

Exhibit Number: 4

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LAWS LINKING SSS REGISTRATION TO STATE DRIVER'S LICENSE APPLICATIONS

Background

Federal law (50 U.S.C. App. 451 et seq.) requires virtually all male U.S. citizens, as well as immigrant men residing in the U.S., to register with the Selective Service System (SSS) when reaching age 18. In an effort to ensure compliance among young men, many states have enacted legislation which links SSS registration with the process of applying for a driver's license or state identification card. As a result of such legislation, in May 2002, the state of Delaware, which enacted driver's license legislation in 2000, became the first state to reach nearly 100 percent registration compliance since the Agency began compiling this data. In that same year, seven other states increased their compliance rates by 3 percent or more after enacting similar driver's license legislation.

Maintaining a high compliance rate is of concern to officials because it means that any future draft instituted by Congress and the President in a national emergency would be fair and equitable. Also, men who fail to register with Selective Service are not eligible for certain programs and benefits that the Congress and 30 state legislatures have linked to registration. They include student loans and grants for college, most government jobs, and job training. Additionally, immigrant men residing in the U.S. who fail to register when they are at least 18 years old, but not yet 26 years old, may be denied U.S. citizenship by the Immigration and Naturalization Service.

Description of Typical State Driver's License Legislation

These laws are simple and inexpensive to implement. They instruct the state's Department of Public Safety or Motor Vehicles to include a consent statement on all applications or renewals for driver's permits, licenses, and identification cards. The statement tells the applicant that by submitting the application he is consenting to his registration with the SSS, if so required by Federal law. Females are not required to register with SSS under current law. Men 26 years of age or beyond are too old to register.

(continued)



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Transmission of applicant data to the SSS is accomplished electronically through an existing arrangement each state has with the data sharing system of the American Association of Motor Vehicle Administrators (AAMVANet) at no extra cost to the state.

Status of State Driver's License Legislation

As of October 19, 2004, 33 states, 3 territories, and the District of Columbia have enacted driver's license laws supporting SSS registration. They are: **(1) Enacted and Implemented** - Alabama, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Hampshire, New Mexico, New York, North Carolina, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, and the District of Columbia; **(2) Enacted But Not Yet Implemented** - Guam, Maryland, Minnesota, and Wisconsin.

WOMAN AND THE DRAFT

Women Aren't Required to Register

Here's why:

THE LAW

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

THE SUPREME COURT

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

DEPARTMENT OF DEFENSE

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

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

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



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