



PERSONNEL AND
READINESS

UNDER SECRETARY OF WAR
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

DEC 19 2025

**MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOW FIELD ACTIVITY DIRECTORS**

SUBJECT: Updated Procedures for Using the Direct Hire Authority for Certain Personnel of the Department of War

- References:
- (a) Title 5, United States Code, Section 9905, "Direct Hire Authority for Certain Personnel of the Department of Defense"
 - (b) Secretary of Defense Memorandum, "Delegation of Authority to Direct Hire Personnel in Support of the Special Inspector General for Operation Atlantic Resolve," May 6, 2024
 - (c) Official Performing the Duties of the Under Secretary of Defense for Personnel and Readiness Memorandum, "Expansion of Direct Hire Authority for Certain Personnel of the Department of Defense," August 12, 2024 (hereby cancelled)
 - (d) Assistant to the President for Domestic Policy and Acting Director, U.S. Office of Personnel Management Memorandum, "Merit Hiring Plan," May 29, 2025

Reference (a) permits the Secretary of Defense to non-competitively appoint qualified candidates to certain positions in the competitive service in the Department without regard to 5 U.S.C., Chapter 33, Subchapter I, other than sections 3303, 3307, and 3328. As a matter of policy, sections 3321 and 3323 of 5 U.S.C., Chapter 33, Subchapter I, and the corresponding Code of Federal Regulations provisions will continue to apply.

As set forth in the attached procedures, this memorandum provides updated guidance for using the direct hire authority in reference (a) and hereby cancels reference (c). Instead of designating the occupational specialties for which the direct hiring authority in reference (a) may be used, the updated guidance enables DoW Component hiring officials to identify the critical hiring needs for which they may use the authority. Consistent with reference (d), the updated guidance removes unnecessary administrative burdens and maximizes the effective use of the authority across all DoW Components, while continuing to ensure compliance with merit system principles.

No appointment may be made under this authority after September 30, 2030, unless otherwise noted.

For more information, my point of contact is Ms. Lauren Lafaye-Benson at (703) 571-9287 or lauren.e.lafaye-benson.civ@mail.mil.


Anthony J. Tata

Attachment:
As stated

**PROCEDURES FOR USING THE DIRECT HIRE AUTHORITY FOR CERTAIN
PERSONNEL OF THE DEPARTMENT OF WAR IN 5 U.S.C. § 9905**

1. Authority.

a. Section 9905 of title 5, U.S. Code, authorizes the Secretary of Defense to appoint qualified candidates to certain positions in the competitive service in the Department without regard to 5 U.S.C., Chapter 33, Subchapter I, other than sections 3303, 3307, and 3328. As a matter of policy, sections 3321 and 3323 of 5 U.S.C., Chapter 33, Subchapter I, and corresponding Code of Federal Regulations provisions will continue to apply.

b. All hiring conducted under this authority must comply with Executive Order 14170, “Reforming the Federal Hiring Process and Restoring Merit to Government Service,” January 20, 2025, and Assistant to the President for Domestic Policy and Acting Director, U.S. Office of Personnel Management Memorandum, “Merit Hiring Plan,” May 29, 2025, unless otherwise noted herein, and all applicable merit system principles.

c. The authority to appoint qualified persons under this direct hire authority (DHA), except those under 5 U.S.C. § 9905(a)(14), is delegated to the Secretaries of the Military Departments, Directors of Defense Agencies, and Directors of DoW Field Activities with independent appointing authority; hereafter referred to as “DoW Components.” The authority may be used for covered positions throughout DoW and will be delegated to the lowest practical level.

d. Appointments under this authority may not be made after September 30, 2030, except for positions covered by Paragraph 3.e., for which the authority does not expire.

(1) DoW Components must document that candidates meet all qualification and suitability requirements, and that the selection is merit-based.

(2) There is no requirement to apply 5 U.S.C. § 3326, Subchapter I, for appointments made under this authority.

(3) Maximum-age entrance requirements (per 5 U.S.C. § 3307, Subchapter I) apply to appointments made under this authority.

e. The authority to identify positions as a critical hiring need with a shortage of candidates, in support of the Special Inspector General for Operation Atlantic Resolve, as well as the authority to fill such positions, was previously delegated to the Department of Defense Inspector General of the Department of Defense by the Secretary of Defense.

2. Use of DHA.

This DHA enables DoW to recruit and appoint qualified persons directly without applying competitive rating and ranking procedures. Merit system principles will be followed when exercising this authority.

Merit factors, i.e., job-related competencies, experience, and validated qualifications, will be the sole basis for selecting individuals for positions.

3. Covered Positions.

This DHA can be used to appoint individuals at the General Schedule-15 and below (or equivalent) pay grades to positions meeting one of the following specifications:

a. Positions involved with DoW maintenance activities, such as maintenance of weapon systems, hardware, equipment, software, installation infrastructure, or any combination thereof, including depot-level maintenance and repair.

b. Positions in the cyber workforce (also known as “cyberspace workforce”) as defined in Department of Defense Directive 8140.01, “Cyber Workforce Management,” October 5, 2020, designated with a cyber work role code.

c. Positions in the acquisition workforce that are responsible for managing services contracts necessary to the operation and maintenance of programs of the DoW.

d. Positions in science, technology, or engineering, including any such position at the Major Range and Test Facilities Base, to allow development of new systems and provide for the maintenance of legacy systems.

