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Selective Service System

National Headquarters | Arlington, Virginia 22209-2461
www.sss.gov

January 12, 2021

This is in response to your expedited FOIA request received in this office on January 5, 2021 requesting, *"A digital/electronic copy of the transition briefing document(s) (late 2020) prepared by the SSS for the incoming Biden Administration."* The requested information is attached. Please note that these haven't been updated since September, and we are currently working on updates which we will send along once complete as a courtesy.

If you consider this to be a denial of your request, you may file an appeal. Your appeal must be received within 90 calendar days of the date of the initial denial letter by the Deputy Director of the Selective Service. Please address your appeal to the following office:

Deputy Director
Selective Service System
1515 Wilson Blvd.
Arlington, VA 22209

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Thank you for your inquiry. If you have any further questions, please do not hesitate to contact the Office of Public and Intergovernmental Affairs.

Sincerely,



Wadi A. Yakhour
Chief FOIA Office

Attachment



Selective Service System

National Headquarters | Arlington, Virginia 22209-2461
www.sss.gov

January 14, 2021

This is a follow-up to your expedited FOIA request requesting, "*A digital/electronic copy of the transition briefing document(s) (late 2020) prepared by the SSS for the incoming Biden Administration.*" As promised, attached is the updated version of the Presidential Transition Briefing for the Biden Transition. I've also attached a copy of the agency's Order of Succession.

Thank you for your inquiry. If you have any further questions, please do not hesitate to contact the Office of Public and Intergovernmental Affairs.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Wadi A. Yakhour', is written over a horizontal line.

Wadi A. Yakhour
Chief FOIA Office

Attachments



Selective Service System

National Headquarters / Arlington, Virginia 22209-2461

www.sss.gov

September 30, 2020

MEMORANDUM FOR PRESIDENTIAL TRANSITION 2020

FROM: JOHN PRIGMORE, DEPUTY DIRECTOR

RE: SELECTIVE SERVICE SYSTEM BRIEFING

1. OVERVIEW OF THE ORGANIZATION

a. EXECUTIVE SUMMARY

The Selective Service System (SSS) is a small, independent Federal agency within the Executive Branch, operating with permanent authorization under the Military Selective Service Act (MSSA) (50 U.S.C. § 3801 et seq.). While not part of the Department of Defense (DoD), SSS serves as America's hedge against underestimating the requirement for both trained and untrained personnel needed by DoD in a national emergency. Because SSS has the mechanisms in place for conscription, it can implement a fair and equitable system of obtaining manpower from today's society-at-large to augment the all-volunteer force at such time of critical need. The Agency's statutory mission also includes being ready to administer an Alternative Service Program in lieu of military service for men classified as conscientious objectors (COs). As the bipartisan National Commission on Military, National, and Public Service stated in their March, 2020 report to the President and Congress: ***"To meet military personnel needs in the face of future threats and to demonstrate America's resolve to international allies and adversaries, the Nation needs the [SSS] to remain a viable U.S. national security institution."***

The Agency is staffed with a civilian workforce and is supported by a cadre of military Reservists (RSMs), part-time personnel, and volunteers across the United States (U.S.) and its territories. In the event of a return to conscription, the Agency will rapidly expand its workforce to fulfill personnel requirements for mobilization.

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The MSSA requires virtually all men in the United States, and U.S. male citizens living abroad, to register with SSS within 30 days of their 18th birthday. (Men may register between ages of 18 and 25, but when a man turns 26 it is too late to register.) By registering with SSS, every young man is reminded of his potential civic obligation to serve our nation in a time of an emergency. The Agency manages a national database of SSS registration records, which is one of the essential prerequisites to its readiness requirement to conduct a draft. While registration is the most visible component during peacetime, mission readiness is imperative to foster fairness and equity if SSS is directed by Congress and the President to reestablish conscription. Adequate readiness requires maintaining and periodically exercising a system capable of immediate mobilization during a national emergency.

Under current law, women serve voluntarily in the U.S. Armed Forces, but are not currently required (or able) to register with SSS.

While also registering men ages 18 through 25, SSS continually assesses its operations to enhance the effectiveness of its day-to-day business and readiness capabilities. This involves planning and preparing for mobilization. However, there was a period of approximately 30 years where SSS had a relatively flat budget,¹ resulting in an adjusted-for-inflation reduction in spending power of more than 60 percent. This budgetary stagnation made it difficult for SSS to meet its strategic goals. Beginning in 2018, Congress began appropriating additional funds to update the Agency's infrastructure. In particular, Congress has recognized the need to modernize Information Technology (IT) systems and lifecycle management. The Agency looks forward to working with Congress to continue modernization efforts.

There are two primary components to our mission: registration and readiness.

(1) **Registration**

SSS has a strategic goal of maintaining at least a 90 percent national registration compliance rate. After processing the previous Calendar Year (CY) registrations (CY 2019), the registration rate for the 18-through 25-year-old cohort was 91 percent. This exceeded the Agency's strategic goal by 1 percentage point. SSS continues to

¹ The appropriated budget between FY 1986 and FY 2018 averaged approximately \$23.0 million, with minor variations.

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employ and expand cost-effective programs to help young men register quickly and easily. For instance, 92 percent of the Agency's CY 2019 registrations were received electronically.

Failure to register may result in denial of Federal/State student financial aid, government employment opportunities, job training, and U.S. citizenship for immigrant men younger than age 31.

Registration is a critical component of SSS's readiness. If the President and Congress decide conscription is necessary to ensure national security, the maximum number of eligible men must be registered to assure the public of a fair and equitable lottery and induction process.

Based on analysis of current and historical trends, including geography and demographics, the Agency, has refocused its outreach and registration efforts towards 17- and 18-year-old men rather than the entire 18- through 25-year-old cohort.

SSS registration compliance efforts in FY 2019 were supported through longstanding processes, procedures, and Agency initiatives. These support efforts include:

(a) **Driver's License Legislation (DLL)**

DLL enables young men to register with SSS while applying for a driver's license. As of FY 2020, 41 states, 4 territories, and the District of Columbia have enacted DLL SSS registration. Nine states have no DLL supporting the registration requirement, these states include; Alaska,² California, Massachusetts, Nebraska, New Jersey, Oregon, Pennsylvania, Vermont, and Wyoming.

(b) **Reminder Mail-back Forms**

² The Alaska Permanent Fund was created by the State of Alaska to pay Alaskan residents a cash dividend from oil revenues. Under Alaska state law, before Alaska male residents can qualify for benefits from the Alaska Permanent Fund, they must be registered with the Selective Service System. Therefore, Alaska does not warrant a need for DLL since the overwhelming majority of Alaskan male residents are either already registered or will register to qualify for the benefits of this Fund.

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These forms are generated by the Agency's Data Management Center (DMC). These are sent to registration-age men reminding them of their responsibility to register with SSS. In FY 2019, the SSS mail center sent out 2,799,302 pieces of mail.

(c) **Interactive Voice Response (IVR)**

The IVR at SSS's bilingual Call Center received more than 568,000 registration-related calls in FY 2019.

- (d) Focusing on cost-effective registration awareness initiatives and outreach efforts to inform community leaders and influencer groups of the importance of registration, the Agency created "Tiger Teams" to address registration in key states. These Tiger Teams provided focused recommendations tailored to the unique environment in a given region.
- (e) Partnering with the U.S. Postal Service, U.S. Department of Education, and other agencies to ensure both that the opportunity to register is widely available and that the resulting data collection is securely transferred. This includes providing an opportunity to register on the Free Application for Student Aid (FAFSA) and making registration forms available at the post office.
- (f) Collaborating with the Department of State and consular officers abroad who assist U.S. male citizens, including U.S. dual-nationality males living outside the United States, to register men with SSS. In CY 2018, SSS processed more than 20,000 registrations from foreign addresses.

A breakdown of electronic registration sources for CY 2019 is as follows:

- (a) 1,034,791 men registered through DLL;
- (b) 516,780 registered using the Internet (SSS website);

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- (c) 414,923 registered through Department of Education FAFSA;
- (d) 25,241 registered through the DoD enlistment process;
- (e) 18,332 registered through our telephone services;
- (f) 16,721 registered through U.S. Citizenship and Immigration Services immigrant matching; and
- (g) 11,496 registered through Workforce Innovation and Opportunity Act job applicant matching.

(2) **Readiness**

(a) **National Defense (Conscription)**

It had been almost 20 years since SSS conducted a full mobilization exercise. A lottery test was conducted early in FY 2018 to generate a full calendar year of lottery draft numbers. Then, the next phase of the mobilization system was tested to verify its call-and-delivery process. (Sending notices for induction, which would only happen during an actual draft.) By the end of FY 2019, SSS is proud to report that it is fully capable of implementing its mission to deliver manpower to DoD.

