



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

AUG 22 2017

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Direct Hiring Authority for Cyber Workforce Positions

Section 1643(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 directs the Secretary of Defense to approve a direct hiring authority to appoint qualified individuals directly into cyber workforce positions up to the GS-15 level (or equivalent) that are necessary to carry out the responsibilities of U.S. Cyber Command. This direct hiring authority will be implemented within the Department of Defense, in accordance with the criteria in section 3304 of title 5, U.S. Code (U.S.C.). The authority will remain in effect until the Department completes implementation of the authority in section 1599f of title 10, U.S.C., to establish a cyber excepted service.

The attachment to this memorandum provides implementing procedures for use of this authority.

Should you have any questions, my point of contact is Ms. Megan Maciejewski, Defense Civilian Personnel Advisory Service, whom you may reach at (571) 372-1538 or by email at megan.e.maciejewski.civ@mail.mil.

A handwritten signature in blue ink that reads "A. M. Kurta".

A. M. Kurta
Performing the Duties of the Under Secretary of
Defense for Personnel and Readiness

Attachment:
As stated

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DIRECT HIRING AUTHORITY FOR
CYBER WORKFORCE POSITIONS
IMPLEMENTATION PROCEDURES

1. Authority.

a. Section 1643(a)(3) of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 provides that the Secretary of Defense shall approve a direct hiring authority (DHA) for cyber workforce positions up to the GS-15 level (or equivalent) that are necessary to carry out the responsibilities of U.S. Cyber Command. This DHA will be implemented in accordance with the criteria specified in section 3304 of chapter 33, subchapter I of title 5, United States Code (U.S.C.), and corresponding Code of Federal Regulations (C.F.R.) provisions relating to selection and appointment.

b. Appointments under this DHA may be made until the Department completes implementation of the authority in subsection (a) of section 1599f of title 10, U.S.C., to establish a cyber excepted service.

c. The authority to appoint qualified persons under this DHA is delegated to the Secretaries of the Military Departments, Directors of Defense Agencies, and Directors of Department of Defense (DoD) Field Activities with independent appointing authority for themselves and their serviced organizations as defined in their respective DoD chartering directives, hereafter referred to as “DoD Components.”

(1) As described in section 3304(a)(3) of title 5, U.S.C., DoD Components may appoint qualified applicants without regard to the requirements provided in sections 3309 through 3318 of such title.

(2) DoD Components shall apply the public notice requirements contained in sections 3327 and 3330 of title 5, U.S.C., as implemented in section 337.203 of title 5, C.F.R.

d. The Department will apply the Office of Personnel Management’s criteria for determining if a severe “shortage of candidates” or a “critical hiring need” exists. In determining whether a shortage of candidates or a critical hiring need exists, the Department will use the definitions for “severe shortage of candidates” and “critical hiring need” as described in sections 337.202(b) and (c) of title 5, C.F.R.

(1) The table provided in paragraph 3.c of these procedures lists occupational series for which a critical hiring need exists. Additional determinations for either “severe shortage of candidates” and “critical hiring need” will be made by the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) in consultation with the Chief Information Officer (CIO) of the DoD.

(2) DoD Component requests for additional occupational series must address the criteria specified in paragraph 1.d of these procedures, as applicable.

Use of Direct Hiring Authority. DHA enables recruitment for cyber positions without applying competitive rating and ranking procedures. The following principles shall be followed when exercising these authorities:

- a. A highly qualified workforce is critical to the Department’s mission.
- b. Recruitment efforts should be designed to be expansive enough to attract a diverse candidate pool.
- c. Merit factors shall be the basis for selecting individuals for positions. All personnel programs and practices shall be administered in accordance with Department of Defense Directive (DoDD) 1020.02E, “Diversity Management and Equal Opportunity in the DoD.”
- d. DoD Components must ensure transparency, accountability, and auditability in hiring processes.

2. Covered Cyber Workforce Positions.

- a. For appointments pursuant to section 1643(a)(3) of the NDAA for FY 2017, individual positions must meet the definition of “cyber workforce” (also known as “cyberspace workforce”) as defined in DoDD 8140.01, “Cyberspace Workforce Management,” and must be anticipated to become part of the cyber excepted service. Occupations identified in Part A of the table in these procedures may be used immediately, provided that the position is anticipated to become part of the cyber excepted service. Positions identified in Part B must have cyber work role code(s) assigned to a valid position and position description and the position must be anticipated to become part of the cyber excepted service. Positions in the cyber excepted service are positions necessary to carry out the responsibilities of the United States Cyber Command.
- b. For the purpose of the Cyber DHA, cyber workforce includes cyber positions up to the GS-15 level (or equivalent).
- c. The following DoD Cyber Workforce Occupations table identifies occupational series for which a critical hiring need exists.

| TABLE | DoD Cyber Workforce Occupations |
|---------------|---|
| PART A | Eligible for immediate use of this authority. |
| 0391 | Telecommunications |
| 1550 | Computer Science |
| 0850 | Electrical Engineering |
| 0854 | Computer Engineering |
| 0855 | Electronics Engineering |
| 0856 | Electronics Technical |
| 2210 | IT Management |

| | |
|---------------|---|
| PART B | Must have cyber work role codes assigned to the valid position and position description in accordance with the Federal Cybersecurity Workforce Assessment Act of 2015 and the DoD Cyber Workforce Framework |
| 0080 | Security Administration |
| 0201 | Human Resources |
| 0301 | Miscellaneous Administration & Program |
| 0340 | Program Management |
| 0343 | Management and Program Analysis |
| 0801 | General Engineering |
| 1101 | General Business and Industry |
| 1515 | Operations Research |
| 1520 | Mathematics |
| 1701 | General Education & Training |
| 1712 | Training Instruction |
| 1801 | General Inspection, Investigation, Enforcement & Compliance |
| 1805 | Investigative Analysis |
| 1811 | Criminal Investigation |

4. Responsibilities. Within the scope of section 1643(a)(3) of the NDAA for FY 2017, each DoD Component will determine the appropriate use of this authority relating to recruitment needs, specific occupational series, grades, and pay bands/levels.

5. Appointing Authority. Appointments may be made on a permanent, term, or temporary basis using the following Legal Authority Code/Legal Authority:

Z5CL/Direct-Hire Auth (Cyber Workforce), Sec 1643, PL 114-328, 12/23/2016

6. Oversight and Accountability.

a. The USD(P&R) is responsible for development of DoD implementing guidance and policies, in consultation with the CIO of the DoD and the Principal Cyber Advisor.

b. The Defense Personnel Advisory Service, Cyber Workforce Management Board, and the CIO of the DoD are jointly responsible for oversight and accountability and reporting for the cyber workforce to ensure compliance with any reporting requirements related to the use of this authority.

c. DoD Components are responsible for oversight, accountability, and reporting for themselves and their serviced organizations.

d. Documentation for appointments made under this authority must be sufficient to allow the reconstruction of the actions taken and must be maintained for a time frame consistent with other appointing authorities.

e. Appointments under this authority will be evaluated as part of the DoD Human Capital Accountability Framework.