

U.S. NUCLEAR REGULATORY COMMISSION

DIRECTIVE TRANSMITTAL

TN: DT-04-11

To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 10.49, "Student Loan Repayment Program"

Purpose: Directive and Handbook 10.49 are being revised to reflect an increase in the maximum payable annually for a student loan repayment from \$6,000 to \$10,000 and the maximum gross amount per individual from \$40,000 to \$60,000 as authorized by Public Law 108-123.

Office of Origin: Office of Human Resources

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Volume: 10 Personnel Management

Part: 2 Position Evaluation and Management, Pay Administration, and Leave

Directive: 10.49 Student Loan Repayment Program

Availability: Rules and Directives Branch
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Student Loan Repayment Program

**Directive
10.49**

**Volume 10, Part 2 - Position Evaluation and Management,
Pay Administration, and Leave
Student Loan Repayment Program
Directive 10.49**

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U. S. Nuclear Regulatory Commission

Volume: 10 Personnel Management

Part: 2 Position Evaluation and Management,
Pay Administration, and Leave

HR

Student Loan Repayment Program Directive 10.49

Policy

(10.49-01)

It is the policy of the U.S. Nuclear Regulatory Commission to use student loan repayments to facilitate recruitment and retention of highly or uniquely qualified employees or employees with essential skills if it is determined that in the absence of such a repayment, the agency would encounter difficulty in filling the position with a suitable candidate or in retaining a current employee who is likely to leave Federal service.

Objectives

(10.49-02)

- To adopt and implement the student loan repayment provisions of Title V of the *United States Code*, Section 5379 (5 U.S.C. 5379, as amended), and the applicable implementing regulations from the Office of Personnel Management. (021)
- To encourage and promote employment of applicants within the NRC by offering student loan repayments when the agency would encounter difficulty filling the position with a highly qualified candidate, and to encourage and promote the retention of essential employees who are likely to leave Federal service. (022)
- To ensure agencywide equity in the application of criteria to NRC employees. (023)

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**Organizational Responsibilities and
Delegations of Authority**

(10.49-03)

Chairman

(031)

Approves repayment recommendations and waivers of repayment for Commission staff members and employees of Commission-level offices as indicated in Exhibit 1 of Handbook 10.49.

Commissioners

(032)

Recommend student loan repayments or waivers of repayment resulting from breaches of service agreements for their immediate staff members as indicated in Exhibit 1 of Handbook 10.49. Employees in positions of a confidential or policy-determining nature (Schedule C type positions) are not eligible for student loan repayments.

Executive Director for Operations (EDO)

(033)

- Reviews repayment recommendations and requests for waivers of repayment for Commission staff members and employees in Commission-level offices, and approves repayment recommendations and requests for waivers of repayment for employees in EDO staff offices as indicated in Exhibit 1 of Handbook 10.49. (a)
- In consultation with the Chairman, appoints members of the Federal Employees Pay Comparability Act (FEPCA) Senior Management Review Panel, at least one of whom will be from the Office of the Chief Financial Officer. (b)

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**Organizational Responsibilities and
Delegations of Authority**

(10.49-03) (continued)

Executive Director for Operations (EDO)

(033) (continued)

- Approves requests to establish criteria in advance and payments under the criteria in cases in which timely offers of employment are necessary. (c)

Chief Financial Officer (CFO)

(034)

- Develops and implements payroll and accounting procedures governing payments for student loan repayments, recovery of debts incurred as a result of breaches of service agreements, and Internal Revenue Service reporting. (a)
- Reviews requests for waivers of repayment for employees as indicated in Exhibit 1 of Handbook 10.49. (b)

Inspector General (IG)

(035)

- Appoints members of the Office of the Inspector General (OIG) FEPCA Senior Management Review Panel. (a)
- Approves repayment recommendations and waivers of repayment for employees in OIG as indicated in Exhibit 1 of Handbook 10.49. (b)
- Approves requests to establish criteria in advance and payments under the criteria in cases in which timely offers of employment are necessary in OIG. (c)

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**Organizational Responsibilities and
Delegations of Authority**

(10.49-03) (continued)

**Deputy Executive Director for
Management Services (DEDM)**

(036)

Directs program oversight and evaluation activities.

