



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Tuesday, August 8, 2017

MEMORANDUM FOR: CHIEF HUMAN CAPITAL OFFICERS

FROM: KATHLEEN M. McGETTIGAN
ACTING DIRECTOR

Subject: Noncompetitive Appointment of Certain Military Spouses – Change in eligibility for relocating spouses

On December 23, 2016, the President signed the National Defense Authorization Act for Fiscal Year (FY) 2017 (NDAA). Section 1131 of the NDAA amends section 3330d(c) of title 5, United States Code, by specifying that there will be no time limitation on eligibility for relocating spouses of the Armed Forces. Under the amended statute, a relocating spouse of a member of the Armed Forces remains eligible for noncompetitive appointment under this section for the duration of the spouse's relocation to the permanent duty station of the member.

Section 1131 of the NDAA was effective upon the President's signature, and agencies should apply the new provision when appointing certain military spouses under the Noncompetitive Appointment of Certain Military Spouses at 5 CFR 315.612.

These appointments no longer have to be made in accordance with the time limitation at 5 CFR 315.612(d)(1). The U.S. Office of Personnel Management (OPM) intends to update implementing regulations at 5 CFR 315.612 and implementing policy guidance to reflect this change.

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

Attachment: [Section 1131 of the NDAA for Fiscal Year \(FY\) 2017](#)

cc: Human Resources Directors