



United States
Office of
Personnel Management Washington, DC 20415-0001

STATEMENT OF

THE HONORABLE DAN G. BLAIR
DEPUTY DIRECTOR
OFFICE OF PERSONNEL MANAGEMENT

BEFORE THE

SUBCOMMITTEE ON CIVIL SERVICE AND AGENCY ORGANIZATION
COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES

ON

THE FEDERAL HIRING PROCESS II:
SHORTENING THE LONG AND WINDING ROAD

JULY 13, 2004

Good morning Madam Chairwoman, Ranking Member Davis and members of the Subcommittee. I am pleased to follow up this Subcommittee's June 7, 2004, hearing in Chicago, and welcome the opportunity to appear before you again today.

As President George W. Bush's principal advisor on human resource (HR) matters and the strategic management of human capital initiative of the President's Management Agenda, the Director of the Office of Personnel Management (OPM), Kay Coles James, has consistently provided leadership and guidance on many critical issues facing the Federal Government today. Areas such as pay-for-performance for the Senior Executive Service, telework, diploma mills, emergency preparedness and veterans' preference rights are just a few examples where OPM has provided briefings, symposiums and training sessions for agency HR staff. However, as I am sure we would all agree, improving Federal hiring will impact the Federal Government for many generations to come.

OPM is very aware that recruitment and retention are critical human capital issues for the Federal Government. To fulfill our role in this process we have – and will continue to – take steps to assist agencies in improving their hiring processes. OPM has undertaken a number of initiatives to issue guidance and has provided increased flexibility to agencies in hiring authorities and tools.

Use of Direct Hire and Category Rating by Agencies

Your letter specifically asked about direct hire authority and category rating. Direct hire authority permits agencies to hire qualified employees directly into the competitive services without putting them through a formal rating and ranking process after public notice has been given. It is limited to occupations for which there is a severe shortage of candidates or a critical hiring need for the agency. These restrictions were enacted, in part, because veterans' preference is not applied under direct hire authority.

When agencies use category rating examining procedures, those agencies can utilize a streamlined approach to rating and ranking applications for Federal jobs. Category rating procedures maintain veterans' preference and allow agencies to place candidates in broad quality groupings, rather than assigning candidates specific numerical ratings. It also gives the selecting official more candidates from whom to select, rather than limiting that official to just three, as is the case with the traditional numerical rating system.

As requested, my testimony includes two examples of direct hire authority requests:

Direct hire authority that has been approved: The Department of Homeland Security received direct hire authority for administrative and program support positions that were in direct support of the intelligence activities and functions of the agency.

Direct hire authority that has been denied: The Department of Agriculture (USDA) requested a direct hire authority to cover a number of technical and scientific positions, as well as administrative and program support positions to deal with a crisis situation. While the direct hire request for the technical and scientific positions was approved, the request for the administrative and program support positions was denied because USDA could not justify a critical need for the support positions because they were not directly involved in the efforts to deal with the crisis situation.

In enacting this hiring tool, Congress intended agencies to use direct hire authority in a limited manner. The law is very specific in prescribing the circumstances of where and when it can be used. We do not believe that Congress intended this authority to be granted in a random manner nor to be used by the agencies as the "default mode" for agency hiring.

On the other hand, the statute authorizing category rating as an alternative examining procedure provides greater latitude. As a result, OPM has given agencies the ability to be creative. OPM works very closely with the agencies to ensure understanding of the maximum flexibilities allowed by law.

In this year, we have granted agency-specific direct hire authority to six agencies and are currently reviewing one other request. Just last week, we granted direct hire authority to the Department of Defense for auditing positions for the Office of the Deputy Inspector General. These authorities are in addition to the Governmentwide authority granted by OPM last year. These authorities will provide agencies with a streamlined process to

quickly get mission-critical skills or individuals on board. A list of these agencies has been provided to you.

OPM Activity to Improve Hiring Since June 7 Hearing

Since the previous Subcommittee hearing on June 7, 2004, OPM has aggressively pursued opportunities to provide hiring and recruitment information as well as guidance to a large Federal workforce manager audience.