FEPCA Senior Management

Review Panel

(037)

- Ensures agencywide equity in the application of criteria to NRC employees. (a)
- Ensures that each recommendation for a student loan repayment meets the criteria for coverage. (b)
- Advises office directors and regional administrators on the applicability, consequences, and alternatives to program utilization. (c)
- Recommends loan repayments and the amount of the repayment to the deciding official. (d)
- Identifies and establishes any additional information required in explanation of and consistent with the criteria in Handbook 10.49. (e)
- The OIG FEPCA Senior Management Review Panel performs the above functions for OIG employees. (f)

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**Organizational Responsibilities and
Delegations of Authority**

(10.49-03) (continued)

Director, Office of Human Resources (HR)

(038)

- Develops and implements program parameters and guidance. (a)
- Advises and provides technical assistance to the FEPCA Senior Management Review Panel on loan repayment recommendations and actions. (b)
- Advises office directors and regional administrators on the applicability, consequences, and possible alternatives to program utilization. (c)
- Provides technical review of individual requests for loan repayments to ensure compliance with applicable regulations. (d)
- Reviews requests for waivers of repayments for employees, as indicated in Exhibit 1 of Handbook 10.49. (e)
- Determines and immediately advises OCFO when a service agreement has been breached. (f)
- Evaluates program success in achieving objectives and makes adjustments as required. (g)

**Office Directors and
Regional Administrators**

(039)

- Recommend student loan repayments and waivers of repayment for selectees and employees in their organizations,

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**Organizational Responsibilities and
Delegations of Authority**

(10.49-03) (continued)

**Office Directors and
Regional Administrators**

(039) (continued)

using criteria specified in Handbook 10.49 and as indicated in Exhibit 1 of the handbook. (a)

- For OIG, recommendations will be made by the Assistant Inspector General for Audits or the Assistant Inspector General for Investigations. (b)

Definitions

(10.49-04)

Employee. An individual serving under appointment to NRC; or an individual not yet employed who has received a written offer to be newly appointed and signed a written service agreement in advance of repayment of his or her qualifying student loan.

Service agreement. A written agreement between an agency and an employee under which the employee agrees to a specified period of employment with the agency of not less than 3 years, in return for payments toward a student loan previously taken out by the employee.

Student loan. A loan made, insured, or guaranteed under Part B or E of Title IV of the Higher Education Act of 1965; or a health education assistance loan made or insured under Part A of Title VII of the Public Health Service Act, or under Part B of Title VIII of that act.

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Applicability

(10.49-05)

The student loan repayment provisions apply to all permanent NRC employees and all new NRC appointees, except members of the Commission and Administrative Law Judges who are excluded by regulation, and the Inspector General and Administrative Judges who are excluded by agency policy. Temporary employees are not eligible for student loan repayments. Term employees with at least 3 years remaining on their appointments are eligible. Employees in positions of a confidential or policy-determining nature (Schedule C - equivalent positions) are not eligible.

Handbook

(10.49-06)

Handbook 10.49 gives the criteria and procedures for student loan repayments.

References

(10.49-07)

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Code of Federal Regulations, 5 CFR Part 537, "Repayment of Student Loans."

United States Code, 5 U.S.C. 5379, "Student Loan Repayments" (Pub.L. 108-123).

Student Loan Repayment Program

**Handbook
10.49**

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Part I
**Purpose of and Criteria for the Student
Loan Repayment Program**

The Student Loan Repayment Program authorizes repayment of all or portions of a new or a current employee's outstanding federally insured student loan to facilitate the recruitment and retention of highly qualified employees or employees with essential skills or unique or unusual qualifications when and to the extent necessary to avoid difficulty in filling a position with a suitable candidate or in retaining an employee who is likely to leave Federal service. Judicious use of the repayment authority is expected to have a direct, positive effect on the agency's ability to recruit and retain a suitable workforce. (Approval authorities are listed in Exhibit 1 of this handbook.)

