

7/7/2026

Approved for Release
Benjamin Kagan-Guthrie
Director for Human Resources Management and
Chief Human Capital Officer (Acting)

Date

DEPARTMENT OF COMMERCE
OFFICE OF HUMAN RESOURCES MANAGEMENT

HUMAN RESOURCES (HR) BULLETIN #277, FY26

SUBJECT: Direct-Hire Authority (DHA) Assessment and Referral Guidance

EFFECTIVE DATE: Upon release of this Human Resources (HR) Bulletin

SUPERSEDES: Not Applicable

EXPIRATION DATE: Until superseded or revoked

PURPOSE: This guidance supplements the Office of Personnel Management's [Guidance on Use of Hiring Assessments when Utilizing Direct Hire Authority](#) by requiring the use of at least one competency-based assessment and providing options in the referral of applicants under Direct Hire Authority (DHA).

BACKGROUND: On February 23, 2026, the Office of Personnel Management (OPM) issued Supplemental Guidance on the [Merit Hiring Plan](#). Within the guidance, OPM explains that when using DHA to fill competitive service positions, job-related skills-based assessments must be used to support high-quality, merit-based selection decisions.

Servicing Human Resources Offices (SHROs) may utilize DHA to fill positions when OPM has determined that a severe shortage of candidates or a critical hiring need exists for specific occupations, grade/band levels, and/or geographic locations. Using OPM approved [governmentwide](#), or Department of Commerce (DOC) specific, DHA enables SHROs to hire, after public notice is given, any qualified applicant without regard to Title 5, United States Code (U.S.C.) 3309-3318, Title 5, Code of Federal Regulations (CFR) part 211 or Title 5, CFR part 337 Subpart A.

ASSESSMENTS: The Merit Hiring Plan now requires the hiring process to include at least one technical or alternative assessment before the issuance of a certificate(s) of eligibles for positions at the GS-5 level (or equivalent) and above. Seasonal positions and those below the GS-5 level (or equivalent) are excluded from this requirement.

The USAHire assessment must be used when it is available for a position's series and grade/band level.

When a USAHire assessment is not available for a particular series and grade/band level, another type of pass/fail assessment must be used.

REFERRAL OPTIONS: In consultation with the hiring manager, SHROs may use the options below to determine how applicants will be deemed qualified and referred for consideration for DHA postings. The methodology used is discussed and concurred upon by the hiring manager or proxy. With the below options, Career Assistance Transition Program (CTAP) and Intergovernmental Career Transition Assistant Program (ICTAP) eligibles are adjudicated by the SHRO and provided to the hiring manager when applicable, prior to exercising an option listed below.

- **Applicant Listing**

- The SHRO:
 - Determines basic eligibility (i.e., individual occupational requirements (IOR), such as educational degrees, specific course work, certifications, etc.) and provides the hiring manager with the applicant list of all applicants who meet the basic eligibility requirements.
 - Reviews the resumes of the applicants on the list and provides the names of those he/she wants a final qualification determination made by the SHRO (i.e. specialized experience).
 - Conducts the final qualification determination on those applicants and provides a certificate of eligibles to the hiring manager.

- **Certificate of Eligibles**

- Option 1
 - The SHRO reviews and assesses the basic eligibility and qualifications of all of the applicants and a certificate of eligibles is provided to the hiring manager with the name of all applicants who were deemed qualified.
- Option 2
 - The SHRO determines basic eligibility (i.e. IOR such as educational degrees, specific course work, certifications etc.) and provides the designated subject matter expert (SME) with the applicant list of all applicants who met basic eligibility requirements.
 - The SME reviews all of the applicants provided and makes a qualification determination (i.e. specialized experience) on each one.
 - The SME returns the annotated applicant list to the SHRO.
 - The SHRO reviews the SMEs determination, adjudicates the final qualification determination, creates the certificate of eligibles, and provides it to the hiring manager.

STANDARD OPERATING PROCEDURES: SHROs have the flexibility to create individual standard operating procedures (SOP) to further define operational workflow based on the referral options above and the SHRO's business needs. The SOP must be consistent with this Human Resources Bulletin, as well as with any applicable Federal regulations and with OPM guidance pertaining to DHA.

REFERENCES: [*Merit Hiring Plan \(May 29, 2025\)*](#); [*OPM Guidance on Use of Hiring Assessments when Utilizing Direct Hire Authority*](#); [*OPM's Delegated Examining Operations Handbook*](#); Title 5, United States Code (U.S.C.) 3309-3318; Title 5 CFR part 211; Title 5, CFR part 337 subpart A; Title 5, CFR part 330.

OFFICE OF TALENT POLICY: TalentPolicy@doc.gov