OFFICE OF THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1000

SEP - 6 2017

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
CHIEF, NATIONAL GUARD BUREAU
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR OF OPERATIONAL TEST AND EVALUATION
CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS
DIRECTOR OF NET ASSESSMENT
DIRECTOR, STRATEGIC CAPABILITIES OFFICE
DIRECTORS OF DEFENSE AGENCIES
DIRECTORS OF DOD FIELD ACTIVITIES

SUBJECT: Extension of Expedited Hiring Authority for Select Defense Acquisition Workforce Positions – Removal of Sunset Date

References: (a) Under Secretary of Defense (Personnel and Readiness) and Under Secretary of Defense (Acquisition, Technology, and Logistics) memo, "Extension of Expedited Hiring Authority for Select Defense Acquisition Workforce Positions" dated December 18, 2015 (copy attached)
(b) Subsection 1705(g) of title 10, U.S. Code
(c) Section 841(a)(3)(A), Public Law 114-92

This memorandum eliminates the September 30, 2017, sunset date to appoint individuals to select Defense acquisition positions under the attached reference (a) memorandum. All remaining provisions of the implementation guidance remain in effect.

Ellen M. Lord
Under Secretary of Defense for
Acquisition, Technology, and Logistics

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

Attachment:
As stated

ATTACHMENT

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

SUBJECT: Extension of Expedited Hiring Authority for Select Defense Acquisition Workforce Positions

References: (a) Under Secretary of Defense (Personnel and Readiness) and Under Secretary of Defense (Acquisition, Technology, and Logistics) memo, "Interim Extension of Expedited Hiring for Select Defense Acquisition Workforce Positions," dated September 30, 2015
(b) Subsection 1705(g) of title 10, United States Code
(c) Sections 1721 and 1722 of title 10, United States Code

As set forth in the attachment, this memorandum delegates the authority to appoint individuals to select acquisition positions and provides implementation guidance for the exercise of this authority. This delegation and the attached implementation guidance supersede that which was issued under Reference (a).

Frank Kendall
Under Secretary of Defense
(Acquisition, Technology, and Logistics)

Brad Carson
Acting Under Secretary of Defense
(Personnel and Readiness)

Attachment:
As stated

ATTACHMENT

EXPEDITED HIRING AUTHORITY
FOR SELECT ACQUISITION POSITIONS
IMPLEMENTATION PROCEDURES

1. Authority.

a. Subsection 1705(g) of title 10, United States Code (U.S.C.), provides the Secretary of Defense may (1) designate any category of acquisition positions within the Department of Defense (DoD) as positions for which there exists a shortage of candidates or there is a critical hiring need; and (2) use the authorities in sections 3304, 5333, and 5753 of title 5, U.S.C., to recruit and appoint qualified persons directly to positions so designated.

b. The authority to appoint qualified persons under the expedited hiring authority (EHA) to positions for which there exists a shortage of candidates or there is a critical hiring need is delegated to Secretaries of the Military Departments, Directors of the Defense Agencies, and Directors of the DoD Field Activities with independent appointing authority for themselves and their serviced organizations as defined in their respective DoD chartering directives (hereafter referred to as "Components"). This authority may be further re-delegated in writing.

c. Appointments under this authority may not be made after September 30, 2017. Components must maintain records on their use of this authority for themselves and for their serviced organizations until the authority expires. They may be asked to submit reports on usage.

2. Use of Expedited Hiring Authority – Expedited hiring authority enables the Department to recruit and appoint qualified persons directly after public notice is given 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 ensure diverse candidates who are representative of all segments of society.

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. Qualified candidates with veterans' preference should be considered for appointments when they are found to best meet mission requirements.

e. Displaced employee procedures shall be adhered to when using this authority.

f. Components must ensure transparency, accountability, and auditability in hiring processes.

3. Shortage or Critical Needs Category Acquisition Workforce Positions – For purposes of this delegation, positions for which there exists a shortage of candidates or there is a critical hiring need and for which this acquisition expedited hiring authority can be used are defined below:

a. Positions at the mid-level (GS-9 through GS-13 and comparable levels) and positions at the higher level (GS-14 and GS-15 and comparable levels), but not positions above GS-15 (or comparable levels) such as Senior Executive Service positions, and which are positions designated as included under section 1721 of title 10, U.S.C., the Defense Acquisition Workforce Improvement Act (DAWIA), in the following career fields:

(1) Auditing (AUD)

(2) Business - Cost Estimating (BCE)

(3) Business - Financial Management (BFM)

(4) Contracting (CON)

(5) Facilities Engineering (FE)

(6) Information Technology (IT)

(7) Life Cycle Logistics (LCL)

(8) Production, Quality and Manufacturing (PQM)

(9) Program Management (PM)

(10) Science and Technology Management (S&T)

(11) Engineering (Engr)

(12) Test and Evaluation (T&E)

(13) Small Business (SB)

b. Positions at the entry level, designated as included under section 1721 of title 10, U.S.C., DAWIA, in the following career fields, which include many different OPM designated occupational codes:

(1) Auditing (AUD)

(2) Business - Cost Estimating (BCE)

(3) Business - Financial Management (BFM)

(4) Contracting (CON)

(5) Facilities Engineering (FE)

(6) Engineering (Engr)

(7) Information Technology (IT)

(8) Life Cycle Logistics (LCL)

(9) Production, Quality and Manufacturing (PQM)

(10) Program Management (PM)

(11) Science and Technology Management (S&T)

(12) Test and Evaluation (T&E)

(13) Small Business (SB)

4. Definitions – Qualified individuals are defined as individuals who:

a. Meet the minimum standards for the position as published in OPM's operating manual, "Qualification Standards for General Schedule Positions," and any DoD qualification standards specific to the position to be filled;

b. Meet or will meet DAWIA certification requirements, within the required time frame, for appointment to the position being filled; and

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

5. Announcement and Assessment Process

a. Components will comply with public notice requirements. Public notification may be on a one-time basis or via an open continuous announcement.

b. When using vacancy announcements, Components must use job opportunity announcements that are concise and easily understood (e.g., standard announcement templates for the Acquisition Functional Community, where available).

