

January 30, 2001

BULLETIN NO. 01-05

TO THE HEADS AND ACTING HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Government Hiring Controls

Purpose. This Bulletin provides guidance on the hiring controls established by Assistant to the President and Chief of Staff Andrew Card's January 20, 2001 Memorandum for Heads and Acting Heads of Executive Departments and Agencies, "Government Hiring Controls."

Background and coverage. The January 20th Memorandum asks departments and agencies to ensure that the President's appointees have the opportunity to make personnel decisions consistent with the President's goals for Government reform, in particular making Government more responsive to the needs of citizens, more efficient, and more accountable. The hiring control procedures required by the Memorandum are designed to provide that opportunity.

The Memorandum applies to all Executive departments and agencies.

This Bulletin supersedes the January 22, 2001 memo on hiring controls issued by the Office of Personnel Management.

Required actions. No decision relating to hiring shall be made until it has been reviewed and approved by a department or agency head appointed by the President after noon on January 20, 2001, and confirmed by the Senate.

Department or agency heads appointed by the President after noon on January 20, 2001, and confirmed by the Senate may delegate the power of review and approval consistent with applicable law.

Actions taken pursuant to the Memorandum must be taken in accordance with law, including, but not limited to, statutes setting minimum hiring levels and appropriate funding for hiring.

Contracts with non-governmental entities or persons are not to be used to avoid the hiring controls.

The hiring controls apply to all hiring decisions, except as noted below:

- Appointments made with the approval of the Assistant to the President for Presidential Personnel and Deputy to the Chief of Staff.
- Internal career ladder promotions and with-in grade increases.
- Placement of persons with restoration rights accorded by law, such as restoration after absence with injury compensation and restoration after military duty.
- Placement of an agency's surplus and displaced employees who are eligible under the Career Transition Assistance Program.
- Conversion to the competitive service of persons completing employment programs with conversion authority, such as Veterans Readjustment Act appointments, Thirty-Percent Disabled Veterans, and Presidential Management Interns.

Official job offers extended before January 20, 2001 may be honored.

These controls do not apply to agencies where the department or agency head has already been appointed and confirmed. The newly appointed agency head has the authority to establish appropriate mechanisms and delegations to review and approve hiring decisions.

These procedures are subject to such exceptions as the Director of the Office Management and Budget (OMB) may grant as necessary to ensure the continued operation of essential Government functions, including those affecting safety, health, or national security, and provision of essential Government services, such as the delivery of social security or veterans benefits.

Requests for exceptions should be made by the acting head of the department or agency, and should be submitted to the agency's Resource Management Office in OMB.

In the longer term, every department or agency head will be expected to develop a plan to meet the President's goal of reducing management ranks. Guidance on the development of these plans will be issued by OMB later.

All independent regulatory agencies or other Government establishments whose political appointees by law or custom will

not change with the new Administration, are encouraged to adopt the hiring control procedures.

Contact. Questions regarding this Bulletin should be directed to the agency's OMB representative.

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