



FY2025 NDAA: Selective Service Registration Proposals

October 23, 2024

Background

In deliberations around a National Defense Authorization Act for Fiscal Year 2025 (FY2025 NDAA), Congress is considering changes to Selective Service registration and associated penalties for failure to register (see **Table 1**). The Military Selective Service Act (MSSA; [50 U.S.C. §§3801 et seq.](#)) provides statutory authority for the federal government to maintain an independent Selective Service Agency responsible for managing the [Selective Service System](#) (SSS) and for providing qualified civilian men for induction into the U.S. Armed Forces if authorized by Congress and the President. Under the MSSA, all male U.S. citizens and most male noncitizen residents of the United States between the ages of 18 and 26 are required to proactively register with the SSS under [50 U.S.C. §3802](#). Women are currently not required to register. Knowingly or willfully failing to register may result in certain federal and state penalties including [fines](#), [imprisonment](#), and ineligibility for [federal employment](#) or [workforce programs](#).

While the registration requirement remains in effect, the U.S. has had an all-volunteer force since 1973 and Congress has not passed any legislation since then to reinstate the draft induction authority. If Congress and the President were to reinstate the draft induction authority, some [deferments and exemptions](#), including religious exemptions, would apply under current law.

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IN12450

Table I. Selected Selective Service Provisions in a FY2025 NDAA

House-passed (H.R. 8070)	Senate Armed Services Committee-reported (S. 4638)
<p>Section 531 would amend the MSSA to require automatic Selective Service registration for “every male citizen” and male legal resident subject to the registration requirements. Automatic registration would not apply to lawful non-immigrants.</p>	<p>Sections 598A-D include similar language to Section 531 of the House-passed bill. Section 598A would require automatic Selective Service registration for “every citizen” (to include women) and every legal resident subject to the registration requirements and would not apply to lawful non-immigrants. It would require such registration within 30 days (1) of the individual’s 18th birthday, or (2) of learning that a person is required to be registered.</p> <p>Section 598B would remove federal penalties for failure to register.</p> <p>Section 598C would require these changes to go into effect two years after the date of enactment.</p>
<p>Section 1111 would remove federal employment prohibitions on veterans who failed to register for the Selective Service.</p>	<p>Section 522 is identical to Section 1111 in the House-passed bill.</p>

Source: CRS analysis of legislation.

Legislative Proposals

The House-passed and Senate Armed Services Committee-reported versions of an FY2025 NDAA include similar provisions that would make Selective Service registration automatic for certain citizens and legal residents, rather than requiring to proactive registration. This legislation was [proposed by the SSS](#) as a way to “improve the public’s customer experience, [...] enhance the equity of SSS registration nationwide and better enable the Agency to fulfill its mission in support of Department of Defense (DOD) personnel needs in the event of a national emergency.”

Currently there are several pathways through which an individual may register. Almost all Selective Service registrations are [completed electronically](#); registration can also be done at U.S. Post Offices and by submission of paper registrations. According to the [SSS’s annual report to Congress](#), registrations in calendar year 2023 declined,

The total number of registrations nationwide for men, ages 18 to 25, declined from 15.6 million in 2022 to 15.2 million in 2023. This was largely driven by the loss of the requirement for men to register with SSS to receive Federal student aid and the removal of the option to register on the Free Application for FAFSA form.

Under the bills, the SSS would use existing available government databases to ensure that individuals are registered. These data assets could include those from the Social Security Administration (SSA), state governments, United States Citizenship and Immigration Services (USCIS), United States Military Entrance Processing Command (USMEPCOM), and private vendors. The House provision would require automatic registration for men between the ages of 18 and 26; it would exclude lawful non-immigrants and women from automatic registration.

The SASC-reported bill would require automatic registration for “every citizen”, thus expanding the registration requirement to women. These changes would take effect two years after enactment of the provision. S. 4638 also specifies the timeframe for automatic registrations as the later of (1) 30 days after the individual’s 18th birthday, or (2) 30 days after the SSS learns that a person is required to be registered. Both versions of the bill would require individuals to provide identifying information to the SSS upon request and would require the SSS to notify individuals in writing that they have been registered. Section

598B of S. 4638 would remove the statutory provisions that currently disqualify non-registrants from federal employment under [5 U.S.C. §3328](#) and workforce programs under [29 U.S.C. §3249](#).

While Section 598B would repeal [5 U.S.C. §3328](#), identical provisions in both bills (sections 1111 and 522) would amend this statute specifically for military veterans who failed to register for the selective service and subsequently seek federal civilian employment. Military veterans would need to provide “evidence of active duty service” to the Executive agency in which they are seeking employment. [According to the SSS](#), certain proof of active service may serve as evidence that the failure to register was not “knowing and willful.” Under current law ([50 U.S.C. §3811\(g\)\(2\)](#)), if an individual fails to register in the “absence of knowledge and willfulness” they “may not be denied a right, privilege, or benefit under Federal law by reason of failure to present himself for and submit to registration.” Amending [5 U.S.C. §3328](#) would make the exemption for veterans more explicit in law, and could potentially reduce administrative burdens.

Considerations for Congress

Automatic registration could potentially reduce costs for the SSS that would normally be used for advertising and outreach to encourage registration. On the other hand, continuing to require proactive registration could serve as a reminder to individuals of their civic obligation and may even encourage individuals to consider volunteer military service. Some [opposed](#) to this legislation argue that use of government databases could be problematic and may produce incomplete or inaccurate lists.

Women in the United States have never been required to register for the draft. Prior congresses have proposed legislation that would require women to register; these provisions were not enacted. Expanding selective service registration for women has also been considered by the courts. In June 2021, the Supreme Court declined to consider such a case, with [one Justice noting](#) that Congress was considering legislation that would require women to register and noting the court’s “longstanding deference to Congress on matters of national defense and military affairs.”

Congress may consider these among other issues related to selective service and draft registration.

For further background, see CRS Report R44452, *The Selective Service System and Draft Registration: Issues for Congress*; CRS Insight IN11780, *FY2022 NDAA: Selective Service and Draft Registration*, and CRS Insight IN11973, *FY2023 NDAA: Selective Service and Draft Registration*.

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