

## U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

MD 10.49 STUDENT LOAN REPAYMENT PROGRAM		DT-15-03
<i>Volume 10,</i>	Personnel Management	
<i>Part 2:</i>	Position Evaluation and Management, Pay Administration, and Leave	
<i>Approved By:</i>	Mark A. Satorius Executive Director for Operations	
<i>Date Approved:</i>	February 2, 2015	
<i>Expiration Date:</i>	February 2, 2020	
<i>Issuing Office:</i>	Office of the Chief Human Capital Officer Human Resources Policy and Programs Team	
<i>Contact Name:</i>	Alison Tallarico 301-287-0740	Servicing Human Resources Specialist (names and phone numbers are listed <a href="#">here</a> )
<b>EXECUTIVE SUMMARY</b>		
Directive and Handbook 10.49 are being revised to—		
<ul style="list-style-type: none"><li>• Update procedures for initiating and processing requests for a student loan repayment, including requiring annual certification of renewal payment.</li><li>• Update the delegation of authority for the office directors and regional directors to include issuance of annual certifications relating to student loan repayment as a retention incentive.</li><li>• Update organizational information and titles.</li><li>• Eliminate the requirement for reimbursement of student loan repayment(s) received when an employee fails to satisfy a service agreement as a result of transferring to another Federal agency.</li><li>• Eliminate Exhibit 2, “Request to Use Student Loan Repayment Pay Authority,” and Exhibit 3, “A Service Obligation Agreement Between the U.S. Nuclear Regulatory Commission and [Name].” These exhibits are available as templates on the Office of the Chief Human Capital Officer Web site.</li></ul>		

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### I. POLICY

It is the policy of the U.S. Nuclear Regulatory Commission to use student loan repayments to facilitate recruitment and retention of highly or uniquely qualified employees or employees with essential skills if it is determined that in the absence of such a repayment the agency would encounter difficulty in filling the position with a suitable candidate or in retaining a current employee who is likely to leave Federal service.

### II. OBJECTIVES

- Implement the student loan repayment provisions of Title 5 of the *United States Code*, Section 5379, “Student Loan Repayments” (5 U.S.C. 5379, as amended), and the applicable implementing regulations from the Office of Personnel Management.
- Encourage and promote employment of applicants within the NRC by offering student loan repayments when the agency would encounter difficulty filling the position with a highly qualified candidate, and encourage and promote the retention of essential employees who are likely to leave Federal service.
- Ensure agencywide equity in the application of criteria to NRC employees.

### **III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY**

#### **A. Chairman**

Approves repayment recommendations and waivers of repayment for Commission staff members and employees of Commission-level offices as indicated in Exhibit 1 of the handbook to this directive.

#### **B. Commissioners**

Recommend student loan repayments or waivers of repayment resulting from breaches of service agreements for their immediate staff members as indicated in Exhibit 1 of this handbook. Employees in positions of a confidential or policy-determining nature (Schedule C type positions) are not eligible for student loan repayments.

#### **C. Executive Director for Operations (EDO)**

1. In consultation with the Chairman, appoints members of the Federal Employees Pay Comparability Act (FEPCA) (Public Law 101-509, 5 U.S.C. 5301 note) Senior Management Review Panel, at least one of whom will be from the Office of the Chief Financial Officer (OCFO).
2. Approves repayment recommendations and requests for waivers of repayment for employees of the EDO's staff and offices reporting to the EDO, as indicated in Exhibit 1 of the handbook to this directive.
3. Approves requests to establish criteria in advance and payments under the criteria in cases in which timely offers of employment are necessary.

#### **D. Chief Financial Officer (CFO)**

1. Coordinates the payroll and accounting procedures governing repayment of qualifying student loans, and recovery of debts incurred as a result of breaches of service agreements, with the NRC's payroll provider.
2. Reviews requests for waivers of repayment for employees as indicated in Exhibit 1 of the handbook to this directive.

