



PERSONNEL AND  
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE  
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WASHINGTON, D.C. 20301-4000

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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
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DIRECTORS OF DOD FIELD ACTIVITIES

SUBJECT: Temporary Direct-Hire Authority for the Department of Defense, Office of the  
Director of Operational Test and Evaluation

Section 1125(b) of the National Defense Authorization Act for Fiscal Year 2017 provides authority for the Secretary of Defense, acting through the Director of Operational Test and Evaluation (DOT&E), to directly appoint qualified candidates possessing an advanced degree to scientific and engineering positions in the competitive service in the DoD, within the Office of the DOT&E, without regard to chapter 33, subchapter I of title 5, U.S. Code (U.S.C.), other than sections 3303 and 3328 of such title. Sections 3321, 3323, and 3326 of chapter 33, subchapter I of title 5, U.S.C., and corresponding Code of Federal Regulations provisions related to selection and appointment, remain in effect.

The attachment to this memorandum provides implementing procedures for use of this authority.

For more information, my point of contact is Ms. Megan Maciejewski, Acting Chief, Staffing Policy Division, Defense Civilian Personnel Advisory Service, whom you may reach at (571) 372-1538 or by email at [megan.e.maciejewski.civ@mail.mil](mailto:megan.e.maciejewski.civ@mail.mil).

A. M. Kurta  
Performing the Duties of the Under Secretary of  
Defense for Personnel and Readiness

Attachment:  
As stated

TEMPORARY DIRECT-HIRE AUTHORITY FOR  
THE DEPARTMENT OF DEFENSE  
OFFICE OF THE DIRECTOR OF  
OPERATIONAL TEST AND EVALUATION  
IMPLEMENTATION PROCEDURES

1. Authority.

a. Section 1125(b) of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 provides that, during FYs 2017 through 2021, the Secretary of Defense may, through the Director of Operational Test and Evaluation (DOT&E), appoint qualified candidates possessing an advanced degree, to scientific and engineering positions in the competitive service in the DoD, within the Office of the DOT&E without regard to chapter 33, subchapter I of title 5, U.S. Code (U.S.C.), other than sections 3303 and 3328 of such title. Sections 3321, 3323, and 3326 of chapter 33, subchapter I of title 5, U.S.C., and corresponding Code of Federal Regulations provisions related to selection and appointment, remain in effect.

(1) The authority to appoint qualified persons under this direct-hire authority (DHA) is delegated to Washington Headquarters Services (WHS), as the organization with appointing authority for DOT&E.

(2) Appointments under this authority may not be made after September 30, 2021, unless it is extended by future legislation. WHS must maintain records on use of this authority until the authority expires, and they may be requested to submit reports on usage.

2. Use of Direct-Hire Authority. DHA enables the Department to recruit and appoint qualified persons directly, without applying competitive rating and ranking procedures. The following principles shall be followed when exercising this authority:

a. A highly qualified workforce is critical to the Department's mission.

b. Recruitment efforts should be expansive enough to be designed to attract a diverse candidate pool.

c. Merit factors shall be the basis for selecting individuals for positions. All personnel programs and practices shall be administered in accordance with DoD Directive 1020.02E, "Diversity Management and Equal Opportunity in the DoD."

d. WHS must ensure transparency, accountability, and auditability in hiring processes.

3. Definitions. For the purposes of section 1125(b) of the NDAA for FY 2017:

a. "qualified candidates" are defined as individuals who:

(1) Meet the minimum standards for the position as published in the applicable Office of Personnel Management qualification standard and any DoD qualification standards specific to the position to be filled; and

(2) Meet any selective placement factor(s) and/or competencies identified as necessary for appointment to the position.

4. For the purpose of this authority, positions for which DHA can be used are defined below:

a. Scientific and engineering positions at the GS-9 through GS-15, and comparable levels, but not positions above GS-15 (or comparable levels), such as Senior Executive Service positions, in the following occupational series:

(1) Engineering 08XX

(2) Physical Science 13XX

(3) Mathematics and Statistics 15XX

5. Announcement and Assessment Process.

a. If using vacancy announcements, WHS must use job opportunity announcements that are concise and easily understood.

(1) WHS will establish procedures for recruiting that ensure the identification of qualified individuals for referral to management for selection and appointment.

(2) Potential applicants should have ready access to information about how to apply for positions, and the basis on which they will be assessed to meet the qualified criteria.

b. WHS will assess candidates against job-related criteria, ensuring they have the skills and behavioral attributes that lead to success.

6. Appointing Authority. Appointments may be made on a permanent, term, or temporary basis using the following Legal Authority Code/Legal Authority:

Z5CK/Direct-Hire Auth (Dir of Ops T&E), Sec 1125(b), PL 114-328, 12/23/2016

7. Oversight and Accountability. Within the scope of this authority, WHS is responsible for determining the appropriate use of this authority relating to recruitment needs, ensuring implementation is in accordance with merit system principles and applicable collective bargaining agreements.

a. The Under Secretary of Defense for Personnel and Readiness is responsible for the development of implementing guidance and policies, in consultation with the Office of the DOT&E and WHS.

b. Defense Civilian Personnel Advisory Service will oversee and monitor use of this authority throughout the Department and ensure compliance with reporting requirements related to the use of this authority, if any.

c. WHS is responsible for oversight, accountability, and reporting.

d. Documentation for appointments made under this authority must be sufficient to allow reconstruction of actions taken and must be maintained for a time frame consistent with other appointing authorities.

e. Appointments under this authority will be evaluated as part of the DoD Human Capital Framework.