



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

DEC 23 2005

PERSONNEL AND  
READINESS

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Suspension of Outstanding Scholar Appointing Authority

The Department of Defense (DoD) is temporarily suspending the use of the Outstanding Scholar appointing authority. This suspension is in response to the August 5, 2005, Merit Systems Protection Board (MSPB) decision in the case of *Dean v. Department of Agriculture* (available at the MSPB web site, [www.mspb.gov](http://www.mspb.gov)).

The Office of Personnel Management (OPM) has temporarily suspended its own internal use of the Outstanding Scholar appointing authority and advised each agency to determine its own appropriate course of action in regard to the *Dean* decision. OPM has notified MSPB that it will be filing a brief requesting reconsideration. DoD may issue additional guidance after the MSPB rules on the OPM request for reconsideration.

Effective the date of this memorandum, all addressees shall cancel all affected vacancy announcements for which a selectee has not been notified of selection. Although use of the Outstanding Scholar appointing authority has been temporarily suspended, these applicants remain eligible for employment through open competitive examining procedures; the Student Career Experience Program; Federal Career Intern Program; and the Presidential Management Fellows Program for appointment in the competitive service.

Please ensure that this information is distributed to all Human Resources Offices in your Component or Agency. My point of contact on this issue is Mrs. Janet Grubbs who may be reached at (703) 696-1622 or DSN 426-1622.

  
for Marilee Fitzgerald  
Acting Deputy Under Secretary  
Civilian Personnel Policy

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