#### **E. Inspector General (IG)**

1. Appoints members of the Office of the Inspector General (OIG) FEPCA Senior Management Review Panel.
2. Approves repayment recommendations and waivers of repayment for employees in OIG as indicated in Exhibit 1 of the handbook to this directive.

3. Approves requests to establish criteria in advance and payments under the criteria in cases in which timely offers of employment are necessary in OIG.

#### **F. FEPCA Senior Management Review Panel**

1. Ensures agencywide equity in the application of criteria to NRC employees.
2. Ensures that each recommendation for a student loan repayment meets the criteria for coverage.
3. Recommends approval or disapproval of requests for loan repayments and the amount of the repayment to the deciding official, subject to availability of funding.
4. Identifies and establishes any additional information required in explanation of and consistent with the criteria in the handbook of this directive.
5. The OIG FEPCA Senior Management Review Panel performs the above functions for OIG employees.

#### **G. Chief Human Capital Officer (CHCO)**

1. Develops and implements program parameters and guidance.
2. Advises and provides technical assistance to the FEPCA Senior Management Review Panel on loan repayment recommendations and actions.
3. Advises office directors and regional administrators on the applicability, consequences, and possible alternatives to program utilization.
4. Provides technical review of individual requests for loan repayments to ensure compliance with applicable regulations.
5. Reviews requests for waivers of repayment for employees as indicated in Exhibit 1 of the handbook to this directive.
6. Determines and immediately advises the OCFO when a service agreement has been breached.
7. Directs program oversight and evaluates program success in achieving objectives and makes adjustments as required.

#### **H. Office Directors and Regional Administrators**

1. Recommend student loan repayments and waivers of repayment for selectees and employees in their organizations using criteria specified in this handbook and as indicated in Exhibit 1 of the handbook to this directive.

- (a) For staff of the Office of the Executive Director for Operations (OEDO), recommendations may be made by a Deputy Executive Director for Operations or the Assistant for Operations.
  - (b) For the OIG, recommendations will be made by the Deputy IG, Assistant IG for Audits, or the Assistant IG for Investigations.
2. Issue annual certifications based on criteria specified in Section III of this handbook.

#### **IV. DEFINITIONS**

##### **Employee**

An individual serving under appointment to the NRC or an individual not yet employed who has received a written offer to be newly appointed and has signed a written service agreement in advance of repayment of his or her qualifying student loan.

##### **Service Agreement**

A written agreement between an agency and an employee under which the employee agrees to a specified period of employment with the agency of not less than 3 years in return for payments toward a student loan previously taken out by the employee.

##### **Student Loan**

A loan made, insured, or guaranteed under the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., or 1087aa et seq.), or a health education assistance loan made or insured under the Public Health Service Act (42 U.S.C. 292 et seq. and 297a et seq.).

#### **V. APPLICABILITY**

The student loan repayment provisions apply to all permanent NRC employees and all new NRC appointees, except members of the Commission and Administrative Law Judges who are excluded by regulation and the IG and Administrative Judges who are excluded by agency policy. Temporary employees are not eligible for student loan repayments. Term employees with at least 3 years remaining on their appointments are eligible. Employees in positions of a confidential or policy-determining nature (Schedule C - equivalent positions) are not eligible. Where provisions of the "Collective Bargaining Agreement Between the U.S. Nuclear Regulatory Commission and the National Treasury Employees Union" are in conflict with this management directive, the provisions of the agreement govern with reference to bargaining unit employees. (See "Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union," available at <http://www.internal.nrc.gov/HR/pdf/cba.pdf>.)

## **VI. DIRECTIVE HANDBOOK**

Handbook 10.49 gives the criteria and procedures for student loan repayments.

## **VII. REFERENCES**

### ***Code of Federal Regulations***

5 CFR Part 550, Subpart K, "Collection by Offset From Indebted Government Employees."

10 CFR Part 16, "Salary Offset Procedures for Collecting Debts Owned by Federal Employees to the Federal Government."

### ***Nuclear Regulatory Commission Documents***

OCHCO Web Site, Incentive Programs:

<http://www.internal.nrc.gov/HR/incentive-programs.html>.

