

Anyone required to register with Selective Service at any time must have done so to receive 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.

GENERAL INFORMATION

Men of ages 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." Students are required to register for Selective Service to be eligible for FSA funds, but parents who want to borrow a PLUS loan don't have to meet the registration requirement.

The student is given the opportunity to register as part of the application process. There's a question on the FAFSA 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. A student can also ask to be registered by changing the answer to this question on the SAR to "Yes" and submitting the correction (though the answer to the question "Are you male?" must also be yes). The student may also go directly to the Selective Service website 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 on the web.

EXEMPTIONS

Men 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);

Selective Service requirement

General Provisions
34 CFR 668.32(j), 668.37

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.

Gender and registration

Only males are required to register. Whether a person is 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 contact the Selective Service for a Status Information Letter.

Exemptions

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, which 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.

- 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;
- 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 and State University, Norwich University, Virginia Military Institute, Texas A&M University, or Virginia Polytechnic and State University; 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, you must document the student's status. If the student isn't clearly exempt from the requirement to register, you 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 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 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 aid.

The student is also eligible for aid if the match shows that the student is still too young to register. If the student asks 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 forwards the student's name to Selective Service for registration.

Unsuccessful matches

If the match doesn't confirm the student's registration, or the student can'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, you can't pay FSA funds to the student or certify or originate a loan.

▼ *Registration not confirmed.* If the match shows that the student isn'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. You can also go to the Selective Service web site at <http://www.sss.gov> and check on the student's registration status — a printout of the web page is acceptable 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 and you can check the match results from this correction to see if the student is eligible.

Forwarding the registration will also fail if the student is 26 or older. The student can no longer register, and you will have to determine if the student is still eligible despite failing to register; see "Failure to Register."

Status information letter codes

The Selective Service has different types of status information letters. A code appears in the lower left-hand corner to indicate the type of letter in question. The codes are listed below.

Decisions about financial aid for a man who failed to register with Selective Service should not be based solely on these letter codes. Financial Aid Administrators are obliged to review all evidence presented by a student to determine if he has shown "by a preponderance of evidence" that his failure to register was neither willful nor knowing.

- **E1-E8.** 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.

- **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. No notices requesting compliance with the registration requirement were sent.

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.

Failure to register

34 CFR 668.37(d),(e)

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. However, the student may still be eligible to receive aid if he can demonstrate that he did not knowingly and willfully fail to register.

A student who served on active duty in the armed forces but who did not register before turning 26 is still eligible to receive FSA funds because it's reasonable to conclude that he was not trying to avoid registering for the draft. Ask the student to provide a copy of his DD Form 214, "Certificate of Release or Discharge from Active Duty," showing military service in the armed forces — other than the reserve forces, the Delayed Entry pool, and the National Guard — and release under a condition other than dishonorable.

Students without military service who knew of the registration requirement but chose not to register are considered to have knowingly and willfully failed to register and are therefore ineligible for FSA funds. Your school's decision in this case is final and cannot be appealed to the Department.

Determining if nonregistration was knowing and willful

Unless you can document that the student meets one of the allowable exemptions regarding registration or can document that the student served in active duty in the armed forces (and whose character of service was other than dishonorable), the student must write to the Selective Service to get a Status Information Letter addressing his failure to register. He may also download a request form from the Selective Service website (www.sss.gov) to print out, complete, and mail. 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-E8) or a "DOB before 1960" letter (code NR), the student is exempt from registration and may receive FSA funds. If the student receives any other type of letter, you must determine based on all relevant evidence whether the student knowingly and willfully failed to register. The letter from Selective Service may provide information that is crucial to your decision. 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 you make the determination. If the student received a "Military Service: Noncontinuous" letter (code NM), you 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's eligibility rests with the agency awarding funds. For the purposes of the FSA Programs, the decision is made by your

Selective Service Match

<i>Result</i>	<i>Comment number and text</i>	<i>Action needed</i>
Match conducted. Applicant's registration status confirmed by Selective Service. Match flag Y	029	None
Match conducted. Applicant not in Selective Service database Match flag N C Code	030 The Selective Service reported that you have not registered with them. If you are female or were born before 1960, registration is not required. Otherwise, if you have not yet registered, are male, and are 18 through 25 years of age, you must either answer "Yes" to both Items 27 and 28 on this SAR, complete a Selective Service registration form at your local post office, or register on-line at www.sss.gov .	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).
Match conducted. Student is within 45 days of his 18th birthday. Applicant is temporarily exempt because he is not yet 18 years old. Match flag blank T	026 If you want to register with Selective Service, you may answer "Yes" to both Items 27 and 28 on this SAR, complete a Selective Service registration form at your local post office, or register on-line at www.sss.gov . Selective Service will not process your registration until 30 days before your 18th birthday..	No resolution required. An update is not required during the year.

school, which represents the Department of Education. If you determine that the student's failure to register was knowing and willful, the student loses FSA eligibility.

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

- **Where the student lived when he was age 18 through 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 claims he was not aware of the widely publicized requirement to register when he was age 18 through 25.**

Appeals—Selective Service registration

The school's decision is final and cannot be appealed to the Department, except in one limited instance. The regulations state that the Department will hear appeals from students who have provided their schools with proof that they are in compliance (i.e., that they are registered or exempt from registration) but who are still being denied federal student aid based on the registration requirement.

Results from Selective Service Registration via FAFSA

<i>Result</i>	<i>Comment number and text</i>	<i>Action needed</i>
Registration conducted. Forwarded name to Selective Service for registration on application or SAR. Match Flag Y	031 We have forwarded your name to Selective Service for registration, as you requested.	No resolution needed.
Registration conducted. Forwarded name to Selective Service for registration as requested on application or SAR. Match Flag 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.	No resolution needed.
Registration not conducted. Applicant requested that ED send name to Selective Service for registration, but applicant is either not within age range or some information needed to register him is missing. Match flag 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 outside the age range 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 27 and 29 on this SAR. You must also provide information for Items 1, 2, and 9. You may also register by completing a Selective Service Registration form available at your local post office., or by registering on-line at www.sss.gov 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.	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. 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.")
Registration not completed. Forwarded name to Selective Service for registration, but Selective Service did not complete registration process. Match flag N	057 Selective Service did not register you because you did not answer "Yes" to Item 27. If you want to register, answer "Yes" to BOTH items 27 and 28 on this SAR, complete a Selective Service registration form at your local post office, or register on-line at www.sss.gov	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).