



DEPARTMENT OF DEFENSE
NATIONAL SECURITY PERSONNEL SYSTEM
PROGRAM EXECUTIVE OFFICE
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JUL 14 2006

MEMORANDUM FOR NSPS COMPONENT PROGRAM MANAGERS

Subject: Competitive Examining Numerical Ranking and Selection Procedures for Positions Filled under the National Security Personnel System (NSPS)

The attached documents reflect coordination between the National Security Personnel System (NSPS) Program Executive Office and the Office of Personnel Management's (OPM) Strategic Human Resources Policy Division concerning NSPS competitive examining procedures. These procedures are authorized by Public Law 108-136, "National Defense Authorization Act," section 9901.515 of title 5, Code of Federal Regulations, "Department of Defense (DoD) Human Resources Management and Labor Relations Systems," and Subchapter 1950 of DoD 1400.25-M, "Department of Defense Civilian Personnel Manual."

Generally, DoD will follow the procedures described in the OPM Delegated Examining Operations Handbook (DEOH). In certain circumstances, variances from the DEOH reflect terminology changes in accordance with NSPS rules. For example, the terms "Pay Plan, Series, and Grade" used throughout the DEOH will be replaced with "Career Group, Pay Schedule, Occupational Code and Pay Band." General information regarding the qualification requirements for positions under NSPS are expressed in Chapter 1900 of DoD 1400.25-M and the OPM Qualifications Handbook.

Attachment 1 reflects changes to specific chapters and sections of the OPM DEOH. In addition, Attachment 2 provides a practical example demonstrating how NSPS positions will be filled using competitive examining. Unless otherwise expressed in the attachments, the OPM DEOH will be followed when filling positions under the NSPS competitive examining authority, until such time as DoD and OPM coordinate additional changes.

Shirley B. Scott
Director, NSPS Program Executive Office
Human Resources Systems

Attachments
As stated:

Attachment 1

National Security Personnel System (NSPS) Competitive Examining Authority Variations to the Office of Personnel Management (OPM) Delegated Examining Operations Handbook (DEOH)

| DEOH Chapter | DEOH Section | Subject | NSPS Variation |
|---------------------|---------------------|---|--|
| Chapter 1 | | | |
| | Introduction | OPM and Agency Responsibilities | This is not applicable under NSPS since Section 9902 of Public Law 108-136, dated November 24, 2003, authorized the Department of Defense (DoD) to establish NSPS. Title 5 CFR 9901.515 establishes competitive examining authority under NSPS without delegation from OPM. |
| | Section A | What is Delegated Examining Authority | Not Applicable under NSPS |
| | Section B | Oversight | <p>The CPMS Field Advisory Services Competitive Examining Oversight Section has program oversight to ensure that all competitive service examining activities, including work that is performed by contractors, are conducted in accordance with merit system principles and the standards established under 5 U.S.C. § 9902, 5 CFR 9901.515, and Chapter 1900 of DoD 1400.25-M when filling positions under NSPS.</p> <p>If a determination is made that an activity is not being performed in accordance with applicable laws, rules, regulations, or standards, corrective action will be required.</p> |
| | Section C | Agency Responsibilities | |
| | | Establishing an agency policy on accepting and processing applications | Under NSPS, competitive examining offices may target their recruiting strategy. At a minimum, applicants from the local commuting area must be considered. Applicants from other targeted recruitment sources may be concurrently considered. When limiting consideration, the vacancy announcement must clearly state that |

| DEOH Chapter | DEOH Section | Subject | NSPS Variation |
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| | | | consideration will be limited if sufficient qualified candidates are received from the local commuting area and other targeted recruitment sources. If sufficient candidates are not received from the local commuting area and other targeted recruitment sources, consideration will be expanded to all applicants, i.e., the area of consideration will not be expanded incrementally. |
| | | Administering and scoring written tests | Individuals who administer DoD established competitive examining tests must be trained and certified by the DoD CPMS Field Advisory Services Competitive Examining Oversight Section. DoD may also contract with OPM or another certified contractor to administer and score DoD competitive examining tests on a reimbursable basis. |
| | | Issuing certificates | See SC1950.6.2.5. DoD competitive examining offices are responsible for issuing certificates of eligibles, auditing certificates, and establishing objection/pass over procedures for all preference eligibles, except the following for which OPM retains exclusive authority: <ul style="list-style-type: none"> • Make medical determinations pertaining to preference eligibles (<u>5 CFR Part 339</u>); and • Grant or deny an agency's pass over request of a preference eligible with a compensable service-connected disability of 30% or more. (<u>5 U.S.C. § 3318</u>) |
| | | Accountability | To ensure that DoD NSPS competitive examining activities are in compliance with Federal law and merit system principles (see <u>5 C.F.R. 9901.515</u> and |