Collective Bargaining Agreement Between U.S. Nuclear Regulatory Commission and National Treasury Employees Union:

<http://www.internal.nrc.gov/HR/pdf/cba.pdf>.

### ***United States Code***

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).

Federal Employees pay Comparability Act of 1990 (Public Law 101-509, 5 U.S.C. 5301 note).

Higher Education Act of 1965 (20 U.S.C.)—

    "Federal Family Education Loan Program" (Section 1071 et seq.).

    "William D. Ford Federal Direct Loan Program" (Section 1087a et seq.).

    "Federal Perkins Loans" (Section 1087aa et seq.).

"Installment Deduction for Indebtedness to the United States" (5 U.S.C. 5514).

Public Health Service Act (42 U.S.C.)—

    "Student Loans" (Section 292 et seq.).

    "Student Loan Fund" (Section 297a et seq.).

"Student Loan Repayments" (5 U.S.C. 5379, as amended).

## U.S. NUCLEAR REGULATORY COMMISSION DIRECTIVE HANDBOOK (DH)

DH 10.49 STUDENT LOAN REPAYMENT PROGRAM		DT-15-03
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Directive and Handbook 10.49 are being revised to—

- Update procedures for initiating and processing requests for a student loan repayment, including requiring annual certification of renewal payment.
- Update the delegation of authority for the office directors and regional directors to include issuance of annual certifications relating to student loan repayment as a retention incentive.
- Update organizational information and titles.
- Eliminate the requirement for reimbursement of student loan repayment(s) received when an employee fails to satisfy a service agreement as a result of transferring to another Federal agency.
- Eliminate Exhibit 2, “Request to Use Student Loan Repayment Pay Authority,” and Exhibit 3, “A Service Obligation Agreement Between the U.S. Nuclear Regulatory Commission and [Name].” These exhibits are available as templates on the Office of the Chief Human Capital Officer Web site.

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## **I. PURPOSE OF AND CRITERIA FOR THE STUDENT LOAN REPAYMENT PROGRAM**

The Student Loan Repayment Program authorizes repayment of all or portions of a new or a current employee's outstanding Federally insured student loan to facilitate the recruitment and retention of highly qualified employees or employees with essential skills or unique or unusual qualifications when and to the extent necessary to avoid difficulty in filling a position with a suitable candidate or in retaining an employee who is likely to leave Federal service. Judicious use of the repayment authority is expected to have a direct, positive effect on the agency's ability to recruit and retain a suitable workforce. (Approval authorities are listed in Exhibit 1 of this handbook.)

### **A. Qualifying Loans and Loan Repayment Amounts**

1. Only Federally insured student loans may be repaid. Such loans are those made, insured, or guaranteed under the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.), or health education assistance loans made or insured under the Public Health Service Act (42 U.S.C. 292 et seq.).
2. By law, the amount of a student loan repayment is limited to a gross amount of \$10,000 per individual per calendar year, with a maximum gross amount of \$60,000 per employee. No more than one repayment may be made when the outstanding balance is \$10,000 or less.
3. Repayments are made directly to the lending institution, but any income tax obligation resulting from the loan repayment benefit remains the employee's responsibility.
4. Federal, State, and local taxes are withheld from the gross payment to the lending institution. The amount will be reported as withheld on the employee's earnings and leave statement, and the gross payment will be included in the employee's gross income.
5. The employee remains responsible for making loan payments on the portion of the loan(s) that remains outstanding. Repayments made by the NRC do not relieve the employee from his or her responsibility and/or liability for any loan(s) previously taken out. The NRC is not responsible for any late fees or interest assessed by the holder of the loan or any income tax obligation resulting from the student loan repayment benefit.
6. An employee whose overall performance rating is below Fully Successful becomes ineligible for further student loan repayments.

7. Employees who have defaulted on their student loans are ineligible to receive this benefit.
8. The amount of the loan repayment is not considered part of the employee's basic rate of pay for any purpose.

