

Enlisted Association of the Arkansas National Guard (EAANG) Resolution

AR 15 – 04

TITLE: Federal Military Spouse Preference (MSP) in hiring.

SHORT DESCRIPTION: Call upon Congress to establish a single, uniform Military Spouse Preference (MSP) program for filling vacancies in Federal government.

PROPOSAL TYPE: New Submission

SUBMITTER: SFC James H. Howard

BUSINESS CASE: Military Spouse Preference (MSP) in hiring exists within the Federal Government. MSP programs exist by way of a patchwork of Federal Laws such as: Public Law 99-145, (DoD Authorization Act of 1986, Section 806, Employment Opportunities for Military Spouses), E.O. 13473, E.O. 12568, Part 315.612 of Title 5 CFR, Section 2108 of Title 5 CFR, and Section 3330.d of Title 5 CFR. MSP Programs operated by Federal Agencies apply non-uniform means for determining eligibility. Specific means of determining eligibility is not detailed in the cited Federal Laws but is left up to the Agencies as a matter of their business practices. The Office of Personnel Management has delegated hiring authority and thereby MSP eligibility determination to the individual Agencies. The patchwork of MSP laws, coupled with lack of clear specific guidance leads to conflicting MSP programs and process throughout the Federal Government. Even within a single Federal Agency, such as the Department of the Army, there exist numerous conflicts concerning application of MSP, due to conflicting and vague guidance issued by OPM, DoD, and DA CPS. These conflicts are compounded when factoring in the different practices used by each branch of the Armed Forces and their respective Reserve Component.

RECOMMENDATION: The Enlisted Association of the Arkansas National Guard (EAANG) recommends to the Congress of the United States that all Federal laws concerning Military Spouse Preference (MSP) be codified into a single Federal Law, with broad yet specific guidance regarding the eligibility and application of MSP in hiring. EAANG suggests two categories of MSP. A non-competitive appointment category for “displaced” and/or “hardship” spouses similar to current MSP, and a competitive category similar to current 5 point Veteran Preference programs by which military spouses are awarded a number of points lesser than Veterans and ranked on selection lists immediately subsequent to Veteran Preference eligible applicants and ahead of non-Veteran applicants.