



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

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## Memorandum

To: DOI Human Capital Officers

From: Jennifer A. Ackerman  
Director, Office of Human Capital  
Deputy Chief Human Capital Officer

Subject: Hiring Authority for College Graduates

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This memo serves to clarify implementation of the hiring authority referenced in Public Law 115-232, the National Defense Authorization Act for Fiscal Year 2019. Section 1108 of the Act established a new hiring authority, codified at 5 U.S.C. 3115, for appointing college graduates into positions at specified grades in the competitive service and directs the Office of Personnel Management (OPM) to issue regulations to implement this authority.

On November 5, 2021, OPM issued [interim rules](#) to create a new section 315.614 in subpart F of part 315, title 5, Code of Federal Regulations (CFR), and revise part 330 Recruitment, Selection, and Placement (General). Interim rule for college graduates allows agencies to make appointments of eligible individuals directly into the competitive service, without regard to CTAP, ICTAP, or veterans' preference. The DOI workforce should note that this new hiring authority is separate and distinct from Executive Order 13562, the Pathways Programs (providing for appointments in the excepted service for Interns, Recent Graduates, and Presidential Management Fellows), rather is meant to compliment these hiring flexibilities.

The Department of the Interior (DOI) authorizes use of this rule to all Bureaus and Offices, effective December 6, 2021. This guidance will be in place until a Personnel Bulletin is issued.

Provisions of the new rule include:

- **Appointment.** The Department of the Interior (DOI), Bureaus and Offices may appoint noncompetitively an eligible and qualified individual to a position classified in a professional or administrative occupational category at the general schedule (GS) 11 level (or equivalent) or below, without regard to the provisions of 5 U.S.C. 3309 through 3319 and 3330. Appointments are career or career-conditional permanent positions in the competitive service.
- **Eligibility.** An eligible college graduate means an individual who:
  - Has received a baccalaureate or graduate degree from an institution of higher education as defined in 20 U.S.C. 1001(a); and
    - Submits a complete application for the position being filled under this authority;

- Is appointed no later than two years after the date on which the individual received their degree, or in the case of an individual who has completed a period of not less than four years of intervening obligated service in a uniformed service, no later than two years after the date on which the individual was released or discharged from that uniformed service.
- Meets the minimum qualification standards prescribed or approved by OPM for the position to which the individual is being appointed.

Bureaus must use discretion and examine all application materials to ensure eligibility is met, prior to appointment.

- **Qualifications.** Individuals appointed under this authority must meet the government-wide OPM-prescribed minimum qualification standard, or OPM-approved agency-specific qualification standard, for the position being filled.
- **Job Opportunity Announcements (JOA).** DOI (Bureaus/Offices) must adhere to merit system principles and thus must provide public notification in a manner that recruits qualified individuals from appropriate sources in an endeavor to draw from all segments of society, before filling a position under these interim regulations.

During this interim period (and to be examined as part of formulating of a permanent policy), JOAs under this authority must be posted to USAJOBS, via DOI's Talent Management System; USASTaffing.

- **Tenure and Competitive Status.** A person appointed under this authority becomes a career-conditional employee unless the appointee has already satisfied the requirements for career tenure or is exempt from the service requirement pursuant to § 315.201 and acquires competitive status upon completion of probationary period.
- **Numerical Limit for Number of Appointments.** The total number of individuals that an agency may appoint under this authority during a fiscal year may not exceed 15 percent of the number of individuals that the agency appointed during the previous fiscal year to a position in the competitive service classified in a professional or administrative occupational category, at the GS –11 level or below, or equivalent, under competitive examining procedures.
  - DOI may not count appointments made using direct hire authorities, non-competitive authorities, excepted service authorities, or selections under merit promotion authorities, when establishing the limit for a given fiscal year.

When using this authority, the Servicing Human Resources Office (SHRO) must use the legal authority code (LAC) “ZLM – P.L. 115-232” and the following nature of action codes (NOAC) for non-status, time-limited appointments in the competitive service:

- 100 – Career Appointment
- 101 – Career-Conditional Appointment
- 500 – Conv to Career Appointment
- 501 – Conv to Career-Conditional Appointment

Bureau policy leads may contact the [DOI Office of Human Capital](#) with any questions.