**B. Service Agreement**

1. Prior to issuance of payment to the lender, an employee approved for student loan repayment must sign a service agreement to remain with the NRC for a period of 3 years, which begins on the date the employee signs the service agreement.
2. Each student loan repayment by the agency requires a separate service agreement, and each agreement requires a 3-year service obligation period. Service obligation periods may overlap and can be served and satisfied concurrently. (See Sections I.C.2(d) and I.C.2(e) of this handbook regarding reimbursements to the NRC if an employee with one or more service obligations leaves the agency.)
3. A service agreement for this purpose does not constitute a right, a promise, or an entitlement to continued employment or promotion.

**C. Payment and Repayments****1. Type of Payment**

- (a) The loan repayment is made directly to the institution holding the loan.
- (b) Successive student loan repayments may be offered to an employee who has previously been approved for the maximum amount of eligible student loan repayment, or for a specific dollar amount exceeding \$10,000, following the procedures and eligibility requirements described in Section III of this handbook if necessary as a retention incentive, subject to annual recertification and availability of funding and yearly and lifetime maximums stated in Section I.A.2 of this handbook.

**2. Payment and Repayment Procedures**

- (a) Before authorizing any loan repayment, the NRC will verify with the holder of the loan that the employee has an outstanding student loan that qualifies for repayment. The NRC will also verify the remaining balance to ensure that the loan is not overpaid.
- (b) The service agreement must be signed before the loan repayment is paid.

- (c) Federal, State, and local income tax withholdings are deducted from the loan repayment amount; tax withholdings may not be spread out over time.
- (d) An employee who fails to complete the period of employment established under a service agreement is indebted to the Federal Government and must reimburse the NRC for all student loan repayment benefits received (not on a pro rata basis) for any service agreements not completed.
- (e) An employee who is involuntarily separated for reasons other than misconduct or unacceptable performance or transfers to another Federal agency without a break in service, is not indebted to the Federal Government if his or her service with the NRC terminates before the date specified in the service agreement. (Note: The NRC will apply the new policy with respect to transfer to another Federal agency to any service agreement effected prior to the publication of revised Management Directive 10.49, and will not require those service agreements be amended.)
- (f) Student loan repayments will be recovered under NRC's regulations as provided in "Salary Offset Procedures for Collecting Debts Owed by Federal Employees to the Federal Government" (10 CFR Part 16), for collection by offset from an indebted Government employee by installment deduction as provided in "Installment Deduction for Indebtedness to the United States" (5 U.S.C. 5514), and "Collection by Offset From Indebted Government Employees" (5 CFR Part 550, Subpart K).

#### **D. Waiver of Right of Recovery**

1. The Chairman or the Executive Director for Operations (EDO), with the concurrence of the Chief Financial Officer (CFO) or the Inspector General (IG), may waive a right of recovery in whole or in part if the Chairman, the IG, or the EDO determines that recovery would be against equity and good conscience or against the public interest, such as calls to military duty or employment with a public international organization.
2. If an office director, a regional administrator, or the Deputy IG recommends a waiver, he or she must submit substantial justification in support of the request. Any request for a waiver must be evaluated by the Chief Human Capital Officer (CHCO) for sound personnel practices and by the CFO for sound fiscal management (for the Office of the Inspector General (OIG), by the Deputy IG).

## **II. STUDENT LOAN REPAYMENT AS A RECRUITMENT INCENTIVE**

When used as a recruitment incentive, the Student Loan Repayment Program authorizes student loan repayments for new appointees to the NRC when and to the extent necessary to avoid difficulty in filling the position with a highly qualified candidate.

### **A. Criteria for the Initial Eligibility Determination**

To support the initial eligibility determination, consider and include in the request's narrative the following criteria, as applicable:

1. The success of recent efforts to recruit suitable candidates for similar positions, including indicators such as offer acceptance rates, the proportion of positions filled, and the length of time required to fill similar positions with suitable candidates.
2. Recent turnover in the same or similar positions.
3. Labor market factors and long-range planning elements that affect the NRC's ability to recruit for similar positions.
4. Any special qualifications needed.

