable to end the draft entirely. Military effectiveness—in terms of highly trained professionals instantly ready—would be greatly improved if professional motivation could be substituted for compulsion. Certainly a voluntary system of recruitment is more compatible with past American traditions and with our concept of political freedom than conscription. The younger generation would be able to plan its important beginning years with far greater certainty than is now possible, and the somewhat cor-

rosive effects upon morale of the present system of deferments and exemptions would be ended. Militarily, politically and socially, then, it seems desirable to end the draft. . . . (I) f the facts then clearly indicate that voluntary recruitment and long term professionalism, encouraged by improved incentives, might supply service needs, the draft should be ended. But if there is a doubt, the principle of compulsion might then be suspended, rather than eliminated, for a stated period, in order to test and try a new system, one more compatible with the soul of republican institutions.—New York Times magazine, "Should We End the Draft? Our Way of Procuring Military Manpower, Now a Campaign Issue, Is Reexamined", September 27, 1964.

WILLIAM F. BUCKLEY, JR. The not so very long-term objective should be to eliminate the draft in favor of a professional army of volunteers, who would greatly increase the efficiency of the armed services, and relieve the civil population of an experience which, insofar as it is unrelated to true necessity, is debasing, and an unnecessary—and therefore inexcusable—encroachment on individual freedom.—Washington Daily News, April 24, 1964, page 27.

JAMES G. PATTON. I am confident that a well formulated program can be achieved which will eliminate the draft, modernize reserve programs and achieve huge savings in man-years and budget dollars. Such a program would justifiably generate widespread public support and enthusiasm. Most important, it would bring strengthened civilian control and simple human justice into our huge military manpower structure.—Cited in the CONGRESSIONAL RECORD, volume 110, part 18, page 23072.

Senator BARRY GOLDWATER. This administration uses the outmoded and unfair military draft system for social schemes as well as military objectives.

Republicans will end the draft altogether, and as soon as possible! That I promise you!

Republicans understand that the military forces need trained volunteers who make the military service a career. Republicans understand that the purpose of the military forces is not social, or political—it is to help the peace of the world.

To use military services for political and social schemes—as this administration does—is to drift closer to war on an ebbing tide of military strength.—Chicago Tribune, September 4, 1964, page 2.

NILS A. LENNARTSON (Deputy Assistant Defense Secretary for Public Affairs). We are glad to know that the Republican candidate agrees with the administration that the draft should be ended as soon as possible.—New York Times, "The Pentagon Says It Welcomes Goldwater Idea That Draft End", September 4, 1964.

Senator GAYLORD NELSON. If the Congress will take the time to make a detailed study of the draft as it works today, I think it will be shocked and appalled at what it finds.

My own study has led me to this conclusion:

Our present draft system is outmoded. It should be terminated, in the interests of national security as well as justice. With careful planning, we can end the draft, responsibly, in 1967.—CONGRESSIONAL RECORD, volume 110, part 12, page 15365.

Senator GEORGE MCGOVERN. The present system seems to me to be a wasteful, inefficient, and undemocratic method of securing our military manpower. It is a cloud over the lives of all of our young men and yet only a fraction of them are needed or will be called for service.

I think that by proper salary and job benefits we could secure the men we need on a voluntary basis. This would produce a military force of better motivated career servicemen and leave the rest of our young men free

to pursue their careers and their private lives without the uncertainty of a draft hanging over their head.—CONGRESSIONAL RECORD, volume 110, part 12, page 15371.

Republican Platform, 1964. "For the People. We pledge:

Re-evaluation of the armed forces manpower procurement programs with the goal of replacing involuntary inductions as soon as possible by an efficient voluntary system, offering real career incentives.—Adopted by the Republican National Convention, July 14, 1964, San Francisco, California, pages 15-16.

Democratic Platform, 1964. On August 25, the Democratic Convention promised in its platform to "pursue our examination of the selective service program to make certain that it is continued only as long as it is necessary and that we meet our manpower needs without social or economic injustice.—Cited in the CONGRESSIONAL RECORD, volume 110, part 18, page 23068.

Congressman WILLIAM H. BATES. I am against the draft and induction of all kinds unless we have to have them. . . . But you have to be very careful in using a military organization for other than military purposes. I still think that our home communities with our local schools and our churches and our neighbors and our friends and relatives, all of this kind of community effort is the place to which we should address problems of this nature and I would be most reluctant to use the purpose for which they have been established.—Review of the Administration and Operation of the Selective Service System, Hearings before the Committee on Armed Services, House of Representatives, 89th Congress, Second Session, page 9708-9709.

Congressman ROBERT ELLSWORTH. I urge that Congress abolish the draft, and get on with the establishment of a modern professional, career-oriented, highly paid volunteer military force.

