



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

Friday, June 20, 2003

MEMORANDUM FOR: Heads Of Executive Departments And Agencies

FROM: Kay Coles James, Director

Subject: New Human Resources Flexibilities-Direct Hire Authority

I am very pleased to announce the publication of regulations implementing significant, Governmentwide hiring flexibilities. These flexibilities were included in Title XIII of the Homeland Security Act of 2002 and are codified in sections 3304, 3319, 4107, and 8336 of title 5 United States Code. On June 13, 2003, the Federal Register published interim regulations on direct-hire authority, category rating, academic degree training authority, and voluntary early retirement authority. These flexibilities are now available for your use, consistent with the requirements reflected in the Federal Register. We are forwarding more detailed information and Fact Sheets on these flexibilities to your Human Resources Directors.

Direct-hire authority allows agencies to appoint candidates directly to occupations where the Office of Personnel Management (OPM) determines there is a severe shortage of candidates, or a critical hiring need for particular occupations, grades (or equivalent), and/or geographic locations. This authority can be Governmentwide or limited to one or more specific agencies depending on circumstances. After careful review and consideration, I have approved the immediate use of direct hire authority as follows:

1. **Governmentwide Severe Shortage of Candidates - Medical Occupations:** Agencies may use this authority to appoint individuals to the following occupations at all grades and all locations: Diagnostic Radiologic Technologist, GS-0647; Medical Officer, GS-0602; Nurse, GS-0610 and 0620; and Pharmacist, GS-0660.
2. **Governmentwide Critical Hiring Need - Information Technology Management (Information Security), GS-2210:** Agencies may use this authority to appoint individuals to these positions at GS-9 and above, at all locations, in support of Governmentwide efforts to carry out the requirements of the Government Information Security Reform Act and the Federal Information Security Management Act.
3. **Agency Specific Critical Hiring Need - Securities and Exchange Commission:** SEC may use this authority to appoint accountants, GS-510; economists, GS-110; and securities compliance examiners, GS-1831 at GS-9 and above, at all locations, to respond to Congressional interest and to help the agency meet its mandate to fill in excess of 800 positions. This direct-hire authority shall remain in effect for 2 years from the date of this memorandum.

Agencies may give individuals in the categories, occupations, and grades listed above competitive service career, career-conditional, term, temporary, emergency indefinite, or

overseas limited appointments, as appropriate. In all cases, agencies must adhere to public notice requirements in 5 U.S.C. 3327 and 3330, and the displaced employee procedures found at 5 CFR part 330, subpart G.

The above authorities are effective and available for use as of the date of this memorandum and will be in effect indefinitely, unless otherwise noted. We will monitor their use as well as the continued need for them, and may modify or terminate the authorities as appropriate.

Finally, if you have other occupations for which Governmentwide or agency-specific direct-hire authority may be appropriate, please have your staffs contact Dr. Ronald P. Sanders, Associate Director for Strategic Human Resources Policy at 202-606-6500. In evaluating your need for direct-hire authority, we suggest that, at a minimum, you consider your ongoing requirements with respect to positions you may have filled using the Schedule A emergency hiring authority I approved to deal with the aftermath of the attacks of September 11, 2001.