

PASSAIC COUNTY WORKFORCE DEVELOPMENT BOARD

Subject: Selective Service Registration

Effective Date: 05/08/2026

PURPOSE

The WIOA Selective Services Policy outlines the enforcement of Selective Service registration requirements, including review and documentation processes for individuals who failed to register for Selective Service.

POLICY

The WDB adopts and implements in the local area the following Federal and State of New Jersey regulations on the Selective Service requirements for WIOA eligibility and the registration process.

Automatic Registration (New Policy)

The Military Selective Service Act (MSSA) currently mandates that all U.S. citizens and non-citizen males assigned male at birth must register with the Selective Service within 30 days of their 18th birthday. This requirement applies regardless of current gender identity or legal sex status. The WIOA also mandates compliance with Selective Service registration for those seeking WIOA-funded services. Starting in December 2026, eligible individuals assigned as male at birth will be automatically registered for the draft. Previously, individuals were required to self-register.

Automatic Selective Service registration under Section 535 of the FY 2026 National Defense Authorization Act (NDAA), which was signed into law on December 18, 2025.

- The Selective Service System (SSS) has until December 18, 2026, to make the automated system fully operational.
- The SSS will use existing federal databases—such as records from the Social Security Administration and Department of Motor Vehicles (DMV)—to identify and register eligible men between the ages of 18 and 25 automatically.
- Once the system is active, the agency will be required to notify individuals that they have been registered and provide a process for those not required to register (such as those with specific medical conditions) to be removed from the rolls.
- Until the new system is fully implemented in late 2026, men are still legally required to register manually within 30 days of their 18th birthday.

WIOA Eligibility

The federal WIOA legislation requires all males born on or after January 1, 1960 to document compliance with Selective Service registration to be eligible for services funded under WIOA Title I (Adult, Dislocated Worker, and Youth programs). Grantees must continue to follow the federal TEGL 11-11, Change 2, which remains the primary authority for Selective Service registration requirements in Employment and Training Administration (ETA) funded programs. Compliance is a mandatory eligibility criterion for any program receiving WIOA Title I assistance.

Current guidance, including WD-PY24-11, emphasizes that registration must be verified before enrollment status and may be confirmed in AOSOS. The list of exceptions for registration may be accessed at “Who Needs to Register Chart in AOSOS”. TEGL 11-11 Change 2 states that “Before enrolling in WIA(WIOA) Title I-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.”

Who Must Register: Almost all male U.S. citizens and male immigrants (documented or undocumented) residing in the U.S. between the ages of 18 and 25.

- **Male U.S. Citizens:** All men who are U.S. citizens, including those born in the U.S., dual citizens, and naturalized citizens, regardless of where they live.
- **Male Immigrants:** Both documented (e.g., permanent residents, refugees, asylum seekers) and undocumented immigrants between the ages of 18 and 25 living in the U.S.
- **U.S. Territory Residents:** Residents of Puerto Rico, Guam, the Virgin Islands, and the Northern Mariana Islands.
- **Men with Disabilities:** Men with mental or physical disabilities are required to register, even if they would not qualify for military service.
- **Individuals assigned as male at birth who identify as female must still register.**

Registration Timing: Registration must typically occur within 30 days of the 18th birthday.

- **Initial Window:** Registration must occur within 30 days of a male's 18th birthday.
- **Late Registration:** Registrations are accepted until a man reaches his 26th birthday. After age 26, it is too late to register.

- Early Submission: Men can submit their information as early as age 17 years and 3 months; it will be processed automatically when they turn 18.
- Ongoing Participation: If a male turns 18 while already enrolled in WIOA services, he must register within 30 days of his birthday to continue receiving services.

Exemptions

- Women: Women are not currently required to register for the Selective Service.
- Non-Immigrants: Individuals on valid, current non-immigrant visas (e.g., international students, tourists, or diplomats) as long as they remain in that status until age 26.
- Full-Time Active Duty: Men serving on full-time active duty in the U.S. Armed Forces or attending service academies do not need to register while serving. However, if they leave the military before age 26, they must register within 30 days.
- Continuous Institutionalization: Men who are continuously hospitalized, incarcerated, or homebound from age 18 through 25 are exempt.
- Gender at Birth: Individuals assigned as female who have since changed their gender to male are not required to register.

WIOA Eligibility by Age Group

Eligibility is determined by whether the individual is currently of registration age or has already passed it.

- Males Under Age 26:
 - Must be registered before enrollment.
 - If not registered, they must do so via the Selective Service website immediately.
 - Refusal to register results in a suspension or denial of WIOA-funded services.
- Males Age 26 and Older:
 - Individuals who failed to register when they were 18–25, they must prove the failure was not "knowing and willful".
 - Individuals who failed to register are required to provide a Status Information Letter (SIL) from the Selective Service System if they cannot prove registration. Under TEGL 11-11, Change 2, agencies have the option to initiate

the determination process without waiting for the SIL if there are strict time limits for enrollment (e.g., for individuals recently released from incarceration).