- On July 1, 2004, OPM hosted a briefing on the results of two professional surveys relating to recent recruitment fairs. OPM has conducted 12 job fairs coast to coast over the past year, with an attendance of more than 57,000. The New York City Fair alone had more than 15,000 attendees with 44 agencies and departments represented. In many cases, the attendees had college or advanced degrees. By a ratio of almost 6 to 1, respondents who had a preference said they would rather work for the Federal Government (41%) than have a job in the private sector (7%). Eighty-five percent of the respondents indicated that “helping people and making a difference” is an appealing feature of a Federal job. The surveys point to an overall positive environment within the labor market for Federal managers as they look to recruit and hire talented and qualified individuals for positions in the Government.
- On June 29, 2004, OPM hosted a training symposium for agency Chief Human Capital Officers (CHCOs) and human resources professionals from 30 Federal agencies on hiring flexibilities currently available to improve the Federal hiring process. The all-day symposium featured sessions on various hiring flexibilities, including sessions on veterans hiring and student and excepted service employment authorities. This event was so successful (over 230 attended), that OPM is making plans to visit 26 Federal Executive Board cities and conduct the same presentation.
- On June 26, 2004, OPM, in partnership with Representative Danny Davis (7th District, Illinois), hosted a recruitment fair in Chicago. The fair was part of a two-day conference that included seminars and health screening events. In addition to OPM, the Social Security Administration, the Department of Labor, the Census Bureau, the Federal Bureau of Investigation and the Central Intelligence Agency also participated. The conference drew approximately 1,500 to 2,000 people.
- At our June 17, 2004, CHCO Academy meeting OPM offered a review of hiring authorities and flexibilities applicable to veterans, students and recent college graduates. The meeting included a detailed discussion of the appointing authorities agency managers and HR officials have at their disposal to hire qualified veterans, including those with service-connected disabilities, reviewed the Veterans' Recruitment Appointment, Veterans Employment Opportunities Act Appointment, and the hiring authority for veterans with a 30 percent or more service-connected disability rating.

The meeting also focused on direct hire authority, a human resources tool OPM can make available to agencies to expedite the hiring of qualified individuals. The meeting also included dialogue about the Government's Presidential Management Fellows (PMF) Program, which attracts people with post-graduate degrees in public administration and a variety of other disciplines, and prepares them for ascension into top leadership posts. The new Senior Presidential Management Fellows Program, a component of the PMF Program, is designed to attract mid-level, private-sector employees for appointment to the upper professional ranks.

Finally, OPM clarified how the general authority to use category rating gives agencies an alternative method to examine competitively in a way that offers selecting officials more candidates to select from, while preserving veterans' preference.

- On June 15, 2004, OPM hosted a Best Practices Showcase featuring the National Aeronautics and Space Administration's (NASA's) strategic human capital initiatives as a way of exposing other agency personnel to successful HR practices. Over 200 agency senior human capital leaders, senior executives and managers, and human resource professionals attended. The showcase highlighted proven practices that other Federal agencies can adopt to improve human capital systems. The showcase included presentations by several of NASA's senior management, and breakout sessions on performance culture, leadership and knowledge management, and talent - the key drivers in transforming Federal agencies into results-oriented employers that attract, retain and reward a highly performing workforce. During a panel discussion, NASA fielded questions on how they obtained the NASA Workforce Flexibilities Act of 2004, how they plan to use the various employment flexibilities provided by OPM and this legislation, and their expected results in revitalizing their workforce.

Summary of Work over the Past Three Years

Our work in this important area spans the last three years. Under the leadership of Director James, the Office of Personnel Management has initiated an aggressive effort to streamline and reform the hiring process within the Federal Government. Departments and agencies now have new flexibilities and improved tools to ensure they can recruit and hire the best and the brightest. These include enhancements to OPM's USAJOBS vacancy listing, and major efforts to reach out to students, veterans and the public at large through a number of initiatives including a series of recruitment fairs across the country.

OPM continues to provide leadership in its customer service relationship with our agency teammates as well. In May of this year, we began the first in what we anticipate will be a series of agency "extreme makeovers." Working directly with the senior leadership and human resources staff of the Department of Housing and Urban Development (HUD), OPM has provided its knowledge and expertise by completing a process map of the

agency's entire hiring program, conducting field and headquarters focus groups, and assisted in developing a process re-engineering to improve HUD's hiring program. We are committed to working with every Executive agency in order to ensure that agencies are making the best and most appropriate use of all hiring flexibilities available to them, including category rating.

