



DIRECTOR'S MEMORANDUM NO. 06-08

MEMORANDUM FOR: REGIONAL ADMINISTRATORS AND DIRECTORS
FOR VETERANS' EMPLOYMENT AND TRAINING
SERVICES

FROM:

RUTH M. SAMARDICK
Director of Compliance and Investigations

A handwritten signature in black ink, appearing to read "R. Samardick", is written over the printed name and title of the sender.

SUBJECTS:

Conclusion of Demonstration Project for Referral of Certain
USERRA Claims Against Federal Agencies to the Office of
Special Counsel (OSC) (Recision of Director's Memorandum
(DM) No. 06-05, dated February 8, 2005; DM No. 01-08, dated
October 2, 2007; and DM No. 04-08, dated November 20, 2007)

REFERENCE:

H.R. 2764 "Consolidated Appropriations Act, 2008" as signed by
the President on December 26, 2007

- I. **Purpose:** To disseminate guidance for VETS' staff on the conclusion of the OSC Demonstration Project.
- II. **Background:** In accordance with VBIA Section 204 subparagraph (e), the OSC Demonstration Project for Federal USERRA claims was scheduled to end on September 30, 2007. However, enactment of successive continuing resolutions had extended the OSC project through December 31, 2007. However, H.R. 2764, the Consolidated Appropriations Act of 2008 did NOT extend the OSC demonstration project. Therefore, the demonstration project ended effective December 31, 2007.

III. **Action:**

OSC Demonstration Project Concluded as of December 31, 2007

- A. All steps outlined in DMs No. 06-05, 01-08, and 04-08 should be implemented by VETS staff for claims received on or before December 31, 2007. This means Form 1010 USERRA claims received by VETS on or before December 31, 2007, that meet the Demonstration Project criteria should be forwarded to OSC, if not already forwarded.

B. All USERRA Form 1010 claims received after December 31, 2007, will be opened and investigated by VETS.

C. DMs No. 06-05, 01-08, and 04-08 are rescinded effective January 1, 2008.

IV. **Effective Date:** Immediately

V. **Inquiries:** Direct questions on this Memorandum to Rob Wilson (202) 693-4719 or Bo Wroble (404) 562-2368.

VI. **Expiration Date:** Until rescinded.