

**Opinion No. 258.****Veterans' Preference—Works Progress Administration.**

HELD: Preference must be given qualified Veterans who have been certified to the Works Progress Administration on the basis of need.

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March 8, 1938.

County Commissioners of  
Silver Bow County  
Butte, Montana

Gentlemen:

You have inquired if discharged veterans of the Army, Navy, or Marine Corps have a preference for employment under the Works Progress Administration.

Section 3, Part I, Chapter 401 of 50 United States Statutes at Large, 352, 355, is as follows:

“The departments, agencies, or establishments having supervision of projects for which funds from the foregoing appropriation are made available shall not knowingly employ on such projects aliens illegally within the limits of the United States, or aliens who have not filed declaration of intention to become citizens, and they shall make every reasonable effort consistent with prompt employment of the destitute unemployed to see that such aliens are not employed, and if employed and their status as such aliens is disclosed, they shall thereupon be discharged. Provided, that preference shall be given to American citizens who are in need of relief in employment by the Works Progress Administration and next those aliens who are in need of relief and have declared their intention to become citizens prior to the enact-

ment of this joint resolution. Provided further, that veterans of the World War and Spanish War who are in need of relief shall be given preference for employment by the Works Progress Administration."

By that last proviso, it is plain that first preference is to be given to qualified veterans who have been certified to the Works Progress Administration on the basis of need.