**Qualifying Loans and Loan
Repayment Amounts (A)**

Only federally insured student loans may be repaid. Such loans are those made, insured, or guaranteed under Part B or E of Title IV of the Higher Education Act of 1965, or health education assistance loans made or insured under Part C of Title VII of the Public Health Service Act, or under Part B of Title VIII of that act. (1)

By law, the amount of a student loan repayment is limited to a gross amount of \$10,000 per individual per calendar year, with a maximum gross amount of \$60,000 per employee. (2)

Repayments are made directly to the lending institution, but any income tax obligation resulting from the loan repayment benefit remains the employee's responsibility. (3)

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**Qualifying Loans and Loan
Repayment Amounts (A) (continued)**

Taxes are withheld from the gross payment to the lending institution. The amount will be reported as withheld on the employee's earnings and leave statement, and the gross payment will be included in the employee's gross income. (4)

The employee remains responsible for making loan payments on the portion of the loan(s) that remains outstanding. Repayments made by NRC do not relieve the employee from his or her responsibility and/or liability for any loan(s) previously taken out. NRC is not responsible for any late fees assessed by the holder of the loan. (5)

An employee whose overall performance rating is below Fully Successful becomes ineligible for further student loan repayments. Further, the employee must reimburse NRC the amount of the loan repayment benefits received previously on a pro rata basis calculated by crediting each full month of employment completed and repaying 1/36 of the loan repayment amount for each month remaining under the 3-year service agreement. (6)

Employees who have defaulted on their student loans are ineligible to receive this benefit. (7)

The amount of the loan repayment is not considered part of the employee's basic rate of pay for any purpose. (8)

Continued Service Agreement (B)

A student loan repayment requires that the employee sign a continued service agreement for a period of 3 years, which begins when the first NRC payment is made to the holder of the loan. (1)

Successive student loan repayments may be offered to an employee who has previously received such a loan repayment,

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Continued Service Agreement (B) (continued)

following the procedures and eligibility requirements described in Part III of this handbook, if necessary as a retention incentive. (2)

Each student loan repayment by the agency requires a separate service agreement, and each agreement requires a 3-year service obligation period. Service obligation periods may overlap and can be served and satisfied concurrently. (See Sections (C)(2)(d) and (e) regarding reimbursements to NRC if an employee with one or more service obligations leaves the agency.) (3)

A service agreement for this purpose does not constitute a right, a promise, or an entitlement to continued employment or promotion. (4)

An employee may not meet the requirements of the service agreement by employment in another agency, unless NRC agrees otherwise in advance. (5)

Payments and Repayments (C)

Type of Payment (1)

The loan repayment is made directly to the institution holding the loan.

Payment and Repayment Procedures (2)

Federal, State, and local income tax withholdings are deducted from the loan repayment amount; tax withholdings may not be spread out over time. (a)

The service agreement must be signed before the loan repayment is paid. (b)

Before authorizing any loan repayment, NRC will verify with the holder of the loan that the employee has an outstanding student

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Payments and Repayments (C) (continued)

Payment and Repayment Procedures (2) (continued)

loan that qualifies for repayment. NRC will also verify the remaining balance to ensure that the loan is not overpaid. (c)

An employee who fails to complete the period of employment established under a service agreement is indebted to the Federal Government and must reimburse NRC for all student loan repayment benefits received (not on a pro rata basis). (d)

The employee fails to complete the period of employment when the employee's service with NRC terminates before the date specified in the service agreement. This stipulation does not apply if the employee is involuntarily separated for reasons other than misconduct or delinquency. See Section (A)(6) above for procedures regarding employees whose overall performance is rated below Fully Successful. (e)