The first part of the Agency's readiness requirement is to manage a conscription program for the DoD, if authorized by Congress and directed by the President. To accomplish this mission, SSS must be ready to execute a national draft lottery, contact registrants selected through the lottery, and arrange for their transportation to Military Entrance Processing Stations (MEPS) for testing and evaluation prior to induction for military service.

Once notified of the results of their evaluation at MEPS, registrants receiving induction orders then have the opportunity to file a claim for deferment, exemption, or postponement.

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If the President and Congress agree that a return to conscription is required, SSS will undergo a massive expansion. The Agency must rapidly hire personnel and procure equipment. To do that, current plans rely on a series of agreements with key partners, a network of military reservists, and local and district board volunteers.

SSS maintains operational plans as well as a minimum cadre of personnel trained to expand the Agency upon the authorization of Congress and the President. In order to remain prepared for expansion, the Agency maintains Memoranda of Understanding (MOUs) with other Federal and State agencies, as well as with relevant public/private entities.

(b) **Alternative Service Program (ASP)**

The peacetime goal of the Alternative Service Program (ASP), the second part of the Agency's readiness requirement, is to be ready to place men classified as COs in one of six approved occupations related to national service: health care services, educational services, environmental programs, social services, community services, and agricultural work. If there is a resumption of conscription, men classified as COs would spend two years (equivalent to the term of service of men inducted into the military via draft) serving their country as Alternative Service Workers (ASWs) performing civilian service.

The Agency has made significant gains in repopulating the Alternative Service Employer Network (ASEN). The ASEN is a pool of eligible civilian employers who agree to provide jobs to ASWs. The ASEN includes State and Federal agencies, private employers, peace churches, etc.

(3) **Mobile Connection**

SSS anticipated the need for mobile and digital information and began collecting additional data beginning in FY 2018. The Agency now receives email addresses and phone numbers from those registering via Internet. This gives the Agency a more effective method to electronically send induction notices during mobilization.

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(4) **Strong Volunteer Force**

In 2020, many of our long-serving board members will have reached the end of their 20-year tenure. SSS has been ramping up its recruitment efforts to address this potential reduction in volunteers. In addition, to further leverage these “retiring” patriotic volunteers, SSS has asked departing board members to continue serving SSS as state resource volunteers and to speak in their communities about the importance of SSS registration.

(5) **Modernization and Excellence**

SSS has undertaken significant steps to modernize its systems since the Agency budget was increased starting in FY 2019. Additionally, the Agency invests in employee training for both personal and professional development. SSS has refined its efforts in hiring and retaining excellent employees. In fact, SSS was ranked as the most improved Agency in the Federal Employee Viewpoint Survey conducted in FY 2019.

(6) **Benefits to the Nation**

Since 1940, SSS has served as a critical element of our national readiness and defense capabilities. Each Administration has maintained SSS so that it may swiftly respond to the call of Congress and the President. SSS provides the only proven and established means to expeditiously provide manpower to the DoD in the event of a national emergency. The Agency has four important attributes:

- (a) It can rapidly provide the nation’s manpower needs to DoD;
- (b) It ensures that any civilian mobilization will be fair and equitable;
- (c) It can effectively take the necessary steps and allocate the essential resources to provide ASWs; and
- (d) It operates at a minimal cost.

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b. **ORGANIZATIONAL STRUCTURE**

SSS is authorized a staff of 124 full-time employees (FTEs) to support its National Headquarters (NHQ), 3 regional headquarters, and the DMC. The Agency also has 56 state directors, who are intermittent part-time employees representing the 50 states, Guam, the Northern Mariana Islands, Puerto Rico, the U.S. Virgin Islands, the District of Columbia, and New York City. Additionally, each branch of the U.S. Armed Forces is represented by up to 175 Reserve Service Members (RSMs) who are assigned to SSS to serve throughout the U.S. and its territories. And thousands of patriotic volunteers across the nation dedicate their time as trained board members.

AGENCY DIRECTORATES

(1) **Office of the Director (OD)**

The Office of the Director (OD) provides strategic leadership for SSS. Although four political appointments are available to OD, leadership has opted not to fill the fourth political appointment at this time. OD includes the Director, Deputy Director, and Chief of Staff.

(a) **Human Resources (HR)**

The Agency relies on a diverse workforce of full- and part-time civil servants, civilian volunteers, and part-time military reserve component personnel. This includes the staff based at NHQ, the DMC, and the three regional headquarters, as well as, the assigned RSMs from all branches of the U.S. Armed Forces. The Agency's manpower also includes its state directors as intermittent, part-time employees who support SSS activities across the country and territories.

During FY 2019, SSS initiated the "Human Resources (HR) Reset" – a complete overhaul of the personnel, policies, procedures, and organizational structure of the HR Division. The HR Reset included a comprehensive revision of the annual performance appraisal system, a renewed emphasis on employee and supervisor accountability, improved work/life balance and morale, and a more robust awards and recognition program. The latter was supported by the establishment of an Awards Board, comprised of senior

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leaders and chaired by the Chief of Staff, whose purpose is to ensure consistency, equity, and fairness in the awards process.

Additionally, in FY 2019, HR was directed to establish a Position Management Board (PMB). The PMB is assigned responsibility to vet changes to the Agency's personnel structure. The PMB ensures that requests for additional personnel, grade increases, contractor support requests, and any other changes that affect organizational structure are necessary, aligned with the updated strategic plan, and remain within the limitations of the Agency's annual appropriation.

(2) **Office of the General Counsel (OGC)**

The General Counsel (GC) was previously within OD, but in FY 2020 the Agency structure was reorganized such that the Office of the General Counsel (OGC) became its own directorate. OGC includes two attorneys – the General Counsel and Deputy General Counsel – who provide legal advice to Agency leadership on a variety of different issues. The attorneys also liaison with private attorneys and the Department of Justice to handle ongoing litigation. Additionally, the attorneys are actively involved in legislative affairs at both the Federal and State level.

(3) **Operations (OP)**

SSS Operations is in charge of the Agency's registration and readiness programs, and oversees the DMC, the three regional headquarters, State Directors, RSMs, and thousands of local board members, district appeals board members, and national appeal board members.

(a) **Data Management Center (DMC)**

The DMC is based in North Chicago, Illinois, and processes SSS registrations and maintains the Agency's database of registrants (one of the largest Personally Identifiable Information (PII)-containing databases in the Federal government). When directed by Congress and the President, the Agency's registration database is used to facilitate the

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induction of men into the U.S. Armed Forces. In FY 2019, the DMC's staff added 2.3 million records to this database and performed more than 2.5 million file changes to existing records. The Agency's database is continually maintained to ensure accessibility, accuracy, and network security. The broad scope of the DMC's work is accomplished by a workforce of approximately 50 employees.

The DMC is also home to the Agency's national Call Center. The Call Center staff updates registrant information, completes registrations by telephone, and answers general questions regarding the SSS. In FY 2019, the Call Center received more than 568,000 calls, out of which 21 percent required assistance from a contact representative due to complexity and research requirements. IVR handles approximately 79 percent of the Call Center volume.

Another key component of the DMC is its Mail Center, which received 419,598 pieces of inbound mail in FY 2019. The Mail Center printed, assembled, and mailed 2,799,302 million pieces of outbound mail in FY 2019.

A small, but significant percentage of the Mail Center's outbound mailing was devoted to Status Information Letters (SILs). Men who need to confirm their SSS registration number or who may have failed to register with SSS – and are now age 26 or older – request SIL letters. Other requests are from those seeking validation from SSS that they were not required to register due to date of birth, immigration entry dates, or visa status.

Electronic processing accounted for 92 percent of the DMC's FY 2019 registration workload. However, the DMC's staff was still required to manually key-in 306,762 documents, which included entry of paper registrations, updating registrant files, making compliance additions and updates, processing post office returns, and handling miscellaneous forms. The quality of this manual work is impeccable, with a 99.17 percent accuracy rate due to a two-step process of key entry and verification of the source data to ensure accuracy.

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The personal and hands-on customer service provided by DMC staff is a vital part of SSS's operations.

(b) **Regional Offices**

The three regional offices are located in; North Chicago, Illinois; Marietta, Georgia; and Denver, Colorado. The regions are responsible for maintaining SSS's readiness at the grassroots level.

Region I Headquarters, located in North Chicago, Illinois, manages registration improvement, local board members and other operational initiatives in 16 states: Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin; New York City as a separate entity, and the District of Columbia.

Region II Headquarters, located in Marietta, Georgia, manages 13 states and 2 territories: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia, as well as Puerto Rico and the U.S. Virgin Islands.

Region III Headquarters, located in Denver, Colorado, manages 21 states and 2 territories: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, as well as Guam and the Northern Mariana Islands.