OPM recently hosted a briefing on the results of our Federal hiring survey to inform interest groups about progress being made in the on-going effort to streamline the Federal Government's hiring process. Attending the briefing were representatives from the Partnership for Public Service, National Academy of Public Administration, National Hispanic Association of Federal Executives and the Society for Human Resource Management. During the briefing, OPM senior staff highlighted the critical role that the managers who are selecting among applicants, as well as human resources professionals, play within Federal agencies. The briefing included discussion on existing hiring flexibilities, expediting the hiring process, and using the available appointing authorities, including those for veterans and students. At the conclusion of the meeting, pertinent materials on the results of the survey and other aspects of the Federal hiring process were distributed.

At the last Subcommittee hearing, we discussed the 45-day hiring model. OPM staff found in a recent survey of agency hiring practices that a large number of agencies report they are already meeting a 45-day standard for some portion of their hiring process. Most other agencies reported that they will be able to meet OPM's proposed 45-day model. Consistency in when the measuring starts, however, must still be addressed. OPM has briefed the CHCO Council and President's Management Council and other interested parties on the viability and importance of a 45-day model. In addition, OPM has implemented the 45-day model internally.

Also, we have worked with a number of agencies to identify gaps in their current time-to-hire measuring tool. For example, many agencies currently measure time-to-hire, but do not measure all of the steps contained in the OPM model.

Finally, at OPM, we have worked on a continuous basis with members of the CHCO Council since its inception to increase their knowledge about the availability of hiring flexibilities. In an effort to educate Council members and to share best practices in an informal setting, Director James, as the Council Chair, created the CHCO "Academy." The Academy is held on a monthly basis and two of the sessions have included briefings on the availability of HR flexibilities including category rating and direct-hire authorities.

Future Plans

Much work remains for OPM and the agencies. We realize OPM must focus its efforts on many fronts in order to accommodate agency needs. Every day, we are growing, learning, improving and identifying new activities for OPM to undertake. Director James has tasked staff with developing next steps for OPM to continue its leadership role.

Based on this analysis, we have already initiated a sequence of actions to make key materials for training HR professionals available through our GoLearn website.

And, we know we must do more. In the short term, we will be looking at additional ways to develop future human capital leadership in the Federal Government through the recruitment and training of high potential candidates over the next three to five years. We will be building on our work with the Department of Housing and Urban Development by extending our efforts at re-engineering agency-specific hiring practices at other departments and agencies. We will continue our training efforts by conducting additional Hiring Flexibilities Symposiums, utilizing Federal Executive Boards as a conduit for bringing the training to the field. We also plan to have an additional Symposium on August 3 to educate agency human resources officials and program managers on the availability of Human Resources flexibilities.

In the long term, OPM is looking to develop competency models for the HR field and manage a “community of practice.” OPM could then share with all agencies the general nature of the competencies developed and utilize this information in our web-based GoLearn e-government project. We also want to explore automating the Administrative Careers with America assessment tool in order to speed the examination process. And, finally, we plan to continue updating and disseminating information regarding hiring flexibilities through OPM’s Human Capital Officers.

Conclusion

Let me address one final issue. The subcommittee’s letter of invitation characterized concerns about Federal hiring as a “blame game”. We do not see it that way. Agencies and OPM each have specific roles within the Federal hiring process; in fact, that is what we were asked to comment on by the General Accounting Office. We answered by differentiating the specific responsibilities of OPM and the specific responsibilities of the agencies. There is plenty of work to go around but we must understand the different responsibilities before the Federal hiring process will be “fixed”.

The problems associated with the hiring process did not develop overnight and we should not assume that there is a quick fix. Within our Nation, though, we can see there is an excellent labor market for Federal managers as they seek to hire talented individuals. OPM is committed to working cooperatively with agencies to ensure that current hiring flexibilities are fully utilized and to working with Congress to ensure that the Federal Government is able to hire the best and the brightest.

I would be happy to answer any questions you or the Subcommittee might have.