Student loan repayments will be recovered under NRC's regulations for collection by offset from an indebted Government employee by installment deduction under 5 U.S.C. 5514 and 5 CFR Part 550, Subpart K. (f)

Waiver of Right of Recovery (D)

The Chairman or the Executive Director for Operations (EDO), with the concurrence of the CFO, or the Inspector General (IG) may waive a right of recovery in whole or in part if the Chairman, the IG, or the EDO determines that recovery would be against equity and good conscience or against the public interest, such as calls to military duty or employment with a public international organization. (1)

If an office director, a regional administrator, or the Deputy IG recommends a waiver, he or she must submit substantial justification in support of the request. Any request for a waiver

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Waiver of Right of Recovery (D) (continued)

must be evaluated by the Director of the Office of Human Resources for sound personnel practices and by the CFO for sound fiscal management (for OIG, by the Deputy IG). (2)

Part II
**Student Loan Repayment as a
Recruitment Incentive**

When used as a recruitment incentive, the Student Loan Repayment Program authorizes student loan repayments for new appointees to NRC when and to the extent necessary to avoid difficulty in filling the position with a highly qualified candidate.

**Criteria for the Initial Eligibility
Determination (A)**

To support the determination, consider the following criteria in the narrative, as applicable:

- The success of recent efforts to recruit suitable candidates for similar positions, including indicators such as offer acceptance rates, the proportion of positions filled, and the length of time required to fill similar positions with suitable candidates. (1)
- Recent turnover in the same or similar positions. (2)
- Labor market factors and long-range planning elements that affect NRC's ability to recruit for similar positions. (3)
- Any special qualifications needed. (4)

**Criteria for Determining the Amount
of the Loan Repayment (B)**

Consider the following, as applicable, in determining the specific amount of the repayment: (1)

**Criteria for Determining the Amount
of the Loan Repayment (B) (continued)**

- The severity of the recruiting problem. (a)
- If being offered in conjunction with another authority, the minimum amount that will induce the candidate to accept the position while continuing to ensure equity in payments for similar situations. (b)
- The total amount of all other recruitment incentives (e.g., recruitment bonus, special salary rates). (c)
- The average pay for the occupation or specialty described in the most recent pay comparability surveys. (d)
- The criticality of the position to be filled and the effect on the NRC mission if it is not filled or if there is further delay in filling it. (e)

In addition to the above criteria, the agency Federal Employees Pay Comparability Act (FEPCA) Senior Management Review Panel or the Office of the Inspector General (OIG) FEPCA Senior Management Review Panel may provide additional guidance, consistent with the underlying policy of the Student Loan Repayment Program, for office directors, regional administrators, and the Assistant Inspector General for Audits (AIGA) or the Assistant Inspector General for Investigations (AIGI), as appropriate, to formulate their initial recommendations for appropriate repayment amounts. (2)

Other Considerations (C)

Consider the practicality of using the repayment incentive in combination with other pay provisions, such as special salary

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Other Considerations (C) (continued)

rates, a pay rate above the minimum entry rate, or a waiver of dual-compensation limitations, in terms of the consequent advantage to NRC. (1)

If proposing to offer a student loan repayment in combination with other pay provisions, consider why the other provision(s) alone would not be sufficient. (2)

The decision to repay a student loan may be made at any point in the recruiting process as necessary to ensure the employee's acceptance but must, in any case, be made before the employee's entrance on duty. (3)

Because there are so many options that could be applied to a specific situation, it is essential that the office director, the regional administrator, or the Deputy Inspector General for OIG carefully review the criteria and panel guidelines described in Part I of this handbook to determine the most cost-effective incentive. Candidates should not be led to believe that student loan repayments are an entitlement associated with recruitment. (4)

**Initiating a Request To Make a
Student Loan Repayment (D)**

At the time the position is vacant, the appropriate office director, regional administrator, or the Deputy Inspector General for OIG, in concert with the division director or the supervising official, determines how to fill the position. (1)