(1) Components 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 acquisition positions, and the basis on which they will be assessed to meet the qualified criteria.

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

(1) Selectees for entry level positions who meet the Administrative Careers with America (ACWA) criteria must be assessed using the most recent, streamlined ACWA examination or a validated alternative assessment instrument (e.g., select USA Hire assessments).

(2) Candidates for mid and senior-level positions must be assessed against basic qualifications and any selective placement factor(s), quality ranking factor(s) and/or key Defense acquisition competencies to determine which candidates best meet mission requirements. A streamlined assessment process is strongly encouraged – e.g., assessment of a candidate against one or two key job-related skills or competencies.

6. Appointing Authority

This authority may be used to make permanent, term, or temporary appointments using the following Legal Authority Code/Legal Authority: Z5CA/Expedited Hiring Auth (Acquisition), Sec 803, PL 112-239, 1/2/2013.

7. Oversight and Accountability

a. The Under Secretary of Defense (Personnel and Readiness) (USD (P&R)) and the Under Secretary of Defense (Acquisition, Technology, and Logistics) (USD)(AT&L) are jointly responsible for this expedited hiring authority, the determination of shortage or critical need category positions, and the development of implementing guidance and policies.

b. The Office of the Under Secretary of Defense (OUSD(AT&L)), Director of Human Capital Initiatives (HCI), also serving as the Office of the Secretary of Defense Functional Community Manager (FCM) for Acquisition, is responsible for oversight, accountability, and reporting for the acquisition community.

c. DoD Component Heads are responsible for oversight, accountability, and reporting for their respective Component in coordination with their respective Director, Acquisition Career Management (DACM) and DoD Component Acquisition Executives (CAEs).

d. DoD Component Heads shall provide information and data on the use of this appointing authority, in addition to the quarterly reporting described in paragraph 8 below, when requested by the Defense Civilian Personnel Advisory Service (DCPAS), with a copy provided to the Director, HCI, USD (AT&L).

e. Full documentation for appointments made under this authority, sufficient to allow reconstruction of the action, must be maintained for a time frame consistent with other appointing authorities.

f. DoD CAEs will provide oversight, accountability, and reporting for their respective acquisition communities on issues such as workforce planning, expanded recruitment strategies, and the use of recruitment incentives. The CAEs will provide information, as requested, to the USD (AT&L) via the DACM.

g. DCPAS and Director, HCI shall jointly oversee and monitor use of this authority throughout the DoD and respond to reporting requirements from external parties on the authority and its use.

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

8. Report

a. Components must provide the information below to DCPAS, via the Director, HCI, quarterly, beginning January 31, 2016, for the quarter ending December 31, 2015. Information should be developed with input of the DACM and human resources specialists.

(1) Number of employees hired by position, series and grade/pay band.

(2) Ethnicity/race, gender, and age of those selected.

(3) Number of veterans hired.

(4) Use of incentives and compensation flexibilities used in conjunction with the authority to include but not limited to recruitment/relocation incentives; student loan repayments; superior qualifications and special needs pay setting; and leave accrual credit for prior non-Federal work experience and certain military service.

(5) Quantifiable effectiveness in meeting Component staffing efforts.

(6) Ethnicity/race information for all applicants who apply for an ACWA covered position. Reports must indicate the total number of respondents by series, grade, and geographical area in each ethnicity/race category. Although providing this information is voluntary, Components and Directors of the Defense Agencies must request ethnicity/race information from all individuals who apply.

b. Components must maintain recruitment plans. The plan should be developed with input of the DACM, human resources and Equal Employment Opportunity specialists, and manpower and budget advisors and should address:

(1) Numbers of positions to be recruited

(2) Types and grades of positions to be recruited

(3) Any targeted populations

(4) Positions likely to require incentives

(5) Specific recruitment strategies and sources

9. Request for Additional Position Coverage – The following data, at a minimum, must be submitted to support a request for inclusion of additional positions as shortage or critical need category positions under this authority. Information must be provided to DCPAS via the Director, HCI, USD(AT&L).

a. Recruitment Needs

(1) Current numbers of positions being recruited

(2) Projected recruitment needs

(a) Projected retirements

(b) Projected turnover

(c) Increased or new workload (e.g. cyber security)

(3) Total number of positions being recruited (current and projected)

b. Supply Gap

(1) Vacancy lapse rate

(2) Market data analysis that shows the number of available applicants with the necessary skills is lower than the demand

c. Past recruitment efforts, including the use of incentives, and evidence of their ineffectiveness, such as:

(1) Job fairs

(2) Incentives (recruitment, retention, and relocation)

(3) Student loan repayments