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| | | | <p>5 U.S.C. § 2301), competitive examining offices will:</p> <ul style="list-style-type: none"> • Establish an internal accountability system. This internal accountability system is subject to periodic review by the CPMS Field Advisory Services Competitive Examining Oversight Section. • Conduct annual self-audits of competitive examining activities for positions filled under NSPS. Such self-audits must be performed by non-competitive examining unit staff that have been trained and certified in accordance with DoD NSPS competitive examining policy. In satisfying this requirement, competitive examining units must: <ul style="list-style-type: none"> ○ Certify completion of the self-audit to the CPMS Field Advisory Services Competitive Examining Oversight Section by indicating the date of completion in the NSPS quarterly workload report; and ○ Maintain a list of all discrepancies and corrective actions for a period of three years after each audit. • Take any corrective action that may be required as a result of periodic review of competitive examining activities. |
| | | Reporting | DoD competitive examining offices are responsible for reporting NSPS competitive examining workload on a |

| DEOH Chapter | DEOH Section | Subject | NSPS Variation |
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| | | | quarterly basis, as prescribed by the DoD CPMS Field Advisory Services Competitive Examining Oversight Section. Workload reports must be submitted to the CPMS Field Advisory Services Competitive Examining Oversight Section. |
| | Section D | Initial NSPS competitive examining training | All employees involved in DoD competitive examining activities under NSPS must receive initial training. This initial training will be provided by OPM until the CPMS Field Advisory Services Competitive Examining Oversight Section has established DoD's initial training. Individuals who successfully complete OPM's initial training will receive further training by the CPMS Field Advisory Services Competitive Examining Oversight Section for certification to perform NSPS competitive examining work. |
| | | Refresher training | Refresher training is required for recertification to conduct NSPS competitive examining functions. The training covers any new examining policies, issues related to veterans' preference, and any problems that may have developed during an internal audit or an audit conducted by DoD. |
| | | How to get competitive examining training under NSPS | Competitive examining units will notify CPMS Field Advisory Services Competitive Examining Oversight Section when competitive examining staff needs initial or refresher training. |
| Chapter 2 | Section A | Extension of temporary appointment | See SC1950.6.5.2.2.1. Competitive examining units may extend a temporary appointment in one-year increments for a period of up to two additional years (for a total of 36 months). |
| | | How to announce for a temporary job | Competitive examining offices must state in the job announcement the time limits for the position, e.g., not to |

| DEOH Chapter | DEOH Section | Subject | NSPS Variation |
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| | | | <p>exceed (NTE) one year. In addition, they may wish to include a statement saying that the job may be extended in one-year increments for up to two additional years if the nature of the duties would warrant such a statement.</p> <p>A temporary employee may be eligible for conversion to a career appointment in a position in the same pay band for which hired if the announcement specifically states that the individual selected for the temporary appointment would be eligible for noncompetitive conversion to a competitive position in the career service at a later date. See SC1950.6.5.2.2.7. for other non-competitive conversion requirements.</p> |
| | | Definition of term appointment | See SC1950.6.5.2.1. A term appointment is a nonstatus appointment to a position in the competitive service for a specific period of more than one year but not more than five years. |
| | | Extension of term appointment | Competitive examining units may make an initial term appointment for a period of up to five years. If additional time is necessary, they may extend the appointment up to the maximum six-year limit. |
| | | Term v. permanent appointment | Term appointments do not automatically confer competitive status. However, a term employee may be eligible for conversion to a career appointment in a position in the same pay band for which hired if the announcement specifically states that the individual selected for the term appointment would be eligible for noncompetitive conversion to a competitive position in the career service at a later date. See SC1950.6.5.2.1.7. |