(c) **Local and Appeals Boards**

SSS has more than 2,000 local and appeal boards dispersed throughout the States and territories. Approximately 11,000 volunteer civilians serve on SSS local and appeals boards. In the event of a draft, local and appeal boards will be mobilized to decide draft deferments, postponements, and exemptions. SSS strives to ensure that local boards are comprised of people who reflect the demographics of the

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community. If a man receives induction orders, he may then petition his local board for a deferment, postponement, and/or exemption, and in most circumstances appeal an adverse decision to their district appeals board. In some situations, an inductee can appeal his induction all the way to the President of the United States via the national appeals board. These patriotic volunteers serving on SSS local and appeal boards significantly contribute to a fair and equitable induction process.

(4) **Support Services (SPT)**

The Agency's Support Services directorate provides the means for core support programs to be carried out efficiently and effectively, within the purview of existing laws. This directorate has multiple responsibilities: financial management, logistical support, and contracting support.

(a) **Financial Management**

Independent auditors rendered an unmodified (clean) opinion in their report on the audit of SSS's financial statements for FY 2019. The unmodified opinion means that the financial statements were in conformity with generally accepted accounting principles (GAAP). The Agency's internal controls, as established and enforced by Financial Management, were free of material weaknesses, and complied with laws, regulations, and contracts.

Auditors reviewed SSS's payments to test controls for preventing improper payments as required by the Improper Payments Elimination and Recovery Improvement Act of 2012. As a direct result of the Financial Management's oversight, the auditors found no improper payments, determined that internal controls were operating effectively, assessed the Agency's programs to be low risk, and concluded that implementation of a recovery audit program would not be cost effective.

Financial Management continues to navigate the inevitable obstacles inherent in most transitions to new services, such as the SmartPay3 government travel charge card program.

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Financial Management is conducting final user acceptance testing on mobile devices before phasing into initial operating capability (IOC) for FedRevCollect – the U.S. Department of Treasury's mobile check capture, deposit, and processing platform.

Lastly, SSS took the opportunity in FY 2019 to review interagency agreements with our Federal trading partners and updated the point-of-contact information in preparation for G-Invoicing implementation in FY 2021.

(b) **Contracts and Logistics**

The Contracts and Logistics Division provided support to all Agency directorates through its procurement management functions. In FY 2019, the Agency processed and executed more than 500 purchase orders valued at \$12.8 million. The Division oversaw the development and issuance of contract solicitations, provided guidance and oversight of source selection panels, advocated full and open competition, and adjudicated sole source justifications. Additionally, the Division provided inventory management through the property accounting and management system (PAMS), which managed NHQ postal operations, transportation, and physical security management. This support includes physical access control and personal identity verification (PIV) card management.

The Division oversaw a major intra-organizational physical relocation of National Headquarters personnel within its current facility. The Logistics Branch orchestrated the physical move of personnel between two floors, revamped work space assignments, ensured the necessary moving materials and equipment were on hand, and coordinated the disassembly and post-relocation reassembly of work stations with the IT directorate. The re-organization collocated previously disparate divisions of the same directorate, and consolidated complementary organizations within closer proximity. This ultimately improved communication, collaboration, and effectiveness at NHQ.

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In furtherance of an initiative that began in FY 2018, the Division identified a physical location within NHQ to serve as the central repository for all of the SSS's historical artifacts. The Division began inventorying and placing these artifacts in the space where they will be archived for posterity, protected from loss or damage, and documented. In doing this, SSS is preserving the Agency's history and legacy in service to the nation.

(5) **Public & Intergovernmental Affairs (PIA)**

The Public and Intergovernmental Affairs Directorate (PIA) serves as the SSS's communication hub, information resource, and network for national outreach. PIA maintains liaison with Congress, the Executive Branch, State and local governments, community organizations, schools, professional associations, the media, and the general public. PIA uses a variety of methods to disseminate the Agency's registration message throughout the U.S., paying particular attention to areas with lower registration rates. It accomplishes this through continually enhancing the public website, creating an active social media presence, targeting traditional and public service advertising, marketing through direct mail, exhibiting at select national conferences, and building relationships with educational institutions and organizations that have a service and community focus.

PIA supports the ongoing recruitment and communications with the Agency's volunteer local board members, and also manages several initiatives and administrative requirements. PIA advises the Agency's leadership on the public affairs implications of policies; responds to media inquiries; processes Freedom of Information Act (FOIA) requests; answers numerous inquiries/requests from the public and elected officials; explains laws and policies to local, State, and Federal government agencies; and pursues an outreach network – with community organizations and programs that work with registration-age men.

The Intergovernmental Affairs Office (IAO) within PIA is the central point of contact for congressional and legislative support. This Office is responsible for monitoring and assisting with all MSSA-related legislative activities at the Federal and State level.

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The IAO prepares informative position papers and conducts staff and outreach visits.

Additionally, the Director and PIA staff coordinate and conduct visits to congressional offices throughout the year to inform members about SSS's role in supporting our national defense.

(6) **Information Technology (IT)**

SSS made great strides in IT infrastructure modernization in FY 2019. The Agency continues to operate and improve upon the Registration, Compliance, and Verification (RCV) system, which is a data records system that incorporates hundreds of millions of individual registration records. These records are routinely and reliably referenced to confirm the eligibility of registrants for most Federal and State employment opportunities and educational benefits. This enormous records system requires 24-hour availability, continuous diagnostic monitoring, cyber security, and effective telecommunications management. Several decades of budget shortfalls have led to antiquated computer systems and an underpowered telecommunications backbone that impede the speed of service while contributing to the risk of major operational failure. In FY 2019 and FY 2020, increased funding was used for lifecycle replacement of critical equipment and IT infrastructure necessary to be prepared for mobilization in the event of a national emergency.

2. **TOP ITEMS FOR A NEW ADMINISTRATION**

- a. The proposed elimination of male-only SSS registration (expanding registration to all people ages 18 to 25).

There are two ongoing situations that may expand the SSS registration requirement to all people between the ages of 18 and 25 – eliminating the male-only registration requirement. These are ongoing litigation and the March 2020 report and recommendations from the National Coalition on Military, National, and Public Service.

(1) **Court Cases**

- (a) *Kyle-Labell v. Selective Service System* is a lawsuit in the Federal District Court for New Jersey brought by a female who was denied the opportunity to register with SSS. The suit

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challenges the constitutionality of male-only registration. The most recent action was a motion by plaintiff's to establish the case as a class action.

- (b) *National Coalition for Men v. Selective Service System* is a lawsuit brought in Federal court by a men's organization challenging the constitutionality of male-only registration. A judge in the Federal District Court for the Southern District of Texas ruled in favor of the plaintiffs, holding that male-only registration was unconstitutional, but did not order injunctive relief. The decision was appealed to the U.S. Court of Appeals for the Fifth Circuit, which unanimously overturned the lower court decision by holding that male-only registration is constitutional because "only the Supreme Court may revise its precedent." See *Rostker v. Goldberg* (1981 Supreme Court case holding that male-only registration is constitutional). SSS anticipates that plaintiffs will petition the U.S. Supreme Court for a *writ of certiorari*.

Both cases are being handled by the Department of Justice.

- (2) The National Commission on Military, National, and Public Service The National Defense Authorization Act for FY 2017 established the National Commission on Military, National, and Public Service, which issued its final report and recommendations in March 2020. The Commission was created to: (1) "conduct a review of the military selective service process" and (2) to "consider methods to increase participation in military, national, and public service in order to address national security and other public service needs of the Nation." As part of its final report and recommendations, the Commission urges Congress to modify the MSSA such that all people between the ages of 18 and 25 are required to register with SSS.

Expanding SSS registration to all people between the ages of 18 and 25 will dramatically increase the number of registrations the Agency processes annually and may require new outreach methods. To prepare for this potential outcome, SSS performed an internal review and estimated potential costs as well as required operational changes and IT upgrades. This internal study has been provided to the Office of Management and Budget (OMB) and both the House and Senate Financial Services and General Government subcommittees. Should registration be expanded to

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all people ages 18 to 25, the Agency will require time and additional funds in order to comply with the law.

b. **EROSION OF PENALTIES FOR FAILURE TO REGISTER**

Men are required to register within 30 days of their 18th birthday, but have a grace period up until the day before they turn 26 years old. After that, the opportunity to register is no longer available because men ages 26 and older are not liable for conscription pursuant to the MSSA. As such, men who do not register by age 26 are not eligible for benefits tied to registration, such as Federal jobs and student aid unless they can show that their failure to register was not knowing and willful. By law, this determination is made by the organization dispensing the benefit, not SSS. This is a powerful incentive for registration and is a major contributor to the Agency's high registration rate.

