

THE SELECTIVE SERVICE

HOW THE SELECTIVE SERVICE IMPACTS TRANSGENDER PEOPLE.



The Selective Service System was established in 1917 to administer the draft and maintain an updated database of potential service members in times of no draft. It was meant to be a simple system in which men registered and women were exempt. This thinking, however, largely fails to account for the transgender experience. The information below has been compiled to help you navigate this system.

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American citizens and resident aliens aged eighteen through twenty-five who were assigned male at birth are required to register with the Selective Service System. This registration is used to keep an updated database of potential service members in case a draft were to be reintroduced. As it stands, all citizens whose birth-assigned sex was male must register within thirty days of their eighteenth birthday. Failure to do so is punishable by up to five years in prison and \$250,000 in fines, though individuals have rarely been prosecuted. Applications for federal financial aid for higher education, federal employment, United States citizenship and other government benefits have been made contingent upon Selective Service registration in order to encourage compliance. Therefore, when applying for government benefits, transgender people can often face particular difficulties in regards to their Selective Service registration status.

To register, fill out the form available in United States post offices and US embassies or on the Selective Service website (<https://www.sss.gov/RegVer/wfRegistration.aspx>). You may also simply check the box for Selective Service registration on the Federal Student Financial Aid (FAFSA) application form.

For more information on the eligibility of transgender people for military service, visit the Servicemembers Legal Defense Network website at www.sldn.org. Especially see the SLDN Survival Guide's section on Transgender Individuals (<http://www.sldn.org/templates/legalhelp/index.html?section=19>).

Conscientious Objectors are people who refuse to participate in combat for religious, moral or ethical reasons. Currently, if you are a conscientious objector, you are still required to register for the Selective Service. For more information, see the Selective Service resource on Conscientious Objectors at <http://www.sss.gov/FSConsobj.htm> and that of the Central Committee for Conscientious Objectors at <http://www.sss.gov/FSConsobj.htm>.

FOR FEMALE TO MALE (FTM) INDIVIDUALS

People who were assigned female at birth are not required to register with the Selective Service regardless of their current gender or transition status. When applying for federal financial aid, grants, and loans as a man, however, you may be asked to prove that you are exempt. To request a Status Information Letter (SIL) that shows you are exempt, you can either download an SIL request form from the Selective Service website (http://www.sss.gov/PDFs/SilForm_Instructions.pdf) or call them at 1-888-655-1825. This service is free and the exemption letter you will receive does not specify why you are exempt so it will not force you to out yourself in any other application process. The Selective Service does, however, require a copy of your birth certificate showing your birth-assigned sex. If the sex on your birth certificate has been changed, attach any documentation you have to that affect. Once you receive your Status Information Letter, keep it in your files. For those FTM people who transition before their eighteenth birthdays and change their birth certificates, it is also possible to register with the service. However, no one may register after their twenty-sixth birthday. Also, please note that although Selective Service materials refer to transgender people as “people who have had a sex change,” their policies apply to those who have transitioned regardless of surgical history.

FOR MALE TO FEMALE (MTF) INDIVIDUALS

People who were assigned male at birth are required to register with the Selective Service within thirty days of their eighteenth birthday. This includes those who may have transitioned before or since then. The Selective Service uses Social Security and other databases to determine who they believe was assigned male at birth. As of now, it is unclear whether transgender people are eligible for military service (see resource box on the first page), but you are required to register nonetheless, and this is necessary to gain access to certain government benefits.

NAME CHANGES AND THE SELECTIVE SERVICE

People who are assigned male at birth and who are required to register are also required to inform the Selective Service of any legal name change or change in other record information such as address up until your twenty-sixth birthday. This does not include change of gender as the Selective Service policy is entirely based on birth-assigned sex. For transwomen and others who were assigned male at birth and have registered with the Selective Service, notification of a name change is legally required within ten days.

To update your records, fill out the Change Of Information Form attached to the Registration Acknowledgement Card with your new name. Alternatively, you can fill out a Change of Information Form called SSS Form 2, which you can obtain at any United States Post Office or U.S. Embassy or Consulate abroad. You may also change your information with the Selective Service by letter. In the letter, include your full name, Social Security Number, Selective Service Number, date of birth, current mailing address and new name. With any of these three methods, you must attach official documentation of your name change and mail it to the Selective Service. Updates take four to six weeks, after which you will be mailed a new acknowledgement card.

PEOPLE WHO ARE REQUIRED TO REGISTER:

- All U.S. citizens assigned male at birth (including transwomen) and born after December 31, 1959, who are 18 but not yet 26 years old
- National Guardsmen and Reservists not on active duty
- Cadets at the Merchant Marine Academy
- Delayed Entry Program enlistees
- ROTC Students
- People who have left Active Military Service for any reason before age 26
- Men rejected for enlistment for any reason before age 26
- Civil Air Patrol members
- Immigrants with permanent resident status
- Immigrants with I-688 special (seasonal) agricultural worker status
- Refugee and parolee immigrants and immigrants seeking asylum
- Undocumented immigrants
- Dual national U.S. citizens
- People with disabilities who spend time in public with or without assistance
- Residents of Puerto Rico, Guam, the U.S. Virgin Islands, and Northern Mariana Islands
- Citizens of American Samoa, Republic of the Marshall Islands and the Federated States of Micronesia only if they are habitual residents of the United States (habitual residency is presumed when one resides in the United States for more than one year in any status, except as a student or employee of the government of his homeland)

PEOPLE WHO ARE NOT REQUIRED TO REGISTER:

- People who were assigned female at birth (including transmen)
- People born between March 29, 1957, and December 31, 1959
- Students in Officer Procurement Programs at The Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University
- Members of the Armed Forces on active duty (active duty for training does not constitute “active duty” for registration purposes and those leaving active duty are required to register within 30 days of release unless already age 26, or already registered when released, or unless exempt during entire period age 18 through 25)
- Cadets and Midshipmen at Service Academies or Coast Guard Academy
- Lawful non-immigrants on visas (e.g., diplomatic and consular personnel and families, foreign students, tourists with unexpired Form I-94, or Border Crossing Document DSP-150)
- Incarcerated, or hospitalized or institutionalized for medical reasons
- People with disabilities who are continually confined to a residence, hospital, or institution
- Immigrants with I-688A special agricultural worker status

For more information, consult the United States Selective Service System website at www.sss.gov and the Status Information Letter request form at <https://www.sss.gov/RegVer/wfRegistration.aspx>.