§ 1642.1 Purpose; definitions.

(a) The provisions of this part govern the consideration of a claim by a registrant for classification in Class 3-A ($1630.30 of this chapter).

(b) The following definitions apply to the interpretation of the provisions of this part.

1. The term dependent shall apply to the wife, child, parent, grandparent, brother or sister of a registrant.

2. The term child includes an unborn child, a stepchild, a foster child or a legally adopted child, who is legitimate or illegitimate, but shall not include any person 18 years of age or older unless he or she is physically or mentally handicapped.

3. The term parent shall include any person who has stood in the place of a parent to the registrant for at least 5 years preceding the 18th anniversary of the registrant’s date of birth and is now supported in good faith by the registrant.

4. The term brother or sister shall include a person having one or both parents in common with the registrant, who is either under 18 years of age or is physically or mentally handicapped.

5. The term support includes but is not limited to financial assistance.

6. Hardship is the unreasonable deprivation of a dependent of the financial assistance, personal care or companionship furnished by the registrant when that deprivation would be caused by the registrant’s induction.

32 CFR Ch. XVI (7–1–10 Edition)
Selective Service System

§ 1642.8 Considerations relevant to granting or denying claims for Class 3-A.

(a) The registrant’s claim for Class 3-A must include the following, with documentation, as applicable:
   (1) Registrant’s and his dependent’s marital status;
   (2) Physician’s statement concerning any dependent who is physically or mentally handicapped;
   (3) Employment status of registrant and his dependents; and
   (b) Each case must be weighed carefully and decided on its own merits.

§ 1642.7 Types of decisions.

(a) A board may grant a classification into Class 3-A for such period of time it deems appropriate but in no event the period exceed one year.
(b) Upon the expiration of a 3-A classification a board shall review any request for an extension of the classification as if it were the first request for that classification, and the fact that the registrant was placed in Class 3-A under apparently similar circumstances will not be a factor in the decision of the board. This section does not relieve a registrant from his duties under §1621.1 of this chapter.
(c) [Reserved]
(d) A board shall deny a claim for Class 3-A when the evidence fails to meet the criteria established in this part.

[47 FR 4658, Feb. 1, 1982, as amended at 52 FR 24458, July 1, 1987]

§ 1642.8 Statement of reason for denial.

(a) Denial of a claim for Class 3-A by a board must be accompanied by a statement specifying the reason(s) for such denial as prescribed in §§1633.9, 1651.4 and 1653.3 of this chapter. The reason must in turn, be supported by evidence in the registrant’s file.
(b) If a board’s denial is based on statements by the registrant or his witnesses at a personal appearance, this must be fully explained in the statement of reasons accompanying the denial.

[52 FR 24458, July 1, 1987]