Although the Commission's final report was largely complimentary of the Agency, it does contain one recommendation SSS vehemently opposes. Recommendation #38 in the Commission's report states:

The Commission recommends that Congress amend the MSSA to provide any individual who has been denied a Federal benefit due to nonregistration with [SSS] an opportunity to register within 30 days, no matter the individual's age at the time of denial, and to become eligible for the benefit denied.

This potentially eliminates a man's need to register unless and until he needs a benefit linked to SSS registration, which would result in a lower national registration rate. This would undermine the fairness and equity of any future draft.

c. **CONTINUED FUNDING FOR MODERNIZATION EFFORTS**

As previously discussed, SSS suffered from a stagnation lasting more than 30 years in which a more-or-less static budget resulted in decreased spending power and an erosion of manning, equipment and capability. Beginning in FY 2019, the Agency budget has been increased to allow for badly needed modernization and funding of antiquated programs. The new Strategic Plan addresses modernization efforts directly. Should the budget be restored to prior levels, the goals and objectives in the Strategic Plan will not be achieved.

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d. **18 YEAR OLD REGISTRATION**

One outcome of the stagnant budget was a reduction in outreach and a loss of the message of the importance of registration. Dramatically reduced public affairs budgets resulted in lack of awareness of the SSS mission and registration requirement. The key metric to measure awareness and compliance is the 18 year-old registration rate. As such, focus has shifted over the past 3 years to the 18 year-old demographic and it must continue to be a focus in order to ensure the fairness and equity of a potential draft.

e. **READINESS**

Following the resurrection of the Agency from deep standby in 1980-81, an enormous effort was undertaken to create Agency mobilization plans to be prepared for resumption of the draft. Due to budget-related cuts in staffing over the years, these plans were neglected. As such, the Agency has undertaken a major modernization effort to revamp these plans. The mobilization plans must continually be updated and tested (through exercises) to ensure a continuing capability to perform the SSS mission.

3. **BUDGET OVERVIEW**

a. **FY 2019 BUDGET**

The enacted budget for FY 2019 was \$26.0 million, which reflects a \$3.1 million increase over the FY 2018 enacted budget of \$22.9 million. The first big budget increase in 35 years.

FUNCTION	AMOUNT
Civilian Pay and Benefits	\$13,576,941
Military Reserve Officer Support Services	\$ 1,526,327
Agency Services (Government and Commercial)	\$ 4,231,313
IT Software and Equipment	\$ 3,483,253

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GSA Occupancy Agreement (OA), Other Rent, Lease, Storage, and Maintenance	\$ 835,700
Postage and Express Courier Services	\$ 797,883
Communications Services, Utilities, and Facilities Operations	\$ 425,428
Printing and Reproduction	\$ 407,070
General Supplies and Furniture	\$ 375,379
Training, Travel, and Transportation of Personnel	\$ 274,885
Strategic Initiatives	\$ 65,821

TOTAL FOR ALL FUNDS: \$26,000,000

b. **FY 2020 BUDGET**

The FY 2020 Selective Service System enacted budget is \$27.1 million, which is \$1.1 million more than the FY 2019 enacted amount of \$26.0 million. At this funding level, Selective Service will meet its non-discretionary salary and expense requirements and continue its investment in critical cybersecurity enhancements and information technology infrastructure (IT) modernization. Furthermore, the additional funding will enable the Agency to establish a long-overdue IT lifecycle management program that will ensure the modernization investment is sustained over the long term.

4. **CURRENT LEADERSHIP TEAM**

Director	Donald M. Benton	Non-PAS* Political Appointment
Deputy Director	John Prigmore	Non-PAS Political Appointment
Chief of Staff	Wadi Yakhour	Non-PAS Political Appointment

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General Counsel	Rudy Sanchez	Career
Associate Director for Operations	Craig Brown	Career
Associate Director for Support Services	Roderick Lawrence	Career (Acting)
Chief Financial Officer	Jennifer Hughes	Career**
Associate Director for Public & Intergovernmental Affairs	Wadi Yakhour	Career (Acting)***
Associate Director for Information Technology	Scott Jones	Career
Chief Information Officer	Scott Jones	Career

*Political Appointee requiring Senate confirmation (PAS)

**The Chief Financial Officer reports to the Associate Director for Support Services.

***Associate Director for Public & Intergovernmental Affairs is a Career Position that is currently filled in an acting capacity by Wadi Yakhour, who is also the Agency Chief of Staff (Non-PAS Political Appointment).

5. **CONGRESSIONAL CONSIDERATIONS**

a. **ANNUAL FUNDING**

SSS anticipates that a Continuing Resolution will be passed which will fund the Agency through December 11, 2020. It will be important to make the Agency's case that additional funding is necessary to continue our IT modernization and lifecycle management efforts. Both political and career officials at SSS have excellent relations with Democrat and Republican staffers from both the House and Senate Subcommittees on Financial

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Services and General Government. These staffers are well aware of ongoing efforts to modernize SSS.

b. **ONGOING EFFORTS TO ELIMINATE SSS REGISTRATION INCENTIVES**

Members of both parties in the House and Senate regularly introduce legislation to eliminate incentives for SSS registration. As previously mentioned, SSS registration incentives include the requirement that men register with SSS in order to obtain Federal student aid. Registration via the FAFSA results in over 400,000 registrations per year. Eliminating registration via the FAFSA would significantly undermine Agency registration efforts.

c. **ONGOING EFFORTS TO ELIMINATE SSS**

In each session of Congress, there is normally a piece of legislation introduced which seeks to eliminate SSS. These bills never gain much support but need to be regularly monitored.

d. **NATIONAL COMMISSION ON MILITARY, NATIONAL, AND PUBLIC SERVICE**

As previously mentioned, in March 2020 the National Commission on Military, National, and Public Service released its report and recommendations, which include proposed modifications to the MSSA. In the 116th Congress, H.R. 6415, *Inspire to Serve Act of 2020*, was introduced by Rep. Jimmy Panetta (D-CA-20). The bill incorporates the Commission's recommendations. SSS does not anticipate that this bill will pass during the 116th Congress, but it is likely that the legislation will be re-introduced in the 117th Congress as a comprehensive bill and/or piecemeal bills that include the Commission's recommendations. The Commission's final report can be found at the following link: <https://www.inspire2serve.gov/reports>

John Prigmore



Selective Service System

National Headquarters / Arlington, Virginia 22209-2461

www.sss.gov

January 13, 2021

MEMORANDUM FOR PRESIDENTIAL TRANSITION 2021

RE: SELECTIVE SERVICE SYSTEM BRIEFING

1. OVERVIEW OF THE ORGANIZATION

a. EXECUTIVE SUMMARY

The Selective Service System (SSS) is a small, independent Federal agency within the Executive Branch, operating with permanent authorization under the Military Selective Service Act (MSSA) (50 U.S.C. § 3801 et seq.). While not part of the Department of Defense (DoD), SSS serves as America's hedge against underestimating the requirement for both trained and untrained personnel needed by DoD in a national emergency. Because SSS has the mechanisms in place for conscription, it can implement a fair and equitable system of obtaining manpower from today's society-at-large to augment the all-volunteer force at such time of critical need. The Agency's statutory mission also includes being ready to administer an Alternative Service Program in lieu of military service for men classified as conscientious objectors (COs). As the bipartisan National Commission on Military, National, and Public Service stated in their March, 2020 report to the President and Congress: ***"To meet military personnel needs in the face of future threats and to demonstrate America's resolve to international allies and adversaries, the Nation needs the [SSS] to remain a viable U.S. national security institution."***¹

The Agency is staffed with a civilian workforce and is supported by a cadre of military Reservists (RSMs), part-time personnel, and volunteers across the United States (U.S.) and its territories. In the event of a return to conscription, the Agency will rapidly expand its workforce to fulfill personnel requirements for mobilization.

¹ <https://inspire2serve.gov/reports/final-report>

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The MSSA requires virtually all men in the United States, and U.S. male citizens living abroad, to register with SSS within 30 days of their 18th birthday. (Men may register between ages of 18 and 25, but when a man turns 26 it is too late to register.) By registering with SSS, every young man is reminded of his potential civic obligation to serve our nation in a time of an emergency. The Agency manages a national database of SSS registration records, which is one of the essential prerequisites to its readiness requirement to conduct a draft. While registration is the most visible component during peacetime, mission readiness is imperative to foster fairness and equity if SSS is directed by Congress and the President to reestablish conscription. Adequate readiness requires maintaining and periodically exercising a system capable of immediate mobilization during a national emergency.

Under current law, women serve voluntarily in the U.S. Armed Forces, but are not currently required (or able) to register with SSS.