The concept of a national service obligation to replace a military service obligation is repulsive. . . . But the drafting of men or women for civilian service, no matter how laudatory the cause, is the exact antithesis of everything this Nation stands for.

The basic concept which the Congress should accept is that the draft should be abolished.

This means increased military pay. It means increased career opportunities. It means a radical departure from existing practice of using uniformed personnel in administrative and supply jobs in the United States which could just as easily be filled by civilians. It means attention to the creation of a more adequate volunteer reserve force which can be activated in crisis time. It means a system of bonuses for enlistment by the reserves for active duty in crises. But most of all it means a determination by the administration and the Congress to make every effort to undertake the necessary reforms to allow the draft to be ended.—Review of the Administration and Operation of the Selective Service System. Hearings before the Committee on Armed Services, House of Representatives, 89th Congress, Second Session, pages 9756, 9757, 9759, 9760.

Congressman THOMAS B. CURTIS.—The draft, with its 4061 local and autonomous draft boards and its antiquated machinery, is an anachronism in the Cold War era, a relic of an earlier time when vast quantities of raw manpower were thrown onto the battlefields of Europe and Asia to overcome by their very numbers the killing power of cannon, machine gun and tank. In the age of the skilled technician, the Armed Forces of the United States still rely on the Selective Service System, a World War Two expedient, to supply them with bewildered, untrained, often poorly educated youth. Immune to technological change and changing population structure, the draft has become the weakest link in our national security system

and an unnecessary burden on our society. It is within our means to eliminate compulsory military service; that we have not done so, or begun to do so, is an announcement of our failure to adapt to the changing conditions of modern society.—Play magazine, February, 1967. Cited in the CONGRESSIONAL RECORD, volume 113, part 1, page 1385.

Lieutenant General IRA C. EAKER, retired. Concurrent with renewal of the draft, Congress should provide for a professional military establishment to meet the requirements for national security without conscription. This can be done by making military careers competitive with the civilian professions and occupations that require similar education, preparation and skill.

Occasionally, one hears the unsupported assertion that the cost of an adequate defense force without conscription would be prohibitive. Actually, this proposal would cost less than the present draft system, with its high rate of personnel turnover. More importantly, it would provide a credible deterrent to nuclear war. Such an effective national security system is cheap at any price.—Post Advocate, Alhambra, California, "Military Affairs: Replacement For Draft Law", February 23, 1967. Cited in the CONGRESSIONAL RECORD, March 9, 1967, A1182.

Senator BARRY GOLDWATER. Conservatives want to end the draft—period. They do not want to extend it to any other form of service. They sympathize with the aims of the system, but they cannot and do not sympathize with the method, no matter what its motive.

The conservative position is based solidly upon the notion that man's most fundamental right and responsibility is to live his own life.—The New Guard, May, 1967.

BRUCE CHAPMAN. The abolition of the draft and a new all-volunteer military can terminate the conundrum of contradictions and confusion, the mandarin complexities, discriminations, and inefficiencies of the so-called Universal Military Training and Service Act. The evasion mentality among the young can be curbed. Lives in a world already anxious and precarious can be freed of the draft's additional uncertainty. The insidious subtle power of a vast bureaucracy to interfere in a citizen's personal plans—to punish, threaten, or "channel"—can be eliminated and personal freedom enhanced.

All this is now achievable because the draft is no longer necessary; it can be replaced, and therefore it should be replaced.—The Wrong Man in Uniform. New York, Trident Press, 1967, pp. 107-108.

[From Newsweek magazine, Dec. 19, 1966]

(By Milton Friedman)

#### A VOLUNTEER ARMY

A military draft is undesirable and unnecessary. We can and should man our armed forces with volunteers—as the United States has traditionally done except in major wars.

Only a minority of young men now enter the armed forces. Hence, some method of "selective service"—of deciding which young men should serve and which two or three should not—is inevitable. But our present method is inequitable, wasteful and inconsistent with a free society.

On this point there is wide agreement. John K. Galbraith and Barry Goldwater, the New Left and the Republican Ripon Society have all urged that conscription be abolished. Even most supporters of the draft regard it as at best a necessary evil.

The draft is inequitable because irrelevant considerations play so large a role in determining who serves. It is wasteful because deferment of students, fathers and married men jams colleges, raises the birth rate and fuels divorce courts. It is inconsistent with a free society because it exacts compulsory service from some and limits the freedom of others to travel abroad, emigrate or even to talk and

act freely. *So long as compulsion is retained, these defects are inevitable.* A lottery would only make the arbitrary element overt. Universal national service would compound the evil—regimenting all youth to camouflage the regimentation of some.

#### THE PAY IS LOW

Two principal objections are made to a volunteer force:

1. That a "professional" army endangers political freedom. There is a real danger, but it arises from a strong armed force not from the method of recruiting enlisted men. Napoleon and Franco both rose to power at the head of a conscript army. However we recruit, the essential need is to maintain close links between the officer corps and the body politic.