Attachment A

**LIST OF DIRECT HIRE AUTHORITIES ISSUED
under 5 CFR 337, subpart B**

Governmentwide:

- Medical Occupations– All grade levels at all locations for the following:
June 20, 2003
 - Diagnostic Radiologic Technologists
 - Medical Officers
 - Nurses
 - Pharmacists
- Information Technology Management (Information Security) – General Schedule (GS) grades GS-9 and above at all locations. **June 20, 2003**
- Positions involved in Iraqi Reconstruction Efforts that require fluency in Arabic or other related Middle Eastern languages at all Federal Wage System levels, single-grade interval occupations in the General Schedule, and two-grade interval GS occupations at GS-9 and above. Agencies may appoint U.S. citizens to positions at all locations. **July 1, 2003**

Agency-Specific:

- Securities and Exchange Commission (2 authorities) – Information Technology Specialist, grades GS-9 and above, Office of Information Technology – **March 12, 2004 and**, at grades GS-9 and above at all locations for the following occupations: **June 20, 2003**
 - Accountants
 - Economists
 - Securities Compliance Examiners
- U.S. Department of Agriculture – At all locations for the following occupations and grades: **September 3, 2003**
 - Veterinary Medical Officer, grades GS-9 through GS-13
 - Animal Health Technician, grades GS-2 through GS-10
 - Plant Protection and Quarantine Officer, grades GS-5 through GS-13
 - Plant Protection and Quarantine Aid/Technician, grades GS-2 through GS-7
 - General Biological Science (Agriculturalist, Biological Scientist,

etc.), grades GS-9 through GS-13
Biological Science Technician, grades GS-2 through GS-7
Microbiologist, grades GS-9 through GS-13
Entomologist, grades GS-9 through GS-13
Botanist, grades GS-9 through GS-13
Plant Pathologist, grades GS-9 through GS-13
Ecologist, grades GS-9 through GS-13
Chemist, grades GS-9 through GS-13

- U.S. Department of Energy – Substation Operator, positions at the Bonneville Power Administration. **December 9, 2003.**
- Office of Federal Housing Enterprise Oversight – Accountant and Examiner positions in the Washington, D.C. area. **February 27, 2004.**
- Department of Justice– Information Technology Specialist, grades GS-9 and above, in the Criminal Division’s Child Exploitation and Obscenity Section and Computer Crime and Intellectual Property Section. **March 18, 2004.**
- Department of Health and Human Services-- for the Centers for Medicare and Medicaid Services, in the following occupations and grades: **May 25, 2004**

Health Insurance Specialist, grades GS-9 through 15
Economist, grades GS-12 through 15
Actuary, grades GS-12 through 15

- Department of Homeland Security- for the Directorate of Information Analysis and Infrastructure Protection (IAIP) and the Office of Security at all locations in the following occupations and grades: **June 2, 2004**

Intelligence Research/Operations Specialist, grades GS-11 through GS-15
Security Specialist, grades GS-12 through GS-15

in the IAIP Directorate in the following occupations and grades:

Telecommunications Specialist, grades GS-13 through GS-15
Computer Engineer/Electronics Engineer and Computer Scientist, grade GS-13

and in the IAIP Directorate only to positions requiring technical expertise and specialized knowledge of terrorist threats and activities in the following occupations and grades:

Program Manager, grades GS-13 through GS-15 and Senior Level Program Analyst, grades GS-13 through GS-15

Various specialist positions, grades GS-9 through GS-15

- Department of Defense – Office of the Deputy Inspector General for Auditing, Defense Financial Auditing Service, Auditors, grades GS-11 through GS-15 in Arlington, VA; Cleveland and Columbus, OH; Denver, CO; Indianapolis, IN; and Kansas City, KS. **July 9, 2004**

Request pending for:

Department of Agriculture – On hold awaiting additional justification. To date: received additional information this week and have set up a teleconference with USDA to bring closure to remaining issues.

EXAMPLE OF DIRECT HIRE AUTHORITY GRANTED



Homeland
Security

MAY 12 2004

The Honorable Kay Coles James
Director
U.S. Office of Personnel Management
1900 E Street, NW
Washington, DC 20547

Dear Mrs. James:

This is to request direct-hire authority under the critical hiring needs provision of 5 CFR 337.205 for certain positions in the Department of Homeland Security (DHS) that perform intelligence activities and functions related to our national security mission in the Information Analysis and Infrastructure Protection (IAIP) Directorate and the DHS Office of Security.