While also registering men ages 18 through 25, SSS continually assesses its operations to enhance the effectiveness of its day-to-day business and readiness capabilities. This involves planning and preparing for mobilization. However, there was a period of approximately 30 years where SSS had a relatively flat budget,² resulting in an adjusted-for-inflation reduction in spending power of more than 60 percent. This budgetary stagnation made it difficult for SSS to meet its strategic goals. Beginning in 2018, Congress began appropriating additional funds to update the Agency's infrastructure. In particular, Congress has recognized the need to modernize Information Technology (IT) systems and lifecycle management. The Agency looks forward to working with Congress to continue modernization efforts.

There are two primary components to our mission: registration and readiness.

(1) **Registration**

SSS has a strategic goal of maintaining at least a 90 percent national registration compliance rate. After processing the previous Calendar Year (CY) registrations (CY 2019), the registration rate for the 18-through 25-year-old cohort was 91 percent. This exceeded the Agency's strategic goal by 1 percentage point. SSS continues to

² The appropriated budget between FY 1986 and FY 2018 averaged approximately \$24.0 million, with minor variations.

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employ and expand cost-effective programs to help young men register quickly and easily. For instance, 92 percent of the Agency's CY 2019 registrations were received electronically.

Failure to register may result in denial of Federal/State student financial aid, government employment opportunities, job training, and U.S. citizenship for immigrant men younger than age 31.

Registration is a critical component of SSS's readiness. If the President and Congress decide conscription is necessary to ensure national security, the maximum number of eligible men must be registered to assure the public of a fair and equitable lottery and induction process.

Based on analysis of current and historical trends, including geography and demographics, the Agency, has refocused its outreach and registration efforts towards 17- and 18-year-old men rather than the entire 18- through 25-year-old cohort.

SSS registration compliance efforts in FY 2019 were supported through longstanding processes, procedures, and Agency initiatives. These support efforts include:

(a) **Driver's License Legislation (DLL)**

DLL enables young men to register with SSS while applying for a driver's license. As of FY 2020, 41 states, 4 territories, and the District of Columbia have enacted DLL SSS registration. Nine states have no DLL supporting the registration requirement, these states include; Alaska,³ California, Massachusetts, Nebraska, New Jersey, Oregon, Pennsylvania, Vermont, and Wyoming.

(b) **Reminder Mail-back Forms**

³ The Alaska Permanent Fund was created by the State of Alaska to pay Alaskan residents a cash dividend from oil revenues. Under Alaska state law, before Alaska male residents can qualify for benefits from the Alaska Permanent Fund, they must be registered with the Selective Service System. Therefore, Alaska does not warrant a need for DLL since the overwhelming majority of Alaskan male residents are either already registered or will register to qualify for the benefits of this Fund.

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These forms are generated by the Agency's Data Management Center (DMC). These are sent to registration-age men reminding them of their responsibility to register with SSS. In FY 2019, the SSS mail center sent out 2,799,302 pieces of mail.

(c) **Interactive Voice Response (IVR)**

The IVR at SSS's bilingual Call Center received more than 568,000 registration-related calls in FY 2019.

- (d) Focusing on cost-effective registration awareness initiatives and outreach efforts to inform community leaders and influencer groups of the importance of registration, the Agency created "Tiger Teams" to address registration in key states. These Tiger Teams provided focused recommendations tailored to the unique environment in a given region.
- (e) Partnering with the U.S. Postal Service, U.S. Department of Education, and other agencies to ensure both that the opportunity to register is widely available and that the resulting data collection is securely transferred. This includes providing an opportunity to register on the Free Application for Student Aid (FAFSA) and making registration forms available at the post office.
- (f) Collaborating with the Department of State and consular officers abroad who assist U.S. male citizens, including U.S. dual-nationality males living outside the United States, to register men with SSS. In CY 2018, SSS processed more than 20,000 registrations from foreign addresses.

A breakdown of electronic registration sources for CY 2019 is as follows:

- (a) 1,034,791 men registered through DLL;
- (b) 516,780 registered using the Internet (SSS website);

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- (c) 414,923 registered through Department of Education FAFSA;
- (d) 25,241 registered through the DoD enlistment process;
- (e) 18,332 registered through our telephone services;
- (f) 16,721 registered through U.S. Citizenship and Immigration Services immigrant matching; and
- (g) 11,496 registered through Workforce Innovation and Opportunity Act job applicant matching.

(2) **Readiness**

(a) **National Defense (Conscription)**

It had been almost 20 years since SSS conducted a full mobilization exercise. A lottery test was conducted early in FY 2018 to generate a full calendar year of lottery draft numbers. Then, the next phase of the mobilization system was tested to verify its call-and-delivery process. (Sending notices for induction, which would only happen during an actual draft.) By the end of FY 2019, SSS is proud to report that it is fully capable of implementing its mission to deliver manpower to DoD.

The first part of the Agency's readiness requirement is to manage a conscription program for the DoD, if authorized by Congress and directed by the President. To accomplish this mission, SSS must be ready to execute a national draft lottery, contact registrants selected through the lottery, and arrange for their transportation to Military Entrance Processing Stations (MEPS) for testing and evaluation prior to induction for military service.

Once notified of the results of their evaluation at MEPS, registrants receiving induction orders then have the opportunity to file a claim for deferment, exemption, or postponement.

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If the President and Congress agree that a return to conscription is required, SSS will undergo a massive expansion. The Agency must rapidly hire personnel and procure equipment. To do that, current plans rely on a series of agreements with key partners, a network of military reservists, and local and district board volunteers.

SSS maintains operational plans as well as a minimum cadre of personnel trained to expand the Agency upon the authorization of Congress and the President. In order to remain prepared for expansion, the Agency maintains Memoranda of Understanding (MOUs) with other Federal and State agencies, as well as with relevant public/private entities.

(b) **Alternative Service Program (ASP)**

The peacetime goal of the Alternative Service Program (ASP), the second part of the Agency's readiness requirement, is to be ready to place men classified as COs in one of six approved occupations related to national service: health care services, educational services, environmental programs, social services, community services, and agricultural work. If there is a resumption of conscription, men classified as COs would spend two years (equivalent to the term of service of men inducted into the military via draft) serving their country as Alternative Service Workers (ASWs) performing civilian service.

The Agency has made significant gains in repopulating the Alternative Service Employer Network (ASEN). The ASEN is a pool of eligible civilian employers who agree to provide jobs to ASWs. The ASEN includes State and Federal agencies, private employers, peace churches, etc.

(3) **Mobile Connection**

SSS anticipated the need for mobile and digital information and began collecting additional data beginning in FY 2018. The Agency now receives email addresses and phone numbers from those registering via Internet. This gives the Agency a more effective method to electronically send induction notices during mobilization.

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(4) **Strong Volunteer Force**

In 2020, many of our long-serving board members will have reached the end of their 20-year tenure. SSS has been ramping up its recruitment efforts to address this potential reduction in volunteers. In addition, to further leverage these “retiring” patriotic volunteers, SSS has asked departing board members to continue serving SSS as state resource volunteers and to speak in their communities about the importance of SSS registration.

(5) **Modernization and Excellence**

SSS has undertaken significant steps to modernize its systems since the Agency budget was increased starting in FY 2019. Additionally, the Agency invests in employee training for both personal and professional development. SSS has refined its efforts in hiring and retaining excellent employees. In fact, SSS was ranked as the most improved Agency in the Federal Employee Viewpoint Survey conducted in FY 2019.

(6) **Benefits to the Nation**

Since 1940, SSS has served as a critical element of our national readiness and defense capabilities. Each Administration has maintained SSS so that it may swiftly respond to the call of Congress and the President. SSS provides the only proven and established means to expeditiously provide manpower to the DoD in the event of a national emergency. The Agency has four important attributes:

- (a) It can rapidly provide the nation’s manpower needs to DoD;
- (b) It ensures that any civilian mobilization will be fair and equitable;
- (c) It can effectively take the necessary steps and allocate the essential resources to provide ASWs; and
- (d) It operates at a minimal cost.

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b. **ORGANIZATIONAL STRUCTURE**

SSS is authorized a staff of 124 full-time employees (FTEs) to support its National Headquarters (NHQ), 3 regional headquarters, and the DMC. The Agency also has 56 state directors, who are intermittent part-time employees representing the 50 states, Guam, the Northern Mariana Islands, Puerto Rico, the U.S. Virgin Islands, the District of Columbia, and New York City. Additionally, each branch of the U.S. Armed Forces is represented by up to 175 Reserve Service Members (RSMs) who are assigned to SSS to serve throughout the U.S. and its territories. And thousands of patriotic volunteers across the nation dedicate their time as trained board members.

(1) **Office of the Director (OD)**

The Office of the Director (OD) provides strategic leadership for SSS. Although four political appointments are available to OD, leadership has opted not to fill the fourth political appointment at this time. OD includes the Director, Deputy Director, and Chief of Staff.