### **B. Criteria for Determining the Amount of the Loan Repayment**

1. Consider the following, as applicable, in determining the specific amount of the repayment:
  - (a) The severity of the recruiting problem.
  - (b) If loan repayment is being offered in conjunction with other incentives, the minimum amount that will induce the candidate to accept the position while continuing to ensure equity in payments for similar situations.
  - (c) The total amount of all other recruitment incentives (e.g., recruitment incentive, special salary rates).
  - (d) The average pay for the occupation or specialty described in the most recent pay comparability surveys.
  - (e) The criticality of the position to be filled and the effect on the NRC mission if it is not filled or if there is further delay in filling it.
2. In addition to the above criteria, the agency Federal Employees Pay Comparability Act (FEPCA) Senior Management Review Panel or the OIG FEPCA Senior Management Review Panel may provide additional guidance, consistent with the

underlying policy of the Student Loan Repayment Program, for office directors, regional administrators, and the Assistant IG for Audits or the Assistant IG for Investigations, as appropriate, to formulate their initial recommendations for appropriate repayment amounts.

### **C. Other Considerations**

1. Consider the practicality of using the repayment incentive in combination with other pay provisions, such as special salary rates, a pay rate above the minimum entry rate, or a waiver of dual-compensation limitations, in terms of the consequent advantage to the NRC.
2. If proposing to offer a student loan repayment in combination with other pay provisions, consider why the other provision(s) alone would not be sufficient.
3. The decision to repay a student loan may be made at any point in the recruiting process as necessary to ensure the employee's acceptance but must, in any case, be made before the employee's entrance on duty.
4. Because there are so many options that could be applied to a specific situation, it is essential that the office director, the regional administrator, or the Deputy IG for OIG carefully review the criteria and panel guidelines described in Section I of this handbook to determine the most cost-effective incentive. Candidates should not be led to believe that student loan repayments are an entitlement associated with recruitment.

### **D. Initiating a Request To Make a Student Loan Repayment**

1. At the time the position is vacant, the appropriate office director, regional administrator, or the Deputy IG for OIG, in concert with the division director or the supervising official, determines how to fill the position.
  - (a) If it is decided to open the position to competition, the vacancy announcement must indicate when there is a possibility that a student loan repayment might be authorized.
  - (b) If the position is announced with this provision, the requester, in concert with the division director or the selecting official, decides whether to recommend requesting a loan repayment and the amount or percentage of the repayment.
2. Once the selectee is identified, the office director, the regional administrator, or the Deputy IG for OIG initiates the request for approval and prepares a justification for the request using the format provided on the Office of the Chief Human Capital

Officer (OCHCO) Incentive Programs Web site available at <http://www.internal.nrc.gov/HR/incentive-programs.html>. This justification must address both the criteria to be met in making an initial determination of eligibility and the criteria for determining the amount of the repayment. (Recommending, reviewing, and deciding authorities are described in Exhibit 1 of this handbook.)

3. Submit requests on a case-by-case basis in accordance with the procedures discussed in Section IV of this handbook.

### **III. STUDENT LOAN REPAYMENT AS A RETENTION INCENTIVE**

#### **A. Introduction**

When used as a retention incentive, the Student Loan Repayment Program authorizes loan repayments for employees with high or unique qualifications or employees who fill a special need of the agency that makes it essential to retain the employee and who, in the absence of offering student loan repayment benefits, would be likely to leave for employment outside Federal service. The determination to offer the repayment must be based on a written description of the extent to which the employee's departure would affect the NRC's ability to carry out an activity or perform a function that is essential to the NRC's mission.

#### **B. Criteria for the Initial Eligibility Determination**

1. The agency may authorize a student loan repayment to any employee if the employee is likely to leave Federal service for any reason.
2. To support the determination, consider the following criteria in the narrative, as applicable:
  - (a) Provide evidence that the employee is likely to leave Federal service.
  - (b) Describe the extent to which the employee's departure would affect the agency's ability to carry out an activity or perform a function deemed essential to the agency's mission.
  - (c) Describe recent efforts to recruit and retain employees with qualifications similar to those possessed by the employees in similar positions.
  - (d) Specify the availability in the labor market of candidates who could perform the employee's full range of duties with minimal training or disruption of services to the public.

