

# What You Need to Know About the U.S. Military Draft

## The United States Selective Service System By [Rod Powers](#)

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The armed forces of the United States maintain their readiness through voluntary enlistment, but the law requires young men to register through the Selective Service System. This allows a draft to be activated if needed, as was used during the Vietnam War. The draft was not used for the Gulf War or the War on Terrorism. The information below is available in more detail at [Selective Service System website](#).

### Who Must Register With the Selective Service System?

The obligation of a man to register is imposed by the Military Selective Service Act. Almost all male U.S. citizens, and male aliens living in the U.S., who are 18 through 25, are required to register with the Selective Service.

- Even non-citizens must register if they are not in the U.S. on a valid student or visitor visa or part of a diplomatic or trade mission. Selective Service does not collect or share information on immigration status. Undocumented as well as legal permanent residents must register if they came to the country before their 26th birthday. Dual nationals must register.
- If you are hospitalized for incarcerated, you don't have to register until you are discharged, if you are still below the age of 26.
- If you are disabled, you must still register if you can leave your home and move about independently.
- Transgender rules: If you were born female and had a gender change, you don't have to register. If you were born male and had a gender change, you must register.
- Women and people born female are not required to register, but that can be changed if Congress changes the law.
- There is no exemption for only sons, last son to carry the family name or [sole surviving sons](#). You still must register, and you can be drafted. You may be able to get a peacetime deferment if there is a military death in the immediate family.

### 6 Penalties if You Don't Register With the Selective Service

Registration is required by law, and there are legal consequences for failing to register. In most cases, these apply to men born after December 31, 1959.

**Fines and Prison:** The maximum penalty for failing to register with Selective Service is a \$250,000 fine and up to five years in prison. Failure to register will cause ineligibility for some federal and state benefits including:

1. **Ineligible for Federal Jobs:** You'll have to show that you registered with Selective Service to be hired for most federal jobs and the Postal Service.
2. **Ineligible for Student Financial Aid:** Men who are not registered with Selective Service cannot obtain federal student loans or grants.
3. **Ineligible for Citizenship:** If you want citizenship, and you arrived in the U.S. before your 26th birthday, you must register with the Selective Service.
4. **Ineligible for Federal Job Training Programs:** You won't be able to get job training through Workforce Investment Act programs.
5. **State Jobs, Loans, and Training:** Most states have added additional penalties for those who fail to register with Selective Service
6. **State Driver's Licenses:** Many states have driver's license laws supporting Selective Service registration.

## What Is the Draft?

President Franklin Roosevelt signed the Selective Training and Service Act of 1940 which created the country's first peacetime draft and formally established the Selective Service System as an independent Federal agency. Even before this, our country has a long history of drafting citizens to serve in the armed forces.

From 1948 until 1973, during both peacetime and periods of conflict, men were drafted to fill vacancies in the armed forces which could not be filled through voluntary means. The draft ended in 1973, and the U.S. converted to an all-volunteer military.

The registration requirement was suspended in April 1975. It was resumed again in 1980 by President Carter in response to the Soviet invasion of Afghanistan. Registration continues today as a hedge against underestimating the number of servicemen needed in a future crisis.

The obligation of a man to register is imposed by the Military Selective Service Act. The Act establishes and governs the operations of the Selective Service System.

## Changes to the Draft From the Vietnam Era

If a draft were held today, it would be dramatically different from the one held during the Vietnam War. It was changed to make it more fair and equitable, with fewer deferments allowed. The student deferment was thought to favor more affluent students and send more disadvantaged men into military service. Now, a college student could have his induction postponed only until the end of the current semester. A senior could have it postponed until the end of the academic year.

Before the lottery was implemented in the latter part of the Vietnam conflict, Local Boards called men classified 1-A, 18 1/2 through 25 years old, oldest first. If you were in that age group, you were at risk of being called up for several years. To eliminate this uncertainty, the lottery system now would call up men turning 20 first, with a lower risk of those for each year after that.