(a) **Human Resources (HR)**

The Agency relies on a diverse workforce of full- and part-time civil servants, civilian volunteers, and part-time military reserve component personnel. This includes the staff based at NHQ, the DMC, and the three regional headquarters, as well as, the assigned RSMs from all branches of the U.S. Armed Forces. The Agency's manpower also includes its state directors as intermittent, part-time employees who support SSS activities across the country and territories.

During FY 2019, SSS initiated the "Human Resources (HR) Reset" – a complete overhaul of the personnel, policies, procedures, and organizational structure of the HR Division. The HR Reset included a comprehensive revision of the annual performance appraisal system, a renewed emphasis on employee and supervisor accountability, improved work/life balance and morale, and a more robust awards and recognition program. The latter was supported by the establishment of an Awards Board, comprised of senior leaders and chaired by the Chief of Staff, whose purpose is to

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ensure consistency, equity, and fairness in the awards process.

Additionally, in FY 2019, HR was directed to establish a Position Management Board (PMB). The PMB is assigned responsibility to vet changes to the Agency's personnel structure. The PMB ensures that requests for additional personnel, grade increases, contractor support requests, and any other changes that affect organizational structure are necessary, aligned with the updated strategic plan, and remain within the limitations of the Agency's annual appropriation.

(2) **Office of the General Counsel (OGC)**

The General Counsel (GC) was previously within OD, but in FY 2020 the Agency structure was reorganized such that the Office of the General Counsel (OGC) became its own directorate. OGC includes two attorneys – the General Counsel and Deputy General Counsel – who provide legal advice to Agency leadership on a variety of different issues. The attorneys also liaison with private attorneys and the Department of Justice to handle ongoing litigation. Additionally, the attorneys are actively involved in legislative affairs at both the Federal and State level.

(3) **Operations (OP)**

SSS Operations is in charge of the Agency's registration and readiness programs, and oversees the DMC, the three regional headquarters, State Directors, RSMs, and thousands of local board members, district appeals board members, and national appeal board members.

(a) **Data Management Center (DMC)**

The DMC is based in North Chicago, Illinois, and processes SSS registrations and maintains the Agency's database of registrants (one of the largest Personally Identifiable Information (PII)-containing databases in the Federal government). When directed by Congress and the President, the Agency's registration database is used to facilitate the induction of men into the U.S. Armed Forces. In FY 2019, the

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DMC's staff added 2.3 million records to this database and performed more than 2.5 million file changes to existing records. The Agency's database is continually maintained to ensure accessibility, accuracy, and network security. The broad scope of the DMC's work is accomplished by a workforce of approximately 50 employees.

The DMC is also home to the Agency's national Call Center. The Call Center staff updates registrant information, completes registrations by telephone, and answers general questions regarding the SSS. In FY 2019, the Call Center received more than 568,000 calls, out of which 21 percent required assistance from a contact representative due to complexity and research requirements. IVR handles approximately 79 percent of the Call Center volume.

Another key component of the DMC is its Mail Center, which received 419,598 pieces of inbound mail in FY 2019. The Mail Center printed, assembled, and mailed 2,799,302 million pieces of outbound mail in FY 2019.

A small, but significant percentage of the Mail Center's outbound mailing was devoted to Status Information Letters (SILs). Men who need to confirm their SSS registration number or who may have failed to register with SSS – and are now age 26 or older – request SIL letters. Other requests are from those seeking validation from SSS that they were not required to register due to date of birth, immigration entry dates, or visa status.

Electronic processing accounted for 92 percent of the DMC's FY 2019 registration workload. However, the DMC's staff was still required to manually key-in 306,762 documents, which included entry of paper registrations, updating registrant files, making compliance additions and updates, processing post office returns, and handling miscellaneous forms. The quality of this manual work is impeccable, with a 99.17 percent accuracy rate due to a two-step process of key entry and verification of the source data to ensure accuracy.

The personal and hands-on customer service provided by DMC staff is a vital part of SSS's operations.

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(b) **Regional Offices**

The three regional offices are located in; North Chicago, Illinois; Marietta, Georgia; and Denver, Colorado. The regions are responsible for maintaining SSS's readiness at the grassroots level.

Region I Headquarters, located in North Chicago, Illinois, manages registration improvement, local board members and other operational initiatives in 16 states: Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin; New York City as a separate entity, and the District of Columbia.

Region II Headquarters, located in Marietta, Georgia, manages 13 states and 2 territories: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia, as well as Puerto Rico and the U.S. Virgin Islands.

Region III Headquarters, located in Denver, Colorado, manages 21 states and 2 territories: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, as well as Guam and the Northern Mariana Islands.

(c) **Local and Appeals Boards**

SSS has more than 2,000 local and appeal boards dispersed throughout the States and territories. Approximately 11,000 volunteer civilians serve on SSS local and appeals boards. In the event of a draft, local and appeal boards will be mobilized to decide draft deferments, postponements, and exemptions. SSS strives to ensure that local boards are comprised of people who reflect the demographics of the community. If a man receives induction orders, he may then petition his local board for a deferment, postponement, and/or

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exemption, and in most circumstances appeal an adverse decision to their district appeals board. In some situations, an inductee can appeal his induction all the way to the President of the United States via the national appeals board. These patriotic volunteers serving on SSS local and appeal boards significantly contribute to a fair and equitable induction process.

(4) **Support Services (SPT)**

The Agency's Support Services directorate provides the means for core support programs to be carried out efficiently and effectively, within the purview of existing laws. This directorate has multiple responsibilities: financial management, logistical support, and contracting support.

(a) **Financial Management**

Independent auditors rendered an unmodified (clean) opinion in their report on the audit of SSS's financial statements for FY 2019. The unmodified opinion means that the financial statements were in conformity with generally accepted accounting principles (GAAP). The Agency's internal controls, as established and enforced by Financial Management, were free of material weaknesses, and complied with laws, regulations, and contracts.

Auditors reviewed SSS's payments to test controls for preventing improper payments as required by the Improper Payments Elimination and Recovery Improvement Act of 2012. As a direct result of the Financial Management's oversight, the auditors found no improper payments, determined that internal controls were operating effectively, assessed the Agency's programs to be low risk, and concluded that implementation of a recovery audit program would not be cost effective.

Financial Management continues to navigate the inevitable obstacles inherent in most transitions to new services, such as the SmartPay3 government travel charge card program. Financial Management is conducting final user acceptance testing on mobile devices before phasing into initial operating

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capability (IOC) for FedRevCollect – the U.S. Department of Treasury’s mobile check capture, deposit, and processing platform.

Lastly, SSS took the opportunity in FY 2019 to review interagency agreements with our Federal trading partners and updated the point-of-contact information in preparation for G-Invoicing implementation in FY 2021.

(b) **Contracts and Logistics**

The Contracts and Logistics Division provided support to all Agency directorates through its procurement management functions. In FY 2019, the Agency processed and executed more than 500 purchase orders valued at \$12.8 million. The Division oversaw the development and issuance of contract solicitations, provided guidance and oversight of source selection panels, advocated full and open competition, and adjudicated sole source justifications. Additionally, the Division provided inventory management through the property accounting and management system (PAMS), which managed NHQ postal operations, transportation, and physical security management. This support includes physical access control and personal identity verification (PIV) card management.

The Division oversaw a major intra-organizational physical relocation of National Headquarters personnel within its current facility. The Logistics Branch orchestrated the physical move of personnel between two floors, revamped work space assignments, ensured the necessary moving materials and equipment were on hand, and coordinated the disassembly and post-relocation reassembly of work stations with the IT directorate. The re-organization collocated previously disparate divisions of the same directorate, and consolidated complementary organizations within closer proximity. This ultimately improved communication, collaboration, and effectiveness at NHQ.

In furtherance of an initiative that began in FY 2018, the Division identified a physical location within NHQ to serve as the central repository for all of the SSS’s historical artifacts.

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The Division began inventorying and placing these artifacts in the space where they will be archived for posterity, protected from loss or damage, and documented. In doing this, SSS is preserving the Agency's history and legacy in service to the nation.

(5) **Public & Intergovernmental Affairs (PIA)**

The Public and Intergovernmental Affairs Directorate (PIA) serves as the SSS's communication hub, information resource, and network for national outreach. PIA maintains liaison with Congress, the Executive Branch, State and local governments, community organizations, schools, professional associations, the media, and the general public. PIA uses a variety of methods to disseminate the Agency's registration message throughout the U.S., paying particular attention to areas with lower registration rates. It accomplishes this through continually enhancing the public website, creating an active social media presence, targeting traditional and public service advertising, marketing through direct mail, exhibiting at select national conferences, and building relationships with educational institutions and organizations that have a service and community focus.

