

MERCED COUNTY WORKFORCE DEVELOPMENT BOARD

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POLICY BULLETIN

MCWDB PB # 01-25	Date of Release: June 26, 2025
To:	All Merced County Workforce Development Board Staff and Service Providers
From:	Erick Serrato, Merced County Workforce Development Board
Effective Date:	June 26, 2025
Subject:	Selective Service Registration Requirement
Responsible Official:	MCWDB Program Manager

PURPOSE

The purpose of this policy is to establish clear procedures and documentation requirements for verifying Selective Service registration compliance for males seeking to access services funded under Title I of the Workforce Innovation and Opportunity Act (WIOA). This policy ensures that service providers uphold federal law as outlined in the Military Selective Service Act (MSSA) and WIOA Section 189(h), by confirming that individuals required to register have done so, or are appropriately exempt.

BACKGROUND

Under the Workforce Innovation and Opportunity Act of 2014 (WIOA), each individual participating in a WIOA program, or receiving any assistance under WIOA Title I, must not be in violation of the Military Selective Service Act (MSSA Section 3). MSSA is a federal law that establishes the Selective Service System, which maintains a database of registered male United States (US) citizens and immigrant non-citizens potentially subject to military draft for the United States Armed Forces in times of emergency.

SELECTIVE SERVICE REGISTRATION REQUIREMENTS

Males born on or after January 1, 1960 are required to register with the Selective Service within 30 days of their 18th birthday and up to, but not including, their 26th birthday.

This includes the following males:

- U.S. citizens, or
- Veterans discharged from military service before their 26th birthday, or
- Non-U.S. citizens, including undocumented immigrants, legal permanent residents, and refugees, who take up residency in the U.S. prior to their 26th birthday.
- Dual Nationals of the U.S. and another country, regardless of whether they live in the U.S.

Acceptable Documentation

To establish eligibility to receive WIOA-funded services, all males born on or after January 1, 1960, must present at least one of the following documents demonstrating compliance with the Selective Service Registration requirements.

- Selective Service acknowledgement letter, or
- Report Separation form (Form DD-214), only used if the veteran was discharged after his 26th birthday, or
- Screen printout of the Selective Service Verification site, for males who already registered, this website can be used to confirm their Selective Service number as well as the date of registration, by entering a last name, social security number and date of birth, or
- Selective Service registration card, or
- Selective Service verification form (Form 3A), or
- Stamped post office receipt of registration.

If the applicant has no documentation to verify that he has registered, acknowledgment of registration may be obtained by one of the following methods:

- Log on to the Selective Service website at: <https://www.sss.gov/Home/Verification> and follow the prompts. The applicant can register on-line through this website;
- The applicant can call the Selective Service Data Management Center at (847) 688-6888 between 9:00 a.m. to 5:00 p.m. (Central Time) and ask for documents; or
- A copy of this form can be obtained online at the website or by calling the number above.

Provider of Services staff is to ensure that all appropriate documentation proving Selective Service Registration is maintained in the case file. Failure to do so could lead to all expenditures made on behalf of this participant being disallowed.

Selective Service Registration is NOT required (EXEMPT) for the following male U.S. citizens:

- Males who are serving in the military on full-time active duty, or
- Males attending the service academies, or
- Disabled males who were continually limited to a residence, hospital or institution, or
- Male veterans discharged after their 26th birthday, or
- 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.

Selective Service Registration is NOT required (EXEMPT) for the following male, non-U.S. citizens:

- Non- U.S. males who entered the U.S. for the first time after their 26th birthday,
 - Must have date of entry stamp on their passport, or
 - I-94 with date of entry stamp, or
 - Letter from the U.S. Citizenship and Immigration Services indicating the date the male entered the U.S., presented in conjunction with documentation establishing the male's age.
- Non-U.S. males who entered the U.S. illegally after their 26th birthday. They must provide proof that they were not living in the U.S. from age 18 through 25.
- Non-U.S. males on a valid non-immigrant visa.

Please note that the requirement for transsexual, transgendered, and intersex individuals to register with the Selective Service depends upon the gender recorded on their birth certificate. If an individual is recorded as a male, that individual would need to register for the Selective Service, unless exempt, regardless of their current gender identity. However, if that individual's birth certificate is changed to reflect a female identity, that individual would not be required to register.

Those persons who are considered exempt from registration are not required to submit a Waiver Request. Provider of Services staff is to ensure that all appropriate documentation to support the "exempt" determination is maintained in the case file. Failure to do so could lead to all expenditures made on behalf of this participant being disallowed.

In addition, the "Who Must Register Chart" on the Selective Service System (SSS) website at <https://www.sss.gov/Registration/Who-Must-Register/Chart> clearly defines who must register and who is exempt from registering with Selective Service.

Registration Requirements for Males Under 26

Before being enrolled into WIOA-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday, must register through the Selective Service website.

If any male participant turns 18 while they are participating in a WIOA program, he must register during the period of time beginning 30 days before, or not more than 30 days after, his 18th birthday. Provider of Services upload proof of registration per above Acceptable Documentation section to CalJOBS.

Non-Registration by Males 26 and Older

Before enrolling into WIOA-funded services, any male who is not able to provide evidence of Selective Service Registration is required to provide evidence of:

- Exemption to Selective Service Registration (see Selective Service Registration Not Required sections above), or
- Documentation establishing that their failure to register was not knowing and not willful.

If there is no documentation provided as stated above, the following applies if services are still requested:

- A Selective Service Failure to Register Self-Attestation Statement (from WSD 16-18 Attachment 1) is to be completed and submitted to MCWDB staff
 - Supporting documentation may be included in the request. The following are examples of documentation that may be of assistance in making a determination in these cases:
 - Service in the Armed Forces – Evidence that a male has served honorably in the U.S. Armed Forces, such as a Form DD-214 or his Honorable Discharge Certificate. These documents serve as evidence that his failure to register was not knowing and not willful.
 - Third Party Affidavits – Affidavits concerning reasons for not registering from parents, teachers, employers, doctors and others may help grantees in making a determination regarding willful and knowing failure to register.

DETERMINING “KNOWING AND WILLFUL” FAILURE TO REGISTER

MCWDB Director or designee will evaluate the Selective Service Failure to Register Self-Attestation Statement and any evidence submitted in making a determination regarding whether it supports the prospective participant's reasons for not registering were “knowing and willful”.

The following questions will be considered to determine whether the failure to register was “knowing”:

- 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?

The following questions will be considered to determine whether the failure to register was “willful”:

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

If the MCWDB Director, or designee, determines that an individual's failure to register with the Selective Service was not knowing and not willful and the individual is otherwise eligible, services may be provided. However, if the authorized organization determines that evidence shows that the individual's failure to register was knowing and willful, WIOA services must be denied. Individuals who are denied services must be advised of available grievance procedures. The provider of services must keep documentation related to evidence presented in determinations on Selective Service. Failure to maintain documentation may result in disallowed costs.

In the event where a request is denied, the applicant is still entitled to Basic Career Services (Resource Room).

REFERENCES

WIOA (Public Law 113-128) Section 189(h)
 Title 50 United States Code “Military Selective Service Act,” Appendix 453
 EDD WIA Directive WSD16-18
 DOL TEGL 8-98, DOL TEGL 11-11, Change 2
 WIOA 189(h)
 MCWDB Self Attestation form