### 3. Criteria for Determining the Amount of the Loan Repayment

Consider the following in determining the specific amount of the repayment:

- (a) The severity or criticality of the loss of the employee to the NRC's mission.
- (b) The reason that a lesser amount would not be sufficient to retain the employee.

### 4. Other Considerations

- (a) Consider the practicality of using the repayment incentive in combination with other pay provisions, such as a retention incentive or a waiver of dual-compensation limitations, in terms of the consequent advantage to the NRC.
- (b) If proposing to use loan repayment in combination with other pay provisions, consider why the other provision(s) alone would not be sufficient.
- (c) Employees should not be led to believe that student loan repayments are an entitlement of employment.

### 5. Initiating a Request To Make a Student Loan Repayment

- (a) The office director, the regional administrator, or the Deputy IG for OIG assesses the individual situation against the criteria in Section I of this handbook and any guidance from the agency FEPCA Senior Management Review Panel or the OIG FEPCA Senior Management Review Panel, as appropriate. In addition, the requester should consider—
  - (i) The criticality of the activity for which the employee's services must be retained.
  - (ii) Whether the nature of the work will allow the employee to fulfill a 3-year service agreement, as required by law.
  - (iii) Whether other payments or incentives could be used to retain the individual in lieu of or in addition to the student loan repayment.
- (b) Submit requests to the CHCO or the Deputy IG for OIG.

## **C. Criteria for Annual Certification for Renewal**

- 1. Office directors and regional administrators who wish to renew student loan repayments for eligible employees previously approved for the maximum amount or for a specific dollar amount exceeding \$10,000 are required to certify on an annual basis that repayment is still appropriate.

2. Signature on the annual certification (see template on [OCHCO Incentive Programs Web site](#)) indicates an office director's or regional administrator's determination that continued repayments may be made on behalf of individuals for whom the original basis for approval is still applicable and meets the criteria in Section III.B of this handbook.

## **IV. PROCESSING A STUDENT LOAN REPAYMENT INCENTIVE**

### **A. Technical Review**

1. Upon receipt of a request to authorize a student loan repayment, the CHCO or the Deputy IG for OIG reviews each request to determine whether it meets the criteria and requirements of Section I of this handbook, and concurs or does not concur on the request.
2. The CHCO or the Deputy IG for OIG arranges for a meeting of the appropriate FEPCA Senior Management Review Panel (or a subgroup thereof) and forwards the request to the panel for review.
3. The CHCO or the Deputy IG for OIG provides any additional assistance requested by the panel.
4. The CHCO advises office directors and regional administrators of any categories of positions for which the EDO has granted advance approval for student loan repayments.
5. The Deputy IG determines the categories of positions for which the IG has granted advance approval for student loan repayments.

### **B. FEPCA Senior Management Review Panel**

1. The FEPCA Senior Management Review Panel (or a subgroup thereof) reviews the request, determines whether it meets the initial criteria, and reviews the amount requested after considering the criteria and the principles of equity.
2. The panel then forwards the recommendation to the deciding official for a final decision. (See Exhibit 1 of this handbook for details.)
3. The OIG FEPCA Senior Management Review Panel performs all the above functions relating to student loan repayment requests for OIG.
4. See Exhibit 1 of this handbook for other reviewing officials.



**C. Approval or Disapproval**

1. The deciding official reviews the recommendations of the agency FEPCA or OIG FEPCA Senior Management Review Panel and all other relevant documentation and makes a final decision.
2. The deciding official forwards the decision to the CHCO for implementation.