PIA supports the ongoing recruitment and communications with the Agency's volunteer local board members, and also manages several initiatives and administrative requirements. PIA advises the Agency's leadership on the public affairs implications of policies; responds to media inquiries; processes Freedom of Information Act (FOIA) requests; answers numerous inquiries/requests from the public and elected officials; explains laws and policies to local, State, and Federal government agencies; and pursues an outreach network – with community organizations and programs that work with registration-age men.

The Intergovernmental Affairs Office (IAO) within PIA is the central point of contact for congressional and legislative support. This Office is responsible for monitoring and assisting with all MSSA-related legislative activities at the Federal and State level.

The IAO prepares informative position papers and conducts staff and outreach visits.

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Additionally, the Director and PIA staff coordinate and conduct visits to congressional offices throughout the year to inform members about SSS's role in supporting our national defense.

(6) **Information Technology (IT)**

SSS made great strides in IT infrastructure modernization in FY 2019. The Agency continues to operate and improve upon the Registration, Compliance, and Verification (RCV) system, which is a data records system that incorporates hundreds of millions of individual registration records. These records are routinely and reliably referenced to confirm the eligibility of registrants for most Federal and State employment opportunities and educational benefits. This enormous records system requires 24-hour availability, continuous diagnostic monitoring, cyber security, and effective telecommunications management. Several decades of budget shortfalls have led to antiquated computer systems and an underpowered telecommunications backbone that impede the speed of service while contributing to the risk of major operational failure. In FY 2019 and FY 2020, increased funding was used for lifecycle replacement of critical equipment and IT infrastructure necessary to be prepared for mobilization in the event of a national emergency.

2. **TOP ITEMS FOR A NEW ADMINISTRATION**

a. **THE PROPOSED ELIMINATION OF MAIL-ONLY SSS REGISTRATION (EXPANDING REGISTRATION TO ALL PEOPLE AGES 18 TO 25)**

There are two ongoing situations that may expand the SSS registration requirement to all people between the ages of 18 and 25 – eliminating the male-only registration requirement. These are ongoing litigation and the March 2020 report and recommendations from the National Coalition on Military, National, and Public Service.

(1) **Court Cases**

- (a) *Kyle-Label v. Selective Service System* is a lawsuit in the Federal District Court for New Jersey brought by a female who was denied the opportunity to register with SSS. The suit challenges the constitutionality of male-only registration. The most recent action was a motion by plaintiff's to establish the case as a class action.

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- (b) *National Coalition for Men v. Selective Service System* is a lawsuit brought in Federal court by a men's organization challenging the constitutionality of male-only registration. A judge in the Federal District Court for the Southern District of Texas ruled in favor of the plaintiffs, holding that male-only registration was unconstitutional, but did not order injunctive relief. The decision was appealed to the U.S. Court of Appeals for the Fifth Circuit, which unanimously overturned the lower court decision by holding that male-only registration is constitutional because "only the Supreme Court may revise its precedent." See *Rostker v. Goldberg* (1981 Supreme Court case holding that male-only registration is constitutional). The plaintiffs have petitioned the Supreme Court for a *writ of certiorari* and the Department of Justice is working on their response to the petition.

Both cases are being handled by the Department of Justice.

(2) **Potential legislation expanding registration to women**

The National Defense Authorization Act for FY 2017 established the National Commission on Military, National, and Public Service, which issued its final report and recommendations in March 2020. The Commission was created to: (1) "conduct a review of the military selective service process" and (2) to "consider methods to increase participation in military, national, and public service in order to address national security and other public service needs of the Nation." As part of its final report and recommendations, the Commission urges Congress to modify the MSSA such that all people (men and women) between the ages of 18 and 25 are required to register with SSS.

Expanding SSS registration to all people between the ages of 18 and 25 will dramatically increase the number of registrations the Agency processes annually and may require new outreach methods. To prepare for this potential outcome, SSS performed an internal review and estimated potential costs as well as required operational changes and IT upgrades. This internal study has been provided to the Office of Management and Budget (OMB) and both the House and Senate Financial Services and General Government subcommittees. Should registration be expanded to all people ages

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18 to 25, the Agency will require time and additional funds in order to comply with the law.

b. **ELIMINATION OF THE REQUIREMENT THAT MEN MUST REGISTER WITH SSS IN ORDER TO RECEIVE FEDERAL STUDENT AID AND REMOVAL OF SSS REGISTRATION FROM THE FAFSA**

The Consolidated Appropriations Act of 2021 eliminates (SSS) registration via the FAFSA and also eliminates the requirement that men register with SSS in order to receive Federal student aid. The effective date of these changes is July 1, 2023, and will be used for the 2023-2024 school year and subsequent school years thereafter.

This will adversely impact SSS registrations because:

- (a) Approximately 25% of SSS registrations are received via the FAFSA (approximately 600,000 annually);
- (b) Reduce SSS registration awareness by eliminating any mention of SSS registration on the FAFSA; and
- (c) Eliminates an important SSS *registration incentive* (access to Federal student aid).

Additionally, 33 States and the District of Columbia require SSS registration for access to state-based student aid, and in some cases, SSS registration is required for matriculation to state-funded universities. Most of these states rely on the FAFSA to make determinations for state-based financial aid.

Due to this change, SSS will have to update all existing outreach materials as those materials mention the link between SSS registration and access to Federal student aid. Costly new methods will have to be devised by Congress and SSS to meet the mission of the Agency.

Low registration rates punish those who fulfill their legal obligation by registering. For every man who fails to register, the chances increase that a person will be conscripted who complied with the law by registering. SSS strives to maintain high registration rates so that any future military draft is conducted “in accordance with a system of selection which is fair

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and just.”⁴ Congress has affirmed that a country’s ability to conduct a “fair and just” military draft is a critical component of any free society.⁵

c. **EROSION OF PENALTIES FOR FAILURE TO REGISTER**

Men are required to register within 30 days of their 18th birthday, but have a grace period up until the day before they turn 26 years old. After that, the opportunity to register is no longer available because men ages 26 and older are not liable for conscription pursuant to the MSSA. As such, men who do not register by age 26 are not eligible for benefits tied to registration, such as Federal jobs and student aid unless they can show that their failure to register was not knowing and willful. By law, this determination is made by the organization dispensing the benefit, not SSS. This is a powerful incentive for registration and is a major contributor to the Agency’s high registration rate.

Although the Commission’s final report was largely complimentary of the Agency, it does contain one recommendation SSS vehemently opposes. Recommendation #38 in the Commission’s report states:

The Commission recommends that Congress amend the MSSA to provide any individual who has been denied a Federal benefit due to nonregistration with [SSS] an opportunity to register within 30 days, no matter the individual’s age at the time of denial, and to become eligible for the benefit denied.

This potentially eliminates a man’s need to register unless and until he needs a benefit linked to SSS registration, which would result in a lower national registration rate. This would undermine the fairness and equity of any future draft.

d. **CONTINUED FUNDING FOR MODERNIZATION EFFORTS**

As previously discussed, SSS suffered from a stagnation lasting more than 30 years in which a more-or-less static budget resulted in decreased spending power and an erosion of manning, equipment and capability. Beginning in FY 2019, the Agency budget has been increased to allow for

⁴ 50 U.S.C. § 3801(c)

⁵ “The Congress further declares that in a free society the obligations and privileges of serving in the armed forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just, and which is consistent with the maintenance of an effective national economy.” 50 U.S.C. § 3801(c)

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badly needed modernization and funding of antiquated programs. The new Strategic Plan addresses modernization efforts directly. Should the budget be restored to prior levels, the goals and objectives in the Strategic Plan will not be achieved.

e. **18 YEAR-OLD REGISTRATION**

One outcome of the stagnant budget was a reduction in outreach and a loss of the message of the importance of registration. Dramatically reduced public affairs budgets resulted in lack of awareness of the SSS mission and registration requirement. The key metric to measure awareness and compliance is the 18 year-old registration rate. As such, focus has shifted over the past 3 years to the 18 year-old demographic and it must continue to be a focus in order to ensure the fairness and equity of a potential draft.

f. **READINESS**

Following the resurrection of the Agency from deep standby in 1980-81, an enormous effort was undertaken to create Agency mobilization plans to be prepared for resumption of the draft. Due to budget-related cuts in staffing over the years, these plans were neglected. As such, the Agency has undertaken a major modernization effort to revamp these plans. The mobilization plans must continually be updated and tested (through exercises) to ensure a continuing capability to perform the SSS mission.

3. **BUDGET OVERVIEW**

a. **FY 2019 BUDGET**

The enacted budget for FY 2019 was \$26.0 million, which reflects a \$3.1 million increase over the FY 2018 enacted budget of \$22.9 million. The first big budget increase in 35 years.