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| | Section A | Direct Hire Authority | 5 CFR 9901.511(c) provides DoD the authority to determine when there is a severe shortage of candidates or a critical hiring need. |
| | NEW | How direct hire authority is initiated | See SC1950.6.5.1. |
| | | NSPS Severe Shortage/ Critical Need Hiring Authority coverage | Severe Shortage/ Critical Need Hiring Authority may be issued for one or more of the following: <ul style="list-style-type: none"> • Occupations; • Pay bands (or equivalent); • Career Groups; and • Geographic locations |
| | | Documenting Personnel Actions | Use the NSPS Guide to Processing Personnel Actions Supplement. |
| Chapter 3 | Section C | Create a Job Announcement | See SC1950.6.2.2., SC1950.6.5.2.1.7., and SC1950.6.5.2.2.7. Vacancy announcements for positions filled under NSPS must also contain targeted recruitment information when limiting the area of consideration for referral. In addition, positions filled on a time-limited basis must contain conversion to permanent appointment criteria (as applicable). |
| Chapter 5 | Section C | Case Examining | With the exception of use of the "rule of three" as set forth in 5 U.S.C. 3317 (a) and (b) and 3318 (a), procedures in this section will continue to apply when filling competitive examining positions under NSPS unless otherwise stated below. |
| | | Issuing Certificates | Under NSPS competitive examining procedures, all qualified applicants may be referred to the selecting official. (The selecting official is not limited to receipt of "three eligible names.") |
| | | Three Considerations | Under NSPS competitive examining procedures, three valid considerations leading to the non-selection of a preference eligible, as set forth in 5 |

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| | | | U.S.C. 3317(b), is not a sufficient reason for discontinued consideration of that candidate. |
| Chapter 6 | Section A | Geographic Area of Consideration | See SC1950.6.2.2. In order to increase the efficiency of the recruiting and hiring process without compromising merit principles, Components may target their recruiting strategy. Components must accept applications from all U.S. citizens to include current Federal employees, and, at a minimum, must consider applicants from the local commuting area. Components may concurrently consider applicants from other targeted recruitment sources, as specified in the vacancy announcement. If there are insufficient qualified candidates in the local commuting area, to include targeted recruitment sources, consideration shall be expanded to all applicants, i.e., the area of consideration will not be expanded incrementally. |
| | NEW | Interoccupational Definition | See SC1920.4.5.2. An interoccupational position is a position involving duties and responsibilities closely related to more than one analytical occupation. It is inappropriate to announce an interoccupational position and use a professional position or any combination of professional and analytical positions as an interoccupational position. Interoccupational positions are not applicable to technician or support occupations. The same analogy for documenting, announcing and certifying interdisciplinary positions in the DEOH will apply to interoccupational positions filled under NSPS. |

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| | Section B | Number of names certified | See 1950.6.2.3. Under NSPS competitive examining procedures, the selecting official may consider all eligibles for each vacancy; therefore, there is no limit to the number of considerations an eligible may receive. |
| | Section C | Audit a Certificate | See 1950.6.2.3 All qualified applicants may be referred and selected in numerical and score order. The “rule of three” and the “three bona considerations” rules do not apply when filling positions under NSPS. A preference eligible may not be passed over to select a lower ranking non-preference eligible unless substantiated by the Department or OPM. Refer to Attachment 2 for a practical application and auditing procedures of NSPS certificates. |
| | | Documenting the personnel action | See the NSPS Guide to Processing Personnel Actions Supplement. |
| Chapter 7 | General | | Reporting and accountability requirements for positions filled via NSPS competitive examining procedures must be followed in accordance with DoD policy. |
| Glossary | | | The definition of terms used under NSPS will be provided in the Glossary section of the DoD NSPS Competitive Examining Handbook. |

Attachment 2
National Security Personnel System (NSPS)
Competitive Examining Authority
Practical Application and Auditing Procedures

