



FY2025 NDAA: Selective Service Registration Proposals

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Background

In deliberations around a National Defense Authorization Act for Fiscal Year 2025 (FY2025 NDAA), Congress considered 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 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](#).

Although the registration requirement remains in effect, the United States 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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Table 1. Selected Selective Service Provisions in a FY2025 NDAA

House-passed (H.R. 8070)	Senate-committee reported (S. 4638)	Enacted P.L. 118-159
<p>Section 531 would have amended the MSSA to require automatic Selective Service registration for “every male citizen” and every male legal resident subject to the registration requirements. Automatic registration would not have applied to lawful non-immigrants.</p>	<p>Sections 598A-D included similar language to Section 531 of the House-passed bill. Section 598A would have required automatic Selective Service registration for “every citizen” (to include women) and every legal resident subject to the registration requirements and would not have applied to lawful non-immigrants. It would have required 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 have removed federal penalties for failure to register.</p> <p>Section 598C would have made technical and conforming amendments.</p> <p>Section 598D would have required these changes to go into effect two years after the date of enactment.</p>	<p>Not adopted.</p>
<p>No similar provision.</p>	<p>529b would have exempted women from requirements to serve in certain combat roles, occupations, and units in the case of a draft.</p>	<p>Not adopted.</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>	<p>Section 1108 adopts the House provision.</p>
<p>No similar provision.</p>	<p>599A would update the information that SSS is required to furnish to DOD under 50 U.S.C. §3813 with information including “the full names, email addresses (if available), dates of birth, phone numbers (if available), and mailing addresses” of registrants.</p>	<p>Section 532 adopts the Senate provision.</p>

Source: CRS analysis of legislation.

Action on Legislative Proposals

Adopted Provisions

Section 1108 of the enacted FY2025 NDAA adopts identical provisions in the House and Senate Armed Services Committee (SASC)-reported bills (Sections 1111 and 522) that amend [5 U.S.C. §3328](#) specifically for military veterans who failed to register for the selective service and subsequently seek federal civilian employment. The law requires Military veterans 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](#) makes the exemption for veterans more explicit in law and may reduce administrative burdens.

The enacted legislation also includes section 599A of the SASC-passed version of the bill, which expands the registration information required to be collected by the SSS and reported to DOD for recruiting purposes to include phone numbers and email addresses (if available).

Provisions Not Enacted

The House and SASC-passed versions included similar provisions that would have made Selective Service registration automatic for certain citizens and legal residents, rather than requiring proactive registration (Sections 531 and 598A, respectively). 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.” The SASC-passed version of the bill would have additionally required automatic registration for “every citizen,” thus expanding the registration requirement to women. The enacted legislation does not include a provision for automatic registration, nor did it include a requirement for women to register. In the event that women had been required to register and were subject to a draft, Section 529b of S. 4638 would have exempted women from serving in “combat roles that were closed to women prior to December 3, 2015, to train or become qualified in a combat arms military occupational specialty, or to join a combat arms unit.” Section 598B of S. 4638 would have also removed 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](#). The Joint Explanatory Statement to accompany the FY2025 NDAA does not provide an additional discussion regarding the decision not to adopt these provisions.

Considerations for Congress

The 119th Congress could continue to monitor compliance with and the efficiency of the SSS data collection, or consider reforms to the agency structure or registration requirements.

Registration Trends

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.

Congress may continue monitoring registration trends and SSS costs to determine if future reforms to the registration system are needed.

Registration for Women

Women in the United States have never been required to register for the draft. Though the SASC-passed version of the FY2025 NDAA was the first to propose an exemption for women to be drafted into certain combat roles, prior congresses have seen 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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