FUNCTION	AMOUNT
Civilian Pay and Benefits	\$13,576,941
Military Reserve Officer Support Services	\$ 1,526,327
Agency Services (Government and Commercial)	\$ 4,231,313
IT Software and Equipment	\$ 3,483,253

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GSA Occupancy Agreement (OA), Other Rent, Lease, Storage, and Maintenance	\$ 835,700
Postage and Express Courier Services	\$ 797,883
Communications Services, Utilities, and Facilities Operations	\$ 425,428
Printing and Reproduction	\$ 407,070
General Supplies and Furniture	\$ 375,379
Training, Travel, and Transportation of Personnel	\$ 274,885
Strategic Initiatives	\$ 65,821

TOTAL FOR ALL FUNDS: \$26,000,000

b. **FY 2020 BUDGET**

The FY 2020 SSS enacted budget is \$27.1 million, which is \$1.1 million more than the FY 2019 enacted amount of \$26.0 million. At this funding level, Selective Service will meet its non-discretionary salary and expense requirements and continue its investment in critical cybersecurity enhancements and information technology infrastructure (IT) modernization. Furthermore, the additional funding will enable the Agency to establish a long-overdue IT lifecycle management program that will ensure the modernization investment is sustained over the long term.

c. **FY 2021 BUDGET**

The FY 2021 SSS enacted budget is \$26.0 million, which is a \$1.1 million reduction from the FY 2020 amount of \$27.1 million.

4. **CONGRESSIONAL CONSIDERATIONS**

a. **ANNUAL FUNDING**

The FY 2021 appropriation for SSS is \$1.1 million less than FY 2020. It will be important to make the Agency's case that additional funding is necessary

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to continue our IT modernization and lifecycle management efforts. Both political and career officials at SSS have excellent relations with Democrat and Republican staffers from both the House and Senate Subcommittees on Financial Services and General Government. These staffers are well aware of ongoing efforts to modernize SSS.

b. **ONGOING EFFORTS TO ELIMINATE SSS REGISTRATION INCENTIVES**

Members of both parties in the House and Senate regularly introduce legislation to eliminate incentives for SSS registration. As previously mentioned, The Consolidated Appropriations Act of 2021 eliminates (SSS) registration via the FAFSA and also eliminates the requirement that men register with SSS in order to receive Federal student aid. The effective date of these changes is July 1, 2023, and will be used for the 2023-2024 school year and subsequent school years thereafter.

c. **ONGOING EFFORTS TO ELIMINATE SSS**

In each session of Congress, there is normally a piece of legislation introduced which seeks to eliminate SSS. These bills never gain much support but need to be regularly monitored.

SSS has been supported by each Presidential Administration since its resurrection from deep standby in 1980-81.⁶ The National Commission on Military, National, and Public Service “reaffirm[ed] the need for a draft contingency mechanism to meet the mobilization needs of DoD during a national emergency.” *See Commission Recommendation #31*. And “[t]he Commission affirm[ed] the key values of a draft contingency mechanism, namely (1) as a hedge against the risk of military personnel shortages in DoD during a national security emergency, and (2) as a symbol of U.S. national resolve to mobilize the Nation to meet commitments to its Armed Forces, allies, and partners. *See Commission Recommendation #33*.

⁶ “For these reasons, every Presidential Administration since 1980 has made the conscious decision to maintain registration for the Selective Service System” *See National Commission Report “Findings and Recommendations*; In May of 1994 President Bill Clinton said: “It is essential to our national security to continue draft registration and the Selective Service System.”; and in 2013 Secretary of Defense Chuck Hagel said that “[...]national interests are served by the Selective Service System. Registration provides a hedge against a catastrophe we do not yet anticipate and is a relatively low-cost ‘insurance policy’ against our underestimating the maximum level of threat we expect our armed forces to face.”. The Selective Service System is a means to sustain this legacy by reminding our youth that public service is a valid part of American Citizenship.”

d. **ONGOING EFFORTS TO ELIMINATE THE SSS REGISTRATION REQUIREMENT**

There are ongoing efforts to eliminate the SSS registration requirement, but the National Commission on Military, National, and Public Service's final report emphasizes the importance of maintaining the registration requirement.

The importance of registration was recently reaffirmed by the National Commission on Military, National, and Public Service, stating in the Commission's final report that recommendations that "[s]hould the Nation be faced with a crisis so significant that it must activate conscription, the Government will benefit from an active system ready to induct personnel. After considering voluntary and mandatory registration systems, the Commission concluded that maintaining an active, mandatory registration system mitigates the level of potential risk to the Nation and protects the critical functions and procedures that safeguard a fair, equitable, and transparent draft process... "The Commission reaffirms the [SSS's] pre-mobilization registration posture and recommends that Congress and the President maintain the [SSS] pre-mobilization registration requirement... [Concluding] that maintaining an active, mandatory registration system mitigates the level of potential risk to the Nation and protects the critical functions and procedures that safeguard a fair, equitable, and transparent draft process." *See Commission Recommendation #35*

e. **NATIONAL COMMISSION ON MILITARY, NATIONAL, AND PUBLIC SERVICE**

As previously mentioned, in March 2020 the National Commission on Military, National, and Public Service released its report and recommendations, which include proposed modifications to the MSSA. In the 116th Congress, H.R. 6415, *Inspire to Serve Act of 2020*, was introduced by Rep. Jimmy Panetta (D-CA-20). The bill incorporates the Commission's recommendations. SSS does not anticipate that this bill will pass during the 116th Congress, but it is likely that the legislation will be re-introduced in the 117th Congress as a comprehensive bill and/or piecemeal bills that include the Commission's recommendations.

5. **CURRENT LEADERSHIP TEAM**

Director

Donald M. Benton

Non-PAS Presidential

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		Political Appointment
Deputy Director	John Prigmore	Career SES Political Appointment
Chief of Staff	Wadi Yakhour	Schedule C Political Appointment
General Counsel	Rudy Sanchez	Career
Associate Director for Operations	Craig Brown	Career (SES)
Associate Director for Support Services/Chief Financial Officer	Jennifer Hughes	Career
Associate Director for Public & Intergovernmental Affairs	Micheal Migliara	Career
Associate Director for Information Technology/Chief Information Officer	Scott Jones	Career



Selective Service System

National Headquarters / Arlington, Virginia 22209-2461

Headquarters Order

EFFECTIVE DATE: January 13, 2021

RESPONSIBLE OFFICE: OD

NUMBER: 21-01

SUBJECT: Succession of Authority

1. PURPOSE

To provide for succession to act as Director of the Selective Service System (SSS) in case of death or resignation of the Director, or if the Director is otherwise unable to perform the functions and duties of the office, including in cases of absence or sickness; to provide a line of succession for executive continuity during vacancies arising in a period of national emergency or in the course of business; and to identify the first assistant to the Director.

2. AUTHORITY

This Order is issued pursuant to Federal Preparedness Circular 65(7)(d).

3. ORDER OF SUCCESSION

a. Temporary Absences

During periods where the Director is absent, sick, or otherwise *temporarily unavailable* or unable to timely perform his or her duties, the individuals occupying the following positions in a non-acting capacity will, in the order stated, assume *operational management* of the Agency:

Deputy Director
Chief of Staff
Associate Director for Operations
General Counsel
Associate Director for Information Technology
Associate Director for Support Services
Associate Director for Public & Intergovernmental Affairs

Operational management of the Agency is limited to performing only functions and duties of the Director, which are not established by statute or regulation to be exclusively performed by the Director.

b. Vacancies

The Deputy Director is the “first assistant” to the Director. Therefore, in cases where there is a vacancy in the position of Director, including cases in which the incumbent is unavailable to perform the functions and duties of the position in the foreseeable future – e.g., by reason of death, resignation, termination, imprisonment, or debilitating illness – the Deputy Director shall perform all the functions and duties of the Director temporarily in an acting capacity, unless and until the President makes an alternative designation. If there is no person serving as the first assistant at the time the vacancy arises, or if the first assistant subsequently becomes ineligible to continue serving as the acting Director, then operational management of the Agency will devolve upon the person and in the order described in paragraph 3(a), until the President fills the vacancy with an acting Director or appoints a Director.

c. Re-delegation

This authority delegated by paragraph 3(a) may not be re-delegated.

4. Presidential Transition

During a transition from one Administration to a new Administration on January 20 following the previous Presidential Election, the Associate Director for Operations shall serve as the Acting Director until a new Director is appointed by the President.

5. SUPERSESION

This Order supersedes Headquarters Order 20-04 dated July 31, 2020.

A handwritten signature in black ink that reads "Donald M. Benton". The signature is stylized with a large, looped 'D' and a cursive 'Benton'.

Donald Benton
Director

Distribution: Intranet