Policy Letter #3

TO: **All Staff**

FROM: **Samantha Wullenwaber, Director**

SUBJECT: **Selective Service Registration Policy**

PURPOSE

This policy establishes the Mid-Carolina Workforce Development Board's (Mid-Carolina WDB's) policy on the Workforce Innovation and Opportunity Act (WIOA) requirement that a determination of Selective Service registration status is made prior to enrollment in WIOA-funded activities and services. Only those applicants in compliance with the registration requirements of the Military Selective Service Act (MSSA, 50 U.S.C. App 453), as amended, are eligible to participate in WIOA-funded activities and services.

BACKGROUND

Males who are subject to, and have complied with, the registration requirements of the Military Selective Service Act (MSSA) are eligible for participation in WIOA-funded programs and services. Section 3 of the MSSA requires that every male citizen, and every other male residing in the United States, must register with the Selective Service System between their 18th and 26th birth dates. See Attachment A.

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:

- Citizens of the U.S.;
- Non-citizens, including illegal aliens, legal permanent residents, seasonal agricultural workers, and refugees, who take up residency in the U.S. before their 25th birthday; and/or
- 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 a 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 25th 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.

ACTION

Career Center staff of the Mid-Carolina Local Area will ensure that all male applicants/participants who are required to register for Selective Service have complied. These applicants/participants must comply at least 30 days prior to or within 30 days of their 18th birthday to continue receiving WIOA services.

Applicants who ***have not*** reached their 18th birthday by the eligibility completion date will have a case note entered in their NCWorks profile indicating the date they will be required to register for Selective Service. These applicants will be required to sign a Notification of Selective Service Statement which explains the procedures for registering and the consequences for not registering. Service Provider staff are required to run NCWorks Online reports to track non-compliance.

The applicant will be required with their parent or legal guardian to sign this document and return to their Career Advisor before receiving a WIOA-funded service.

Any male 26 years of age or older who did not register for Selective Service is presumed to be disqualified from participation in WIOA-funded activities and services unless the applicant/participant can provide evidence explaining why he failed to register with Selective Service. Evidence may include the job seeker's written explanation, along with supporting documentation of his circumstances at the time of the required registration and the reason for failure to register.

Before enrolling in WIOA Title 1-funded services, all males, 26 years of age or older, must provide:

1. Documentation of compliance with the Selective Service registration requirement.
2. Documentation showing, they were not required to register; or
3. If they were required to but did not register, documentation establishing that their failure to register was not knowing and willful.

Career Center staff will evaluate the evidence presented by the job seeker and determine whether failure to register with Selective Service is consistent with the amendment to Public Law 99-661, 1366. If the Career Center staff member determines that failure to register was not a knowing and willful failure and the applicant is otherwise eligible, services may be granted.

If the evidence shows that the applicant's failure to register was knowing and willful, WIOA services must be denied, and the applicant will be advised of the Career Center's grievance procedures.

In instances where documentation is questionable, the final determination as to whether WIOA services will be provided will be made by the Mid-Carolina WDB Director.

REFERENCES
www.sss.gov/verify/

ATTACHMENTS
Attachment A: Who Must Register for Selective Service
Attachment B: Notification of Selective Service Form

CREATION DATE
July 2022

REVISION DATES
January 2024
December 2024
March 2026
September 2026