



# Department of Defense INSTRUCTION

NUMBER 1400.25, Volume 922  
April 3, 2013

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USD(P&R)

SUBJECT: DoD Civilian Personnel Management System: Employment of Highly Qualified Experts (HQEs)

References: See Enclosure 1

## 1. PURPOSE

a. Instruction. This Instruction is composed of several volumes, each containing its own purpose. The purpose of the overall Instruction, in accordance with the authority in DoD Directive 5124.02 (Reference (a)), is to establish and implement policy, establish procedures, provide guidelines and model programs, delegate authority, and assign responsibilities regarding civilian personnel management within the DoD.

b. Volume. In accordance with the guidance in References (b) through (d), this volume:

(1) Establishes DoD policy for the employment of HQEs pursuant to section 9903 of title 5, United States Code (Reference (c)) and HQE-Senior Mentors (HQE-SMs) pursuant to section 1102 of Public Law 111-383 (Reference (e)).

(2) Cancels the USD(P&R) Memorandum, "Revised Policy Guidance – Hiring of Highly Qualified Experts (HQEs)," March 26, 2010 (Reference (f)).

2. APPLICABILITY. This volume applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. HQEs shall be appointed to bring enlightened thinking and innovation to advance the DoD national security mission. HQEs are a temporary infusion of talent and provide non-permanent support for short-term endeavors.

b. HQE-SMs shall be appointed to provide expert experience-based mentoring, teaching, training, advice, and recommendations to senior military officers, staffs, and students as they participate in war games, warfighting courses, operational planning, operational exercises, and decision-making exercises.

c. HQEs and HQE-SMs shall be used, as needed, to support mission requirements and help meet DoD workforce planning challenges. The authority to appoint annuitants shall not be used to solely benefit an HQE.

d. The combined total number of HQE and HQE-SM appointments within the DoD shall not exceed 2,500 at any time in accordance with section 9903 of Reference (c).

e. HQEs from outside the civil service and uniformed services may be appointed by the Secretaries of the Military Departments, the Director of Administration and Management (DA&M), and to Heads of Defense Agencies and DoD Field Activities with independent appointing authority to positions with any work schedule (i.e., full-time, part-time, or intermittent) consistent with section 9903 of Reference (c) and this Volume and without regard to any other provisions of Reference (c).

f. HQEs from outside the civil service and uniformed services may be appointed by Directors of the Defense Laboratories to positions in their organizations with any work schedule (e.g., full-time, part-time, or intermittent) consistent with section 9903 of Reference (c) and this Volume and without regard to any other provisions of Reference (c).

5. RESPONSIBILITIES. See Enclosure 2.

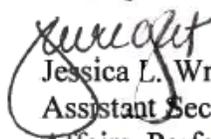
6. PROCEDURES. See Enclosure 3.

7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction:

a. Is effective April 3, 2013.

b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DoD Instruction 5025.01 (Reference (g)). If not, it will expire effective April 3, 2023 and be removed from the DoD Issuances Website.

  
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Secretary of Defense for Personnel and  
Readiness

Enclosures

1. References
2. Responsibilities
3. Procedures

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (b) DoD Directive 1400.25, "DoD Civilian Personnel Management System," November 25, 1996
- (c) Chapters 83 and 84 and sections 2101, 5304, 5376, 9902 and 9903 of title 5, United States Code
- (d) Section 104 of title 3, United States Code
- (e) Section 1102 of Public Law 111-383
- (f) USD(P&R) Memorandum, "Revised Policy Guidance – Hiring of Highly Qualified Experts (HQEs)," March 26, 2010 (hereby cancelled)
- (g) DoD Instruction 5025.01, "DoD Directives Program," September 26, 2012
- (h) Section 2 of Public Law 110-372
- (i) USD(P&R) Memorandum, "Implementation of Recruitment, Relocation and Retention Incentives," September 21, 2006
- (j) Section 101 of title 10, United States Code

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) shall establish policy and provide guidance regarding employment of HQEs.

2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR CIVILIAN PERSONNEL POLICY (DASD(CPP)). The DASD(CPP), under the authority, direction, and control of the Assistant Secretary of Defense for Readiness and Force Management, shall:

- a. Approve certain appointments pursuant to section 3 of Enclosure 3 of this volume.
- b. Distribute and manage total HQE and HQE-SM allocations and approve cross leveling of allocations.
- c. Monitor the efficacy and integrity of the HQE program and oversee the implementation of this volume.
- d. Conduct periodic audits of the employment of HQEs in accordance with paragraph 5 of enclosure 3 of this Volume.

