

## **Foothill Workforce Development Board (FWDB) WIOA Mandatory Selective Service System Registration Policy**

WIOA Section 189(h) mandates that males comply with registration requirements of the federal Selective Service System prior to participation in a WIOA Title I-funded program. Local Areas must ensure that each applicable male who participates in any local WIOA program or activity, or receives any WIOA assistance or benefit, has not knowingly and willfully violated Section 3 of the Military Selective Service Act (MSSA) by failing to register as required.

To be eligible to receive WIOA-funded services, **males born on or after January 1, 1960, who are at least 18 years of age, but not yet 26 years of age, and who are not on active duty in the armed services**, must present documentation showing compliance with Selective Service registration requirements. **A male youth who reaches 18 years of age while participating in a WIOA program must register, as required, within 30 days of his 18th birthday to continue receiving WIOA-funded services.**

GENDER - The Selective Service System registration requirement for transsexual, transgendered, intersex, and non-binary individuals is based upon the gender assigned at birth. U.S. citizens or immigrants who are born male and changed their gender are required to register. Individuals who are born female and changed their gender are not required to register.

### **Males required to register include, but are not limited to:**

- US citizens.
- Non-US citizens, including undocumented immigrants, legal permanent residents, asylum seekers, and refugees.
- Veterans discharged before their 26th birthday.
- Members of the Reserve and National Guard not on full-time active duty.
- Dual nationals of the US and another country.
- Immigrants and Dual Nationals
- US Territory Residents
- Hospitalized or Incarcerated Men
- Disabled Men
- Men in the Armed Forces
- Conscientious Objectors
- Transgender People

**Males who are not required to register include, but are not limited to:**

- Males serving in the military on full-time active duty.
- Males attending one of the five military academies or certain military colleges.
- Male veterans discharged after their 26th birthday.
- 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.
- Disabled males who meet specific criteria
- Non-US males on a valid non-immigrant visa (e.g., student, agricultural, and tourist visas) until they turn age 26.
- Non-US males who entered the US after their 26th birthday.

Refer to the Selective Service System website for a comprehensive list of who must register.

<https://www.sss.gov/register/who-needs-to-register/>

If it is determined that a male who is 26 years of age or older knowingly and willfully failed to register, services must be denied to that individual.

Males who are 26 years of age or older and failed to register must acquire and present a Status Information Letter (which can be obtained from the Selective Service System) before a determination is made as to whether the individual knowingly and willfully failed to register.

<https://www.sss.gov/verify/sil/>

<https://www.sss.gov/wp-content/uploads/2020/02/Status.pdf>

According to law, a man must register with Selective Service within 30 days of his 18th birthday. Selective Service accepts late registrations up until a man reaches his 26th birthday.

Failure to register is a felony and non-registrants may be denied the following benefits for life:

- State-based student loans and grant programs
- Federal job training under the Workforce Innovation and Opportunity Act (formerly Workforce Investment Act)
- Federal (and many state and local) jobs
- Up to a 5-year delay of U.S. citizenship proceedings for immigrants

## **What Does the Law Say**

Pursuant to federal law, a person required to register with Selective Service, but who failed to register, may not be denied any federal right or benefit if he can show by a preponderance of the evidence (e.g. more-likely-than-not) that his failure to register was not knowing and willful. See 50 U.S.C. 3811(g).

The final decision regarding a non-registrant's eligibility for employment lies with the department or agency granting the right or benefit. The FWDB The applicant can submit to the FWDB any supporting evidence confirming the applicant did not knowingly and willfully not register for Selective Service or submit a FWDB Selective Service Self-Attestation statement explaining why he failed to register. FWDB staff must create a case note documenting because the participant failed to register. The FWDB case manager must submit the file to the FWDB Operations Manager for approval if the information is sufficient. to obtain supervisor approval.

**Note: A Self-attestation may only serve as sufficient evidence when no other options of documentation or third party corroboration are available.**

## Request for Status Information Letter

This is a fillable form. Please type in ALL CAPS before printing, or PRINT clearly using BLACK INK

Before you fill out and submit this form, please check to verify your registration status with the Selective Service System at <https://www.sss.gov>. If you cannot check or verify your registration online and you are not claiming an exemption, or if you have already received a Status Information Letter (SIL) from us in the past, please call (888) 655-1825.

Please check each item. You should only submit this form if the following are true:

- You have passed your 26<sup>th</sup> birthday
- You have verified that you are in fact "NOT REGISTERED"
- You were born after December 31, 1959
- You are claiming that you were exempt from the requirement to register
- You were born male or you are transgender (born female)
- You have not received a Status Information Letter from us in the past

**YOU MUST PROVIDE AT LEAST ONE RESPONSE** to each of the seven (7) Sections below. We cannot process your letter until we receive the required information and documents. Never send originals. KEEP A COPY of this form and any documents or correspondence you send to us.

### SECTION 1 - GENERAL INFORMATION

Type or Print Clearly (ALL CAPS) – Must be Readable.

Full Legal Name: \_\_\_\_\_  
First Name Middle Name Last Name(s)

List any other names used (Include multiple last names): \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Month / Day / Year

Current Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
City State Zip Code

Daytime Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

What is your reason for this SIL?

