

Jefferson Franklin Consortium

Selective Service Policy and Procedures

Resources: [TEGL 11-11, Change 2](#) and [Selective Service System Who Must Register Chart](#)

Who Must Register for Selective Service

Almost all male U.S. citizens and immigrants between the ages of 18 and 25 are required to register with Selective Service. Males born on or after January 1, 1960, are required to register with Selective Service within 30 days of their 18th birthday, if they are:

- U.S. citizens
Note: People born in Puerto Rico, Guam, U.S. Virgin Islands, and Northern Mariana Islands are U.S. citizens. Citizens of American Samoa and Swains Island are nationals and must register when they are "habitual residents" in the U.S., meaning they have resided in the U.S. for more than one year, except as a student or as an employee of the government of their homeland.
- 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
- dual nationals of the U.S. and another country regardless of whether they live in the U.S.
- service members released from the military before their 26th birthday who had not previously registered (in this case, failure to register is not considered "knowing or willful")

U.S. citizens who are not required to register for Selective Service:

- females
- males who are serving in the military on full-time active duty
- males attending any of the five service academies (i.e., the U.S. Military, Naval, Coast Guard, Merchant Marine, and Air Force Academies)
- males with disabilities who are continually confined to a residence, hospital, or institution
Note: Males 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. citizens who are not required to register for Selective Service:

- non-U.S. males who came into this country (either legally or illegally) for the first time after their 26th birthdays. (They must provide proof that they were not living in the U.S. from age 18 through 25.)
- non-U.S. males on valid, non-immigrant visas

Transgender/transsexual people designated female at birth are not required to register with Selective Service. Individuals designated male at birth are required to register, even if they have had sex reassignment surgery.

More information about registration requirements and an online tool to verify registration status can be found on the [Selective Service website](#).

Failure to Register for Selective Service

Males Younger than 26

Males between the ages of 18 and 26 who have not registered with Selective Service can become eligible for WIOA Title I programs by [registering](#). If an individual turns 18 while participating in a WIOA Title I program, he must register with Selective Service no later than 30 days after his 18th birthday. If he fails to register during that period, he may not continue to participate in the Title I program.

Males Aged 26 and Older

Males aged 26 and older who have not registered can become eligible for WIOA Title I programs by providing documentation showing they were not required to register, or by demonstrating that their failure to register was not "knowing and willful."

The local WDB or the service provider that enrolls individuals in WIOA Title I services is responsible for determining whether services should be provided. They must follow the steps below to determine whether an individual who was required to register but failed to do so acted knowingly and willfully.

Step 1

The service provider must require the individual to provide either:

- a [Status Information letter](#) from Selective Service
- **OR**
- written acknowledgement that the individual failed to register.

Step 2

The individual must complete the local WIOA Failure to Register for Selective Service form (**Attachment 1**) which must include the individual's written explanation and supporting documentation, if available, of his circumstances at the time of the required registration and the reason(s) for failure to register. The individual should be encouraged to offer as much evidence/detail as possible to support his case.

The following are examples of documentation that may be of assistance in making a determination in these cases:

- Service in the Armed Forces – Evidence that a male has served honorably in the U.S. Armed Forces, such as a Form DD-214 or his Honorable Discharge Certificate. These documents serve as evidence that his failure to register was not knowing and willful.
- Signed Affidavit with Corroborating Witness Signature (**Attachment 1**) – Witnesses could include spouses, parents, teachers, employers, doctors, etc., and their attestation could help demonstrate that the failure to register was not knowing and willful.

Step 3

The WDB director/designee reviews the information to determine if there is enough support to make it more likely than not that the individual did not knowingly and willfully fail to register. Things to consider include:

- whether the individual was aware of a requirement to register, and if he understood that the requirement applied to him
- when the individual found out he was required to register
- whether Selective Service had the correct address(es) for the individual when he was between the ages of 18 and 26, and if the Selective Service sent letters to the correct address(es)
- if the individual had the mental capacity to decide whether to register
- if the individual mistakenly believed that he was registered
- what actions the individual took when he found out he was required to register.

If the WDB/designee determines that the failure to register **was not** knowing and willful, then WIOA services may be provided.

If the WDB director/designee determines that the failure to register **was** knowing and willful, WIOA services cannot be provided.

The WDB's director/designee determination must be uploaded into the participant's record in the state's electronic case-management system.

WIOA FAILURE TO REGISTER FOR SELECTIVE SERVICE AFFIDAVIT

Please explain why you did not register for the Selective Service during the ages of 18-26. (see questions at the bottom of the page for help)

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY, THAT I, _____

I ATTEST THAT THE INFORMATION STATED ABOVE IS TRUE AND ACCURATE, AND UNDERSTAND THAT THE ABOVE INFORMATION, IF MISREPRESENTED, OR INCOMPLETE, MAY BE GROUNDS FOR IMMEDIATE TERMINATION AND/OR PENALTIES BY LAW.

APPLICANT'S SIGNATURE AND DATE

CORROBORATING WITNESS'S SIGNATURE AND DATE
(if available)

APPLICANT'S ADDRESS

WITNESS'S RELATIONSHIP TO APPLICANT

WITNESS'S PHONE NUMBER

Questions to consider when completing this form:

Where did you reside between the ages of 18-26? (incarcerated, another country, etc.)

When/Where did you attend high school? (dropped out, home-schooled, etc.)

When did you become aware that Selective Service registration was required?

OFFICE USE ONLY

WDB Director/Designee Signature determines that the above individual's failure to register for the Selective Service was neither willful or knowing.

SIGNATURE

Month/Day/Year