**D. Implementing the Decision**

1. The CHCO or the Deputy IG for OIG notifies the requesting official of the decision.
2. For approved requests, the CHCO or the Deputy IG for OIG informs the employee and obtains a signed service agreement as shown in the template service agreement on OCHCO's Incentives Web page. The CHCO or the Deputy IG for OIG advises the employee of any applicable tax implications.
3. The CHCO forwards a copy of the documentation, including the service agreement, to the CFO for funds certification.
4. The CFO coordinates with the NRC payroll provider to issue the approved payment to the lender, and verifies that the payment is processed and sent to the lender.
5. The CHCO notifies the CFO of any personnel action relating to the employee that would prevent the employee from fulfilling the terms of the service agreement.

**E. Implementing Renewals**

1. Office directors and regional administrators may renew student loan repayment for an employee previously approved for the maximum repayment or for a specific dollar amount exceeding \$10,000 and who has remaining eligible debt (i.e., an outstanding balance of at least \$10,000). In deciding to renew a student loan repayment, office directors and regional administrators should determine that the original basis is still applicable and current circumstances warrant continued repayment.
2. Approximately 1 year after the previous repayment, office directors and regional administrators may sign the annual certification memorandum (see OCHCO Incentive Programs Web site), and forward it to OCHCO with the requisite Standard Form SF-52, "Request for Personnel Action."

3. The OCHCO staff will verify the outstanding loan amount and that the loan is not in default.
4. The employee must execute another 3-year service obligation before a payment is made to the lender.

#### **F. Obligations and Oversight**

##### **1. Service Agreement**

- (a) The length of the service agreement is 3 years, as established by law.
- (b) If a student loan repayment benefit is renewed, a new 3-year service agreement, to run concurrently with any current outstanding service agreements, must be executed.
- (c) The service agreement applies to service anywhere in the NRC.

##### **2. Records and Reporting**

- (a) Documentation justifying repayment of student loans will be maintained in appropriate personnel and payroll files.
- (b) A report of each determination is submitted to the Office of Personnel Management (OPM) as part of the NRC's regular submission to OPM's Central Personnel Data File, as appropriate.
- (c) The CHCO will oversee and evaluate NRC student loan repayment activities to ensure that usage conforms to applicable laws and appropriate regulations.

**Exhibit****Exhibit 1 Approval Authorities for Student Loan Repayments**

	<b>Recommending Official</b>	<b>Reviewing Official</b>	<b>Deciding Official</b>
For all eligible employees as indicated—			
• Immediate staff of the Chairman or the Commissioners	Chairman or Commissioner	CHCO <sup>2</sup> EDO <sup>3</sup> FEPCA Panel <sup>4</sup>	Chairman
• Commission-level offices	Office Director	CHCO EDO FEPCA Panel	Chairman
• Immediate staff reporting to the EDO	EDO	CHCO FEPCA Panel	Chairman
• EDO staff offices	Office Director or Regional Administrator	CHCO FEPCA Panel	EDO
• OIG <sup>5</sup> staff	Assistant IG <sup>6</sup> Deputy IG <sup>8</sup>	OIG FEPCA Panel	IG <sup>7</sup>
For approval of waiver of student loan repayment (including amount to be waived) for recovery of employee's student loan repayment—			
• Immediate staff of the Chairman or the Commission <sup>1</sup>	Chairman or Commissioner	CHCO CFO <sup>9</sup> and EDO	Chairman
• Commission-level offices	Office Director	CHCO CFO and EDO	Chairman
• Immediate staff reporting to the EDO	EDO	CHCO CFO	Chairman
• EDO staff offices	Office Director or Regional Administrator	CHCO CFO	EDO
• OIG staff	Deputy IG	Deputy IG	IG

<sup>1</sup> Schedule C-equivalent employees are not “eligible employees.”<sup>2</sup> Chief Human Capital Officer.<sup>3</sup> Executive Director for Operations.<sup>4</sup> Federal Employees Pay Comparability Act Senior Management Review Panel.<sup>5</sup> Office of the Inspector General.<sup>6</sup> Assistant Inspector General.<sup>7</sup> Inspector General.<sup>8</sup> Deputy IG.<sup>9</sup> Chief Financial Officer.