2. That a volunteer army is not feasible because, at present terms, too few men volunteer. Little wonder: the starting pay, including cost of keep, is about \$45 a week! We could readily attract more volunteers simply by paying market wages. Estimates of how much total military pay would have to go up vary from \$4 billion to \$20 billion a year.

Whatever the extra amount, we are now paying a larger sum in concealed form. Conscription is a tax in kind—forced labor exacted from the men who serve involuntarily. The amount of the tax is the difference between the sum for which they would voluntarily serve and the sum we now pay them—if Joe Namath were drafted, his tax might well run into hundreds of thousands of dollars. The real cost of manning the armed forces now, including this concealed tax, is greater than the cost of manning a volunteer force of the same size because the volunteers would be the men who find military service the most attractive alternative.

#### THE COST IS HIGH

Moreover, a volunteer force would need fewer recruits. We now waste manpower by high turnover, unnecessary training and retraining and the use of underpaid servicemen for menial tasks.

Adding to cost, low pay for men in service encourages extravagant veterans' bonuses—currently more than \$6 billion a year (over 40 per cent as much as total military pay). Young men seeking shelter from the draft impose unnecessary costs on colleges and universities. Other young men fritter away their time in stopgap jobs awaiting conscription, while industry seeks men to train.

The monetary savings that would come from abolishing conscription are dwarfed by even greater, nonmonetary advantages: young men could arrange their schooling, careers, marriages and families in accordance with their own long-run interests; draft boards could be freed from the appalling task of choosing which men should serve, deciding claims for conscientious objection, ruling whether young men may leave the country; colleges and universities could be free to pursue their proper educational function; industry and government could hire young men on their merits not their deferments.

One of the greatest advances in human freedom was the commutation of taxes in kind to taxes in money. We have reverted to a barbarous custom. It is past time that we regain our heritage.

[From U.S. News & World Report, Jan. 20, 1969]

#### DRAFT "CRISIS" IN GRADUATE SCHOOLS

As the first semester of this college year draws to a close, the specter of a wholesale draft of graduate students again is being raised.

On January 13, the Scientific Manpower Commission—a nonprofit corporation sponsored by major scientific groups—issued a report picturing nearly half of all U.S. grad-

uate students in science fields as draftable soon.

Calling for a quick change in the draft rules, the Commission declared:

"The number of U.S. males now engaged in advanced scientific training . . . will be substantially reduced during the coming months. Adequate numbers of graduate teaching fellows to assist undergraduate students may not be available in many universities, and research projects now under way may be delayed or curtailed by the loss of graduate research assistants. . . .

"The nation's supply of newly trained Ph.D.'s in the sciences will be seriously curtailed in the early 1970's."

The Council of Graduate Schools, meanwhile, reports that, among all male graduate students, roughly 35 per cent of the first-year men in all fields are either 1-A or 2-S now, while 41 per cent of the second-year students qualify for the draft.

#### UNCERTAIN OUTLOOK

Deferments for most students doing graduate work ended officially last summer, but local boards were advised to allow students who were accepted by graduate schools to remain in class until the end of this semester.

Some boards, ignoring that advice, have yanked a few graduate students out of classes already. But tens of thousands of other students will become officially vulnerable in late January and February. Boards were advised a month ago that those students who are not drafted and who return to class next semester may be deferred until next June.

Because the typical graduate student is past 21, he will be at or near the top of his draft board's list of available men, at least between semesters, because the boards must take the "oldest eligible men."

What will actually happen in weeks just ahead, however, is far from clear. In theory, draft quotas for the next two or three months could be filled with nothing but graduate students. This is what many feared last autumn.

#### SERIOUS INROADS

A spot check of graduate schools and organizations around the country by "U.S. News & World Report" gives these indications of what may be ahead this time:

The University of Maryland's vice president for graduate studies, Dr. Michael J. Pelczar, Jr., reported:

"We are already beginning to feel the effects of the draft regulation on our graduate students. I expect fairly serious inroads in the graduate population at the end of the current semester, and more at the end of the academic year."

Graduate departments at Maryland have had from 10 to 20 per cent of their graduate teaching assistants called for induction at the end of the semester. In one department—zoology—15 of the 96 teaching assistants are draft-qualified and seven have been ordered up.

At Brown University, in Providence, R.I., few graduate students have been drafted thus far—30 just before classes started last autumn and 13 during the semester thus far, out of 1,460 students enrolled in Brown's graduate division. But university officials fear that many of the 320 men now classed 1-A will be called soon.

Some universities which operate on the quarterly system already are feeling the crisis. At Stanford University, for instance, "over 100 graduate students" received their draft orders before the end of 1968, when the quarter ended.