e. Positions in science, technology, engineering, or mathematics, including technician positions, within the defense acquisition workforce, or any category of acquisition positions within DoW designated by the Secretary as a shortage or critical need category.

f. Positions in science, technology, engineering, or mathematics, except any such position within any defense Science and Technology Reinvention Laboratory, for which a qualified candidate is required to possess a bachelor’s degree or an advanced degree, or for which a veteran candidate is being considered.

g. Positions in medical or health professions within the DoW designated by the Secretary as a shortage category or critical need occupation.

h. Positions in childcare services, including family childcare coordinator services and school age childcare coordinator services, for which there is a critical hiring need and a shortage of childcare providers.

i. Positions in financial management, accounting, auditing, actuary, cost estimation, operational research, business, or business administration for which a qualified candidate is required to possess a finance, accounting, management, or actuarial science degree or a related degree, or a related degree of equivalent experience.

j. Positions, as determined by the Secretary, for the purpose of assisting and facilitating the efforts of the DoW in business transformation and management innovation.

k. Positions in the military housing office of a military installation, provided the primary function of the military housing office is supervision of military housing covered by 10 U.S.C., Chapter 169, Subchapter IV.

l. Positions in support of aircraft operations within the DoW designated by the Secretary as a shortage category or critical need occupation.

m. Positions in support of the safety of the public, law enforcement, or first response within DoW designated by the Secretary as a shortage category or critical need occupation.

n. Positions in support of Special Inspector General for Operation Atlantic Resolve for which there is a critical hiring need and shortage of candidates in accordance with Paragraphs 1.d. and 4.a.

4. Definitions.

a. A “critical hiring need” and “shortage” exists when a vacancy must be filled to maintain mission execution and/or prevent mission gaps. This includes circumstances, whether routine or emerging, in which an unfilled position may impede readiness, service delivery, or timely mission accomplishment.

b. For the purposes of Paragraphs 3.c. and 3.e. above, qualified candidates meet or will meet Defense Acquisition Workforce Improvement Act certification requirements within the required timeframe for appointment to the position being filled.

c. For the purposes of Paragraph 3.i. above, qualified candidates meet or will meet the DoW Financial Management Certification Program requirements, within the required timeframe, for appointment to the position being filled, as applicable.

5. Announcement and Assessment Process.

a. Public notice is not required; however, if posting job opportunity announcements, DoW Components must use announcements that are concise, easily understood, and meet Office of Personnel Management and Merit Hiring Plan standards, as appropriate.

(1) DoW Components will establish recruiting procedures that facilitate the identification of qualified individuals for referral to management for selection and appointment.

(2) DoW Components must ensure that merit system principles are followed when posting advertisements and announcements, receiving applications, referring candidates, and notifying applicants regarding receipt and status of their applications.

(3) Potential applicants should have ready access to information about how to apply for positions, and the basis on which they will be assessed to meet the qualifying criteria.

b. DoW Components will assess candidates against job-related criteria, ensuring they have the skills, education, training, and behavioral attributes that provide for successful job performance.

(1) Components are not required to use USA HIRE premium technical or alternative assessments.

(2) Selectees for entry-level positions requiring the Administrative Careers with America (ACWA) assessment must be assessed using the most recent, streamlined ACWA examination or a validated alternative assessment instrument (e.g., select USA HIRE assessments).

c. Appointments under this authority are subject to the Priority Placement Program. Procedures applicable to the use of direct hiring authority may be found in the Priority Placement Program Handbook, Chapter 4, Appendix B, available at [insert link].

6. Appointing Authority.

a. Appointments may be made on a permanent, term, or temporary basis using the following Legal Authority Code(s)/Legal Authority(s) as applicable:

(1) For the purposes of Paragraphs 3.a.-3.m. use Legal Authority Code/Legal Authority: Z5CAV/Direct-Hire Auth (Certain DoW Personnel), PL 118-31, Sec 1250B(i)(2), 12/22/2023

(2) For the purposes of appointments made by the Inspector General of the Department of Defense for positions in support of Operation Atlantic Resolve, use Legal Authority Code/Legal Authority: Z5CAU: Direct-Hire Auth (IG-Operation Atlantic Resolve), PL118-31, Sec1250B, 12/22/2023

7. Oversight and Accountability.

Each DoW Component is responsible for determining the appropriate use of this DHA to meet workforce needs, ensuring implementation is in accordance with merit system principles and collective bargaining agreements, as applicable.

a. The Under Secretary of War for Personnel and Readiness is responsible for the development of implementing guidance and policies.

b. The Deputy Assistant Secretary of War for Civilian Personnel Policy will oversee and monitor the use of this authority throughout DoW.

c. The Defense Civilian Personnel Advisory Service (DCPAS) will collect usage and effectiveness data for required reporting.

d. DoW Components are responsible for oversight, accountability, and reporting for themselves and their serviced organizations.

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

other appointing authorities (e.g., resumes, job opportunity announcements, candidate referral lists, if applicable).

8. Reporting.

a. DoW Components are required to annually report on the usage and effectiveness of the authority, as requested by DCPAS.

b. Reports must include an analysis of DHA usage, to include hiring improvements, adherence to merit system principles, and quantifiable impact on effectiveness in meeting mission and staffing needs. Analysis should include data metrics regarding types of positions filled and types of candidates appointed, such as:

(1) Number of employees hired by position, series, and grade/pay band/level per each position category described in Section 3 above;

(2) Number of veterans hired;

(3) Number of military spouses hired; and

(4) Number of internal candidates (i.e., current employees) hired.