



**DEPARTMENT OF DEFENSE  
CIVILIAN PERSONNEL MANAGEMENT SERVICE  
1400 KEY BOULEVARD  
ARLINGTON, VA 22209-5144**

FEB 28 2006

MEMORANDUM FOR: SEE DISTRIBUTION LIST

SUBJECT: Notification of Changes to Veterans' Preference Eligibility Criteria

This memorandum outlines the changes to the eligibility criteria in title 5, United States Code (U.S.C.), Section 2108, for veterans' preference entitlement within the Federal civil service. The National Defense Authorization Act of 2006 (Department of Defense), Public Law (P.L.) 109-163, Section 1111 and 1112, January 6, 2006, modified the definition of "veteran" under 5 U.S.C. 2108(1) by adding:

(D) served on active duty as defined by section 101(21) of title 38 at any time in the armed forces for a period of more than 180 consecutive days any part of which occurred during the period beginning September 11, 2001, and ending on the date prescribed by Presidential proclamation or by law as the last date of Operation Iraqi Freedom;

The amended definition further clarifies eligibility for individuals who have been "*discharged or released from active duty in the armed forces under honorable conditions*" replacing the previous verbiage which simply established "*separated from the armed forces under honorable conditions*" as the second criterion used to define "veteran" under 2108(1).

The Office of Personnel Management (OPM) is currently in the process of modifying Title 5, Code of Federal Regulations, the VetGuide, the VetInfoGuide, and their Delegated Examining Unit Handbook to incorporate the changes in veterans' preference eligibility required under P.L. 109-163. Although not in any OPM publications, the law changing veterans' preference eligibility was effective January 6, 2006.

Please ensure that this information is distributed to all Human Resources Offices in your Component or Agency. If you have questions on this matter, my point of contact is Ms. Gale Perryman at (703) 696-1236 or DSN 426-1236.

A handwritten signature in black ink, appearing to read "Brad Bunn".

Brad Bunn  
Director