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DWD Issuance 03-2007

Issued: October 22, 2007
Effective: October 22, 2007

Subject: **Selective Service Compliance by Workforce Investment Act (WIA) Participants**

Key Words: **Selective Service – WIA – Youth - Registration**

1. Purpose: Provide Information Regarding the Enforcement of the Military Selective Service Act for Participants in a WIA Program

2. Background: The Selective Service System is an independent federal agency operating with permanent authorization under the Military Selective Service Act (50 U.S.C. App. 451 et seq). It is not part of the Department of Defense; however, it exists to serve the emergency manpower needs of the military by conscripting untrained manpower, or personnel with professional health care skills, if directed by Congress and the President in a national crisis. Its statutory missions also include being ready to administer an alternative service program, in lieu of military service, for men classified as conscientious objectors.

The law requires that any male between the ages of 18 and 25 living in the United States must register with the Selective Service System at any U.S. Post Office or online.

The WIA of 1998, Section 189(h), requires that each individual participating in any program or activity established under this title, or receiving any assistance or benefit under this title, has not violated Section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not presenting and submitting to registration as required pursuant to such Section.

TEGL 8-98, Section 4 (b) states the law does not allow for a male to register after the age of 26. If the male failed to register, he must provide evidence explaining why he failed to register with the Selective Service System. This could include a written explanation, stating his circumstances at the time of the required

registration, and his reasons for not registering, together with supporting documentation.

3. Substance:

Any male participant born on or after January 1, 1960, that is enrolled in a WIA program must be registered with the Selective Service System. If a youth is under the age of 18 when enrolled, when he reaches the age of 18 he must register with the Selective Service System to remain in the WIA program. Verification of registration must be submitted to the local service provider and placed in the participant's file.

It will be the responsibility of the local Workforce Investment Board (LWIB) to determine if the applicant's reason for not registering for selective service "shows by preponderance of the evidence" that the failure to register was not "knowing and willful."

The Division of Workforce Development realizes the new requirement of tracking a participant's age and Selective Service registration status, in order to maintain enrollment status within the program, puts an additional burden on WIA service providers. DWD will create a tracking mechanism in the Toolbox 2.0 case management system in order to help alleviate this additional burden.

4. Action:

Effective immediately, LWIBs and service providers must comply with this guidance when implementing and operating WIA programs. By December 1, 2007; LWIBs must review all current male participants and make sure that the verification of registration is included in their file. LWIBs should also evaluate the evidence provided by any male who failed to register, and make the determination of his eligibility to continue to participate in the WIA program.

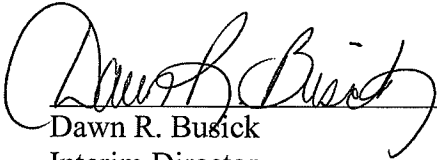
5. Contact:

If you have any questions regarding this Issuance, please contact Randy Cottrell, Manager, Adult and Youth Programs, at 573.526.8242 or email: randy.cottrell@ded.mo.gov

6. Reference: #1 Military Selective Service Act at:
www.sss.gov/PDFs/MSSA-2003.pdf
#2 WIA Section 189(h) - ENFORCEMENT OF MILITARY
SELECTIVE SERVICE ACT:
<http://www.doleta.gov/usworkforce/wia/wialaw.pdf>
#3 TEGL 8-98 – Section 4b:
<http://wdr.doleta.gov/directives/attach/TEGL8-98.pdf>

7. Rescissions: None

8. Attachments: None


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