

**FOURTH ESTATE**  
**INTERIM GUIDANCE**  
**THE NATIONAL SECURITY PERSONNEL SYSTEM**  
**STAFFING AND EMPLOYMENT**

- References:
- (a) Section 9902 of title 5, United States Code
  - (b) Title 5, Code of Federal Regulations, Chapter XCIX, Part 9901, “Department of Defense Human Resources Management and Labor Relations System”
  - (c) DoD Civilian Personnel Manual, 1400.25-M, Subchapter 1800, “Department of Defense Priority Placement Program,” as amended
  - (d) DoD Civilian Personnel Manual, 1400.25-M, Chapter 1900
  - (e) Deputy Secretary of Defense Memorandum, “Delegation of Authority for National Security Personnel System (NSPS) Implementing Issuances,” April 24, 2006

1. **PURPOSE**

This interim guidance:

- 1.1. Implements the staffing and employment policies in accordance with References (a) through (e).
- 1.2. Provides supplemental guidance to the DoD implementing issuance at Subchapters 1911 and 1950 of Reference (d)).
- 1.3. Prescribes procedures, delegates authority, and assigns responsibilities to the DoD Fourth Estate entities.

2. **RESPONSIBILITIES**

The Heads of DoD Fourth Estate entities with independent appointing authority have been delegated authority to use any or all of the hiring flexibilities outlined in References (a) through (d) and to establish and maintain an effective staffing and employment program within the confines of this interim guidance.

### 3. PROCEDURES

#### 3.1. Employment (General) (SC1950.5.)

3.1.1. Probationary Periods. (SC1950.5.2.) The DoD Fourth Estate entities with independent appointing authority shall send requests to establish probationary periods for longer than 1 year to the Under Secretary of Defense (Personnel and Readiness) (USD(P&R)) with a copy to DA&M. Approval to extend or establish probationary periods for longer than 1 year shall be obtained prior to appointment. Requests shall include the information necessary to support the request.

3.1.2. Establishing or Modifying a Qualification Standard. (SC1950.5.3.2.) The DoD Fourth Estate entities with independent appointing authority shall send requests to establish new qualification standards or modify existing qualification standards to the USD(P&R) with a copy to DA&M. Requests shall include information specified in Reference (d) and any additional information necessary to support the request.

#### 3.2. Recruitment, Selection, and Placement (General) (SC1950.6.)

3.2.1. Time After Competitive Appointment. (SC1950.6.3.2.) Any personnel action taken on a new appointee to the Federal service involving a promotion or reassignment to a different line of work within 90 days after appointment shall be documented as to the necessity and basis of the action.

3.2.2. Employees Absent from Work. (SC1950.6.3.3.2.) Consistent with SC1950.6.3.3.2., employees who are absent from work are responsible for monitoring vacancies for which they may want to be considered.

3.2.3. Alternative Forms of Competition. (SC1950.6.3.3.10.) Heads of DoD Fourth Estate entities with independent appointing authority shall establish local procedures for the use of alternative forms of competition. Local procedures must comply with merit systems principles. The selecting official will carry out these alternative forms of competition in accordance with local procedures.

3.2.3.1. Local procedures will establish minimum documentation requirements for use of each alternative form of competition, to include, as necessary: the type of alternative form of competition being used; justification for alternative form of competition; identification of board membership (if assessment boards are used); compliance with mandatory placement programs; methods of announcing or distributing any notice of advertisement to the candidate pool, the criteria used to assess candidates; and, the names of the candidates considered and those referred to a selecting official(s).

3.2.3.2. Assessment Board Membership. (SC1950.6.3.3.10.1.2.) The membership of the Assessment Boards must be composed of individuals at the same or a higher pay band or equivalent than the position being filled. Diversity (e.g., minorities, women, etc.) may be considered in establishing membership.

3.2.4. Severe Shortage/Critical Need Hiring Authority. (SC1950.6.5.1.) The DoD Fourth Estate entities with independent appointing authority shall send requests for a new appointing authority to the USD(P&R) with a copy to DA&M. Requests shall include information specified in Reference (d) and any additional information necessary to support the request.

3.2.5. Non-citizen Hiring. (SC1950.6.5.3.) Prior to appointing a non-citizen, DoD Fourth Estate entities must meet the requirements of all 3 of the following: immigration laws; appropriations act ban on paying certain non-citizens; and executive order restrictions on appointing non-citizens to the excepted service.

3.2.6. Program Evaluation. The heads of DoD Fourth Estate entities with independent appointing authority shall develop internal procedures for monitoring competitive examining actions, merit promotion actions, and noncompetitive actions to ensure internal consistency, equitable treatment of applicants and employees, and compliance with the applicable laws and regulations.

#### 4. EFFECTIVE DATE

This interim guidance is effective immediately.