3. DA&M. The DA&M shall:

- a. Distribute and manage HQE and HQE-SM allocations for all non-military department appointments.
- b. Approve all HQE appointments for those non-military department appointments who do not hold independent appointing authority.
- c. Authorize additional payments for all non-military department payments prior to effectuating a payment for relocation, recruitment, retention or warfighting event payments as discussed in 8.f and 8.g. of enclosure 3.

4. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components with independent appointing authority shall:

- a. Oversee compliance of this volume of this instruction within their Components.
- b. Ensure appropriate and effective use and oversight of this authority to support mission requirements.

- c. Maintain documentation as specified in section 9 of Enclosure 3 of this volume.
- d. Appoint HQEs from outside the civil service and uniformed services to positions with any work schedule (e.g., full-time, part-time, or intermittent) without regard to any other provisions of Reference (c).
- e. Appoint HQE-SMs to positions with any work schedule (e.g., full-time, part-time or intermittent) without regard to any other provisions of Reference (c).

ENCLOSURE 3

PROCEDURES

1. GENERAL INFORMATION

a. Appointments of HQEs must be made from personnel outside the civil service and uniformed services, as defined in section 2101 of Reference (c). Exceptions to this policy are allowed only as established in paragraphs 2.b. and 2.c. of this enclosure.

b. Appointments of HQEs may be made without regard to any competitive service requirements consistent with Reference (c).

c. Allocations of HQEs will be distributed and managed at the end of each odd-numbered fiscal year. The DASD(CPP) will assign a share of the allocations based on civilian end strength, prior-year usage, and the needs of the DoD Components. As the need arises, under-utilized authorizations may be re-allocated and additional allocations may be requested, with justification, for approval by the DASD(CPP).

2. QUALIFICATION REQUIREMENTS

a. Personnel must possess an uncommon level of expertise and recognition to be appointed as an HQE. Such expertise, with the exception of HQE-SMs, is generally not available within the Federal workforce at the time of need, nor is it typically gained within the civil service or uniformed services. HQE-SMs, by nature, have the expertise and experience required to fulfill their intended roles, having been recruited from former or retired civil service or uniformed service personnel.

b. HQE appointees generally gain such expertise through experience in private industry or academia. As such, it is typical for HQEs to have an intervening period of service between any former civil or uniformed service and their appointment as an HQE. However, the required expertise generally gained through experience in private industry or academia could, in rare circumstances, be obtained through prior civil or uniformed service during which the HQE gained an uncommon level of expertise. In these cases, a minimum 30-day break in service is required for appointment. These types of appointments should occur only in exceptionally compelling circumstances and are subject to the pre-appointment staffing review requirements of section 3 of this enclosure.

c. Personnel identified as HQE-SMs possess a knowledge and ability to provide experience-based mentoring, teaching, training, advice, and recommendations to senior military officers, staffs, and students as they participate in war games, warfighting courses, operational planning, operational exercises, and decision-making exercises. As such, HQE-SMs are exempt from the 30-day break in service and pre-appointment staffing review requirements.

d. HQE appointments may not be used to:

- (1) Appoint any person to a position as the Head of a DoD Component.
- (2) Replace a member of the Senior Executive Service (SES) in a continuing DoD function, or to bypass or undermine the hiring of a career member of the SES for a permanent position.
- (3) Provide any person temporary employment in anticipation of a permanent appointment.
- (4) Provide employment to any personnel formerly within the civil service or uniformed services without at least a 30-day break in such service and without the qualifying credentials as defined in 2.a. of this enclosure.
- (5) Provide employment to a Federal annuitant when such employment would be more appropriate under the provisions of Volume 300 of this Instruction.

e. Retired civil servants who do not possess an uncommon level of expertise and recognition required for a HQE appointment shall be appointed as re-employed annuitants consistent with the provisions of Volume 300 of this Instruction.

f. An employee who separated under the Voluntary Separation Incentive Payment Authority shall be prohibited from reemployment with the DoD for 12 months after separation, and shall not be reemployed within 5 years unless the employee repays the separation incentive. Appointment under this policy constitutes reemployment with the DoD and all prohibitions and repayment requirements specified in section 9902(f) of Reference (c) and Volume 1702 of this Instruction apply.