- If it is decided to open the position to competition, the vacancy announcement must so indicate when there is a possibility that a student loan repayment might be authorized. (a)

**Initiating a Request To Make a
Student Loan Repayment (D) (continued)**

- If the position is announced with this provision, the requester, in concert with the division director or the selecting official, decides whether to recommend requesting a loan repayment and the amount or percentage of the repayment. (b)

Once the selectee is identified, the office director, the regional administrator, or the Deputy Inspector General for OIG initiates the request for approval and prepares a justification for the request, using the format shown in Exhibit 2. This justification must address both the criteria to be met in making an initial determination of eligibility and the criteria for determining the amount of the repayment. (Recommending, reviewing, and deciding authorities are described in Exhibit 1.) (2)

Submit requests on a case-by-case basis in accordance with the procedures discussed in Part IV of this handbook. (3)

Part III
**Student Loan Repayment as a
Retention Incentive**

When used as a retention incentive, the Student Loan Repayment Program authorizes loan repayments for employees with high or unique qualifications or employees who fill a special need of the agency that makes it essential to retain the employee and who, in the absence of offering student loan repayment benefits, would be likely to leave for employment outside Federal service. (A)

The determination to offer the repayment must be based on a written description of the extent to which the employee's departure would affect the NRC's ability to carry out an activity or perform a function that is essential to NRC's mission. (B)

Criteria for the Initial Eligibility Determination (1)

The agency may authorize a student loan repayment to any employee if the employee is likely to leave Federal service for any reason. (a)

To support the determination, consider the following criteria in the narrative, as applicable: (b)

- Provide evidence that the employee is likely to leave Federal service. (i)
- Describe the extent to which the employee's departure would affect the agency's ability to carry out an activity or perform a function deemed essential to the agency's mission. (ii)
- Describe recent efforts to recruit and retain employees with qualifications similar to those possessed by the employees in similar positions. (iii)

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Criteria for the Initial Eligibility Determination (1) (continued)

- Specify the availability in the labor market of candidates who could perform the employee's full range of duties with minimal training or disruption of services to the public. (iv)

Criteria for Determining the Amount of the Loan Repayment (2)

Consider the following in determining the specific amount of the repayment:

- The severity or criticality of the loss of the employee to the NRC's mission. (a)
- The reason that a lesser amount would not be sufficient to retain the employee. (b)

Other Considerations (3)

Consider the practicality of using the repayment incentive in combination with other pay provisions, such as a retention allowance, or a waiver of dual-compensation limitations, in terms of the consequent advantage to NRC. (a)

If proposing to use loan repayment in combination with other pay provisions, consider why the other provision(s) alone would not be sufficient. (b)

Employees should not be led to believe that student loan repayments are an entitlement of employment. (c)

Initiating a Request To Make a Student Loan Repayment (4)

The office director, the regional administrator, or the Deputy Inspector General for OIG assesses the individual situation against the criteria in Part I of this handbook and any guidance from the agency Federal Employees Pay Comparability Act

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Initiating a Request To Make a Student Loan Repayment (4)
(continued)

(FEPCA) Senior Management Review Panel or the OIG FEPCA Senior Management Review Panel, as appropriate. In addition, the requester should consider— (a)

- The criticality of the activity for which the employee's services must be retained. (i)
- Whether the nature of the work will allow the employee to fulfill a 3-year service agreement, as required by law. (ii)
- Whether other payments or incentives could be used to retain the individual in lieu of or in addition to the student loan repayment. (iii)

Submit requests to the Director of the Office of Human Resources or the Deputy Inspector General for OIG. (b)

**Part IV
Processing a Student Loan Repayment Incentive**

Technical Review (A)

Upon receipt of a request to authorize a student loan repayment, the Director of Human Resources (HR) or the Deputy Inspector General for the Office of the Inspector General (OIG) reviews each request to determine whether it meets all regulatory and personnel management requirements and indicates concurrence or nonconcurrence for the request. (1)