- Individuals must provide a Self-Attestation and other evidence (e.g., proof of hospitalization or military service during the registration window) to justify the failure.

Acceptable Documentation

NJ and federal guidelines require one of the following to verify compliance:

- Selective Service Acknowledgement Letter or Registration Card.
- Screen printout from the SSS Verification site.
- Form DD-214 (Report of Separation), only if the veteran was discharged after their 26th birthday.
- Stamped Post Office Receipt of registration.
- Selective Service Registration Card
- Selective Service Verification Form (Form 3A)

Verification of Registration Status by Applicant

The applicant may verify registration status through the following:

- Online Verification: Applicant must visit the Selective Service Verification site. The following information is required:
 - Last name
 - Social Security Number
 - Date of birth
- By Phone: If the applicant does not have a Social Security Number or cannot find the record online, the applicant must call the Selective Service System at 1-888-655-1825.
- Proof of Registration: Download of an Acknowledgment Letter serves as official proof for NJ WIOA eligibility.

Eligibility Determination

Determining "Knowing and Willful" Failure

Applicant Statement: The applicant must provide a written explanation of why they failed to register. This should include where they lived between ages 18–25 and any circumstances like incarceration or lack of knowledge of the law.

- Evidence of Military Service: If the applicant served in Armed Forces, a document verifying honorable service in the U.S. Armed Forces such as the DD Form 214, a Honorable Discharge Certificate or if the applicant knew about the requirement to register, but was misinformed about the applicability of the requirement (e.g., veterans who were discharged before their 26th birthday told they did not need to register) constitutes sufficient evidence that failure to register was not “willful or knowing”.
- Evidence of Hardship/Incapacity: Documentation of hospitalization, institutionalization, chronic mental health or medical illness, homelessness, family crisis or continuous incarceration during the entire period from age 18 to 26 is strong evidence.
- Evidence of Language/Cultural Barriers: Applicant a recent arrival to the U.S. and was not familiar with the language and/or laws regarding Selective Service is sufficient evidence.
- Lack of Knowledge: Applicant believed immigration status or prior military service in another country was an exemption is sufficient evidence.
- Non-Resident Status: Proof that the individual was not in the U.S. or was on a valid non-immigrant visa (like an F-1) during the required registration age is often sufficient for an exemption. For individuals who were not required to register (e.g., non-citizens who entered the U.S. after age 26), acceptable supporting documentation includes:
 - Date of entry stamp in a foreign passport
 - Form I-94 with a date of entry stamp
 - USCIS Letter indicating the date the individual entered the U.S. (must be presented with age documentation)
 - Valid non-immigrant visa for the period they were aged 18–25

When an applicant failed to register for Selective Service and is now 26 or older, they must provide a written explanation (often called an Applicant Statement or Self-Attestation) to the Employment and Training Administration (ETA) grantee. Under TEGL 11-11, Change 2, the agency uses this statement to determine if the failure was "knowing and willful".

The applicant should offer as much evidence and in as much detail as possible to support the case. Evidence may include a self-attestation and supporting documentation of the circumstances at the time of the required registration and the reason for failure to register.

The following checklist includes the primary questions and factors for use to make a determination if the failure was “Knowing”:

The official examines if the individual was aware of the registration requirement between ages 18 and 26, using factors from TEGL 11-11, Change 2. Key areas include:

- Awareness and Misinformation: Whether the individual knew of the requirement or was misinformed (e.g., as a veteran).
- Contextual Details: Specific dates of discovery of the requirement to register, residence during the period, and whether Status Information Letters (SIL) were sent by the Selective Service System (SSS).

Determining if the Failure was "Willful"

If awareness existed, was the failure was a deliberate choice. Focus areas include:

- Intent and Capacity: Whether the failure was intentional and if the individual had the mental capacity or physical ability to register.
- Action and Credibility: Immediate actions taken upon learning of the requirement and the overall credibility of the claim of ignorance.

Evaluative Factors

Decisions are based on a "preponderance of evidence," with weight given to:

- Evidence of Non-Willfulness: Honorable discharge (Form DD-214) or continuous institutionalization/incarceration during the required period.
- Third Party Affidavits – Affidavits from parents, teachers, employers, doctors, etc. concerning reasons for not registering, are also acceptable documentation and helpful to service providers determining whether the failure to register was willful and knowing.

If the failure is deemed not “knowing and willful”, the individual is eligible.

Applicant Process to Document Failure to Register was not “knowing and willful”

The following description of the process for the applicant to provide evidence that failure to register was not "knowing and willful".