### 3. PRE-APPOINTMENT STAFFING REVIEW REQUIREMENTS

a. The DASD(CPP) will conduct pre-appointment staffing reviews of appointments involving HQEs whose positions fall into the following categories:

- (1) Appointment of a former political appointee converted noncompetitively using the Schedule A appointing authority or a former political appointee noncompetitively converted using any appointing authority or Schedule C Executive Branch employee who held the position within the last 5 years to a HQE position.
- (2) Appointment of a former non-career SES Executive Branch employee who held the position within the last 5 years to a HQE position.
- (3) Appointment to a HQE position of an individual who has already served on a HQE appointment or is currently serving in a HQE position without at least a 30-day intervening break in service.

(4) Appointment under exceptionally compelling circumstances when a break in service is such that it does not provide for an intervening period of employment for any former Federal employee, such as a Schedule C, non-career Executive Branch, non-career SES employee, or member of the uniformed services as set forth in paragraph 2.b. of this enclosure, except for appointments as HQE-SMs, as described in paragraph 2.c. of this enclosure.

(5) Appointment or conversion of any current HQE into a new position in the competitive service, excepted service, or SES.

(6) Appointment of a former HQE who held the same or a similar position within the last 5 years into a position in the competitive service, excepted service, or SES.

b. Appointments requiring review under this section should occur only in rare instances and the staffing review will consider the documented rationale that merits the exceptionally compelling type of appointment, and to ensure compliance with all applicable civil service laws, rules, and regulations. Supporting documentation requirements are defined in section 4 of this enclosure.

c. With the exception of specific appointments described in paragraph 3.a. of this enclosure, the Secretaries of the Military Departments, the DA&M, Heads of Defense Agencies and DoD Field Activities with independent appointing authority will conduct pre-appointment staffing reviews of all other appointments of candidates to HQE positions consistent with this volume.

d. Pre-appointment staffing reviews shall be conducted to ensure that all personnel actions remain free of political influence or other improprieties; adhere to merit system principles; remain free from prohibited personnel practices; comply with all other civil service laws, rules, and regulations; and are in accordance with the appointment requirements set forth in sections 2.d. and 4 of this enclosure.

#### 4. APPOINTMENT REQUIREMENTS

a. All appointments of HQEs shall include written documentation that clearly identifies:

(1) The individual's qualifications (e.g., requisite knowledge, skills, and experience) for an HQE appointment as defined by section 2 of this enclosure.

(2) The short-term (5 years or less) nature of the work or, if work is subsequently determined to extend beyond the current period, a succession plan for the position.

(3) The scope of specific, results-driven work, project, program, or task; schedule for delivery; and strategic mission or goal supported performance plan.

(4) Factors and criteria used in setting initial pay and basis for future pay adjustments.

b. Pre-appointment review requirements shall be endorsed by the Senior Executive Management Office and shall include all appointment requirements as set forth in section 4.a. of this enclosure in addition to:

(1) Justification for the exceptionally compelling circumstance as described in section 2.b. of this enclosure.

(2) Rationale that merits the exception upon which it is based.

(3) Additional documentation/information that will be considered regarding the appointment of a new HQE, and should be addressed in the justification, includes, but is not limited to:

(a) Justification of how the expertise required by the HQE position cannot be found in the Federal sector or military.

(b) How the position has been filled in the past.

(4) Additional documentation as determined by the DASD(CPP).

c. When converting a former or current HQE into a position in the competitive service, excepted service, or SES, pre-appointment review requirements shall be endorsed by the Component's Senior Executive Management Office and shall include all appointment requirements as set forth in sections 4.a. and 4.b. of this enclosure in addition to documentation and information that addresses:

(1) When the position being filled by the proposed conversion was created.

(2) If the position being filled by the proposed conversion is hard to fill or if there was other qualified candidates available.

(3) Whether the position is in the same organization where the HQE position currently resides and whether the duties are similar.

(4) If the HQE being considered for the conversion has held multiple HQE appointments.

(5) If the technical qualifications for the position being filled by the proposed conversion were too limiting for the announcement.

