**Selective Service Registration (SSR) Policy**

**ADMINISTRATION AND OPERATIONS**

Selective Service Registration Policy

**Summary**
Service providers must ensure program participants’ compliance with Selective Service registration requirements for applicable state or federally funded workforce development programs administered by the Department Employment and Economic Development (DEED). This policy outlines details and clarifies how to determine whether failure to register was “knowing and willful.”

**Relevant Laws, Rules, or Policies**
[Workforce Innovation and Opportunity Act](https://apps.deed.state.mn.us/assets/policies/doc/wioa.docx) (WIOA) (42 USC 3101 et seq)

Military Selective Service Act (MSSA) (**50 USC 3801 et seq)**

Code of Federal Regulations (CFR) 2 CFR 200.333 – 337
[Training and Employment Guidance Letter (TEGL) 11-11, Change 2 (May 16, 2012](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8779))

Training and Employment Guidance Letter (TEGL) 10-23 (February 21, 2024)

U.S. Department Labor (DOL) Trade Adjustment Assistance (TAA) Co-Enrollment Fact Sheet #2

**Effective Date**
7/1/2012

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8/25/2024

**Contact**
**Email:** DWFAPrograms.DEED@state.mn.us
**Tel:** 651-259-7503

**Policy**

To enroll in most workforce development program receiving state or federal assistance, including Workforce Innovation and Opportunity Act (WIOA) Title I funded services, all males born on or after January 1, 1960, must present documentation demonstrating compliance with Selective Service System (“Selective Service” hereinafter) registration requirements. Service providers (“Providers” hereinafter) are responsible for verifying this compliance and must verify Selective Service registration where appliable[[1]](#endnote-1).

**Figure One: Selective Service Requirements for Each Program**

|  |  |  |
| --- | --- | --- |
| **Program Name** | **Selective Service** **Registration Required?** | **Federal or State Funded** |
| WIOA Adult | Yes | Federal |
| WIOA Dislocated Worker | Yes | Federal |
| State Dislocated Worker | No | State |
| National Dislocated Worker Grants | Yes | Federal |
| Trade Adjustment Assistance (TAA) | No[[2]](#endnote-2) | Federal |
| Senior Service Employment Service Program (SCSEP) | No | Federal |

**Who Must Register:**

**All males residing in the United States who were born on or after January 1, 1960, and are between 18 and 25 years of age, must register with Selective Service within 30 days of their 18th birthday, if they are:**

1. U.S. citizens (Including citizens born abroad and in Puerto Rico, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands),
2. Dual U.S. citizens/nationals[[3]](#endnote-3),
3. U.S. nationals of American Samoa and Swains Island, if they have resided in the U.S. for more than one year and/or are U.S. habitual residents[[4]](#endnote-4),
4. Citizens and nationals of the Republic of the Marshall Islands, the Federated States of Micronesia, or Palau, if they have resided in the U.S. for more than one year and/or are U.S. habitual residents[[5]](#endnote-5), **except**:
	1. Individuals that reside in the U.S. as an employee of their homeland government do not need to register, and,
	2. Individuals that enter and reside in the U.S. has a student pursuing full-time studies and maintains that status do not need to register.
5. Legal U.S. permanent residents,
6. Immigrants between ages 18 and 25 within 30 days of entering the U.S, including undocumented Immigrants, refugee, parolee, and asylee immigrants and immigrants with visas more than 30 days expired[[6]](#endnote-6), **except:**
	1. Lawful non-immigrants on current non-immigrant visas (i.e., H-2A Seasonal Agricultural Workers visas, B Business or Tourism visas, F and M Student visas, etc.) do not need to register[[7]](#endnote-7).

**NOTE:** Transgender, transsexual, non-binary and/or intersex individuals designated male at birth must register, even if they have had sex reassignment surgery and/or no longer identify as male. Transgender, transsexual, non-binary and/or intersex individuals designated female at birth are not required to register[[8]](#endnote-8).It is highly encouraged to consult the “Who Must Register” chart published by the Selective Service in the “Related Links” at the bottom of this policy.

