

*Anyone required to register with Selective Service at any time must have done so in order to receive SFA aid. The Department performs a match with Selective Service to confirm a student's registration. In this chapter, we discuss the registration requirement and the Selective Service match.*

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## GENERAL INFORMATION

**M**en who are from age 18 through 25 are required to register with the Selective Service System. This requirement covers both citizens of the United States and most other men residing in the United States, except that a man who is in the United States as a lawful nonimmigrant isn't required to register as long as he maintains that status. There are exceptions to the registration requirement, as discussed under "Exemptions," page 88. Only students are required to register for Selective Service to be eligible for SFA funds. Parents who want to borrow a PLUS loan don't have to meet the registration requirement.

The Department provides some convenient ways for the student to register. There's a question on the application that asks if the student wants Selective Service to register him. By answering "Yes", the student gives the Department of Education permission to submit his registration information to the Selective Service so that the student may be registered.<sup>5</sup> A student can also ask to be registered by changing the answer to this question on the SAR to "Yes" and submitting the correction. The student may also go directly to the Selective Service web site at <<http://www.sss.gov>> and register online.

In some cases, a student will not be able to register using the FAFSA or SAR. Generally, however, a male student who is between 18 and 26 and who has not registered previously may use this method. Students who have questions about Selective Service registration may contact the Selective Service at 1-847-688-6888 or at <<http://www.sss.gov>>.

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## Selective Service Requirement Cites

34 CFR 668.32(j), 668.37

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## Age and Registration

*The student can be registered with Selective Service as early as 30 days before his 18th birthday; if the student is too young Selective Service will hold the registration until the student is within 30 days of his 18th birthday. Students 26 and older can't be registered.*

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<sup>5</sup> If the student doesn't also answer "Yes" to the question "Are you male?" Selective Service won't register the student if his first name matches its female name table.

## Exemptions Cite

34 CFR 668.37(a)(2)

## Exemption Examples

*Tod has been on active duty in the Army from the time he was 18, and didn't register with Selective Service before he joined the Army. He's now 24, is planning to leave the Army, and wants to receive financial aid. If he applies while he's still on active duty, he doesn't need to be registered with Selective Service. Once he leaves, he must be registered, or else he won't be able to receive aid in later years. In most cases, when someone completes an enlistment contract he is automatically registered, so Tod is probably already registered even though he didn't complete a separate registration form.*

*George was enrolled in an officer procurement program at the Virginia Military Institute; he started a month before he turned 18. When he was 22, he had a serious accident and was hospitalized; he officially dropped out of school a month after he was hospitalized. Due to his injuries, he was hospitalized for four years. Because he qualified for a waiver for the entire time he was 18 through 25, he was not required to register with Selective Service.*

## Status Information Letter Codes

*The Selective Service has a number of different types of Status Information Letters. Copies of the letters are included at the end of this chapter. A code appears in the lower left-hand corner to indicate the type of letter in question. The codes are listed here.*

- **E1-E7.** A letter with any of these codes indicates that the student was not required to register or was exempt the entire time he could have registered (ages 18 through 25).
- **NR.** A letter with this code indicates that the student was born before 1960 and is therefore not required to register.
- **RR.** A letter with this code indicates that the student said he attempted to register but that Selective Service has no proof that he attempted to register.

## EXEMPTIONS

**M**en<sup>6</sup> exempted from the requirement to register include:

- males currently in the armed services and on active duty (this exception does not apply to members of the Reserve and National Guard who are not on active duty);
- males who are not yet 18 at the time that they complete their applications (an update is not required during the year, even if a student turns 18 after completing the application);
- males born before 1960; and
- citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau
- noncitizens who first entered the U.S. after they turned 26;
- noncitizens who entered the U.S. as lawful nonimmigrants on a valid visa and remained in the U.S. on the terms of that visa until after they turned 26.

There are certain less common situations in which registration isn't necessary. Students who weren't required to register prior to meeting one of these criteria and who meet a criterion for the entire time through the age of 25 qualify for the waiver if

- they are unable to register due to being hospitalized, incarcerated, or institutionalized;
- they are enrolled in any officer procurement program at The Citadel, North Georgia College, Norwich University, or Virginia Military Institute; or
- they are commissioned Public Health Service officers on active duty or members of the Reserve of the Public Health Service on specified active duty.