(6) Where the HQE gained his or her technical experience required for the new position (private industry or from the current or previous HQE appointment).

(7) Additional documentation as determined by the DASD(CPP).

d. Appointees shall be advised of appropriate ethics, conflict of interest, and re-employment restrictions that apply to acceptance of an HQE appointment at the time of their initial appointment and again at the time of any subsequent appointment.

e. Individuals employed as HQEs will be given Excepted Not To Exceed appointments (up to 5 years) using Nature of Action Code 171, Authority Code ZLM, and legal authority pursuant to section 9903 of Reference (c). The pay plan will be Experts Other (EE). In addition, all HQE-SMs shall include a secondary legal authority code of 903.

f. In addition, individuals appointed under the HQE authority as HQE-SMs, are required to complete the Office of Government Ethics (OGE) Form 278, the “public financial disclosure report,” within 30 days of appointment. All other HQEs are required to complete OGE Form 450, “confidential financial disclosure report,” within 30 days of appointment as a condition of employment. Individuals who file the OGE 278 more than 30 days after the due date or more than 30 days after the last day of an extension will be subject to a \$200 late filing fee.

5. REVIEW REQUIREMENTS. The DASD(CPP) shall conduct a review to ensure the HQE authority is being implemented in a consistent manner across the DoD. The DASD(CPP) will prepare a summary report on its findings and any additional guidance, clarification, or amendments to the implementation of HQE policy as necessary. The review will be conducted using data readily available and copies provided of the records Components are required to maintain in accordance with paragraph 9 of this enclosure.

## 6. PERFORMANCE MANAGEMENT

a. HQEs and HQE-SMs shall be subject to a performance management process that establishes performance requirements and provides for additional compensation, if applicable, for extraordinary results.

b. HQEs and HQE-SMs shall not be subject to the requirements of a DoD formal performance management system, such as the Senior Executive Service and Senior Professional Performance Management System. Instead, HQEs and HQE-SMs will be covered by an appointment-specific performance plan.

c. The performance plan shall be part of the appointment documentation and shall:

(1) Specify the periods of performance and appraisal. The periods of performance and appraisal can be for any length of time deemed sufficient to deliver and review the expected results, e.g., 90 days, annually, or multi-year. The performance plan shall be reviewed by the rating official at least once during the period of performance to ensure it is current and relevant. The performance plan shall be changed or updated based upon job requirements and organizational needs.

(2) Specify the performance factor and performance requirements. The single mandatory performance factor is mission accomplishment (see Glossary).

(3) Provide at least one, but generally no more than four, performance requirements. All performance requirements shall be results-driven, written at the “In Good Standing Level,” in the SMART-Q framework, and specify measurable results and outcomes of a particular performance element.

(a) The President’s Annual Executive Pay (PAEP) increases may be used to recognize performance at this level of achievement for HQEs.

(b) HQEs and HQE-SMs serve at the will of the appointing official. An HQE or HQE-SM whose performance does not meet expectations or is not determined to be at the “In Good Standing Level,” must be terminated.

(4) Develop and discuss performance requirements in consultation with the HQE or HQE-SM and reflect the duties, responsibilities, and expected outcomes.

(5) Specify the basis for pay increase based upon extraordinary results. Pay increases above the PAEP level are reserved for those who deliver extraordinary results.

d. Supervisors must monitor performance during the performance appraisal period as set forth in the performance plan and communicate feedback to the HQE or HQE-SM on progress in accomplishing the performance elements and performance requirements.

e. Relative to the performance plan, the rating official shall provide ongoing feedback as necessary. Feedback aims to reinforce, acknowledge, anticipate, and remedy performance. Feedback can be provided at any time during the performance period. In addition, HQEs and HQE-SMs may request periodic feedback on performance.

## 7. DURATION OF APPOINTMENT

a. Employment as an HQE or HQE-SM should not exceed 5 years. Appointing officials may, on a case-by-case basis, extend appointments in one year increments, as long as the total length of service does not exceed 6 years. Justification for the extension shall include:

(1) The need to retain the services and expertise of the HQE or HQE-SM.

(2) The role in promoting the DoD national security mission.

