

Committee Opposed to Militarism and the Draft (COMD)

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Senate Transportation Committee
State Capitol
Sacramento, CA 95814

Subject: OPPOSE SB 1081

Dear Committee Members:

We would like to present some of our reasons for opposing SB 1081, which would automatically register driver's license and DMV/ID applicants with the Selective Service System for a possible military draft:

- 1. Motorist fees and taxes that fund the DMV are earmarked by state law to support traffic safety and transportation-related programs, not to help enforce a totally unrelated federal law.**

If SB 1081 were approved, resources dedicated to the DMV's narrowly defined purpose would have to be diverted to meet the cost of ongoing Selective Service System registration in California.

- 2. If adopted, SB 1081 could open the door for escalating federal demands to use drivers' licenses for many other unrelated purposes.**

Should this happen, it could result in more people in California deciding to drive without licenses. Another possible consequence could be that those who do have licenses will cease or delay providing DMV with timely updates following address changes.

- 3. The negative consequences of nonregistration have been exaggerated by proponents of this bill.**

Congress repealed the requirement to register with the SSS for federal student aid in 2020. California followed suit and repealed its requirement to register in order to receive state Cal Grants for higher education in 2021.

The denial of federal jobs or naturalization requires evidence that nonregistration was "knowing and willful". Absent such evidence,

nonregistrants remain eligible for federal jobs. According to the Federal Office of Personnel Management, only one percent of cases of nonregistrants adjudicated by OPM result in denial of federal employment. (See Office of Personnel Management (OPM), “Bar to Appointment of Persons Who Fail To Register Under Selective Service Law: Proposed Rule,” Docket ID OPM-2023-0014, RIN 3206-AO37, 89 Federal Register 8352-8360, February 7, 2024.)

4. The system of SSS registration is discriminatory and, thus, would violate the California Constitution.

Despite language in SB 1081 that suggests otherwise, when a person registers with the SSS they cannot choose their gender. SSS registration only applies to those who are male as assigned at birth; therefore, if SB 1081 were to pass, it could be challenged for making the state complicit in sex discrimination. California would then find itself in court arguing to curtail protections against such discrimination.

5. The “opt-out” provision in this legislation is a deception.

By allowing people as young as age 16 to indicate on their application for a license or ID that they are opting out of being registered with the SSS, DMV would be eliciting from a minor possible evidence of a federal crime without providing legal counsel or a Miranda warning. SB 1081 tries to appear that it is protecting the applicant’s legal rights by promising not to release a list of those who have opted out, but this has no legal value. The state would have no choice but to surrender such names in the face of a federal subpoena that seeks evidence of knowing and willful nonregistration.

Thank you for considering these points.

Respectfully,

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