

# SELECTIVE SERVICE

In order to participate in any WIOA Title I funded activity, male participants must comply with the Military Selective Service Act by registering for the Selective Service, [when applicable](#). Note: Selective Service registration requirements do not apply to services/programs funded or solely authorized by the Wagner-Peyser Act, however if co-enrolled in Title I, Selective Service registration required by Title I applies.

## MALES UNDER 26

Prior to being enrolled in a WIOA-funded program, all males born on or after January 1, 1960 who are not registered with the Selective Service and have not reached their 26<sup>th</sup> birthday must register through Selective Service.

Male participants who enter the WIOA program at age 17 or younger and attain age 18 while participating in the program must be registered for Selective Service by the 30<sup>th</sup> day after their 18<sup>th</sup> birthday to remain eligible for WIOA services.

## MALES 26 YEARS AND OVER

Prior to being enrolled in a WIOA-funded program, all males 26 years of age or older, must provide documentation of compliance with the Selective Service registration requirement.

### ***Acceptable documentation showing registration status includes:***

1. Selective Service Acknowledgement letter
2. Form DD-214 "Report of Separation"
3. Screen printout of the Selective Service Verification on the Selective Service website at <https://www.sss.gov/verify/>. For males who have already registered this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number, and date of birth.
4. Selective Service Registration Card
5. Selective Service Verification Form (Form 3A)
6. Stamped Post Office Receipt of Registration

## STATUS INFORMATION LETTER

Individuals who did not register for the Selective Service or who cannot provide any of the documentation listed above must obtain a Status Information Letter from Selective Service indicating whether he was required to register. The "Request for Status Information Letter" can be accessed at <http://www.sss.gov/PDFs/infoform.pdf> and the instructions can be accessed at <http://www.sss.gov/PDFs/instructions.pdf>.

The individual will need to describe, in detail, the circumstances preventing him from registering (e.g., hospitalization, institutionalization, incarceration, military service) and provide documentation of those circumstances. The documentation should be specific as to the dates of the circumstances. The Status Information Letter is good for life and the individual should be encouraged to keep their original letter in a safe place for future reference. If the Status Information Letter indicates an individual was not required to register for the Selective Service, then he is eligible to enroll in WIOA-funded services.

If the Status Information Letter indicates the individual was required to register and now cannot because he is 26 or older, he is presumed to be disqualified from participation in WIOA-funded activities and services until it can be determined his failure to register was not knowing and willful. All costs associated with WIOA-funded services provided to non-eligible individuals may be disallowed.

## DETERMINING KNOWING AND WILLFUL FAILURE TO REGISTER

If an individual was required to register with Selective Service but failed to do so the individual may only receive services if they can provide evidence to establish the failure to register was not knowing and willful.

The individual should be encouraged to offer as much evidence and in as much detail as possible to support his case. Evidence may include an applicant's statement and supporting documentation of his circumstances at the time of the required registration and the reason for failure to register. Examples of documentation to help make a determination in these cases include:

- **Service in Armed Forces** – Documentation verifying a man has served honorably in the U.S. Armed Forces such as the DD Form 214 or his Honorable Discharge Certificate may be considered sufficient evidence of his failure to register was not willful or knowing.
- **Third Party Affidavits** – Affidavits from parents, teachers, employers, doctors, etc. concerning reasons for not registering, are also acceptable documentation and helpful to service providers determining whether the failure to register was willful and knowing.

In determining whether the failure was “knowing”, service providers should consider:

- Was the individual aware of the requirement to register?
- If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g., veterans who were discharged before their 26th birthday were occasionally told they did not need to register)?
- On which date did the individual first learn he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?
- Does the Status Information Letter indicate Selective Service sent letters to the individual at that address and did not receive a response?

In determining whether the failure was “willful”, service providers should consider:

- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether or not to register and decided not to register?
- What actions, if any, did the individual take when he learned of the requirement to register?

The Adult Labor Program Specialist will be responsible for evaluating the evidence presented by the individual and determining whether the failure to register was knowing and willful. If it is determined that it was not a knowing and willful failure, and the individual is otherwise eligible, services may be provided. If it is determined that the failure to register was knowing and willful, WIOA services must be denied. Individuals denied services must be advised of available WIOA grievance procedures. The Adult Labor Program Specialist must document this determination in SDWORKS and all evidence provided will be saved in the participant's file.

## IMMIGRANTS, DUAL NATIONALS, AND REFUGEES

U.S. immigrants are required by law to register with the Selective Service System 30 days after their 18th birthday or 30 days after entry into the United States if they are between the ages of 18 and 25. This includes U.S. born and naturalized citizens, parolees, undocumented immigrants, legal permanent residents, asylum seekers, refugees, and all males with visas of any kind which expired more than 30 days ago.

Immigrants who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after they were 26 years old, were never required to register. [Supporting documentation](#) must be provided.

U.S. dual nationals are required by law to register with the Selective Service System within 30 days of their 18th birthday, regardless of whether they live inside or outside of the U.S. Dual nationals residing outside of the U.S. can register using a foreign address [here](#).

## **TRANSGENDER**

The Selective Service policy is based on birth-assigned sex. US citizens or immigrants who are born male and changed their gender to female are still required to register. Individuals who are born female and changed their gender to male are not required to register, and will be asked to complete a Status Information Letter.

## **NAME CHANGES AND THE SELECTIVE SERVICE**

People who are required to register are also required to inform the Selective Service of any legal name change or change in other record information such as address up until their 26th birthday.

To update your records, fill out the Change of Information Form attached to the Registration Acknowledgement Card with your new name. Alternatively, you can fill out a Change of Information Form , which you can obtain at any United States Post Office or U.S. Embassy or Consulate abroad. You may also change your information with the Selective Service by letter. In the letter, include your full name, Social Security Number, Selective Service Number, date of birth, current mailing address and new name. With any of these three methods, you must attach official documentation of your name change and mail it to the Selective Service. Updates take four to six weeks, after which you will be mailed a new acknowledgement card.

***WIOA Law §189 (h)***  
***TEGL 11-11***