#### ABOUT 40 PERCENT BY JUNE

Over all, there is this prediction now from Dr. Gustave Arlt, head of the Council of Graduate Schools: "We anticipate inductions at the end of this semester to run as high as 15 per cent of all graduate students now qualified for the draft, and we expect that about 40 per cent of them will have re-

ceived their draft calls by the end of the academic year in June."

Scientific Manpower Commission's executive director, Mrs. Betty Vetter, expects a far larger percentage of present graduate students to be called up.

#### A DISSENTING VIEW

Yet not everyone is convinced that inductions will be at a wholesale rate at the end of this semester. There is this comment by Russell Thackrey, executive director of the National Association of State Universities:

"Undoubtedly there will be some increase in the drafting of graduate students in the coming few weeks.

"But it may be quite a bit lighter than many people expect. There are about 4,000 draft boards, and these students are by no means spread evenly among them. So I would not expect most boards to fill their quotas with large numbers of graduate students.

"If the signs are that this is happening, the President now has the authority to order a larger ratio of younger men to be called each month."

It is some such move as this that the Scientific Manpower Commission is urging to limit the impact on graduate students at this time. But whether it will be needed—or used by Mr. Nixon if needed—is still undecided.

[From Current History, July 1968]

#### CAN WE AFFORD THE DRAFT?

(By Walter Y. Oi, professor of Economics, College of Business Administration, University of Rochester)<sup>1</sup>

(NOTE.—Noting that "the budgetary cost of a professional army is nothing more than a reflection of the real cost of the draft," this economist evaluates the "hidden costs" of today's Selective Service and contrasts them with estimates of the costs of an all-volunteer army.)

In June, 1967, Congress by an overwhelming majority voted to extend the draft for another four years. Unlike the previous extensions in 1955, 1959, and 1963, considerable debate and study preceded the passage of this bill. President Johnson by executive order established two study groups,<sup>2</sup> while the House Armed Services Committee undertook its own study with the Clark Commission. The reports of all three studies agreed on one conclusion; namely, there was definitely a need for some type of military draft. There were, however, many individuals who disagreed with this conclusion and opposed extension of the draft.<sup>3</sup>

Senator Mark Hatfield (R., Ore.), Professor Milton Friedman and many others oppose the draft and advocate the adoption of an all-volunteer army. They argue that our military manpower requirements could be met on a voluntary basis. Those who serve would serve out of choice, not compulsion, thereby eliminating all inequities of involuntary military service.

The unpopularity of the war in Vietnam has swelled the ranks of another group whose members oppose the draft because of their opposition to the war in Vietnam. They contend that if there were no draft, it would not be possible to continue the Vietnamese war at its present level. The thrust of their opposition is directed to a specific war, and the military draft happens to be the particular institution that they choose to attack.<sup>4</sup> In passing, I suspect that most members of this group would support an all-volunteer force, partly because they think that it might not work or that, if it did, the real cost of attracting enough recruits would be extremely high, thus revealing the war's real economic cost.

Finally, a third group of critics (whose leading spokesman is Massachusetts Democratic Senator Edward Kennedy) accepts the conclusion that some type of draft is essen-

Footnotes at end of article.

tial. It objects, however, to the way in which the present Selective Service System through local draft boards picks draftees while other qualified men are allowed to avoid their military service obligations. The Marshall Commission documented the lack of consistent rules, and the clearly arbitrary actions of many local draft boards. In its report, the Commission recommended the adoption of a "Fair and Impartial Random" selection process, FAIR, which in spite of its fancy name is nothing more than a lottery. The lottery can surely achieve consistency and, in a very special sense, greater equity in who bears the burden of involuntary military service.<sup>5</sup> Notice that these critics do not oppose the concept of a peacetime military draft; they criticize only the way in which the conscripts are selected.

A glimpse of "who bears the burden of military service" is provided by the Department of Defense study. By July, 1964, the men who were born in 1938 had reached the age of 26, at which the draft liability is effectively terminated. Of the 1.19 million men in this age class, 51.6 per cent had satisfied their military service obligations; 7.6 per cent had been drafted, 33.9 per cent had volunteered as officers or regular enlisted men, and 10.1 per cent had served in reserve units requiring active duty only for basic training. If all men had been examined, 30 per cent would have been disqualified for physical or mental reasons. Hence, 18 per cent of this age class avoided the draft by obtaining deferments or exemptions for the 8.5 years of their draft liability.

In relation to the pool of qualified males, 59 per cent participated in active military service for two or more years. These participation rates ranged from a high of 77 per cent for high school graduates to a low of 32 per cent for college graduates; a result which is consistent with the claim that the more highly educated are less likely to serve. In the light of the rapid postwar growth in population in the United States, all of these participation rates will decline if force strengths return to their pre-Vietnam levels of 2.7 million men. According to Department of Defense projections, only 27 per cent of all males (39 per cent of qualified males) will be required to sustain active duty forces in 1970-1975.