(3) Impact on the organization and/or mission if the HQE services are not continued

b. HQEs and HQE-SMs serve at the will of the appointing official and may be terminated at any time. When practicable, they should be given no less than 3-days notice of the termination.

c. In the event the Secretary of Defense terminates the HQE program, certain provisions will apply to an employee who, on the day before the program terminates, is serving in a position pursuant to an appointment consistent with section 9903(b) of Reference (c):

(1) The termination of the program will not terminate the employee's employment in that position before the expiration of the lesser of:

(a) The period for which the employee was appointed; or

(b) The period to which the employee's service is limited consistent with section 9903(c) of Reference (c) and this volume, including any extension made before the termination of the program.

(2) The rate of basic pay prescribed for the position may not be reduced as long as the employee continues to serve in the position without a break in service.

## 8. PAY AND LEAVE ADMINISTRATION

### a. Pay-Setting Upon Initial Appointment

(1) Compensation for an HQE or HQE-SM should shall reflect the salary paid in the labor market for comparable positions, taking into account such factors as applicant's skills, professional and educational accomplishments, and the complexity of the work the applicant is asked to perform. Other relevant factors may include:

- (a) Labor market conditions.
- (b) Type of position.
- (c) Work schedule.
- (d) Organizational needs.
- (e) Personal qualifications.
- (f) Type of degree or retirement rank.
- (g) Experience (currency).
- (h) Budget considerations.
- (i) Organizational equity or pay considerations.
- (j) Mission impact of work assignments.

(2) Pay may not be prescribed at rates in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of Reference (c), as increased by locality-based comparability payments under section 5304 of Reference (c), and as further increased by additional payments made within limits applicable to an employee under section 9903(d) of Reference (c).

(a) Basic pay for an HQE or HQE-SM typically will be within the range from GS-15, step 1 (or equivalent) up to the statutory limit of Level IV of the Executive Schedule. Executive Level IV is the maximum basic pay allowed under section 9903 of Reference (c) as limited by section 2 of Public Law 110-372 (also known as “the Senior Professional Performance Act of 2008”) (Reference (h)).

(b) In addition to basic pay, HQEs and HQE-SMs may receive locality-based comparability payments applicable to the geographic location of their position of record as prescribed by section 5304 of Reference (c). However, such payments, when added to the rate of basic pay, shall not exceed Level III of the Executive Schedule, in accordance with section 5304(g)(2)(C) of Reference (c). Accordingly, the current maximum rate of basic pay for an HQE may be set up to the Executive Level IV cap. Appropriate locality-based comparability payment may then be added to the basic pay in an amount not to exceed Level III of the Executive Schedule.

(3) HQE and HQE-SM basic pay will not be further supplemented for any reason, except as provided in subparagraph 8.d. of this enclosure, to include position-based special rates. In addition, HQEs and HQE-SMs are not eligible for premium pay (e.g., overtime, compensatory time, credit hours, compensatory time for travel) or time-off awards.

b. Pay Increases. Within the range provided in subparagraph 8.a.(2) of this enclosure, appointing officials may adjust an HQE or HQE-SM basic pay, at any time, for:

(1) An extraordinary level of accomplishment as documented by the performance plan. Accomplishments must be related to projects, programs, or tasks that contribute to the DoD or DoD Component strategic mission, requirements, and goals.

(2) A significant change in duties or responsibilities that warrant an increase. Market factors or other benchmarks to ensure competitiveness for the work required will be used to support the increase. Written documentation shall describe the basis of the increase.

(3) When a DoD Component Head decides HQEs and HQE-SMs may receive some or all of the PAEP increase. Considerations for the PAEP include, but are not limited to, time in the position, cost-of-living adjustment, performance or whether any other pay increases were provided in accordance with this policy.

c. Performance Awards. HQEs and HQE-SMs are not eligible to receive performance awards.

d. Additional Payments. Appointing officials may authorize an additional payment as a recruitment, relocation, or retention incentive payment consistent with paragraph 8.f. of this enclosure, or as a warfighting event payment in accordance with paragraph 8.g. of this enclosure, subject to the limitations pursuant to sections 9903(d) of Reference (c) and Section 104 of title 3, United States Code Reference (d):

(1) The total of all additional payments made under these provisions during any 12-month period may not exceed the lesser of:

(a) \$50,125, which may be adjusted annually by the Secretary of Defense, with a percentage increase equal to one-half of 1 percentage point less than the percentage by which the Employment Cost Index, published quarterly by the Bureau of Labor Statistics, for the base quarter of the year before the preceding calendar year exceeds the Employment Cost Index for the base quarter of the second year before the preceding calendar year; or

(b) The amount equal to 50 percent of the employee's annual rate of basic pay.