| Step | Action | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|---|-----------------------------------|------------------------------|-------------------------------|---------------|-----------------------|-------------------------------|-------------|----|----------------|---------------|-----------------------|----|------------------|----|------------|-------------------------------|------------------|----|------------|
| 1 | <p>The following practical example depicts key steps when using numerical rating and ranking procedures to fill competitive examining positions under NSPS. (For illustration purposes, assume this position is an analytical position covered by the Standard Career Group.)</p> <p>Example: Certificate of Eligibles - The sample certificate below serves as an illustration of the final certificate as it is clearly marked with actions taken during the consideration and selection process for positions under NSPS.</p> <table border="1" data-bbox="310 730 1393 1171"> <thead> <tr> <th data-bbox="310 730 1008 766">Appointing Official's Final Action</th> <th data-bbox="1008 730 1393 766">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="310 766 1008 842">A(1st selection)</td> <td data-bbox="1008 766 1393 842">85.0 CPS Armstrong</td> </tr> <tr> <td data-bbox="310 842 1008 877">FR</td> <td data-bbox="1008 842 1393 877">93.0 Baker</td> </tr> <tr> <td data-bbox="310 877 1008 913">A (2nd selection)</td> <td data-bbox="1008 877 1393 913">90.0 Carter</td> </tr> <tr> <td data-bbox="310 913 1008 949">NS</td> <td data-bbox="1008 913 1393 949">89.0 Davis</td> </tr> <tr> <td data-bbox="310 949 1008 984">FR</td> <td data-bbox="1008 949 1393 984">89.0 Evans</td> </tr> <tr> <td data-bbox="310 984 1008 1020">NS</td> <td data-bbox="1008 984 1393 1020">85.0 TP Farmer</td> </tr> <tr> <td data-bbox="310 1020 1008 1056">NS</td> <td data-bbox="1008 1020 1393 1056">83.0 Green</td> </tr> <tr> <td data-bbox="310 1056 1008 1092">A (3rd selection)</td> <td data-bbox="1008 1056 1393 1092">82.0 TP Hamilton</td> </tr> <tr> <td data-bbox="310 1092 1008 1127">NS</td> <td data-bbox="1008 1092 1393 1127">82.0 White</td> </tr> </tbody> </table> | | Appointing Official's Final Action | Score and Name of Eligible | A(1 st selection) | 85.0 CPS Armstrong | FR | 93.0 Baker | A (2 nd selection) | 90.0 Carter | NS | 89.0 Davis | FR | 89.0 Evans | NS | 85.0 TP Farmer | NS | 83.0 Green | A (3 rd selection) | 82.0 TP Hamilton | NS | 82.0 White |
| Appointing Official's Final Action | Score and Name of Eligible | | | | | | | | | | | | | | | | | | | | | |
| A(1 st selection) | 85.0 CPS Armstrong | | | | | | | | | | | | | | | | | | | | | |
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| A (2 nd selection) | 90.0 Carter | | | | | | | | | | | | | | | | | | | | | |
| NS | 89.0 Davis | | | | | | | | | | | | | | | | | | | | | |
| FR | 89.0 Evans | | | | | | | | | | | | | | | | | | | | | |
| NS | 85.0 TP Farmer | | | | | | | | | | | | | | | | | | | | | |
| NS | 83.0 Green | | | | | | | | | | | | | | | | | | | | | |
| A (3 rd selection) | 82.0 TP Hamilton | | | | | | | | | | | | | | | | | | | | | |
| NS | 82.0 White | | | | | | | | | | | | | | | | | | | | | |
| 2 | <p>For demonstration purposes, we'll now cover the steps associated with the selection and consideration of candidates referred for three essentially identical vacant positions under NSPS that led to the annotations on the certificate above. As with OPM certificates, disregard all eligibles that are legitimately removed from consideration, i.e., declination (DD); failure to respond (FR); mail returned unclaimed (CRU); currently employed by the agency (CE); and objections or pass over requests that were sustained by the DoD Competitive Examining Office or OPM (RM, RQ and RS). (Refer to the DEOH, Chapter 6, Section D).</p> <p>First vacancy:</p> <table border="1" data-bbox="310 1539 1393 1864"> <thead> <tr> <th data-bbox="310 1539 1008 1575">Appointing Official's Action</th> <th data-bbox="1008 1539 1393 1575">Score and Name of Eligible</th> </tr> </thead> <tbody> <tr> <td data-bbox="310 1575 1008 1610">A</td> <td data-bbox="1008 1575 1393 1610">85.0 CPS Armstrong</td> </tr> <tr> <td data-bbox="310 1610 1008 1646">NS</td> <td data-bbox="1008 1610 1393 1646">90.0 Carter</td> </tr> <tr> <td data-bbox="310 1646 1008 1682">NS</td> <td data-bbox="1008 1646 1393 1682">89.0 Davis</td> </tr> <tr> <td data-bbox="310 1682 1008 1717">NS</td> <td data-bbox="1008 1682 1393 1717">85.0 TP Farmer</td> </tr> <tr> <td data-bbox="310 1717 1008 1753">NS</td> <td data-bbox="1008 1717 1393 1753">83.0 Green</td> </tr> <tr> <td data-bbox="310 1753 1008 1789">NS</td> <td data-bbox="1008 1753 1393 1789">82.0 TP Hamilton</td> </tr> <tr> <td data-bbox="310 1789 1008 1824">NS</td> <td data-bbox="1008 1789 1393 1824">82.0 White</td> </tr> </tbody> </table> | | Appointing Official's Action | Score and Name of Eligible | A | 85.0 CPS Armstrong | NS | 90.0 Carter | NS | 89.0 Davis | NS | 85.0 TP Farmer | NS | 83.0 Green | NS | 82.0 TP Hamilton | NS | 82.0 White | | | | |
| Appointing Official's Action | Score and Name of Eligible | | | | | | | | | | | | | | | | | | | | | |
| A | 85.0 CPS Armstrong | | | | | | | | | | | | | | | | | | | | | |
| NS | 90.0 Carter | | | | | | | | | | | | | | | | | | | | | |
| NS | 89.0 Davis | | | | | | | | | | | | | | | | | | | | | |
| NS | 85.0 TP Farmer | | | | | | | | | | | | | | | | | | | | | |
| NS | 83.0 Green | | | | | | | | | | | | | | | | | | | | | |
| NS | 82.0 TP Hamilton | | | | | | | | | | | | | | | | | | | | | |
| NS | 82.0 White | | | | | | | | | | | | | | | | | | | | | |

