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Selective Service Policy and Procedure

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 25 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 a [Status Information letter](#) from Selective Service.

Step 2-The individual must complete the WDB Selective Service Waiver Request form, 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.

Step 3-The WDB Manager of Compliance 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 did the individual find 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 Manager of Compliance along with the WDB President/COO determines that the failure to register **was not** knowing and willful, then WIOA services may be provided. WDB Manager of Compliance will enter a case note on the individual's electronic record and upload the applicable documents into the individual's electronic record.

If the WDB Manager of Compliance along with the WDB President/COO determine that the failure to register **was** knowing and willful, WIOA services cannot be provided and the service provider will be contacted. The WDB Manager of Compliance will enter a case note and upload the applicable documents on the individual's electronic record.

Selective Service Waiver Request Form



Please print or type

Name: _____ Date of Birth _____

Did you know that you can be denied federal benefits and services if you did not register with selective service?

Did you know that you are required to register with selective service? _____

Did you receive a registration reminder letter from selective service? _____

Provide a comprehensive explanation to why you are not registered for Selective Service. Attach additional pages if needed. *Supporting documentation must be provided reflecting that failure to register was not willful.*

I, _____ attest the above statements are true and that not registering for Selective Service was not knowingly and willful.

Signature

Date

Case Manager Use Only:

Has a Selective Service Registration Letter been received or requested? _____

*Please note, determinations cannot be complete without the Selective Service Status Letter.

State ID#: _____

SE WDB Admin Office Use Only:

_____ It has been determined failure to register for Selective Service was not knowingly and willful.

_____ Individual was unable to show proof that failure to register for Selective Service was not knowingly and willful.

President/COO

Date

Manager of Compliance

Date