If the student isn't required to register, the school must document the student's status. If the student isn't clearly exempt from the requirement to register, the school should ask the student to document the exemption by providing the school with a Status Information Letter from the Selective Service.

As mentioned above, noncitizens who first enter the U. S. after the age of 26 aren't required to register. Only those immigrant men who enter and live in the U.S. at ages 18 through 25 are required to be registered. If a male immigrant can show proof that he first entered the U.S. when he was past registration age, he is clearly not required to be registered, and no Status Information Letter is needed. The

<sup>6</sup> Whether a person is a male or female is a matter for medical determination. If a school needs to determine whether a student is male or female for Selective Service purposes, the school should tell the student to write to Selective Service for a Status Information Letter.

student's entry documentation is enough to show whether he was required to register.

## SELECTIVE SERVICE MATCH

To check that students who must be registered actually are registered, the CPS performs a match with the Selective Service System. The CPS provides a match flag showing the match results in the FAA Information section of the output document. In addition, the output document has a comment about the match results.

### *Successful Matches*

If the match shows that the student is registered or exempt, a comment confirming this fact will be on the student's output document. The student is then eligible for SFA aid.

The student is also eligible for aid if the match shows that the student is still too young to register. If the student asked to be registered, Selective Service will hold onto that registration request until 30 days before the student's 18th birthday, and will then register the student.

Finally, the student is also eligible if the CPS successfully forwarded the student's name to Selective Service for registration.

### *Unsuccessful Matches*

If the match didn't confirm the student's registration, or the student couldn't be registered, the output document will have a comment about the problem. A "C" flag will also be printed next to the student's EFC. Until the student resolves the registration problem, the school can't pay SFA funds to the student and can't certify or originate a loan.

#### ***Registration not confirmed***

If the match showed that the student wasn't registered, the student must either register or provide evidence that he is registered or is exempt from registration. The student's Selective Service Registration Acknowledgement or letter of registration shows that the student is registered. The school can also go to the Selective Service web site at <<http://www.sss.gov>> and check on the student's registration status. The school can print out the web page as documentation that the student is registered. If the student doesn't have an acknowledgement or letter of registration, and the web site doesn't confirm his registration, he'll have to contact Selective Service to resolve the problem. If the conflict is resolved in the student's favor, he'll receive a letter from the Selective Service documenting that he is registered or that he is exempt from registering.

#### ***Unsuccessful registration***

The CPS won't be able to forward the student for registration if certain information (first and last name and date of birth) is missing. The student should submit a correction with the required information;

• **NM.** A letter with this code indicates that the student did not register although he was on active duty in the armed forces only for a portion of the time when he could have registered (between ages 18 through 25) and was, therefore, required to register.

• **RL.** A letter with this code indicates that the student was required to register, that the Selective Service has no record of his registration, and that Selective Service records show he was sent one or more letters requesting his compliance with the registration requirement during the period he was required to be registered.

• **RD.** A letter with this code indicates that the student provided a reason for not registering (or provided documentation proving him exempt from this requirement) but that the Selective Service determined the reason or documentation to be invalid; therefore, this code indicates that the student was required to register but did not.

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### Match Flags for Successful Match *Y, T*

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### Comments for Successful Match *26, 29, 28, 31*

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### Match Flags for Unsuccessful Match *N, blank*

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### Comments for Unsuccessful Match *30, 57, 33*

### Unsuccessful Registration Example

*On his FAFSA, Hector asks the CPS to forward his information to the Selective Service for registration. However, he's over 26, so the Selective Service can't register him. His output document comes back with a blank match flag and comment 33. Hector didn't enter the U.S. until after his 26th birthday, so he doesn't have to be registered. Guerrero University already has information about his citizenship status, including the date he arrived in the U.S., so it has documentation that Hector is exempt from registration. The FAA at Guerrero explains to Hector that he wasn't required to register with Selective Service because he didn't immigrate to the U.S. until after his 26th birthday.*

the school then looks at the match results from this correction to see if the student is eligible.

The registration forwarding will also fail if the student is 26 or older. Such a student can't register, and the school will have to determine if the student is still eligible despite failing to register (see "Failure to Register").