**Who is Not Required to Register:**

**Males residing in the United States who were born on or after January 1, 1960, and are between 18 and 25 years of age, are not required to register with Selective Service within 30 days of their 18th birthday, if they are:**

1. Serving in the U.S. Armed Forces on active duty**\***,

***NOTE:***

* Males in the Reserve Officers' Training Corps (ROTC), U.S. National Guard or the U.S. Armed Forces Reserves or auxiliary components must still register[[9]](#endnote-9).
* Active duty for training does not constitute “active duty” for registration purposes.
1. Attending any of the U.S. Service Academies (U.S. Military Academy, Naval Academy, and Air Force Academy) or the Coast Guard Academy**\***,

**NOTE:**

* + - Males attending the U.S. Merchant Marine Academy must still register[[10]](#endnote-10).
1. Attending any of the Officer Procurement Programs at the Citadel, University of North Georgia, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University**\***,
2. Placed in a hospital, nursing home, long-term care facility, or mental institution on or before his 18th birthday, had no breaks of institutionalization of 30 days or longer, and remained institutionalized until age 26**\***,
3. Confined to home (homebound), whether his own or someone else’s (including group homes), on or before his 18th birthday and cannot leave the home without medical assistance, and remained homebound until age 26**\***,
4. Incarcerated on or before his 18th birthday, had no breaks of incarceration of 30 days or longer, and remained incarcerated until age 26**\***.
5. Non-U.S. males who came into the U.S. for the first time after age 26 (Includingundocumented entrees)[[11]](#endnote-11).
6. Males residing in the U.S. who were born before January 1, 1960.

**\*Must register within 30 days of release, separation, or graduation if still under age 26.**

**NOTE:** It is highly encouraged to consult the “Who Must Register” chart published by the Selective Service in the “Related Links” at the bottom of this policy.

**Selective Service Registration for Males Under Age 26:**

Men can register as soon as they turn 17 years and three months old and are encouraged to do so. If a male turns 18 while participating in any WIOA Title I-funded services, registration with Selective Service must be completed no later than 30 days after he becomes 18 to continue to receive services[[12]](#endnote-12).

Males between the ages of 18 and 26 who are not registered can become eligible for WIOA Title I-funded services by registering. Selective Service accepts late registrations up until a male reaches age 26. If a man under the age of 26 refuses to register for Selective Service, WIOA Title I-funded services must be suspended until he registers[[13]](#endnote-13).

**Selective Service Registration for Males Aged 26 or Older:**

Before enrolling in WIOA Title I-funded services, all males aged 26 and older must provide:

1. Documentation of Selective Service registration (See “Selective Service Documentation” below), **or**,
2. Documentation showing they were not required to register (See “Selective Service Documentation” below), preferably in the form of a Status Information Letter, **or,**
3. A Status Information Letter and/or Selective Service Waiver acknowledging failure to register and documentation establishing that failure to register was not knowing and willful.

**Note:** Providers may begin to serve an individual who can verify that he has requested the Status Information Letter; receipt of this letter can take up to 90 days.

**Requesting a Status Information Letter.**

An individual should obtain a Status Information Letter from Selective Service if he:

1. Believes he was not required to register but cannot provide any of the documentation proving he was not required to register, **or**,
2. Did not register but cannot provide any of the documentation proving he was not required to register.

Individuals should attach all supporting documentation (including those “Selective Service Documentation” listed/linked below) and explanations with their request for a Status Information Letter. The link to “Requesting a Status Information Letter” is in the “Related Links” at the bottom of this policy.

**Note:** Providers may begin to serve an individual who can verify that he has requested the Status Information Letter; receipt of this letter can take up to 90 days.

**Status Information Letter Outcomes:**

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 WIOA Title I-funded services as appropriate.
* REQUIRED to and did not register, he is presumed to be disqualified from current and future participation in WIOA Title I-funded services until he can prove that his failure to register was not knowing and willful (See “Determining Knowing and Willful Failure to Register” below).

All costs associated with services provided to non-eligible individuals may be disallowed.

**Selective Service Documentation.**

**Documentation of Selective Service registration includes:**

* Selective Service Acknowledgement Letter showing registration,
* Selective Service Registration Card,
* Selective Service Verification Form (Form 3A); and/or,
* Stamped Post Office Receipt of Registration.
* Printout of the Selective Service “Verify Registration” website accessible through ‘Related Links’ at the bottom of this policy**\***.

**\***For males already registered, this website can be used to confirm his Selective Service number and date of registration by entering a last name, social security number, and date of birth.

**NOTE:** Providers MAY NOT accept self-certification as proof of Selective Service registration.

**Documentation showing they were not required to register may include:**

*For those continuously serving in the U.S. Armed Forces on active duty:*

* Documentation of continuous active duty from age 18-26 including:
	1. Current full-time active-duty orders,
	2. Military ID card,
	3. DD Form 214 (Certificate of Release or Discharge from Active Duty) for veterans.

*For those continuously enrolled in the Service Academics or Officer Procurement Programs:*

* Documentation of continuous enrollment from age 18-26:

*For those continuously institutionalized, homebound, or incarcerated from age 18-26:*

* Documentation that the dates of home-boundness or institutionalization are accurate, or,
* Documentation that shows you were continuously incarcerated, or never released for any period of 30 days or longer.