The Director of HR or the Deputy Inspector General for OIG arranges for a meeting of the appropriate Federal Employees Pay Comparability Act (FEPCA) Senior Management Review Panel (or a subgroup thereof) and forwards the request to the panel for review. (2)

The Director of HR or the Deputy Inspector General for OIG provides any additional assistance requested by the panel. (3)

The Director of HR advises office directors and regional administrators of any categories of positions for which the Executive Director for Operations (EDO) has granted advance approval for student loan repayments. (4)

The Deputy Inspector General determines the categories of positions for which the IG has granted advance approval for student loan repayments. (5)

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FEPCA Senior Management

Review Panel (B)

The FEPCA Senior Management Review Panel (or a subgroup thereof) reviews the request, determines whether it meets the initial criteria, and reviews the amount requested after considering the criteria and the principles of equity. (1)

The panel then forwards the recommendation to the HR Allowance Financial Manager or the OIG Allowance Financial Manager (for OIG employees) for certification of funds availability. (2)

The Funds Certifying Official forwards the recommendation to the deciding official for a final decision. (3)

The OIG FEPCA Senior Management Review Panel performs all the above functions relating to student loan repayment requests for OIG. (4)

See Exhibit 1 of Handbook 10.49 for other reviewing officials. (5)

Approval or Disapproval (C)

The deciding official reviews the recommendations of the agency FEPCA or OIG FEPCA Senior Management Review Panel and all other relevant documentation and makes a final decision. (1)

The deciding official forwards the decision to the Director of HR for implementation. (2)

Implementing the Decision (D)

The Director of HR or the Deputy Inspector General for OIG notifies the requesting official of the decision. (1)

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Implementing the Decision (D) (continued)

For approved requests, the Director of HR or the Deputy Inspector General for OIG informs the employee and obtains a signed service agreement as shown in Exhibit 3. The Director of HR or the Deputy Inspector General for OIG advises the employee of any applicable tax implications. (2)

The Deputy Inspector General for OIG forwards the action to the Director of HR for implementation. (3)

The Director of HR forwards a copy of the documentation, including the service agreement, to the Chief Financial Officer (CFO) for processing. (4)

The Director of HR notifies the CFO of any personnel action relating to the employee that would prevent the employee from fulfilling the terms of the service agreement. (5)

Obligations and Oversight (E)

Service Agreement (1)

The length of the service agreement is 3 years, as established by law. (a)

If a student loan repayment benefit is renewed, the existing service agreement will be amended to extend the period of required service to 3 years beyond the date of the renewal. (b)

The service agreement applies to service anywhere in the NRC. (c)

Records and Reporting (2)

Documentation justifying repayment of student loans will be maintained in appropriate personnel and accounting files. (a)

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Obligations and Oversight (E) (continued)

Records and Reporting (2) (continued)

A report of each determination is submitted to the Office of Personnel Management (OPM) as part of NRC's regular submission to OPM's Central Personnel Data File, as appropriate. (b)

The Director of HR will oversee and evaluate NRC student loan repayment activities to ensure that usage conforms to applicable laws and appropriate regulations. (c)

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**Exhibit 1
Approval Authorities for Student Loan Repayments**

	Recommending Official	Reviewing Official	Deciding Official
For all eligible employees as indicated—			
• Immediate staff of the Chairman or the Commissioners ¹	Chairman or Commissioner	Director, HR ² EDO ³ FEPCA Panel ⁴	Chairman
• Commission-level offices	Office Director	Director, HR EDO FEPCA Panel	Chairman
• Immediate staff of the EDO	EDO	Director, HR FEPCA Panel	Chairman
• EDO-level offices	Office Director/ Regional Administrator	Director, HR FEPCA Panel	EDO
• OIG ⁵ staff	AIG ⁶	Deputy IG	IG ⁷
For approval of waiver of student loan repayment (including amount to be waived) for recovery of employee's student loan repayment—			
• Immediate staff of the Chairman or the Commission	Chairman or Commissioner	Director, HR CFO ⁸ and EDO	Chairman
• Commission-level offices	Office Director	Director, HR CFO and EDO	Chairman
• EDO staff offices	Office Director or Regional Administrator	Director, HR CFO	EDO
• OIG staff	Deputy IG	Deputy IG	IG

¹Schedule C-equivalent employees are not “eligible employees.”