### FAILURE TO REGISTER

Some students have been denied aid because they failed to register with the Selective Service before their 26th birthday. (The Selective Service will register only males age 18 through 25, leaving older students with no way to remedy their situation if they failed to register.) The Military Selective Service Act was amended to require a school, under certain conditions, to pay otherwise eligible students who are 26 or older and who did not register when required. To receive aid, such students must demonstrate that they did not knowingly and willfully fail to register.

### Failure to Register Cite

34 CFR 668.37(d), (e)

The Department of Education's regulations also allow students who did not register and are too old to register to receive aid if they served on active duty in the armed forces. (It is presumed that a person who has actually served in the armed forces is not trying to avoid registering for duty.) The school should obtain such a student's DD Form 214, "Certificate of Release or Discharge from Active Duty," showing military service in the armed forces with other than the reserve forces, the Delayed Entry pool, and the National Guard and release under a condition other than dishonorable.

The school must determine whether a student who has not served in active duty knowingly and willfully failed to register. That is, the school must determine if the student knew of the registration requirement but, nevertheless, chose not to register. The school's decision is final and cannot be appealed to the Department of Education.

### *Determining if Nonregistration was Knowing and Willful*

Unless the school can document that the student meets one of the allowable exemptions regarding registration or can document that the student has served in active duty in the armed forces, the student must first write to the Selective Service so that he may receive a Status Information Letter addressing his failure to register. The student should provide as complete a description about his situation as possible: where he was living during the period when he should have registered, whether he was incarcerated or institutionalized, his citizenship status during the period, if applicable, and so on.

If the student receives a "general exemption letter" (codes E1-E7) or a "DOB before 1960" letter (code NR), the student is exempt from registration and may receive SFA funds. If the student receives any other type of letter, the school must determine (based on all relevant evidence) whether the student knowingly and willfully failed to

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**Selective Service Match**


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<i>Result</i>	<i>Match flag</i>	<i>“C” code or rejected application</i>	<i>Comment number and text</i>	<i>Action needed</i>
Registration or exemption confirmed by Selective Service	Y		029 Your registration or your exemption status has been confirmed by Selective Service.	None
Applicant not in Selective Service database	N	C code	030 The Selective Service reported that you have not registered with them. If you are female or were born before 1960, please contact your FAA. Otherwise, a male who is required to register with Selective Service must be registered before aid can be disbursed. If you have not yet registered, are male, and are 18 through 25 years of age, you must either answer “Yes” to both Items 29 and 30 on Part 2 of your SAR, or obtain and complete a Selective Service Registration form, available at your local post office. If you believe you have already registered or are exempt, please contact the Selective Service at 847-688-6888 to resolve any problems regarding your registration status.	Before the school can pay the student, the school must have proof that the student is exempt or the student must provide confirmation that he is registered (that is, his Selective Service Registration Acknowledgement or letter of registration).
Student too young to be required to register	T		026 Selective Service records indicate that you are not required to be registered with them until within 30 days of your 18th birthday. If you have not yet initiated the registration process, you may either answer “Yes” to both Items 29 and 30 on Part 2 of your SAR or obtain and complete a Selective Service Registration form, available at your local post office. If you have already requested that you be registered, they will process your request 30 days prior to your 18th birthday.	None; an update is not required during the year.

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## Selective Service Registration

<i>Result</i>	<i>Match flag</i>	<i>"C" code or rejected application</i>	<i>Comment number and text</i>	<i>Action needed</i>
Name forwarded to Selective Service for registration	Y		031 We have forwarded your name to Selective Service for registration, as you requested.	None
Name forwarded to Selective Service for registration, student not old enough to register	T		028 We have forwarded your name to Selective Service for registration, as you requested. They will process your registration request 30 days prior to your 18th birthday.	None
Student asked to be registered, but either is too old or did not provide enough information	blank	C code	033 We could not send your name to Selective Service as you requested because you did not give us enough information, you are past the age limit for registration, or you did not sign your form. If you are at least 18 but not yet 26, you may register by answering "Yes" to both Items 29 and 30 on your SAR. You must also provide information for Items 1, 2, and 9. You may also register by obtaining and completing a Selective Service Registration form available at your local post office. If you are a male who has reached age 26, you cannot use the SAR to register. You must contact Selective Service at 847-688-6888 to resolve your registration status before you can receive Federal student aid. You are exempt from registering if born before 1960.	<p>If the student is younger than 26, the student should make corrections and provide the missing information (first name, last name, or date of birth). The school should check the new output document for registration results.</p> <p>If the student is 26 or older, he can receive aid if the school has proof that he is exempt, or if he can provide evidence of registration. If the student is not registered or exempt, he can only receive aid if the school determines that he did not knowingly and willfully fail to register. (See "Failure to Register," page 90.)</p>
Name forwarded to Selective Service for registration, but Selective Service did not complete registration process.	N		057 We forwarded your name to Selective Service for registration, as you requested. However, Selective Service did not complete registration for you because you did not answer "Yes" to Item 29. If you are male and have not yet registered, you may register by answering "Yes" to both Items 29 and 30 on your SAR. You may also register by obtaining and completing a Selective Service Registration Form, available at your local post office.	Before the school can pay the student, it must have proof that the student is exempt or the student must provide confirmation that he is registered (that is, his Selective Service Registration Acknowledgment or letter of registration).

