



HB52 HD1

Measure Title:	RELATING TO THE SELECTIVE SERVICE REGISTRATION AWARENESS AND COMPLIANCE ACT.
Report Title:	Selective Service Registration Awareness and Compliance Act
Description:	Requires compliance with the Military Selective Service Act to be eligible for enrollment in a state-supported post-secondary institution, qualify for state financial assistance for post-secondary education, or be eligible for state or county employment or service. Provides exceptions. (HB52 HD1)
Companion:	SB468
Package:	None
Current Referral:	PSM/HEA, JDL
Introducer(s):	ITO



Selective Service System

Hawaii Headquarters

Testimony to Committee on Public Safety, Intergovernmental, and Military Affairs—and—Committee on Higher Education and the Arts

Tuesday, March 01, 2016

**RE: House Bill 52, HD 1 RELATING TO SELECTIVE SERVICE
AWARENESS AND COMPLIANCE**

I am Andrew Pepper, State Director for the United States Selective Service System. My role is to ensure young men in Hawaii ages 18 through 25 register with the Selective Service System, as required by law. This helps ensure that they do not lose valuable Federal benefits linked to the registration requirement and helps ensure that any future military draft is fair and equitable to the residents of Hawaii. In the very unlikely event the draft is resumed, we want it to be the fairest and most equitable in our Nation's history. It is important to remember that every young person who fails to register inequitably increases a law-abiding person's chances of being drafted.

Last session many people asked the basic question: "Why do we still have the Selective Service System?" It is a fair question with an easy answer: The Selective Service System is our Nation's ultimate insurance policy in that it provides a ready source of personnel for national service should world events dictates the need for such personnel. The number of Selective Service registrants is openly disclosed to ensure that all potential adversaries understand both our national resolve and our national

mobilization capabilities. In other words, the Selective Service System helps keep us safe and at peace.

The Selective Service System supports the passage of HB 52, HD1 because it will unquestionably increase registration compliance in Hawaii. Hawaii has a problem: Only 73 percent of 18-year-old men in Hawaii have registered with Selective Service. This means that 27% of the young people in this critical age group are at risk of losing, *for life*, a host of federal benefits linked to the registration requirement. These benefits include: Federal employment, Federal student financial assistance, participation in Federally-funded job training programs, and eligibility for U.S. citizenship.

HB52, HD1 is not designed or intended to deny anyone access to State benefits or jobs; to the contrary, it is a good-faith attempt to create more opportunities for young people to discover that they are not in compliance with the registration requirement of the Military Selective Service Act and, at that time, correct their non-compliance as part of their student enrollment process, their student loan process, or their government job application process. Basically, HB52, HD1 is an attempt to create an additional safety net to help young people (who may be out of compliance with the Selective Service registration requirement) realize their status and be brought into compliance, thereby preserving their federal rights and benefits.

Thirty-one States around the Nation have already passed this type of legislation. By passing HB 52, HD1--to link eligibility for State supported post-secondary educational institutions, state student financial aid, and eligibility for state or county employment--it will further increase the registration compliance rate in Hawaii. It will also further remind young people in Hawaii

of their civic and patriotic obligation to contribute to the defense of our country in a national emergency. Registration with the Selective Service System is each citizen's contract with freedom.

To address concerns expressed last session regarding reference to "males" in section 4 of HB 52, HD1 as being gender discriminatory, and to avoid the need to return to the Legislature in the future should the U.S. Congress mandate the registration of women under the Military Selective Service Act, I suggest that the phrase in section 4 that reads "no male United States Citizen and every other male residing in the United States between the ages of eighteen and twenty six, who are not" be struck and replaced with the phrase "any person who is not." This would harmonize the language of section 4 with the language used in section 3 and would be wholly gender neutral.

To address the concerns expressed last session by the University of Hawaii about the effort required to comply with HB 52, HD1, the Selective Service System has developed close and effective working relationships with the thirty-one other states that have adopted similar legislation and has implemented computer processing systems designed to minimize the effort required by our State agency partners. Should HB 52, HD1 pass into law, the Selective Service will work closely with the University of Hawaii to ensure that the University's concerns are addressed and alleviated. As State Director for Hawaii, I will serve as personal liaison between the Selective Service and the University of Hawaii to implement this law smoothly and with minimal impact on the University.

In closing, passing HB 52, HD1 will help ensure that the youth of Hawaii do not lose valuable Federal benefits linked to the registration requirement, ensure that any future draft is fair and equitable as possible, and will help remind young people of their patriotic obligation to contribute to the defense of our country in a national emergency.

Thank you for the opportunity to submit this testimony.

