Effective September 11, 2009, certain military spouses who previously could not be appointed to Federal positions except through competitive procedures will be eligible for non-competitive appointment under rules prescribed in 5 CFR 315.612. The purpose of this message is to clarify the following points concerning the relationship between the new non-competitive appointing authority, military spouse preference (MSP), and the Military Spouse Preference Program, also known as Program S of the PPP.

* In accordance with the DoD Civilian Personnel Manual, Subchapter 315.6.1.2., spouses are not eligible for preference unless they are “. . .immediately appointable under the applicable recruitment procedures.” The new appointing authority, in and of itself, does not entitle spouses to preference, but it does provide another means to meet the appointability requirement.

* Spouses who are appointable under the new authority may or may not be eligible to register in Program S. The only spouses who will be eligible as a direct result of the new appointing authority are those who already meet all other requirements in Chapter 14 of the PPP Operations Manual, including but not limited to: relocation with a sponsor to a new permanent duty station; meeting the “well qualified” standard; and being eligible for military spouse preference as prescribed in Subchapter 315 of the DoD Civilian Personnel Manual, DoD 1400.25-M.

* Program S eligibility does not apply retroactively to the spouse and sponsor’s most recent permanent change of station move, even though the new appointing authority can be applied to a PCS move made within the last 2 years.

* Regardless of eligibility for Program S, spouses who are newly appointable under 5 CFR 315.612 should be advised to apply for vacancies on their own initiative to increase their opportunities for placement.