- Request a Status Information Letter (SIL)
Applicant must request an official Status Information Letter from the Selective Service System.
- SIL Request Form & Submission
Status Information Letter (SIL) is available from the Selective Service System using the official Request for Status Information Letter form. This is used by men born after 1959 who are 26 or older and did not register. Official Form: Request for Status Information Letter (SIL) PDF directly from the Selective Service System (SSS) website.

Submission of Form: The form must be printed, completed, and mailed. Digital or fax submissions are generally not accepted.

Mailing Address:
Selective Service System
ATTN: SIL
P.O. Box 94638
Palatine, IL 60094-4638

Timeline: 4 to 6 weeks to receive the letter back from the SSS.

Consequences of Non-compliance

- Failure to register is a felony and can result in:
 - Loss of Federal Benefits: Permanent ineligibility for federal student aid (FAFSA), federal job training (WIOA), and federal employment.
 - Citizenship Delays: For immigrant men, failure to register can significantly delay or derail the U.S. citizenship process.
 - Legal Penalties: Potential fines of up to \$250,000 and up to five years in prison.
 - This letter confirms whether you were required to register and if you did so.
 - Note: This form must be printed and mailed; it cannot be submitted online.
- Provide a Written Explanation
Applicant must submit a detailed letter to the WIOA service provider explaining why they did not register. Common valid reasons include:

- Being unaware of the requirement.
- Believing you were automatically registered (e.g., via a driver's license application).
- Incarceration, hospitalization, or living outside the U.S. during the registration ages (18–25).
- Gather Supporting Documentation
NJ WIOA guidelines suggest providing evidence such as:
 - Form DD-214: If you served honorably in the military, this is often accepted as proof that failure to register was not willful.
 - Third-Party Affidavits: Letters from parents, teachers, or employers testifying to your circumstances during age 18–25.
 - Immigration Records: Proof of the date you entered the U.S. if you arrived after age 26.

Applicant Statement Checklist

A strong statement should be as detailed as possible and address the following specific points:

- Awareness of Requirement: Clearly state when you first learned you were required to register.
- Reason for Failure: Explain why you did not register between the ages of 18 and 26 (e.g., were you misinformed, unaware of the law, or did you believe you were exempt)
- Residency History: List where you lived during the entire period from age 18 through 25, including whether you were inside or outside the United States.
- Circumstances and Dates: Describe any specific events that prevented registration, including exact dates for:
 - Incarceration.
 - Hospitalization or Institutionalization.
 - Military Service (even if not registered, service can be compelling evidence).
- Actions Taken: Describe action taken immediately after learning about the requirement (e.g., attempt to register or contact the Selective Service System)

- Capacity: If applicable, address whether any mental or physical conditions affected your capacity to understand or comply with the requirement.

Supporting Evidence to Attach

The agency official will look for documentation to back up your statement. You should include:

- Third-Party Affidavits: Notarized statements from parents, teachers, employers, or doctors who can verify your circumstances.
- Official Records: Discharge papers (DD-214), prison release records, or medical records covering the ages of 18–25.
- Immigration Documents: If you entered the U.S. after age 26, provide your Form I-94 or a passport with an entry stamp.

Third-party Affidavit of Support

Based on the requirements of TEGL 11-11, Change 2. This document is designed to support a claim that failure to register was not "knowing and willful." Under TEGL 11-11, Change 2, the agency official makes the final decision. Providing several affidavits significantly strengthens the case that the failure wasn't "knowing and willful."

Third-Party Affidavit of Support Template

Re: Selective Service Registration Requirement

To: [Name of Workforce Agency/WIOA Grantee]

From: [Name of Affiant – Teacher, Employer, etc.]

Relationship to Applicant: [e.g., Former High School Teacher / Manager at XYZ Corp]

Date: [Current Date]

Subject: Statement Regarding [Applicant's Full Name]

I, [Affiant Name], being of sound mind and over the age of 18, hereby provide this statement in support of [Applicant's Name] regarding his failure to register with the Selective Service System between the ages of 18 and 26.

1. Knowledge of Applicant's Circumstances:

I have known [Applicant's Name] since [Year] in my capacity as his [Title/Role]. During the period he was between the ages of 18 and 26 (from [Start Year] to [End Year]), I was in regular contact with him.

2. Observation of Awareness:

To the best of my knowledge and based on my interactions with him during that time:

- [Applicant's Name] never mentioned the Selective Service registration requirement.
- [Optional: I did not observe him receiving any mail or information regarding this requirement.]
- [Optional: As his (Teacher/Employer), I was unaware that he had not registered and did not advise him on this legal obligation at the time.]