(2) These additional payments may be paid to an HQE or HQE-SM who works a full-time, part-time, or intermittent work schedule.

e. Total Compensation. The employee's total compensation in any calendar year, including basic pay and any additional payments, may not exceed the total annual compensation payable at the salary set by Reference (d).

f. Recruitment, Relocation, Retention. While performance may be considered a factor for justifying approving an incentive payment any such additional payments must comply with the Department's policy on recruitment, relocation and retention incentive payments found in USD(P&R) Memorandum (Reference (i)). Additional payments made within the limits applicable to an employee under section 9903(d) of Reference (c) are not affected by the Executive Level IV cap on rates of basic pay nor the Executive Level III cap on basic pay with locality-based comparability payments added. If an additional payment is authorized as a recruitment, relocation, or retention incentive:

(1) The recipient shall sign a written service agreement documenting a minimum period of employment commensurate with the incentive prior to receiving the payment.

(2) HQEs and HQE-SMs are eligible to receive a retention incentive when the organization has a special need for the employee's services that make it essential to retain the employee. HQEs and HQE-SMs are eligible to receive a relocation incentive when the organization has a special need for the employee's services that would require temporarily relocating the employee at any time during the period of employment, and when the relocation would be required for a minimum of 1 year. Retention and relocation incentives may be paid in a single one-time payment after completion of the full service period or in installments after completion of specified periods of service.

(3) The method used in determining installment payments shall be documented before the initial payment occurs.

g. HQE-SM Additional Payment. Subject to the total 12-month additional payment cap noted in 8.d.(1)(a) of this enclosure, an optional additional payment may be authorized for participation in certain warfighting events based on the criteria in paragraphs 8.g.(1) and (2). Advance approval for warfighting events must be obtained and may only be paid after the successful completion of the event.

(1) Additional payment up to a maximum of \$2,500 per event, payable only for pre-approved exercises and upon successful completion of an event that:

- (a) Runs a minimum of 10 consecutive calendar days; and
- (b) Requires a minimum overnight stay of 3 consecutive calendar days.

(2) Additional payment up to a maximum of \$4,500 per event, payable only for pre-approved exercises and upon successful completion of an event that:

- (a) Runs a minimum of 21 consecutive calendar days; and
- (b) Requires travel outside the continental United States.

h. Permanent Change of Station (PCS). HQEs and HQE-SMs may not receive (PCS) payments, unless such payment is approved as an exception to the rules governing additional payments pursuant to 9903(d) of Reference (c) and paragraphs 8.a.(2) and 8.d. of this enclosure.

i. Reemployed Employees. HQEs and HQE-SMs who are retired Federal employees shall continue to receive full annuity and salary upon appointment and shall not be considered employees for the purposes of subchapter III of chapter 83 or subchapter II of chapter 84 of Reference (c).

j. Leave Accrual. HQEs and HQE-SMs are subject to the annual leave accrual provisions of section 6304(a) of Reference (c), which sets the maximum number of annual leave hours carried forward from one leave year to another at 240 hours. Annual leave is accumulated at 8 hours per pay period for a full-time employee and prorated for other eligible part-time employees.

k. Additional Allowances. Should rare and compelling circumstances arise that warrant a waiver to this volume of this instruction for those HQEs and HQE-SMs in support of a contingency operation (as defined in section 101(a)(13) of title 10, United States Code (Reference (j))), requests may be sent to the USD(P&R) to obtain authorization to provide additional allowances in accordance with section 9903(d)(2)(B) of Reference (c).

9. DOCUMENTATION. DoD Components shall:

- a. Use the Defense Civilian Personnel Data System to record HQE and HQE-SM employment.
- b. Maintain written documentation of the criteria used for each appointment, as well as the factors and criteria used in setting initial pay, any pay increases, and additional payments.
- c. Retain documentation for 3 years after employment is terminated.

GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS.

