



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

June 9, 2023

PERSONNEL BULLETIN NO. 23-08

SUBJECT: Direct Hire Authority (Permitting)

- 1. Purpose.** This Personnel Bulletin (PB) implements the Direct Hire Authority (DHA) granted by the U.S. Office of Personnel Management (OPM) in support of permitting positions.
- 2. Scope.** This policy applies to the Bureau of Indian Affairs (BIA), Bureau of Land Management (BLM), Bureau of Ocean Energy Management (BOEM), Bureau of Reclamation (BOR), the Office of Surface Mining Reclamation and Enforcement (OSMRE), and the U.S. Fish and Wildlife Service (FWS) (the bureaus). This authority will assist the Department of the Interior (DOI, Department) with meeting staffing requirements related to permitting activities.
- 3. Authority.** 5 U.S.C. § 3304(a)(3) and 5 CFR 337.205(b)(1)-(4). OPM memorandum dated May 25, 2023.
- 4. Policy.** Effective immediately, this DHA may be used to fill a total of 242 permitting positions within the aforementioned bureaus within the series and at the allocated number of positions listed in the attached document (Permitting DHA Allotted Positions by Bureau). This DHA is based on an urgent critical hiring need to support permitting needs across the Department. OPM has approved the use of this DHA through December 31, 2025.

This authority permits Interior to fill a total of 242 positions nationwide in the General Schedule (GS) grade level positions (or equivalent) as specified on the attached table. OPM has approved appointments within the following series and grades which are directly related to permitting efforts.

- GS-0028 Environmental Protection Specialist
- GS-0150 Geography
- GS-0193 Archaeology

- GS-0301 Miscellaneous Administration and Program Series (e.g., Planning and Environmental Coordinator)
- GS-0343 Management and Program Analysis
- GS-0401 Natural Resources Management and Biological Sciences
- GS-0486 Wildlife Biology
- GS-0801 General Engineering
- GS-1301 General Physical Science

This DHA will assist the Department in complying with the Bipartisan Infrastructure Law (BIL) and the Inflation Reduction Act (IRA) of 2022 as well as the provisions of the Federal Permitting Improvement Steering Council (FPISC) which is charged with improving the transparency, predictability, and outcomes of the Federal environmental review and authorization process of certain large-scale infrastructure projects. Interior must support and accelerate environmental reviews impacting pollution abatement and land restoration efforts specified in the BIL and IRA.

The Bureaus may give individuals appointed under this DHA competitive service career, career-conditional (permanent), term or temporary appointments as appropriate, without regard to provisions of 5 U.S.C. § 3309-3318 or 5 CFR part 211 and part 337, subpart A. The Bureaus must comply with the public notice requirements in 5 U.S.C. §§ 3327, 3330 and 5 CFR 330, subpart G, and requirements in 5 CFR 332.402 when seeking to fill positions under this authority. In addition, the bureaus must comply with all relevant laws other than those from which the bureaus are exempt pursuant to 5 USC § 3304(a)(3) and this authority.

Bureaus will be required to report monthly on their hiring progress to OHC and the BIL/IRA PMO. After three months of implementation of this PB, the Department's Office of Human Capital (OHC) and the BIL Program Management Office (PMO) may reallocate allocations of positions remaining available under this DHA. Bureaus cannot conduct additional rating and ranking to determine relative degrees of qualifications when using this authority. The bureaus must select all qualified applicants on the certificate before considering applicants from another DHA certificate pursuant to this DHA. When selecting individuals under this DHA, sections 5 USC § 3309-3318 and the requirement for applying veterans preference does not apply. Qualified candidates with veterans' preference must be selected as they are found, just as any qualified non-preference eligible candidate would be. Preference eligible veterans submitting under late application procedures must be included on the certificate and selected as they are found prior to consider applicants from another DHA certificate.

This DHA has been authorized based on a critical hiring need that requires the Department to move quickly to fill positions. Though moving quickly, bureaus still should use DHA as part of their overall strategic workforce planning and should take care to have a recruiting strategy that reaches all segments of society, including diverse and underserved communities, veterans, early career talent, and other groups representing the full range of the American workforce. The OHC will regularly evaluate use of this DHA to ensure compliance with the aforementioned talent management considerations. The OHC is also responsible for ensuring reporting requirements to OPM on the use of this DHA are met.

5. **Appointments.** The bureaus may give individuals appointed under this authority competitive service career, career-conditional (permanent), term, or temporary appointments as appropriate, without regard to provisions of 5 USC § 3309-3318 or 5 CFR part 211 and part 337, subpart A.

The bureaus must use two authority codes when documenting personnel actions using this DHA, as follows:

- First Authority (SF-50 Item 5-C): AYM – Reg. 337-201
- Second Authority (SF-50 Item 5-E): BYO – DOI002

Use of these authority codes and adherence to additional tracking mechanisms will enable the Department and the bureaus to ensure accurate and current utilization of this DHA for ease of required reporting to OPM and compliance with requirements of the DHA.

6. **Oversight.** Bureaus using this authority must establish written oversight procedures to ensure proper use. Procedures must include guidance on who shall approve hires, the method of tracking and reviewing appointments under this DHA and defining parameters for which positions qualify as “permitting work” in the above series to determine eligibility for use of this DHA. Bureaus must maintain appropriate documentation of any individual hired under this authority for reconstruction purposes. OPM will review the use of this DHA on a monthly basis to ensure it is being utilized properly and to determine if continued use is supportable. Appointment documentation must be retained for three (3) calendar years from the date of the appointment. Appointments are subject to review, under DOI’s Human Capital Accountability Program Evaluation.
7. **Reporting.** Per the terms of this DHA, the Department is required to provide regular reports to OPM on utilization of the DHA, including:
 - Any available demographic data (e.g., race, national origin, gender of applicants), including applicant flow data;

- The number of qualified applicants;
- The number of selections; and
- Grade and step/pay level of the applicants selected.

In order to satisfy this requirement, bureaus must adhere to any reporting requests related to utilization of the DHA within the time period specified by OHC. Failure to comply with reporting or tracking requirements could lead to revocation of the DHA.

- 8. Inquiries.** Any employee or employee representative seeking further information concerning this policy may contact their respective servicing human resources office. Bureau headquarters HR staff may contact the Office of Human Capital at DOI_Office_of_Human_Resources@ios.doi.gov.

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

Attachment:

DOI DHA Permitting (BIL IRA) Updated Positions SIGNED 05-25-2023
Permitting DHA Allotted Positions by Bureau