register. The letter from Selective Service is part of the relevant evidence. For example, if the student received a letter indicating a compliance letter had been sent (code RL), this letter would be a negative factor when the school makes the determination. If the student received a “Military Service: Noncontinuous” letter (code NM), the school might reasonably determine that the student did not knowingly and willfully avoid registration.

Most of the Status Information Letters state that the final decision regarding the student eligibility rests with the agency awarding funds. For the purposes of the SFA Programs, the decision is made by the school, which represents the Department of Education. If the school’s financial aid administrator determines that the student’s failure to register was knowing and willful, the student loses SFA eligibility.

The school’s decision is final and therefore cannot be appealed to the Department of Education. However, the Department will hear appeals from students who have provided their schools with proof of compliance with the registration requirement (i.e., that they are registered or exempt from registration) but who are still being denied federal student aid based on the registration requirement.

When deciding whether the student had knowingly and willfully failed to register, the school should consider the following factors:

- **Where the student lived when he was age 18 to 25.** For example, if a student was living abroad, it is more plausible that he would not come into contact with the requirement for registration.
- **Whether the student claims that he thought he was registered.** Mistakes in recordkeeping can occur. Correspondence indicating an attempt to register could form a basis for determining that the student did not knowingly and willfully fail to register. On the other hand, a letter from Selective Service stating that it received no response to correspondence sent to the student at a correct address would be a negative factor.
- **Why the student was not aware of the widely publicized requirement to register when he was age 18 through 25.**



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you are an alien who first entered the United States on or less before your 26th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lyle A. Wilkes", written over a faint, large "SAMPLE" watermark.

Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E1:LXA1 J R 3/97





# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you were released from incarceration 30 days or less before your 26th birthday after having been continuously incarcerated, institutionalized or confined to the home since your 18th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lyle A. Wilkes".

Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E2:LXA2 J R 3/97



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you began incarceration 30 days or less after your 18th birthday and were incarcerated, institutionalized or confined to the home through your 26th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lyle A. Wilkes".

Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E3:LXA3 J R 3/97



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you have provided proof of continuous active duty military status through your 26th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lyle A. Wilkes".

Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E4:LXA4 J R 3/97



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617


Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you have provided proof of continuous incarceration, institutionalization or confinement to the home from your 18th birthday through your 26th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,



Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E5:LXA5 J R 3/97



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617


Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you entered the United States for the first time after your 26th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,

  
Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E6:LXA6 J R 3/97



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617


Dear Mr. Johnson:

We have received your inquiry as to whether you are required to register with Selective Service.

Based upon our records and the information you provided, you were not required to register with Selective Service because you entered the United States on a valid visa as a lawful non-immigrant before the age of 26, and remained in that status until your 26th birthday.

You should submit this letter to any agency concerned about your registration status with Selective Service.

Sincerely,

  
Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
E7:LXA7 J R 3/97



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

**SIL**

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your letter concerning your eligibility for a right, benefit, or privilege which is subject to your registration with the Selective Service System as required by the Military Selective Service Act.

The denial of any right, benefit, or privilege which is conditional on registration with the Selective Service System after July 20, 1980, is not applicable to a man born before January 1, 1960.

Sincerely,

Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
NR:LXAD J R 9/98



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617


Dear Mr. Johnson:

We have received your letter concerning your eligibility for a right, benefit, or privilege which is subject to your registration with the Selective Service System as required by the Military Selective Service Act.

Although you stated in your letter you completed and submitted a registration form previously, we cannot determine why we did not receive it. You are not registered, and the law does not allow registration after age 26.

