



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Wednesday, March 6, 2019

MEMORANDUM FOR: CHIEF HUMAN CAPITAL OFFICERS

FROM: MARGARET M. WEICHERT, ACTING DIRECTOR

Subject: National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017—
Eligibility of certain time-limited Defense Industrial Base Facility or the
Major Range and Test Facilities Base

Section 1132 of Public Law (P.L.) 114-328, as amended by section 1107 of P.L. 115-91, provides agencies with an appointment authority to hire certain time-limited employees at

U.S. Department of Defense (DOD) Industrial Base Facility or the Major Range and Test Facilities Bases. The hiring authority explains how the appointment provisions apply to current and former time-limited employees. Agencies may use this appointment authority through the end of fiscal year 2021. This authority will expire on **September 30, 2021**.

The law allows current and former time-limited employees at a DOD industrial base facility or the Major Range and Test Facilities Base who were initially hired under competitive procedures to a time-limited appointment, to compete for a permanent appointment in the competitive service.

Assuming certain conditions specified in the statute are met, these employees can apply and be considered for a permanent appointment at a DOD industrial base facility, the Major Range and Test Facilities Base or any other DOD component, when the facility, base, or component is accepting applications from individuals within its own workforce under merit promotion procedures. This authority is also applicable for a permanent appointment at any agency, when the hiring agency is accepting applications from individuals outside its own workforce under merit promotion procedures.

The law is effective now and agencies should apply the new provisions immediately when advertising vacancies. A copy of the law is available at: <https://www.congress.gov/bill/114th-congress/senate-bill/2943/text>. When processing personnel actions, agencies should use Legal Authority Code: *PL 114-328* and Nature of Action Code: *ZLM*.

If you have any questions or need additional assistance, please contact Michelle T. Glynn at michelle.glynn@opm.gov or on (202) 606-1571.

cc: Deputy Chief Human Capital Officers, and Human Resources Directors