

SC WORKS

PEE DEE

PEE DEE LWIA INSTRUCTION: 11-014

TO: Pee Dee LWIA Grantees

RE: Selective Service Registration Policy

ISSUANCE DATE: May 31, 2012

EFFECTIVE DATE: Immediately

Purpose: The purpose of this instruction is to provide guidance and clarification regarding Selective Service registration requirements for males required for participation in WIA-funded services.

Background: Males born after 1959 and over the age of 17 must register with Selective Service within 30 days of their 18th birthday (i.e. 30 days before or 30 days after their birthday). Verification of Selective Service registration for males 18 through 25 years of age must be documented during certification for the WIA program. All males who have not registered with Selective Service and who have not reached their 26th birthday must register through the Selective Service website at www.sss.gov prior to certification for WIA. If a male under the age of 26 refuses to register with Selective Service, he will be deemed ineligible to receive WIA services. Males who turn 18 while participating in WIA-funded programs must register no later than 30 days after he becomes 18 in order to continue to receive WIA-funded services. If a male enrolled in the WIA program refuses to register with Selective Service within 30 days after turning 18, WIA-funded services must be suspended until he registers.

Policy: Males aged 18 through 25 years of age who are required to register with Selective Service includes males who are:

- United States citizens;
- 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
- Dual nationals of the U.S. and another country regardless of whether they live in the U.S.

Acceptable Documentation for Verifying Selective Service Registration

Selective Service registration for all males under the age of 26 must be verified during eligibility certification for WIA. Acceptable documentation to determine a person's Selective Service registration status includes:

- Screen printout from the Selective Service Verification website at www.sss.gov ;
- Selective Service Acknowledgement letter;
- Selective Service Registration Card;
- Selective Service Verification Form (From 3A);
- Stamped Post Office Receipt of Registration; or
- Form DD-214 "Report of Separation."

Exemptions from Registration

U.S. Citizens – Selective Service registration is not required for U.S. citizens if the male falls within one of the following categories:

- 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.

Non-U.S. Citizens – Selective Service registration is not required for non-U.S. citizens who fall within one of the following categories:

- Non-U.S. males who came into this country for the first time after their 26th birthday. Acceptable document of this includes date of entry stamp on passport, I-94 with entry stamp on it, or a letter from the U.S. Citizenship and Immigration Services (USCIS) indicating the date the man entered the U.S. 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.

Additional information regarding males exempted from registering with Selective Service may be found on the Selective Service website at www.sss.gov.

Males Required to Register With Selective Service Who Failed to Register

Males not exempt from registering with Selective Service who failed to register prior to their 26th birthday must provide documentation that the failure to register was not "knowing and willful" in order to be eligible for WIA-funded services. Determination of this status is completed as part of the eligibility certification process.

In determining whether the failure was "knowing," the following should be considered:

- 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 were occasionally told that they did not need to register)?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?
- Does the status information letter indicate that Selective Service sent letters to the individual at that address and did not receive a response?

In determining whether the failure to register was “willful,” the following should be considered:

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

Males who failed to register with Selective Service prior to their 26th birthday must provide a detailed, written explanation for their failure to register to the Pee Dee LWIA including all available supporting documentation. A *Status Information* Letter must also be requested from Selective Service. The form to be completed and submitted to Selective Service to request the Status Information Letter is available on the Selective Service website at www.sss.gov. The individual’s explanation for failure to register and all supporting documentation will be reviewed by the LWIA to determine if the failure to register was “knowing and willful.” The individual’s written explanation for failure to register including all supporting documentation, the LWIA’s determination regarding whether or not the individual’s failure to register was “knowing and willful,” and a copy of the Status Information Letter, when received from Selective Service, must be maintained in the individual’s hard copy file.

If, after review of the individual’s explanation and any supporting documentation, the LWIA determines the individual’s failure to register was not “knowing and willful,” a LWIA waiver will be issued for the individual and the eligibility determination process may be continued. If the individual is otherwise eligible for WIA, he may be enrolled in the WIA program. However, if the evidence shows that the individual’s failure to register was “knowing and willful,” WIA services must be denied. Individuals denied services must be advised of available WIA grievance procedures.

Inquiries: Questions pertaining to this instruction should be directed to Judy Gaymon at (843) 669-3138 or j-gaymon@peedeecog.org.



 Joette R. Dukes
 Workforce Development Director