

**DEPARTMENT OF DEFENSE (DoD) POLICY
CIVILIAN LICENSES, CERTIFICATIONS, AND RELATED EXPENSES**

A. REFERENCES

1. Title 5, United States Code, section 5757, enacted by section 1112 of the National Defense Authorization Act for Fiscal Year 2002.

2. Chapter 23 of title 5, United States Code

B. BACKGROUND

1. Prior to enactment of 5 U.S.C. § 5757 (reference (1)), the Comptroller General had interpreted federal law as prohibiting payment for expenses related to licenses and certifications. There were exceptions for requirements established in law or for qualifications set by the Office of Personnel Management.

2. Section 5757 now permits agencies to use appropriated funds or funds otherwise available to the agency to pay for “expenses for employees [in any federal pay system] to obtain professional credentials, including expenses for professional accreditation, State-imposed and professional licenses, and professional certification; and examinations to obtain such credentials.” This authority may not be exercised on behalf of any employee “occupying or seeking to qualify for appointment to any position that is excepted from the competitive service because of the confidential, policy-determining, policy-making, or policy-advocating character of the position.” This authority is discretionary on the part of agencies and is not an entitlement or benefit of employment.

C. DEFINITIONS

1. Licensing is the process by which an agency of [federal, state, or local] government grants permission to an individual to engage in a given occupation upon finding that the applicant has attained the minimal degree of competency required to engage in that occupation.

2. Certification is recognition given to individuals who have met predetermined qualifications set by an agency of government, industry, or a profession.

3. DoD Components are the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Inspector General of the Department of Defense, the Defense agencies, the DoD Field Activities, and other organizational entities of the Department of Defense.

D. POLICY

1. Heads of DoD Components with appointing authority may approve payment for licenses, certifications, and related expenses consistent with this policy. This authority may be redelegated in writing.
2. The Director, Washington Headquarters Services (WHS), is delegated the authority to approve payment for licenses, certifications, and related expenses, consistent with this policy, for the Office of the Secretary of Defense and those organizations receiving civilian personnel services from WHS.
3. Use of this authority shall be consistent with any collective bargaining obligations.
4. Components may use this authority where it is beneficial to the systematic development and enhanced job performance of employees in support of Administration management objectives, Departmental national security, or Component mission imperatives and goals. Components shall develop criteria for implementation of this authority and provide those criteria to the Office of the Deputy Assistant Secretary of Defense for Civilian Personnel Policy.
5. Payment for licenses and certifications, and their subsequent renewals, may include, at the Component's discretion, such additional expenses as membership fees, fees for preparation for examinations, examinations, registration fees, and travel and per diem costs.
6. Components shall ensure that criteria for payment of expenses to obtain professional credentials are applied consistent with merit system principles as set forth in 5 U.S.C. § 2301. All criteria shall be reviewed at regular intervals, as established by each Component.
7. Unless permitted by law or regulations, Components may not establish minimum qualification requirements based upon the presence or absence of a license or certification.
8. Components may not use this authority to obtain licenses or certifications from organizations that discriminate on the basis of race, color, religion, age, sex, national origin, parental status, or disability.

9. Components shall use the Modern Defense Civilian Personnel Data System (DCPDS) for recording payments for licenses, certifications, and related expenses. The Modern DCPDS will be used to evaluate such payments.