Specifically, we are seeking this authority for both IAIP and Security for the following series:

- GS-132 - Intelligence Research/Operations Specialist; and
- GS-080 - Security Specialist;

In addition, we are seeking this authority for IAIP for the following series:

- GS-391 - Telecommunications Specialist;
- GS-854/855/1550 - interdisciplinary positions - Computer Engineering/Electronics Engineering/Computer Scientist;
- GS-340, Program Manager, GS-343, Program Analyst, and GS-301 various specialist positions that support intelligence activities and functions in IAIP. These positions require technical expertise and specialized knowledge of terrorist threats and activities involving land, air and maritime transportation, cybersecurity, weapons of mass destruction (e.g., biological, chemical, radiological, nuclear); terrorist and criminal alien smuggling and document counterfeiting (e.g., travel documents such as passports, visas); and counter terrorist surveillance and intelligence strategic threats. These positions integrate and evaluate all source threat information from the intelligence community, law enforcement agencies, the private sector and open sources. This information is used to assess the nature and scope of terrorist and criminal threats to the Homeland; identify actual and potential vulnerabilities; provide actionable advisories to relevant Federal, state and local government agencies, the private sector and the public as appropriate; identify emerging terrorist threats; and perform risk assessments.

The applicant pool which possesses the requisite knowledge and expertise for these positions is limited and in high demand due to intense competition within the government and in the private sector for homeland security related positions. The pool consists largely of individuals employed in the military, the private sector, or in other Federal agencies that have a national security mission. In addition, our primary competitors for this expertise are other Federal agencies that are excepted from title 5 hiring rules and regulations (e.g., CIA, NSA, DIA, FBI) and the private sector. Based upon follow up work to determine why applicants decline our positions, we have learned that people who are willing to change jobs in these series have multiple, competitive offers both from the Federal government and the private sector. For those who are willing or eligible to leave Federal service, the private sector offers far outweigh what we are able to offer in terms of a total compensation package. Notwithstanding compensation issues, the primary reason for these declinations is the lengthy,

cumbersome hiring process we must follow. This process serves as a significant disincentive to viable candidates in our applicant pool which results in candidates accepting other offers outside of DHS.

Consequently, examining for these positions has proven to be ineffective and not practicable given the specialized nature of the work and the limited applicant pool available to perform the work. Despite our recruitment efforts to outreach within the Intelligence community, extended announcement periods and the offering of recruitment incentives our hiring levels still remain inadequate. Following are some examples of our recruitment efforts and the results we have encountered:

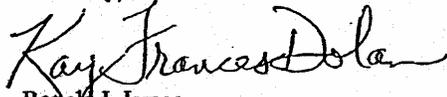
- Despite extensive recruitment efforts, there were no applicants for the IAIP Chief, Critical Infrastructure Protection Division position, GS-391, or for multiple vacancies for the interdisciplinary professions discussed above.
- We announced and attempted to fill 30 GS-132 and GS-301 positions as described above. There was an average of 15-20 applicants for each job posting with only one to two applicants referred as qualified. In each case, offers were extended to the top candidate that the selecting official determined actually met the job requirements and in each case the selectee declined and those positions remain vacant.
- We announced and recruited for 39 Intelligence Operations/Research positions for which there were no applicants.
- Lack of candidates for announced positions for various Security Specialist positions such as those involved in protective security, technical security countermeasures, facility security and information security. Either candidates did not possess the requisite knowledge and expertise, there were no applicants or candidates accepted offers outside of DHS.

As you are aware the Department is under intense pressure from both the Administration and Congress to fulfill our mission, especially in the national security arena. In fiscal year 2004 alone, we must fill approximately 490 positions as discussed above. Moreover, we expect the applicant pool and competition for talent to remain limited and in high demand. In order to meet our national security mission, especially as it relates to the protection of the American people, it is imperative that we are able to move quickly, but thoroughly, to identify and hire the best candidates for the positions. Direct-hire authority will help us to do this while increasing our competitive position in the relevant labor market and, ultimately, will facilitate our national security mission.

Please do not hesitate to contact me directly on 357-8204 if you have any questions about our request. Should your staff need further information, they may call Monica Doyle, our point of contact for this issue, on 357-8244.

We request an expeditious response to our request and look forward to a positive response.

Sincerely,


for  Ronald J. James
Chief Human Capital Officer



OFFICE OF THE DIRECTOR

UNITED STATES
OFFICE OF PERSONNEL MANAGEMENT
WASHINGTON, DC 20415-0001

JUN 02 2004

Mr. Ronald J. James
Chief Human Capital Officer
U.S. Department of Homeland Security
Washington, DC 20528

Dear Mr. James:

I have approved your request for direct-hire authority for a number of occupations located in the Department of Homeland Security (DHS) Directorate of Information Analysis and Infrastructure Protection (IAIP) and in the DHS Office of Security. I am granting this authority through December 31, 2005, based on the critical hiring need to fill 490 positions.