3. Factors Affecting Registration (If Known):

[Select or describe the relevant circumstances]:

- Language/Cultural Barriers: [Applicant] was a recent arrival to the U.S. and was not familiar with the laws regarding Selective Service.
- Lack of Knowledge: [Applicant] believed that [e.g., his visa status / his prior military service in another country] exempted him.
- Personal Hardship: During this time, [Applicant] was experiencing [e.g., homelessness / severe medical issues / family crisis] which occupied his full attention and prevented him from addressing administrative requirements.

4. Character Statement:

In my experience, [Applicant's Name] is a law-abiding individual who has demonstrated a commitment to [e.g., his education / his employment / his community]. I truly believe his failure to register was an oversight due to a lack of information rather than a willful or knowing attempt to break the law.

Certification:

I certify that the information provided above is true and correct to the best of my knowledge.

Signature of Affiant

[Affiant Phone Number]

[Affiant Email Address]

Final Determination of Eligibility The burden of proof remains on the applicant to provide documentation of not intentionally avoiding registration.

Grievance of Eligibility Decision

Under TEGL 11-11, if an individual failed to register, the granting agency (e.g., the WIOA program provider), not the Selective Service, makes the final "knowing and willful" determination. An individual who receives "knowing and willful" determination has the right to appeal through the WIOA Grievance and Complaint Procedures. Under TEGL 11-11, Change 1, agencies must advise any individual denied services of these specific legal pathways. Lack of eligibility for one program should not prevent access to and service provision through other programs. According to WIOA regulations, funds from non-WIOA sources should be used before WIOA funds.

To appeal a Selective Service decision related to Workforce Innovation and Opportunity Act (WIOA) funding, the applicant must follow the NJ State Unified Complaint Procedure.

1. Initial Appeal: Local Area Hearing

If you were denied by a local One-Stop Career Center, your first step is to file a written grievance with the local area's Equal Opportunity (EO) Officer.

- Requirement: The grievance must be in writing, signed, and dated.
- Timeline: You typically have 180 days from the date of the alleged violation to file.
- Process: The local area must offer an informal resolution. If not resolved, an impartial hearing officer will conduct a hearing within 30 days of your filing.

Local Level Appeal

The first step is to file a formal written grievance with the local workforce development board or the specific service provider that issued the denial.

- Filing Timeline: Grievance must be filed within 30 to 180 days of the denial notice, depending on state-specific policies.
- Informal Resolution: The agency must first offer an opportunity for informal resolution, typically within 10 to 15 days of filing.
- Formal Hearing: If informal resolution fails, the local WDB must schedule a hearing. This hearing must generally be conducted within 30 days of the initial filing.
- Final Local Decision: A written decision must be issued within 60 days of the date of that the grievance was filed.

2. State-Level Appeal: NJDOL Director

If you are dissatisfied with the local decision or if a decision was not reached within 60 days, you can appeal to the Director of the Division of One-Stop Coordination and Support at the NJDOL.

- Contact Information:
 - Mailing Address:
Director, Division of One-Stop Coordination and Support
New Jersey Department of Labor and Workforce Development
PO Box 055
Trenton, NJ 08625-0055
 - Online Policy Reference: You can review the full WD-PY22-9 Complaint Procedure for detailed steps.

An applicant unsatisfied with the local decision, or if the local agency fails to issue a decision within 60 days.

- Submission: This appeal must be in writing and typically filed within 10 to 30 days of receiving the local unsatisfactory decision.
- State Review: The state will review the local hearing record and may hold an additional evidentiary hearing if necessary.

3. Federal Level Appeal

Federal Appeal to the Secretary of Labor

If the state issues an adverse decision, or fails to act within 60 days of a state-level appeal, a final appeal may be filed with the U.S. Secretary of Labor.

- Deadline: This must be submitted within 60 days of receiving the state's adverse decision.
- Mailing Address: Appeals must be sent via Certified Mail, Return Receipt Requested to:

Secretary of Labor
Attn: ASET
U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210

- Federal Timeline: The Secretary must issue a final determination within 120 days of receiving the appeal.

Required Evidence for Selective Service Appeals

To overturn a denial, applicant must prove that failure to register was not "knowing and willful". The following information must be provided:

- Status Information Letter (SIL): Contact the Selective Service System at (847) 688-6888 to request this official document.
- Written Explanation: A detailed statement of why applicant did not register, including any mitigating factors (e.g., applicant hospitalized, incarcerated, or unaware of the requirement due to institutionalization).

Discrimination Complaints

- If applicant believes the denial was based on a protected status (e.g., race, national origin, or citizenship status), you may file a discrimination complaint directly with the Civil Rights Center (CRC) within 180 days of the incident, bypassing the standard program grievance steps.

POLICY REVISIONS

The WDB Workforce Innovation and Opportunity Act (WIOA) policies are reviewed amended annually by the WDB to remain in compliance with all federal mandates and state-level policy changes issued by the New Jersey Department of Labor and Workforce Development. Partners will be notified of all changes to the policy.