



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

JUN 11 2008

Phil Theodosiou
8029 Merry Oaks Court
Vienna, Virginia 22182-4029

Dear Mr. Theodosiou:

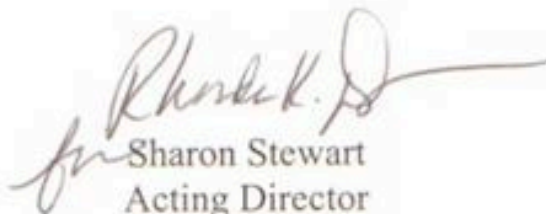
This is in response to your recent letter regarding veterans' preference violations that have prevented Mr. Stephen Avery from obtaining Federal civilian employment for two years.

There are numerous appointing authorities for both the competitive and excepted service. Management retains the right to recruit from a variety of sources. Veterans' preference is a mechanism designed to assist veterans in obtaining Federal employment, it is not necessarily a guarantee of employment. The Department of Defense does not set veterans' preference laws, rules, or regulations. Congress establishes veterans' entitlements and the Office of Personnel Management is responsible for codifying those laws into section 2108 of title 5, United States Code.

It is unclear what interpretation you or Mr. Avery received from the Department of Labor and what position(s) Mr. Avery has been denied. However, the Veterans' Employment Opportunity Act (VEOA) provides veteran applicants who believe an agency violated their veterans' preference the right to file a VEOA appeal or to request a hearing directly to the Secretary of Labor. Additional information on the appeals process can be found at <http://www.dol.gov/elaws/vetspref.htm>.

Thank you for your letter. I trust this information is helpful to you.

Sincerely,


Sharon Stewart
Acting Director

Enclosure:
As stated