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| 3 | <p>Since Armstrong is the selectee, determine first if the selection is either a:</p> <ul style="list-style-type: none"> • Preference eligible; • Non-preference eligible appearing above a non-selected, preference eligible(s) on the certificate; or • Non-preference eligible on a certificate where no preference eligible appears with a higher score. <p>If the selectee meets any of the three criteria above, then the selection is valid. If the selectee does not meet any of the above criteria, then the selection is invalid. When applying the criteria, you'll find that Armstrong's selection (a preference eligible who floats to the top of the list due to a compensable service-connected disability of 10% or more) is valid.</p> | |
| 4 | <p>Since the next candidate with the highest score is a non-preference eligible, again, consider all candidates, but ensure the selection is from among either each non-preference candidate with a score that is higher than the highest-standing preference eligible or any candidate with preference eligibility. In this instance, the selection must be either one of the two highest-standing, non-preference eligibles or any preference eligible.</p> <p>Second vacancy:</p> | |
| | <p>Appointing Official's Action</p> <p>A NS NS NS NS NS</p> | <p>Score and Name of Eligible</p> <p>90.0 Carter 89.0 Davis 85.0 TP Farmer 83.0 Green 82.0 TP Hamilton 82.0 White</p> |
| 5 | <p>Confirm that the selectee (Carter) meets one of the conditions listed above (in Step 3). This includes determining whether he or she is a preference eligible or non-preference eligible appearing above non-selected, preference eligible(s) on the certificate. If the selectee meets the criteria, then the selection is valid. If the selectee does not meet any of the conditions in the above criteria, then the selection is invalid.</p> <p>Note: Carter and Davis have a higher score than the preference eligibles listed below them. Therefore, their selection before a preference eligible is consistent with NSPS score order and preference eligibility rules. This is important to remember when considering candidates on certificates.</p> | |
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| 6 | <p>Determine the next group of available eligibles for selection. Since the highest standing candidate (Davis) is a non-preference eligible, the group that will be selected for the next vacant position will consist of this individual and all other preference eligibles on the list.</p> <p>Third vacancy:</p> | |
| | <p>Appointing Official's Action</p> <p>NS NS NS A NS</p> | <p>Score and Name of Eligible</p> <p>89.0 Davis 85.0 TP Farmer 83.0 Green 82.0 TP Hamilton 82.0 White</p> |
| 7 | <p>Confirm that the selection is legitimate by ensuring it passes the test identified in Step 3. If the selectee does not meet the criteria, then the selection is invalid. In our example, although Davis and Farmer have a higher score than Hamilton, the selection is valid because Hamilton is a preference eligible and all preference eligibles may be selected regardless of score order.</p> | |
| 8 | <p>Appointing Official's Action</p> <p>NS NS NS NS</p> | <p>Score and Name of Eligible</p> <p>89.0 Davis 85.0 TP Farmer 83.0 Green 82.0 White</p> |
| | <p>Only Davis and Farmer may be selected from among all other candidates considered for the next vacancy. This is because Davis (a non-preference eligible) has a higher score than Farmer (a preference eligible). In addition, Green and White are non-preference eligibles and can not be selected over a preference eligible with a higher score unless an exception request is granted.</p> <p>In all cases of considering preference eligibles on a certificate, an objection to their selection must be provided to, and sustained by, the DoD Competitive Examining Office or OPM prior to selecting a non-preference candidate with a lower score.</p> <p>Continue following these steps for each additional vacancy.</p> | |