



Selective Service Policy

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Amended Date: N/A

A. Purpose

1. This policy provides guidance regarding the Selective Service registration requirements for participation in Workforce Innovation and Opportunity Act (WIOA) funded services including specific requirements, acceptable documentation, and questions to help local areas with determining whether failure to register by a current or potential WIOA participant was knowing and willful.

B. Selective Service Registration Requirements.

1. Men born on or after January 1, 1960 are required to register with Selective Service within 30 days of their 18th birthday (i.e., 30 days before or 30 days after their birthday.) This includes males who are:
 - a. Citizens of the U.S.;
 - b. 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
 - c. Dual nationals of the U.S. and another country regardless of whether they live in the U.S.
2. For U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:
 - a. Men who are serving in the military on full-time active duty;
 - b. Men attending the service academies;
 - c. Disabled men who are continually confined to a residence, hospital, or institution; and/or
 - d. 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.
3. For non-U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:
 - a. Non-U.S. male who came into this country for the first time after his 26th birthday. Acceptable forms of supporting documentation include:
 - i. Date of entry stamp in his passport;
 - ii. I-94 with date of entry stamp on it; or

- iii. Letter from the U.S. Citizenship and Immigration Services (USCIS) indicating the date the man entered the United States presented in conjunction with documentation establishing the individual's age.
- b. Non-U.S. male who entered the U.S. illegally after his 26th birthday. He must provide proof that he was not living in the U.S. from age 18 through 25.
- c. Non-U.S. male on a valid non-immigrant visa.

NOTE: The requirement for transsexual, transgendered, and intersex individuals to register with the Selective Service depends upon the gender recorded on the birth certificate. According to the Selective Service website, "individuals who are born female and have a gender change are not required to register. U.S. citizens or immigrant who are born male and have a gender change are still required to register".

4. This list is not intended to be exhaustive. The Selective Service System also provides a quick reference chart showing who must register located at <http://www.sss.gov>.

C. Acceptable Documentation

1. In order to participate in any Individualized Career Services or training program under WIOA, 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 includes:
 - a. Selective Service Acknowledgement letter;
 - b. Form DD-214 "Report of Separation";
 - c. Screen printout of the <https://www.sss.gov/verify/>. Be certain to scan the printout into the IowaWORKS case management system. 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;
 - d. Selective Service Registration Card;
 - e. Selective Service Verification Form (Form 3A); and/or
 - f. Stamped Post Office Receipt of Registration.

D. Registration Requirements for Males Under 26

1. 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.

- a. If a male turn 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.
- b. 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.

E. Non-Registration Requirements for Males 26 Years and Over

1. Before enrolling in WIOA Title I-funded services, all males, 26 years of age or older, must provide
 - a. (1) documentation of compliance with the Selective Service registration requirement;
 - b. (2) documentation showing they were not required to register; or
 - c. (3) if they were required to but did not register, documentation establishing that their failure to register was not knowing and willful.
2. The service provider that enrolls individuals in WIOA Title I-funded activities will require that males 26 years and over, who failed to comply with the Selective Service registration requirement, request a Status Information Letter before making a determination that the failure to register was knowing and willful.

F. Requesting a Status Information Letter

1. An individual may obtain a Status Information Letter from Selective Service if he
 - a. (1) believes he was not required to register; or
 - b. (2) did register but cannot provide any of the documentation listed above.
2. The Request for Status Information Letter form and instructions can be accessed at <https://www.sss.gov/forms/>.
 - a. The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g., hospitalization, institutionalization, incarceration, and/or military service from age 18 through 25.) and provide documentation of those circumstances.
 - b. The documentation should be specific as to the dates of the circumstances.
 - c. If the Status Information Letter indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in services authorized or funded by Title I of WIOA.
3. If the Status Information Letter indicates that the individual was required to and did not register, he is presumed to be disqualified from participation in WIOA Title I-funded activities and services until it can be determined that his failure to register was not knowing and willful.
4. All costs associated with grant-funded services provided to non-eligible individuals may be disallowed.

G. Determining Knowing and Willful Failure to Register

1. If the individual was required but failed to register with the Selective Service as determined by the Status Information Letter or by his own acknowledgment, the individual may only receive services if he can establish by a preponderance of the evidence that the failure to register was not knowing and willful.
2. Upon receipt of the Status Information Letter, the service provider that enrolls individuals in WIOA Title I-funded activities is responsible for evaluating the evidence presented by the individual and determining whether the failure to register was a knowing and willful failure.

H. Documentation

1. Evidence presented may include the individual's written explanation and supporting documentation of his circumstances at the time of the required registration and the reasons for failure to register. The individual should be encouraged to offer as much evidence and in as much detail as possible to support his case.
2. The following are examples of documentation that may be of assistance in making a determination in these cases:
 - a. Service in Armed Forces. 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. Third Party Affidavits. Affidavits from parents, teachers, employers, doctors, etc. concerning reasons for not registering, may also be helpful to grantees in making determinations in cases regarding willful and knowing failure to register.

I. Questions

1. In order to establish consistency regarding the implementation of the requirement, the service provider should consider the following questions when determining whether a failure to register is knowing and willful.
2. In determining whether the failure was "**knowing**," the service provider should consider:
 - a. Was the individual aware of the requirement to register?
 - b. 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 that they did not need to register)?
 - c. On which date did the individual first learn that he was required to register?
 - d. Where did the individual live when he was between the ages of 18 and 26?
 - e. Does the status information letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?
3. In determining whether the failure was "**willful**," the service provider should consider:

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

J. Results of Findings

1. If the service provider determines it was not a knowing and willful failure and the individual is otherwise eligible, services may be provided. If the service provider determines that evidence shows that the individual's failure to register was 'knowing and/or willful', WIOA services must be denied. Individuals denied services must be advised of available WIOA grievance procedures.
2. Service providers must keep documentation related to evidence presented in determinations related to Selective Service and all denials and supporting statements must be uploaded in the IowaWORKS case management system.

Equal Opportunity Programs/Employer – Auxiliary aids and services available upon request for individuals with disabilities