This direct-hire authority is number DHS-001 and has been approved for the following occupations and grade levels in both the IAIP Directorate and the DHS Office of Security:

- Intelligence Research/Operations Specialist, GS-132-11 through 15; and
- Security Specialist, GS-080-12 through 15.

This authority also covers the following occupations and grade levels in the IAIP Directorate:

- Telecommunications Specialist, GS-391-13 through 15; and
- Interdisciplinary positions in Computer Engineering, Electronics Engineering, Computer Science, GS-854/855/1550-13.
- The following positions are covered by this authority only if the duties include a specific requirement for technical expertise and specialized knowledge of terrorist threats and activities. The positions must be in direct support of the intelligence activities and functions:
 - Program Manager, GS-340-13 through 15, and SL;
 - Program Analyst, GS-343-13 through 15; and
 - Various specialist positions at the GS-301-09 through 15.

This direct-hire authority may be used to make competitive service career, career-conditional, term, temporary, emergency indefinite, or overseas limited appointments, as appropriate. These appointments are subject 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.

You must use two authority codes when documenting personnel actions using direct-hire authority. The first is "AYM" which will automatically fill in "Reg. 337.201," and the second is "BYO" which will reflect your use of this agency-specific authority. Using these two authority codes will help us evaluate the use of the authority without requiring agency reports.

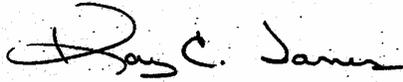
Mr. Ronald J. James

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On a periodic basis, we will review your use of this direct-hire authority to ensure it is being used properly and to determine if the continued use of the authority is still supportable. If you determine a need for this authority still exists after December 31, 2005, you must submit a request and justification to have it extended.

We hope this authority will help you quickly fill these critical positions. If you have questions about this direct-hire authority, please contact Barbara Bell on (202) 606-0830.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay C. James". The signature is fluid and cursive, with a large initial "K" and "J".

Kay Coles James
Director

EXAMPLE OF DIRECT HIRE AUTHORITY DENIED (in part)

	
United States Department of Agriculture	JUL 15 2003
Marketing and Regulatory Programs	SUBJECT: Request for Direct-Hire Authority
Animal and Plant Health Inspection Service	TO: Ruthie Jackson, Director Office of Human Resources Management
Washington, DC 20250	<p>The purpose of this memorandum is to request Direct-Hire Authority in order to provide greater flexibility in hiring sufficient numbers and types of personnel by the Animal and Plant Health Inspection Service (APHIS) in order to respond to an increasing focus on addressing emergency situations.</p> <p>The mission of APHIS is to provide leadership in ensuring the health and care of animals and plants, improving agricultural productivity and competitiveness, and contributing to the national economy and the public health. APHIS is responsible for taking emergency action when pests and/or diseases are found or blocking the emergence of such pests or diseases and fighting domestic animal diseases to ensure safe, pure, potent and effective agriculture products.</p> <p>Agriculture has become the focus of escalating attention due to its vulnerability and susceptibility to the growing threat of wide spread terrorists activities. Spotlighting the importance of this issue, Government Executive Magazine, June 2003, published an article emphasizing the 'growing agriculture threat'. The story author evidenced that "It shouldn't be surprising that a determined enemy like al Qaeda would consider ways to disrupt U.S. food supplies. The history of warfare is full of examples of burned crops, poisoned wells and slaughtered herds. Agriculture is an obvious target for terrorists: infecting plants or animals with deadly disease is easier, cheaper and less risky than infecting humans directly; the economic consequences of a wide-spread attack would be enormous; and the panic and fear such an attack might reap could lead to wide-scale social disruption." Captions linked to the article and portraying agricultural scenes heighten the degree of interest as, "Consumers would almost immediately feel the consequences of an attack on the food supply. Such an attack could easily spread fear and panic and quickly undermine public confidence in government." "An outbreak of foot-and-mouth disease could spread within days, before animal health officials would even be able to provide a definitive diagnosis." Also, "No cases of foot-and-mouth disease have been diagnosed in the United States since 1929, but even a limited outbreak on just 10 farms could have a \$2 billion economic impact."</p>



In support of homeland security protocols stemming from the current global situation, APHIS must be able to respond to a crisis (whether natural or human-induced) quickly and effectively. A speedy response is crucial when an outbreak of disease or infestation is discovered. Multiple outbreaks, excessive demands on program services and sheer numbers of persons needed to respond to emergencies create an extreme challenge in gathering the necessary personnel with critical skills and experience to support eradication and abatement efforts. Permanent staffs are dwarfed by the scale of the outbreak and stretched beyond limits to cope with the demands of an emerging crisis.