Over the period 1960-1965, only the Army was obliged to take the draftees, who accounted for 21 per cent of new accessions to enlisted ranks in all four services. Many of the regular enlistments to all services can properly be classified as reluctant volunteers who enlisted because of the threat of being drafted. Approximately 38 per cent of the voluntary enlistments stated that if there had been no draft they would not have volunteered for active military service. The percentage of draft-motivated enlistments is about the same for newly-commissioned officers (41 per cent) and climbs to 71 per cent for volunteers to reserve units. The conscripts who have not volunteered and the reluctant volunteers are the ones who bear the largest part of the burden of national defense.

In principle, nearly every draftee and reluctant volunteer could be induced at some price to become a volunteer; that is, there is some level of military pay at which a draftee would have willingly left his civilian pursuit, be it job or school, and entered active military service. The draft, however, compels some and coerces others to serve without fully compensating them for it. Entry levels of military pay are absurdly low. The pay increases legislated by Congress since 1950 have applied only to men in the career force, the justification being that the draft assured adequate supplies of new recruits. An enlisted man on his first tour of duty (roughly three years) earns a monthly income (including the value of room, board and family allowances) of roughly \$210; a figure well below the poverty line and below the minimum

wage of \$260 per month. The typical recruit who was drafted or who reluctantly volunteered in 1964 could have earned a civilian income of \$295 even after adjusting for the high incidence of unemployment of youths in this age group. The difference of \$85 between civilian and military incomes is a direct financial loss suffered by those who are obliged by the draft to serve. (In addition to this direct loss, many youths incur further loss because they are not given enough extra compensation for the risks of combat service. In the civilian economy, premium pay is offered to attract workers to risky and odious occupations.)

#### THE HIDDEN TAX

I earlier estimated the pay level of a voluntary force to be around \$350 a month.

The average difference of \$140 between the pay level of an all-volunteer force and the actual first-term pay of enlisted men constitutes a *hidden tax* paid by those men who happen to be drafted or who volunteer because of their draft liability. This hidden tax borne by those who serve redounds to the benefit of all taxpayers via a lower defense payroll budget. The burden of this hidden tax of the draft is primarily placed on youths from the lower middle classes of our socio-economic strata. Those who go on to college, thereby enhancing their earning capacity, are most likely to avoid the draft and benefit from a lower defense budget.<sup>6</sup> The real economic cost of the manpower resources which are allocated to defense is thus shifted from taxpayers as a whole to that fraction of youths who are obliged to serve at below competitive rates of pay. This basic inequity of the draft—the hidden tax—was succinctly and eloquently summarized by Professor John K. Galbraith in his testimony before the Senate Armed Services Committee.

"The draft survives principally as a device by which we use compulsion to get young men to serve at less than the market rate of pay. We shift the cost of military service from the well-to-do taxpayer who benefits by lower taxes to the impecunious young draftee. This is a highly regressive arrangement that we would not tolerate in any other area. Presumably, freedom of choice here as elsewhere would be worth paying for."

The magnitude of the inequity is put in perspective by a simple comparison. According to my studies, the hidden tax of the draft in 1964 was conservatively estimated to be \$1,680 per year for each draftee and reluctant volunteer. Federal personal income tax payments in 1964 averaged only \$633 per adult over 21 years of age and \$590 per person over 18 years of age. The typical draftee is thus saddled with a hidden tax that is over twice as high as the federal income tax burden of an individual taxpayer.<sup>7</sup>

#### ALTERNATIVES TO THE DRAFT

A draft in which only some men are conscripted represents one way of supplying the armed forces with qualified personnel. Two alternatives which were examined in all three studies were universal military training (UMT) and an all-volunteer force.<sup>8</sup> Although UMT achieves a measure of equity (or inequity, in the sense that all serve), it was rejected because the armed forces cannot efficiently utilize all qualified youths reaching draft age. In evaluating the merits of UMT, the Marshall Commission stated that "Changes in the technology of war, resulting in basic changes in military concept and requirements, have eliminated that need [for large land armies]." Some advocates of UMT argue that military service provides indirect benefits to some disadvantaged classes in the form of training and discipline which are partially transferrable to later civilian life. The basic fact is that in the light of future demands for defense, the cost of UMT (even at low military pay) is much too high.

Footnotes at end of article.

An all-volunteer force has the obvious merit that no one is compelled to serve. All men would have the option of working in the civilian economy or entering the armed forces to insure our national defense. The military would no longer be saddled with the image of an odious occupational pursuit, something that must be done by someone. Pay, living conditions and other supplements would have to be improved to attract enough recruits for desired levels of defense capability. Moreover, if the armed forces had to pay competitive wages, it is more likely that we could attain greater efficiency in the use of manpower resources.