Financial Aid  Citizenship  Employment  Security Clearance  Other \_\_\_\_\_

List each City & State (Country if overseas) where you lived between your 18<sup>th</sup> and 26<sup>th</sup> birthdays.  
Use a separate sheet if needed:

\_\_\_\_\_  
\_\_\_\_\_

### SECTION 2 - MILITARY

If you served in the U.S. military, attach your proof of military service, such as a copy of your DD Form 214, NGB Form 22, DD Form 4 (if still on active duty), etc. If you attended a service academy or military school, provide a letter from the school or a transcript showing the dates.

## SECTION 5 - US CITIZENSHIP & IMMIGRATION STATUS

The Selective Service System does not share any information about an individual's immigration status with outside agencies such as U.S. Immigration and Customs Enforcement (ICE).

Are you a citizen of the United States by birth (born in the US, or overseas to qualifying US parents)?

Yes (SKIP to Section 6)  No (Please continue)

Did you become a Naturalized Citizen more than 30 days before your 26<sup>th</sup> birthday?

Yes \_\_\_\_\_ (SKIP to Section 6)  No (Please continue)  
Naturalization Date

Did you become a Permanent Resident (Green Card Holder) more than 30 days before your 26<sup>th</sup> birthday?

Yes \_\_\_\_\_ (SKIP to Section 6)  No (Please continue)  
Resident Since Date

You must provide documentation to support your claim. Valid documentation includes the date of entry stamp in your passport or visa, I-94, or I-20 with date of entry stamp, or any other official document that was accepted, stamped, or signed by USCIS and clearly states your arrival date. If you submit the electronic version of the I-94, you must include the accompanying travel history. **Please note, your Permanent Resident Card (Green Card) cannot be used to document the date you arrived in the United States, even if the dates are the same.**

If you entered the United States illegally, undocumented, without inspection, or for any other reason you cannot show proof of your arrival date, you must provide documentation that shows you were living outside of the United States for each year between your 18<sup>th</sup> and 26<sup>th</sup> birthdays. This could include school records, employment records, rent and utility receipts, participation in a health insurance plan, tax returns, etc.

When did you first enter the United States and what was your immigration status?

\_\_\_\_\_ Arrival Date                      \_\_\_\_\_ USCIS Status

Was the above date **later than** 30-days before your 26<sup>th</sup> birthday?

Yes, I was **never** in the United States (at any time, in any status) **prior to** this date. (Skip to Section 6)

No (Please continue)

Was the above arrival date **earlier than** your 18<sup>th</sup> birthday **AND** you left the country prior to your 18<sup>th</sup> birthday **AND** you did not return to the United States (at any time in any status) until **after** the date that was 30 days before your 26<sup>th</sup> birthday?

Yes, I was never in the United States (at any time, in any status) between my 18<sup>th</sup> birthday and 30 days before my 26<sup>th</sup> birthday.

\_\_\_\_\_ Arrival Date                      \_\_\_\_\_ USCIS Status

(Skip to Section 6)

No (Please continue)

For each period shown, you must provide documentation that shows you entered the United States as a valid non-immigrant and that you adhered to the terms of your visa. For example, if you entered the United States as an international student and remained in that status until your 26<sup>th</sup> birthday, you would need to provide documentation indicating that you were admitted on an F-1 visa, attended school full-time as required, and either left the country or changed status when required. Acceptable documents may include copies of your I-20s, visa, and transcripts, or a letter from the school stating the dates you attended there as a full time international student. If OPT is authorized, the copy of the I-20 must reflect this. If you were on an H-1 visa, you must provide documentation of your arrival/start date and a copy of the approved "Notice of Action", an official company letter showing your authorized dates of employment, or a W2 form showing you worked for the company that sponsored your visa.

The same applies for all non-immigrant statuses held. You must show your arrival/start date and documentation that shows you remained in good status for the entire period. If you left the country, send a copy of the date stamp showing your arrival back

## HELPFUL INFORMATION

- Please print this form. This form cannot be submitted online. Please type all requested information on the form before printing. ATTACH A COPY of all supporting documentation (**DO NOT submit originals**), and mail them to the address provided.
- This form is for use only by men born after December 31, 1959, who are not registered and are now 26 years and older or transgender who were born females.
- This form is not a registration form. Submitting this form will not register you with the Selective Service System.
- We will issue a Status Information Letter based on the information you provide. KEEP the original copy in your permanent files for future reference.
- If you are denied a right, benefit, or privilege because you are not registered, submit a copy of your Status Information Letter from the Selective Service System, and a separate letter in which you explain, to the best of your ability, the reasons for your failure to register to the agency administering the right, benefit, or privilege. That agency, NOT the Selective Service System, will make the final determination regarding your eligibility. The Selective Service System does not approve, disapprove, or make any recommendations to determine your eligibility for any right, benefit, or privilege you are seeking.
- Immigrant men over the age of 31 who are seeking naturalization and who did not register are no longer required to provide a "status information letter" or documentation of their status from the Selective Service System to USCIS. If asked for a status information letter, these men may print a form letter concerning their request for a letter for use with USCIS from <http://www.sss.gov>.