Any explanation must be made to the agency administering the right, benefit, or privilege you seek. The final decision regarding your eligibility is within the authority of that agency. Therefore, you should submit this letter to them for consideration along with a copy of any documentation you believe may be helpful to your case.

Sincerely,

  
Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
RR:LXAC J R 3/97





# Selective Service System

<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry concerning your eligibility for a right, benefit, or privilege which is subject to your registration with the Selective Service System as required by the Military Selective Service Act.

A search of our files reveals that you are not registered. You were required to register with the Selective Service within 30 days after your discharge from military service if you had not reached age 26 at that time. If you entered the military after reaching age 18, you should have already registered within 30 days of your 18th birthday. Registration after reaching age 26 is prohibited by law.

Section 12(g) of the Military Selective Service Act (50 App. U.S.C. 462(g)) reads as follows:


"(g) A person may not be denied a right, privilege, or benefit under Federal law by reason of failure to present himself for and submit to registration under section 3 (of the Military Selective Service Act) if-

- (1) the requirement for the person to so register has terminated or become inapplicable to the person; and
- (2) the person shows by a preponderance of the evidence that their failure to register was not a knowing and willful failure to register."

The purpose of this provision is to clarify that a non-registrant is not to be denied any Federal benefit if he can demonstrate that his failure to register was not knowing or willful.

If you are being denied a right, benefit, or privilege because you have not registered with the Selective Service System and have served in the armed forces of the United States on active duty or in the Reserves or National Guard or enrolled in a Delayed Entry Program (DEP): evidence of your military service may serve to show that your failure to register was not intentional. You should submit this letter, along with any evidence of your military service, to that agency for its consideration. The agency administering the right, benefit, or privilege you seek will make the final decision regarding your eligibility.

Sincerely,

  
Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
NM:LXAF J R 6/98



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry regarding your Selective Service registration status. You are not registered.

Our records indicate that we sent one or more letters reminding you of the requirement to register and urging you to do so.

Section 12(g) of the Military Selective Service Act (50 App. U.S.C. 462(g)) reads as follows:


"(g) A person may not be denied a right, privilege, or benefit under Federal law by reason of failure to present himself for and submit to registration under section 3 (of the Military Selective Service Act) if-

- (1) the requirement for the person to so register has terminated or become inapplicable to the person; and
- (2) the person shows by a preponderance of the evidence that their failure to register was not a knowing and willful failure to register."

The purpose of this provision is to clarify that a non-registrant is not to be denied any Federal benefit if he can demonstrate that his failure to register was not knowing or willful.

Any explanation to justify your failure to register must be made to the agency administering the right, benefit, or privilege you seek for which Selective Service System registration is required. Therefore, you should submit this letter to them for consideration along with a copy of any documentation you believe may be helpful to your case. The final decision regarding your eligibility is within the authority of that agency.

Sincerely,

  
Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
RL:LXDA J R 6/98



# Selective Service System

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<http://www.sss.gov>

April 26, 1999

SIL

Mr. Lindsay Calvin Johnson  
Rt 1 Fall Branch Road  
Blountville, TN 37617

Dear Mr. Johnson:

We have received your inquiry concerning your eligibility for a right, benefit, or privilege which is subject to your registration with the Selective Service System. A search of our files, and an examination of the information you provided reveal that you were required to register with Selective Service, but have not registered.

Section 12(g) of the Military Selective Service Act (50 App. U.S.C. 462(g)) reads as follows:


"(g) A person may not be denied a right, privilege, or benefit under Federal law by reason of failure to present himself for and submit to registration under section 3 (of the Military Selective Service Act) if-

- (1) the requirement for the person to so register has terminated or become inapplicable to the person; and
- (2) the person shows by a preponderance of the evidence that their failure to register was not a knowing and willful failure to register."

The purpose of this provision is to clarify that a non-registrant is not to be denied any Federal benefit if he can demonstrate that his failure to register was not knowing or willful.

Any explanation to justify your failure to register must be made to the agency administering the right, benefit, or privilege you seek. You should submit this letter to them for consideration along with a copy of any documentation you believe may be helpful to your case. The final decision regarding your eligibility is within the authority of that agency.

Sincerely,

  
Lyle A. Wilkes  
Director, Data Management Center

pgm/pgm  
431-35-6054  
RD:LXDB J R 6/98

