



U.S. Department of Justice

NOV 17 2017

Washington, D.C. 20530

Ms. Stephanie Barna
Acting Assistant Secretary of Defense,
Manpower and Reserve Affairs

Dear Ms. Barna,

The Department of Justice (DOJ) appreciates the opportunity to contribute to the Interagency Cabinet Recommendations to the Congress and the National Commission on Military, National and Public Service. We have reviewed the Questionnaire developed by your staff and offer the following summary regarding the Department's engagement with the military selective service process.

The Department's primary interaction with the military selective service process is in ascertaining registration among covered individuals who are selected for employment with DOJ. To be eligible for an appointment with an Executive agency, all males ages 18 through 25 who are either United States (U.S.) citizens (living anywhere) or aliens living in the U.S. must register for the Selective Service, unless exempted from the registration requirements. Under section 3328 of title 5, United States Code, an individual is ineligible for appointment to a position in an Executive agency if he knowingly and willfully failed to meet Selective Service registration requirements. Covered applicants must demonstrate they registered with the Selective Service System as part of the application process. Additionally, all Department employees, pursuant to Executive Order (EO) 10450, 5CFR 731 and EO 12968, as amended, are subject to a background investigation and regular reinvestigations to determine suitability, fitness for employment, and/or eligibility to occupy a national security position. A check of the disposition of an employee's registration with the Selective Service System is an investigative requirement of all background investigations. If the investigation shows that an employee did not register for the military selective service, the facts and circumstances surrounding the decision not to register will be evaluated and may lead to an unfavorable adjudication.

The Department also has a role in government-wide enforcement of the requirement that males register for the selective service. If a male fails to register, or provide the Selective Service System with evidence that he is exempt from the registration requirement, after receiving a selective service reminder and/or compliance mailings, his name is referred to the Department of Justice for possible investigation and prosecution for his failure to register as required by the Military Selective Service Act. For clarification, if a male is exempt from registering with the Selective Service System, his name is not forwarded to the Department of Justice. The federal

law stipulates that names are to be submitted to the Department of Justice annually. During FY 2015, 146,997 names of suspected violators were provided to the DOJ.

In response to some of the questions included in your questionnaire, the Department does not have any recommendations for modifying its role in a draft nor does the current draft process pose any problems for our agency.

Thank you again for the opportunity to contribute to the communication to the National Commission on Military, National and Public Service. Please contact me at 202-514-3101 if you have any questions about this summary.

Sincerely,



Lee J. Lofthus
Assistant Attorney General
for Administration