In spite of the many advantages of an all-volunteer force, it has received comparatively little attention. In a 65-page report, the Marshall Commission took only two pages to dismiss the all-volunteer army and to establish the "need" for a draft. Its five reasons for rejecting the voluntary force are examined in some detail below.

#### Flexibility

In a world fraught with international tensions, it is impossible to forecast with any degree of accuracy the force strengths that will be required to insure our national defense. Faced with such uncertainty, the commission declared, it would be folly to trust our national security to the ability of a professional army to adjust its strength quickly in response to a possible crisis.

The unasked question in this objection is, "What amount of flexibility is required of a professional army?" In the 12 years from 1954 to 1965, the largest year-to-year increase in force strength was 350 thousand men during the Berlin crisis of 1962. A substantial part of that mobilization was accomplished by recalling reserves to active duty.

The recent Vietnamese War escalation from June, 1965, to June, 1966—which raised force strength by 438 thousand men—was accomplished with virtually no reservists recalled to active duty. The present organization of Reserve and National Guard units defies rational explanation. About 1.3 million men are now in a ready, paid drill status. If the reserves were integrated under an overall military manpower policy and if their strength were reduced to 700,000-800,000 men, they could supply the requisite flexibility to meet short-run demands for active duty personnel.

In any case, in the event of an all-out land war requiring force strengths of 4 to 6 million men, Congress always has the power to enact new draft legislation. Finally, it should be remembered that even with machinery for a draft the armed forces cannot induct and train one and one-half million men in a year. A voluntary force of 2.7 million men backed by a truly ready reserve of 700 thousand men could easily raise its strength by 300 to 400 thousand men in a single year.

#### Cost of an all-volunteer force

The report of the Marshall Commission stated that "an exclusively volunteer system would be expensive although the Department of Defense gives no solid estimate of how much such a system would cost." Actually, the Department of Defense gave a wide range of cost estimates. In his testimony before the House Armed Services Committee in June, 1966, Assistant Secretary of Defense T. D. Morris stated that a voluntary force of 2.65 million men would cost between \$4 billion and \$17 billion per year. My own estimate of the cost is close to the \$4 billion figure, arrived at via the following analysis.

If the draft were abolished with no accompanying changes in pay or other recruitment incentives, the armed forces would lose the annual inputs of draftees and draft-motivated reluctant volunteers. Many youths with unattractive civilian job opportunities and with a desire to try military service (at

least for one tour of duty) would still volunteer. Moreover, there is considerable evidence that each true volunteer would remain in service for a longer period. (Surveys of Air Force enlisted men reveal that those who enlist because of the threat of being drafted have substantially lower reenlistment rates.) That the higher pay for an all-volunteer force would also raise reenlistment rates is supported by the experience of proficiency pay for men in critical military occupations. It is also worth noting that the reenlistment rate of Negro soldiers (whose alternative civilian job opportunities are inferior to those of their white counterparts) is 49 per cent, compared to an average of only 22 per cent for all regular Army enlistments. Presently, over half of all Army recruits are either drafted or coerced to enlist by the threat of being drafted. As a consequence, the turnover of Army enlisted personnel under a continued draft is projected to be around 25 per cent per year.

If all recruits were true volunteers, I estimate that the turnover rate could be cut to 17 per cent per year, thereby reducing the demand for new recruits. Even with the lower personnel turnover of a voluntary force, there will be deficits between demands for a desired military level of 2.65 million men and supplies of true volunteers, with the deficit being largest for the Army, the only service which drafted men from 1957 to 1965. Under present conditions, by 1970-75, the Army could expect annual flows of true volunteers of 90 thousand per year. In order to sustain the prescribed force strength (corresponding to a strength of 2.65 million for all four services), an all-volunteer Army would have to attract 144 thousand recruits.

The supply of volunteers could be expanded by various policies including higher base pay, initial enlistment bonuses, guaranteed training programs, or variable terms of service. It was assumed in the Defense study that higher base pay would be the only policy instrument for increasing the supply of enlistment applicants. The responsiveness of supplies of recruits to pay changes was estimated for the defense study.<sup>9</sup> To bridge the projected deficit in Army enlistments, approximately 54 thousand recruits, I estimated that first term pay (over the first three years of service) must be raised by 68 per cent; from \$2,500 to \$4,200 per year. To prevent inversions in the pay scales (wherein men with four years of service would be earning less than men with fewer years of service), the pay of the career force would also be increased. If the higher pay rates were applied to the entire force of 2.65 million men, the addition to the military payroll budget would be approximately \$4 billion per year.