In order to obtain greater flexibilities in addressing personnel hiring issues generated by outbreaks declared an emergency by the Secretary of Agriculture or by the APHIS Administrator, we request you petition OPM for Direct-Hire Authority to hire Temporary or Term employees for the following positions:

GS-701-9 through 13 Veterinary Medical Officer (VMO)
 GS-704-2 through 10 Animal Health Technician (AHT)
 GS-436-5 through 13 Plant Protection and Quarantine (PPQ) Officer
 GS-421-2 through 7 Plant Protection and Quarantine Aid/Technician
 GS-401-9 through 13 General Biological Science (Agriculturalist, Biological Scientist, etc.)
 GS-404-2 through 7 Biological Science Technician
 GS-403-9 through 13 Microbiologist
 GS-414-9 through 13 Entomologist
 GS-2210-9 through 13 Information Technology Specialist ?
 GS-341-9 through 12 Administrative Officer ?
 GS-560-9 through 12 Budget Analyst ?
 GS-561-5 through 7 Budget Technician ?
 GS-430-9 through 13 Botanist
 GS-303-5 through 7 Administrative Support Assistant ?
 GS-434-9 through 13 Plant Pathologist
 GS-408-9 through 13 Ecologist
 GS-1035-9 through 13 Public Affairs Specialist ?
 GS-1320-9 through 13 Chemist

To complement our regular cadre of first responders, APHIS uses multiple avenues to meet personnel needs -- Temporary Duty Assignments (TDY's) and 30-Day Emergency Appointments. We utilize the services of reemployed annuitants who possess the critical skills, knowledge and expertise to supplement the current workforce. Employees detailed from other USDA agencies, various other Federal Government Departments, State employees, contractors and temporary staff are utilized.

The severity of these crises poses a potential threat to life and enormous economic damage to agricultural markets. In addressing these emergencies, use of conventional recruitment and staffing measures is inadequate and delays reaction, consequently increasing the response time.

Ruthie Jackson

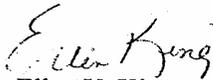
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Due to the fact that many of our most skilled and experienced employees are choosing to retire, as well as the multitude and diversity of critical animal/plant pest/disease issues currently impacting the Agency, APHIS is uniquely challenged in convening teams exceptionally qualified to control the devastation and prevent the spread of pests and pathogens. Direct-Hire Authority would increase flexibility in assessing applicants and facilitate prompt hiring of professional, technical and staff support during times of urgent agricultural outbreaks which directly threaten life or property.

This request for Direct-Hire Appointing Authority is justified due to the evolving threat of terrorists activities, the threat of tremendous loss of life and/or property, the extraordinary volume of people needed immediately to address, contain and eliminate the disease/pest incident, and the absolute necessity to respond without delay.

Enclosed are Federal Register Notices that describe and document various crises agriculture has encountered in the recent past. These types of incidents have increased not only in volume and number but also in severity and scope. It is incumbent upon us to plan ahead for certain inevitable situations and equip our programs with the most efficient tools possible to fight and overcome agricultural threats and outbreaks.

We appreciate any assistance you may render in obtaining from OPM Direct-Hire Appointing Authority to assist APHIS programs in responding to animal/plant pest/disease outbreaks as they erupt and enable APHIS to fulfill its mission to keep agriculture safe for America. If you have any questions, please contact Linda Lane at (202) 720-3519.



