SEC. ___. NONCOMPETITIVE TEMPORARY AND TERM APPOINTMENTS IN THE COMPETITIVE SERVICE.

(a) TEMPORARY AND TERM APPOINTMENTS.—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following new section:

"§ 3115. Temporary and term appointments

"(a) DEFINITIONS.—In this section:

"(1) TEMPORARY APPOINTMENT.—The term 'temporary appointment' means an appointment in the competitive service for a period of not more than 1 year.

"(2) TERM APPOINTMENT.—The term 'term appointment' means an appointment in the competitive service for a period of more than 1 year but not more than 5 years, unless a longer period is authorized by the Director of the Office of Personnel Management prior to appointment.

"(b) APPOINTMENT.—

"(1) IN GENERAL.—The head of an agency may make a temporary appointment or term appointment to a position in the competitive service when the need for an employee's services is not permanent.

"(2) EXTENSION.—Under conditions prescribed by the Director of the Office of Personnel Management, the head of an agency may extend a temporary appointment or term appointment made under paragraph (1).

"(c) APPOINTMENTS FOR CRITICAL HIRING NEEDS.—Under conditions prescribed by the Director of the Office of Personnel Management, the head of an agency may make a noncompetitive temporary appointment, or a noncompetitive term appointment for a period of not more than 18 months, to a position in the competitive service for which a critical

hiring need exists, without regard to the requirements of sections 3327 and 3330. An appointment made under this subsection may not be extended.

"(d) REGULATIONS.—The Director of OPM may prescribe regulations to carry out this section, but is not required to promulgate regulations prior to implementation.".

"(e) SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.—Nothing in this section shall preclude the Secretary of Defense from making temporary and term appointments in the competitive service pursuant to section 1105 of Public Law 114-328, and any regulations prescribed by the Director for the administration of this section shall not apply to the Department of Defense in its exercise of the authorities granted to the Secretary of Defense under section 1105 of Public Law 114-328.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting the following item after the item relating to section 3114:

"3115. Temporary and term appointments.".

Section-by-Section Analysis

This proposal would modify statutory provisions to exempt certain "non-permanent/non-career" appointments from public notice requirements. This proposal would allow Federal agencies to develop more strategic outreach efforts to recruit the talent needed to address a critical hiring need. Agencies would determine recruitment sources, including processes for the solicitation of applications, and agencies would still be held responsible for merit-based hiring decisions, consistent with other employment requirements.

Budget Implications: OPM does not believe this proposal has any significant Government-wide cost implications. A budget table is inapplicable and has not been provided.