Intensive Training Policy 24 – Selective Service Registration Requirements for Employment and Training Administration Funded Programs

This policy sets forth the requirement for documenting Selective Service.

Selective Service Registration Requirements: Men born after December 31, 1959 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 male who are:

* Citizens of the U.S.
* Non-citizens, including undocumented immigrants, 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.

For U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:

* Men who are serving in the military on full-time active duty;
* Men attending the service academies;
* Disabled men who are continually confined to a residence, hospital or institution; and/or
* 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.

For non-U.S. citizens, Selective Service registration is not required if the man falls within one of the following categories:

* Non-U.S. male who came into this country for the first time after his 26th birthday.

Acceptable forms of supporting documentation include:

1. Date of entry stamp in his passport;
2. I-94 with date of entry stamp on it; or
3. 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.
* 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.
* Non-U.S. male on a valid non-immigrant visa.

Acceptable documentation to determine a person’s Selective Service registration status includes:

* 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, be entering a last name, social security number, and date of birth;
* Selective Service Registration Card;
* Selective Service Verification Form (Form 3A0; and/or
* Stamped Post Office Receipt of Registration

Males who are 26 years old or older that failed to register with the Selective Service are required to request a Status Information Letter. Once the letter has been obtained, the individual must present the letter and evidence to support his failure to register was not knowing and willful.

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

1. 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.
2. 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.

In order to establish consistency regarding the implementation of the requirement, case managers need to ask the following questions when determining whether a failure to register is knowing and willful:

* 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 was occasionally told that they did not need to register)?
* On which date did the individual first learn that he was required to register?
* What actions, if any, did the individual take when he learned of the requirement to register?
* Where did the individual live when he was between the ages of 18 and 26?

Case managers need to ensure answered questions are kept in the participant file with Documentation to Support Eligibility.

If an authorized person (E&T Administrator) determines it was not a knowing and willful failure and the individual is otherwise eligible, services may be provided. If the authorized organization determines that evidence shows that the individual’s failure to register was done knowingly and willfully, WIA services must be denied. Individuals denied services must be advised of available WIA grievance procedures. WIA grievance procedure can be found at <http://wib.delawareworks.com/documents/Staff%20Appeals%20Process.pdf>

Authorized organizations must keep documentation related to evidence presented in determinations related to Selective Service in participant files.

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