Ellen Y. King

Assistant Human Resources Officer

Enclosures



United States
Department of
Agriculture

Office of the
Assistant Secretary
for Administration

Office of
Human Resources
Management

1400 Independence
Avenue SW
Washington, DC
20250-9600

JUL 22 2003

Dr. Ronald P. Sanders
Associate Director for
Strategic Human Resources Policy
Office of Personnel Management
Room 6566
1900 E Street, N.W.
Washington, D.C. 20415

Dear Dr. Sanders:

We are requesting departmental direct-hire authority for a variety of positions, i.e., Veterinary Medical Officers (VMOs), Animal Health Technicians, and Plant Pathologists. This authority will enable us to hire immediately the staff needed to address, contain, and eliminate any crisis, i.e., disease/pest incident that affects our food supply. Our Animal and Plant Health Inspection Service has provided supportive documentation for our request, which is enclosed.

The Department of Agriculture is responsible for ensuring the health and care of animals and plants, improving agricultural productivity and competitiveness, and contributing to the national economy and the public health. In order for us to meet these responsibilities, we must be able to respond quickly to any crisis that may affect the safety of our agricultural products.

In addition, our Food Safety and Inspection Service has requested direct-hire authority for VMOs. We are aware that other agencies outside of USDA hire VMOs. The other agencies are: Air Force, Army, Commerce, Environmental Protection Agency, Health and Human Services, Interior, Smithsonian, and Veterans Affairs.

Dr. Ronald P. Sanders
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We have been in discussion with several of your staff members, Tina Vay, Diane Tyrell, and Barbara Bell about our request. We appreciate the guidance and assistance they have given us.

If you have any questions, please contact Mary Ann Jenkins at (202) 720-0515.

Sincerely,



Ruthie Jackson
Director

Enclosure



United States
**Office of
Personnel Management**

Washington, DC 20415-0001

SEP 3 2003

In Reply Refer To:

Your Reference:

Ms. Ruthie Jackson
Director
Office of Human Resources Management
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-9600

Dear Ms. Jackson:

Office of Personnel Management Director Kay Coles James has approved your request for direct-hire authority for a number of occupations that will enable you to quickly staff positions involved in protecting the health and safety of our food supply. We are approving a direct-hire authority for the U.S. Department of Agriculture (USDA) based on a critical hiring need for positions in the following occupations and grade levels at all locations:

- Veterinary Medical Officer, GS-701-9 through 13
- Animal Health Technician, GS-704-2 through 10
- Plant Protection and Quarantine Officer, GS-436-5 through 13
- Plant Protection and Quarantine Aid/Technician, GS-421-2 through 7
- General Biological Science (Agriculturalist, Biological Scientist, etc.), GS-401-9 through 13
- Biological Science Technician, GS-404-2 through 7
- Microbiologist, GS-403-9 through 13
- Entomologist, GS-414-9 through 13
- Botanist, GS-430-9 through 13
- Plant Pathologist, GS-434-9 through 13
- Ecologist, GS-408-9 through 13
- Chemist, GS-1320-9 through 13

Your request also included the following administrative and program support occupational series: GS-2210, Information Technology Specialist; GS-341, Administrative Officer; GS-560, Budget Analyst; GS-561, Budget Technician; GS-303, Administrative Support Assistant; and GS-1035, Public Affairs Specialist. At this time we are not approving a direct-hire authority for these occupations as your request did not establish that they are directly involved in the efforts to deal with crisis situations that affect the country's food supply.

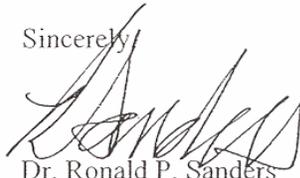
This direct-hire authority may be used to make competitive service career, career-conditional, term, temporary, emergency indefinite, or overseas limited appointments, as appropriate. These appointments are subject to public notice requirements in 5 U.S.C. 3327 and 3330, and the displaced employee procedures found at 5 CFR part 330, subpart G.

You must use two authority codes when documenting personnel actions using direct-hire authority. The first is "AYM" which will automatically fill in "Reg. 337.201", and the second is "BYO" which will reflect your use of this agency-specific authority. Using these two authority codes will help us evaluate the use of the authority without requiring agency reports.

On a periodic basis, we will review your use of this direct hire authority to ensure you are using it properly and to determine if your continued use of the authority is supportable. We will modify or terminate the authority if we determine that there is no longer a critical hiring need.

We are confident this authority will help you quickly fill these critical positions. If you have questions about this direct-hire authority, please contact Diane Tyrrell on (202) 606-0830.

Sincerely,



Dr. Ronald P. Sanders
Associate Director
Division for Strategic Human
Resources Policy