*For lawful non-immigrants on current non-immigrant visas (Including international students):*

* Documentation showing current, unexpired, non-immigrant visa, and/or,
* Copy of I-20 form (Certificate of Eligibility for Nonimmigrant Student Status) or a letter or transcript from his school indicating his full-time attendance as a foreign non-immigrant international student.

**NOTE:** It is recommended to consult the “List of Acceptable Documents” published by Selective Service in the “Related Links” at the bottom of this policy for guidance on acceptable documentation.

*For non-U.S. males who came into the U.S. for the first time after age 26 (Including undocumented entrees):*

* Documentation showing proof of first-time entry after age 26, and/or
	1. Date of entry stamp in his passport, or
	2. I-94 form (Arrival/Departure Record) with date of entry stamp on it, or,
	3. Letter from the U.S. Citizenship and Immigration Services indicating date of entry.
* Proof of non-U.S. residency and/or foreign residency between the ages 18-26[[14]](#endnote-14).

**NOTE:** It is recommended to consult the “List of Acceptable Documents” published by Selective Service in the “Related Links” at the bottom of this policy for guidance on acceptable documentation.

*For males residing in the U.S. who were born before January 1, 1960:*

* Documentation showing date of birth before January 1, 1960, including, but not limited to:
	1. State ID card,
	2. State Driver's license,
	3. U.S. Passport, or
	4. Birth certificate.

**Determining Knowing and Willful Failure to Register**

If the Status Information Letter indicates that he was required to but did not register or if the individual acknowledges he was required to but did not register, the individual may submit a Selective Service Waiver (See “Selective Service Wavier” in the “Related Links” at the bottom of this policy) to demonstrate that failure to register was not knowing and willful. This Wavier is reviewed and approved by the provider.

The following are examples of supporting documentation include, but are not limited to:

* Evidence of honorable military service (e.g., DD Form 214 or Honorable Discharge Certificate).
* Affidavits and supporting documentation from parents, teachers, employers, doctors, etc. concerning the reasons the individual did not register.

**Providers shall consider the following:**

Knowing:

1. Was the individual aware of the requirement to register?
2. 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)?
3. On which date did the individual first learn that he was required to register?
4. Where did the individual live when he was between the ages of 18 and 26?
5. Does the Status Information Letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?

Willful:

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

The local provider may enroll the individual and provide services if it determines that the individual’s failure to register with the Selective Service was not knowing and willful following review of his Selective Service Waiver (and ideally receipt of his Status Information Letter) and the individual is otherwise eligible.

The local provider must deny services if it determines that the individual’s failure to register was knowing and willful. Individuals denied services must be advised of available program grievance procedures[[15]](#endnote-15). All costs associated with services provided to non-eligible individuals may be disallowed.

The provider's determination must be documented in the participant's case file and retained for at least three years or until all related grievances or legal action are concluded[[16]](#endnote-16).

 **Related Links**:
[Selective Service System Website](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf)

[Selective Service System - “Who Must Register Chart”](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf)

[Selective Service System – “Verify Registration”](https://www.sss.gov/verify/)

[Selective Service System - “List of Acceptable Documents”](https://www.sss.gov/wp-content/uploads/2020/02/DocumentationList.pdf)

[Selective Service System – “Requesting a Status Information Letter”](https://www.sss.gov/status-information-letter-sil/)

Selective Service Waiver Information and Request Form (See Below)

1. TEGL 11-11, Change 2 (Page Two) and TEGL 10-23 (Page Eight) [↑](#endnote-ref-1)
2. [DOL TAA Co-Enrollment Fact Sheet #2 (Page Two)](https://www.dol.gov/sites/dolgov/files/ETA/tradeact/pdfs/Co-Enrollment_FAQ-2.pdf) [↑](#endnote-ref-2)
3. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-3)
4. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-4)
5. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-5)
6. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-6)
7. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-7)
8. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-8)
9. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-9)
10. [Selective Service System - “Who Must Register](https://www.sss.gov/wp-content/uploads/2024/01/WhoMustRegisterChart_1-16-24-1.pdf) Chart” [↑](#endnote-ref-10)
11. TEGL 11-11, Change 2 (Page Two) [↑](#endnote-ref-11)
12. TEGL 11-11, Change 2 (Page Three) [↑](#endnote-ref-12)
13. TEGL 11-11, Change 2 (Page Three) [↑](#endnote-ref-13)
14. TEGL 11-11, Change 2 (Page Two) [↑](#endnote-ref-14)
15. DEED WIOA Equal Opportunity Policy Manual (Page 28) [↑](#endnote-ref-15)
16. 2 CFR 200.333 – 337 [↑](#endnote-ref-16)