

A CALL TO REPEAL CALIFORNIA'S LAW TYING STATE-SPONSORED STUDENT AID TO DRAFT  
REGISTRATION

In 1997, the California legislature passed a law denying state-sponsored financial aid to students who failed to register with Selective Service for a possible future military draft. The intention of the California law was to mirror a similar law passed earlier by the U.S. Congress that banned non-registrants from receiving federal student aid under the Higher Education Act (Title IV).

The federal law was repealed on December 27, 2020, with passage of the Consolidated Appropriations Act of 2021. The Federal Office of Postsecondary Education has issued a "dear colleague" letter notifying campuses of this change in law, which will be followed up with revisions in the relevant sections of the federal financial aid application form (FAFSA). Notification was also published in the Federal Register on 6/17/2021.

**We, the undersigned organizations, now call upon the California legislature to follow the example of the federal government and repeal the sections in state law (Ed. Code 69400, 69433.9, 69618.1) that make Selective Service registration a requirement for state-sponsored college financial aid.**

We urge this action for several reasons:

- If the federal government doesn't need such a law, there is no rationale for the same law to remain on the books in California.
- If California fails to repeal its draft registration requirement for state financial aid, it will greatly complicate the work of campuses and state agencies that will be forced to develop alternative methods for determining draft registration compliance without the help of the FAFSA.
- While the federal government's ban on financial aid for unregistered students has been repealed, many of those students still cannot access federal aid because of their undocumented status or the extremely low family income limit that defines eligibility for Pell Grants. Repeal of the California draft registration requirement is needed, therefore, to make it possible for them to apply for state-funded student aid.

Signers [as of 7/9/2021]:

Association of Raza Educators (Los Angeles, San Diego)  
Committee Opposed to Militarism and the Draft (San Diego)  
Chicano/Latino Concilio on Higher Education of San Diego County  
Project on Youth and Non-Military Opportunities (Encinitas)

Relevant documents:

1. Early Implementation of the FAFSA Simplification Act's Removal of Selective Service and Drug Conviction Requirements for Title IV Eligibility:

<https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2021-06-11/early-implementation-fafsa-simplification-acts-removal-selective-service-and-drug-conviction-requirements-title-iv-eligibility>

2. Federal Register publication:

<https://www.govinfo.gov/content/pkg/FR-2021-06-17/pdf/2021-12762.pdf>

3. Repeal language in H.R.133 - Consolidated Appropriations Act, 2021

(s) Exception to Required Registration With the Selective Service System.--Notwithstanding section 12(f) of the Military Selective Service Act (50 U.S.C. 3811(f)), an individual shall not be ineligible for assistance or a benefit provided under this title if the individual is required under section 3 of such Act (50 U.S.C. 3802) to present himself for and submit to registration under such section and fails to do so in accordance with any proclamation issued under such section, or in accordance with any rule or regulation issued under such section.

<https://www.congress.gov/bill/116th-congress/house-bill/133/text>