

Northwest Workforce Council

POLICY AND PROCEDURE DIRECTIVES

EFFECTIVE DATE: July 1, 2016

SUBJECT: Compliance with Selective Service Registration Requirements

REFERENCE #: WIOA 01-12

- I. BACKGROUND:** All WIOA funded programs and services must assure that applicants and participants are in compliance with Selective Service registration requirements. This policy identifies those requirements, and the documentation required from applicants and/or participants to demonstrate compliance and eligibility for WIOA services.

A. Males Required to Register

Males born on or after January 1st 1960 must register with Selective Service within 30 days of their 18th birthday (i.e. 30 days before or 30 days after). This includes males who are:

- Citizens of the US
- Non-citizens, including illegal aliens, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. before their 26th birthday; and/or
- Dual Nationals of the U.S. and another country regardless of whether they live in the U.S.

B. Males Not Required to Register

- Men who are serving in the military on full-time active duty
- Men attending the service academies
- Men with disabilities who are continually confined to a residence, hospital or institution
- Men who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however they must register within 30 days after being released, if they have not yet reached their 26th birthday
- Non-U.S males who came into this country the first time after his 26th birthday.

Acceptable forms of documentation include:

- Date of entry stamp in his passport
- I-94 with date entry stamp on it
- Letter from U.S. Citizenship and Immigration Services (USCIS) indicating the date the man entered the U.S. presented in conjunction with documentation establishing the individual's age

- Non –U-S male who entered the U. S. illegally after his 26th birthday. He must provide evidence he was not living in the U.S. from age 18 through 25, e.g., letters, bills, etc. to him at address outside U.S.; corroborating statements from relatives, friends.
- Non-U.S. male on a valid non-immigrant visa

II. Compliance with Selective Service Requirements for Participation in WIOA services

In order to be eligible for WIOA funded services, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirement. Acceptable documentation to determine a person's Selective Service registration status include:

- Selective Service Acknowledgement letter;
- Form DD-214 "Report of Separation";
- Screen printout of the Selective Service Verification site: www.sss.gov/RegVer/wfVerification.aspx. 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;
- Selective Service Registration Card;
- Selective Service Verification Form (Form 3A); and/or
- Stamped Post Office Receipt of Registration.

A. Registration Requirements for Males Under 26

Before being enrolled in WIOA Title I-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a male turns 18 while participating in any applicable services, registration with Selective Service must be completed no later than 30 days after he becomes 18 in order to continue to receive WIOA Title I-funded services. If a man under the age of 26 refuses to register with the Selective Service, WIOA Title I-funded services must be suspended until he registers.

B. Registration Requirements for Males 26 Years and Over

Before enrolling in WIOA Title I-funded services, all males, 26 years of age or older, must provide (1) documentation of compliance with the Selective Service registration requirement; (2) documentation showing they were not required to register (see I B, above); or (3) if they were required to but did not register, documentation establishing that their failure to register was not knowing and willful.

III. Compliance Requirements For Individuals to Establish Whether Failure to Register was knowing and willful

A male applicant over age 26 or over who seeks enrollment but did not register if required to do so, and asserts that failure to do so was not knowing and willful must comply with the following process to determine if enrollment may proceed.

- A. Provide a written, signed statement to the NWC Deputy Director, along with any relevant documentation, to establish that the failure to register was not knowing and willful. Evidence of relevant information includes but is not limited to:
- A statement as to whether the individual was aware he was required to register;
 - On which date the individual first learned that he was required to register;
 - Where the individual was living when he was between the ages of 18 and 26;
 - If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him, and if so, what was his understanding at the time as to why the requirement did not apply to him?

Examples of documentation that may be helpful along with the written statement, include:

- Signed statements from parents, teachers, employers, doctors or others concerning reasons that support the applicant's assertion that failure to register was not knowing or willful.
 - Evidence that a man has served honorably in the U.S. Armed Forces such as DD Form 214 or his Honorable Discharge Certificate. Such documents may be considered sufficient evidence that his failure to register was not willful or knowing.
- B. The individual must, contemporaneous with submission of the statement to the NWC Deputy Director, obtain and submit a *Request for Status Information Letter* from Selective Service. The *Request for Status Information Letter* form and instructions on completion can be accessed at <https://www.sss.gov/Home/Men-26-and-OLDER>. The individual must include a copy of that *Request for Status Information Letter* and evidence it has been submitted to Selective Service.

IV. Action on Enrollment Following Completion of Steps in III A & B, Above.

- A. If the Deputy Director determines, after review of the signed statement and any accompanying documentation from the applicant (steps A&B, above) that, by a preponderance of the evidence, the applicant has established that the failure to

register was not knowing and willful, the Deputy Director will provide written notification to the applicant of that determination, and enrollment into WIOA may proceed. If the determination is that the individual did not establish that the failure to register was not knowing and willful, the written notification will so state, and enrollment into WIOA will be denied. Individuals denied services will be advised of available WIOA grievance procedures.

- B. The individual, whether enrolled into WIOA at that point, or still an applicant, must provide NWC with the response from Selective Service after submission of the *Status Information Letter*. If the letter received from Selective Service specifically states that the individual has not established, by a preponderance of the evidence, that the failure to register was not knowing or willful, the individual, if enrolled, is no longer eligible and must be terminated from WIOA funded services. Individuals denied services will be advised of available WIOA grievance procedures.

Conversely, if NWC has acted to deny services based on the determination in A&B above, but the *Status Information Letter* from Selective Service specifically states that the individual has established that failure to register was not knowing and willful, or the individual was not required to register, the individual would no longer be denied WIOA services based on failure to register for Selective Services.

NWC will keep all copies of all documentation generated in completion of the process outlined in sections III and IV, above.

References:

- TEGL 11-11Change 2, Selective Service Registration Requirements For Employment and Training Administration funded programs, May 16, 2012
- Public Law 113-128, Workforce Information and Opportunity Act.