²Office of Human Resources

³Executive Director for Operations

⁴Federal Employees Pay Comparability Act Senior Management Review Panel

⁵Office of the Inspector General

⁶Assistant Inspector General

⁷Inspector General

⁸Chief Financial Officer

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**Exhibit 2
Request To Use Student Loan Repayment
Pay Authority**

TO: Chairman or Executive Director for Operations

THRU: Director, Office of Human Resources (HR), or
Deputy Inspector General, Office of the
Inspector General (OIG)

FROM: Office Director, Regional Administrator, or Assistant Inspector
General for Audits (AIGA) or Assistant Inspector General for
Investigations (AIGI)

SUBJECT: REQUEST TO USE STUDENT LOAN REPAYMENT AUTHORITY

- I.A. I request approval to use the student loan repayment authority for (name) . I recommend that the amount of the repayment be of basic pay (or, in the amount of \$).
- I.B. I have reviewed the criteria outlined in Handbook 10.49 and have attached a narrative justification that addresses both the criteria to be met in making an initial determination to use the authority and the criteria for determining the amount of the repayment.

Date

Signature (Office Director, Regional Administrator,
or AIGA/AIGI for OIG)

- II. I have reviewed the request for the use of the student loan repayment authority and have determined that it does does not meet the criteria specified in Handbook 10.49. I do do not concur with this recommendation. An explanation is attached for any nonconcurrency.

Date

Signature (Director, HR, or Deputy IG for OIG)

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Exhibit 2 (continued)

III. We have reviewed the request for use of the student loan repayment authority. We ___ do ___ do not agree that it fully meets the criteria for payment. We ___ do ___ do not agree with the amount recommended. We recommend an alternate payment amount of ___ based on the attached evaluation. We recommend that this request be ___ approved ___ disapproved with any change noted. Justification for this recommendation is attached.

Date

Signature (Chairman, Federal Employees Pay
Comparability Act [FEPCA] Senior Management
Review Panel, or OIG FEPCA Panel, as appropriate)

IV. There ___ are ___ are not sufficient funds to pay for the request as approved above.

Date

Signature (Director, HR)

(Return copy of form with CFO funds determination to HR.)

V. I have reviewed the request for a student loan repayment and ___ approve ___ disapprove the request for the amount initially requested, or for the amount of _____.

Date

Signature (deciding official)

VI. Forward to the Director, HR, for implementation.

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**Exhibit 3
A Service Obligation Agreement
Between the
U. S. Nuclear Regulatory Commission
and**

_____ (Name) _____

In consideration of the repayment by the Government of the United States of my outstanding federally insured student loan in the amount of \$_____ as provided in connection with my (appointment or continued employment) with the U.S. Nuclear Regulatory Commission (NRC), I hereby agree to remain in NRC service for a period of 3 years from the effective date of this agreement, unless separated or transferred to a different Federal agency for reasons beyond my control and acceptable to the NRC. In the event this student loan repayment authority is renewed or extended by the NRC, I understand that I will be required to extend this 3-year service period to a date that is 3 years from the effective date of the renewal or extension. In the event I voluntarily fail to complete the period of employment with the NRC (or successor agency in the event of a transfer of function), I will be indebted to the Federal Government and will repay the full amount of all loan repayment benefits received. I understand that in the event my overall performance rating is below Fully Successful, I will be indebted to the Federal Government and will repay the loan repayment benefits received on a pro rata basis. I understand that a student loan repayment and this service agreement do not constitute a right, a promise, or an entitlement to continued employment or promotion.

This agreement is effective (date of NRC payment to holder of loan).

Date

Signature of employee