My cost estimate has been criticized as being too low because the demand for recruits was based on the lower turnover of an all-volunteer force. During the transition, more men would have to be recruited (implying higher pay) to replace draft-motivated enlistees as they leave. If, however, the transition were accompanied by declining force strengths, say from 3.2 to 2.7 million men, there would be no transitional difficulties. In an opposing direction, I have neglected many savings resulting from a move to a voluntary force. Lower turnover means that fewer recruits must be trained, producing considerable cost savings since at present there is nearly one trainer for each trainee. Moreover, the higher pay of a volunteer army makes it economical to substitute civilians in many noncombatant positions now staffed by uniformed men, many of whom were drafted or coerced to enlist. The base pay of a new recruit is projected to climb from \$100 to \$267 per month. It may well be the case that other incentives such as enlistment bonuses or post-service educational benefits could attract recruits at a lower cost. On balance, I am of the opinion that my estimate of \$4

billion for a voluntary force of 2.7 million men is, if anything, on the high side.

The skeptical reader will notice that my estimate agrees with the low end of the Department of Defense estimates; its "best" estimate was \$11 billion and its "high" estimate was \$17 billion. The "best" estimate implies that the monthly base pay of a buck private would be \$375, while the "high" estimate corresponds to base pay of over \$500. The total income including the monetary value of room and board would be even higher. These pay totals seem needlessly high if it is remembered that in the years ahead, 1970-1975, only one man in five must be enlisted to sustain an active duty force of 2.7 million men.

#### Undesirable social consequences

It is alleged that a professional army attracted only by financial incentives (the emotional "tag" is a "mercenary" army) could have undesirable social consequences, producing a military class, an all-Negro army, or an army of social misfits. The threat of a politically powerful military clique could be avoided by limiting tours of duty for officers to 12 to 15 years and by maintaining strict civilian control of the Department of Defense. Under present conditions, an all-Negro force is improbable. Even with its lower personnel turnover, a voluntary force must still demand 330 thousand recruits each year for enlisted ranks. Under present physical and academic standards, only 100 thousand to 120 thousand Negroes could become eligible for military service until the poverty problem is alleviated.

It is sometimes asserted that higher pay would attract only the mercenary to the services. To argue that individuals who receive a competitive wage to work in a particular occupation do so solely because of its monetary remuneration is surely a gross overstatement. Although we want dedicated teachers and honest policemen, few of us would advocate the use of a draft to staff undermanned police forces or to assure adequate supplies of qualified teachers. The high reenlistment rate of Negroes who have proven to be excellent members of the armed forces is largely due to the fact that the Negroes' economic position is better in the services where they are subjected to virtually no job discrimination. The payment of competitive wages does not imply an army consisting only of greedy men attracted to it by high pay.<sup>10</sup>

#### Miscellaneous

Two minor objections deserve brief mention. It is said that the armed forces have never been able to meet their manpower needs on a voluntary basis. The one time when a volunteer system was tried, in 1948-1949, the number of volunteers was sufficient to sustain a force of 1.5 million men—an outcome which is cited as a failure of the system. However, the population base from which these men were recruited was only half the size of that which will be available in 1970-1975. We must engage in an active recruitment program and raise the absurdly low levels of pay before we discover whether enough men can be enlisted on a voluntary basis.

A second minor objection is that a professional army is contrary to the American tradition of a citizen militia. In my view of history, our tradition has been one of a professional army in peacetime backed by a potential civilian militia which can be triggered into existence in times of all-out war.

Proponents of the lottery and opponents of the Vietnamese War vociferously insist that the Selective Service draft is highly inequitable. They are, however, fashionably vague about the nature of this inequity. Moreover, the former group objects to the cost of replacing the draft by a voluntary system of military manpower procurement. Yet the budgetary cost of a professional army is nothing more than a reflection of the real cost of the draft.

To sum up, an all-volunteer force is en-

tirely feasible at a budgetary cost of no more than \$4 billion a year. A professional, mercenary army is alleged to have undesirable social consequences. When these are explicitly spelled out and studied, some are found to be factually incorrect while others are easily controllable. The question of flexibility is the potential Achilles heel of a professional force. I believe, however, that in the light of probable future military demands, an all-volunteer army can achieve the requisite flexibility to insure our national security. A yearly increment of 438 thousand men to the active duty forces was sufficient to meet the worst crisis which we have experienced in the last 15 years. A voluntary force backed by a truly ready reserve could easily raise its active duty strength by 400 thousand men.<sup>11</sup> Finally, the budgetary cost of an all-volunteer force simply makes explicit what is now implicit and hidden. It is truly unconscionable that the youths who are coerced to serve must also bear the burden of these hidden taxes.<sup>12</sup> Unless we take steps now, the inequity of the draft will become even more acute as the population of draft eligible youths continues to grow and military demands return to their pre-Vietnamese War levels. As a nation, we cannot afford a draft which exacts such a high, albeit a hidden, cost from a minority of youths compelled to serve in the armed forces.