DA&M	Director of Administration and Management
DASD(CPP)	Deputy Assistant Secretary of Defense for Civilian Personnel Policy
EE	Experts Other
HQE	highly qualified expert
HQE-SM	Highly Qualified Expert-Senior Mentor
OGE	Office of Government Ethics
OPM	Office of Personnel Management
PAEP	President's Annual Executive Pay
PCS	Permanent Change of Station
SES	Senior Executive Service
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this volume of this Instruction.

appointing official. The Secretaries of the Military Departments, DA&M, the Directors of Defense Laboratories, Heads of Defense Agencies and DoD Field Activities with independent appointing authority, and officials to whom authority has been re-delegated in accordance with paragraph 4.d. above the signature of this volume.

exceptionally compelling. A situation so unusual and out of the ordinary that its basis for justification is difficult to refute. Circumstances should demonstrate information such as the position is otherwise difficult to fill using other hiring authorities because of the unique nature or technical requirements of the position; the uncommon level of expertise/knowledge required to perform the duties were gained through prior civil or uniformed service and are not readily available in the general public or federal sector; a detailed justification that addresses the unique circumstance that support the claim that the situation is unusual and out of the ordinary.

extraordinary results. A highly exceptional bar standard characterized by significantly advancing the DoD's mission or program objectives and/or demonstrative of significant efficiencies and cost savings. These results are rare and unusual and must be articulated in the form of cutting-edge advancements in an HQEs field of expertise.

HQE. An individual who possesses uncommon and recognized knowledge, skills, and experience in an occupational field, and judgment that is accorded authority and status by peers or the public. An HQE has substantive experience or education in a variety of occupational fields such as soft and hard sciences, engineering, technology, human resources, business, transformation, education, medicine, languages, and logistics but is generally credentialed, and has proven ability in a particular field or fields. HQEs may be hired to mentor, lead, oversee, direct, manage, and or consult on DoD programs and initiatives, including high profile and fast track assignments.

HQE-SM. An HQE who is a retired flag, general, or other military officer or senior retired civilian official who provides expert experience-based mentoring, teaching, training, advice, and recommendations to senior military officers, staff, and students as they participate in war games, warfighting courses, operational planning, operational exercises, and decision-making exercises.

In Good Standing Level. As part of the SMART-Q framework, results are characterized as uncommon, proficient, exceptional, outstanding, or demonstrative of efficiencies and cost savings.

mission accomplishment. Executes the position's assigned duties in a manner that contributes to the successful outcome of strategic goals and objectives. Ensures that the accomplishments of the organization or program managed can be directly tied to mission need. Specifies the results or commitments to be achieved during the rating period.

performance plan. A signed, written document that describes the expected, results-driven performance requirements that are aligned to the organization's goals. The performance plan must state the basis for any performance-based increases for extraordinary accomplishments.

performance requirement. Written statements of measurable results expected to be achieved during the performance appraisal period. Typically, there are between one and four SMART-Q written performance requirements for each performance element. They describe "what is expected" and "how it is to be accomplished," and are written at the "In Good Standing" performance rating level. These are the standards of performance against which HQEs will be evaluated.

Schedule A. An appointing authority that describes special jobs and situations for which it is impractical to use standard qualification requirements and to rate applicants using traditional competitive procedures.

Schedule C. Positions of a confidential or policy-determining nature.

senior retired civilian official. Retired member of the senior executive service or equivalent, and above, from the executive branch, including former presidential appointees confirmed with the advice and consent of the senate, non-career SES, and former U.S. Ambassadors and Senior Foreign Service Officers.

short-term. Generally 5 years or less.

SMART-Q. A framework used for developing measurable results-driven performance requirements. The acronym stands for: specific (define results to be accomplished within the scope of the job), measurable (define quality, quantity, or effectiveness), aligned (support specific strategic goals), realistic and relevant (requirements are achievable yet challenging), timely (define a deadline or timeframe for achieving the requirements), and quality (identify the degree of excellence expected).

uncommon level of experience. A level of knowledge and expertise that is rarely found in a proposed HQEs field of expertise.

warfighting event. For the purposes of this Instruction, a military exercise, demonstration, or experiment that occurs over 10 or more consecutive calendar days and involves intensive participation of at least one HQE-SM. A warfighting event may also include a staff assistance visit that occurs in an area of ongoing overseas contingency, for a period of 10 or more consecutive calendar days.