Very Respectfully,



Andrew L. Pepper
State Director
U.S. Selective Service System



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committees on
Public Safety, Intergovernmental and Military Affairs, and
Higher Education and the Arts
Tuesday, March 1, 2016 at 1:15 pm

By
Risa E. Dickson, Vice President for Academic Planning and Policy
University of Hawai'i System

HB 52 HD1 – RELATING TO THE SELECTIVE SERVICE REGISTRATION AWARENESS AND COMPLIANCE ACT

Chairs Nishihara and Taniguchi, Vice Chair Espero, and Members of the Committees:

HB 52 HD1 codifies the US Military Selective Service Act (50 USC App 451) into Hawai'i Revised Statutes. By doing so, state law will subsequently require college applicants to comply with the provisions of the Military Selective Service Act in order to:

- (1) Be eligible for enrollment in a state-supported institution of higher education;
- (2) Qualify for state financial assistance for post-secondary education; and
- (3) Be eligible for state or county employment or service.

The intent of HB 52 HD1 is laudable; however, the University has concerns about its operational impacts and programmatic concerns related to enrollment and financial resources.

All individuals who apply for federal financial aid through the Free Application for Federal Student Aid (FAFSA) are data matched through the Selective Service confirmation process and males are afforded the option to automatically register for Selective Service. This FAFSA information is downloaded to the University's student information system. Since not all high school graduates venture into higher education nor apply for federal financial aid, the yield to the US Military Selective Service may not be as high as anticipated. Perhaps, the yields would be greater if all age appropriate males would comply with the requirements *prior to graduating from high school*.

For college admissions purposes, the University does not currently require confirmation of compliance before admitting applicants. Doing so will require the University admissions offices to secure and retain a verification from the student applicant that he has registered with the Selective Service. This requirement will delay the individual's college selection decision-making and may deter an applicant from entering the University, encouraging him to seek admissions at non University of Hawai'i institutions where the requirement to confirm registration prior to admission may be non-existent.

In gauging the practices across the country, the University was only able to confirm that the University of Texas System has a requirement for proof of Selective Service registration tied to receiving federal and state aid. There does not appear to be a similar requirement for admissions to one of the campuses of the University of Texas

System. This echoes the Hawai'i Attorney General's indication, in written testimony on February 12, 2015, that only eight states have laws rendering males not in compliance with selective service registration to be ineligible for college attendance. The wisdom of conditioning enrollment in public post-secondary education upon registration with selective service is not universally shared across the nation's public institutions of higher education.

Should HB 52 HD1 pass, there will be major impacts on the workload of frontline operations, involving the altering of computerized and manual workflows to the University admissions and financial aid application processes. This will involve overtime and/or the need for additional human resources to comply. HB 52 HD 1 has the potential of affecting student enrollments negatively which will have a consequential impact on the quality of student life as well as the financial resources available on the University's campuses. Finally, the bill's applicability to continuing students (i.e. those already enrolled) will require ample planning, foresight, and anticipation to minimize disruption in their continued enrollment and persistence.

Thank you for the opportunity to testify on this measure. The University understands the intent of this bill, and is concerned about its impact on operations, workflow, and enrollment.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 52 HD1
A BILL RELATING TO THE SELECTIVE SERVICE REGISTRATION
AWARENESS AND COMPLIANCE ACT

PRESENTATION TO
THE SENATE COMMITTEES ON PUBLIC SAFETY, INTERGOVERNMENTAL
AND MILITARY AFFAIRS
and
HIGHER EDUCATION AND THE ARTS

BY
MAJOR GENERAL ARTHUR J. LOGAN
ADJUTANT GENERAL
AND DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY
March 1, 2016

Chair Nishihara, Chair Taniguchi, Vice Chair Espero, and Members of the Senate Committees on Public Safety, Intergovernmental and Military Affairs, and Higher Education and the Arts:

I am Major General Arthur J. Logan, State Adjutant General and the Director of the Hawaii Emergency Management Agency. I am providing comments on House Bill 52 HD1.

This measure prohibits, subject to various exceptions, any male who has failed to register with the Selective Service System from:

- Enrolling at, or receiving education from, any campus of the University of Hawaii System;
- Receiving educational financial assistance from the State; and
- Being eligible for state employment or service.

I submit the following comments for consideration to revise this measure. On page 4, starting on line 15, it states:

In the armed forces of the United States on active duty, other than in a reserve or National Guard unit or has already served in the armed forces or has a condition that would preclude acceptability for military service;

I ask that "*or National Guard unit*" be removed from the subparagraph. Selective service registration is a checklist item for enlistment into both the Hawaii Army and Air National Guard. Recruiters assist individuals who have not completed their Selective service registration prior to enlistment.

Thank you for allowing me to provide comments on House Bill 52 HD1.