#### FOOTNOTES

<sup>1</sup> Walter Y. Oi is a member of the Center for Research in Government Policy and Business in the College of Business Administration at the University of Rochester. He has served as a consultant to the Department of Defense and the Institute for Defense Analyses, and has done research and published in the fields of transportation as well as in labor economics.

<sup>2</sup> In April, 1964, a study group was established in the Office of the Secretary of Defense. A summary of its report was presented by Assistant Secretary of Defense T. D. Morris and can be found in *Review of the Administration and Operation of the Selective Service System*. Hearings before the Committee on Armed Services, House of Representatives (June, 1966), Bulletin, No. 75. See especially pp. 9999-10093.

<sup>3</sup> The National Advisory Commission on Selective Service (the Marshall Commission) was established in July, 1966. See its report, *In Pursuit of Equity: Who Serves When Not All Serve?* (Washington: Government Printing Office, 1967).

<sup>4</sup> Alternatives are discussed in *Current History*, August, 1968.

<sup>5</sup> The waging of wars requires both human and material resources. Human resources can be conscripted via a draft, but the Department of Defense continues to purchase material resources on a competitive basis. Congress through its control over appropriations could cut this flow of materials.

<sup>6</sup> Under a lottery, the probability of being drafted would be the same for all qualified youths who do not volunteer for military service. In my paper for the Joint Economic Committee of Congress, I argued that the number of volunteers is likely to be smaller under a lottery. Hence, more men would have to be drafted. For details see "The Dubious Need for a Draft" in *Economic Effects of Vietnam Spending*, Report of the Joint Economic Committee (April, 1967), Vol. I, pp. 300-301.

<sup>7</sup> The men on the lowest rungs of the economic ladder (the less educated, physically handicapped and mentally unqualified) also avoid involuntary military service by acquiring IV-F and I-Y deferments. The low earning capacity of this group assures, however, that they would pay few if any taxes.

<sup>8</sup> It is argued that the draftees of today will be the taxpayers of tomorrow. Hence, each generation takes its turn in bearing the hidden tax of compulsory military service. Unfortunately, the draft does not achieve this felicitous redistribution of the burden

among generations. Only one-half of the men born in 1938 fulfilled their military service obligation, and only one-third of the youths reaching draft age by 1970-1975 will be asked to serve.

<sup>9</sup> There was, in addition, a third proposed alternative, equivalent national service wherein some youths could discharge their military service obligation by serving in the Peace Corps, VISTA, highway beautification or other "socially desirable" agencies. Two considerations argue against this option. First, who serves in these agencies and who is drafted into the Army? Second, the cost of enrolling two million men each year into these various programs is prohibitively high. If women are also obliged to serve (and some advocates of this option propose this), the cost becomes even higher.

<sup>10</sup> The method of estimating the statistical supply curve is described in an article by S. H. Altman and A. E. Fechter, "The Supply of Military Personnel in the Absence of a Draft," *American Economic Review*, May, 1967, pp. 19-31.

<sup>11</sup> When National Service prevailed in the United Kingdom before 1960, conscripts were paid less than regular volunteers. In 1965, Australia introduced a draft based on a lottery system of selection. I asked a member of the Australian defense establishment if the Australians were going to follow the British system of lower pay for conscripts. He replied in the negative and added, "Why should we tax patriotism?"

<sup>12</sup> On page 14 of the Marshall Commission report, estimates are given of annual enlistment and draft requirements to sustain alternative hypothetical force strengths which range from 2.0 to 3.5 million men. These hypothetical strengths are indicative of Department of Defense estimates of the range of probable future needs. Although my cost estimates apply to a force of 2.7 million, I believe that we can maintain a force of 3.2 million on a voluntary basis and thus cover the range of probable needs.

<sup>13</sup> There is ample evidence that Congress is embarrassed about the absurdly low levels of military pay. Congress has enacted a variety of post-service benefits for veterans, ranging from educational benefits to subsidized life insurance and mortgage guarantees, and medical care at Veterans Hospitals.

#### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider two nominations which were reported earlier today and which, I understand, have been cleared all around.

The motion was agreed to and the Senate proceeded to consider executive business.

The VICE PRESIDENT. The clerk will read the nominations.

#### ASSISTANT SECRETARY OF AGRICULTURE

The legislative clerk read the nomination of Clarence D. Palmbly, of Virginia, to be an Assistant Secretary of Agriculture.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### UNDER SECRETARY OF AGRICULTURE

The legislative clerk read the nomination of J. Phil Campbell, of Georgia, to be Under Secretary of Agriculture.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask