

Honorable {insert OPM Director's full name}
Director
U.S. Office of Personnel Management
Attn: ES/RH
1900 E St., NW
Washington, DC 20415

Dear Director {insert OPM Director's Surname}:

The {insert name of requesting agency} requests an exception to the prohibition in title 5, Code of Federal Regulations, parts 330 and 731, on making early inquiries into an applicant's criminal and/or adverse credit background history until the hiring agency has made a conditional offer of employment to the applicant. This exception, based on specific job-related reasons, will enable {insert name of requesting agency} to make inquiries of the sort asked on the Optional Form (OF) 306, "Declaration for Federal Employment" or other forms used to conduct background investigations for Federal employment, earlier in the application process for the following position(s): {insert position title(s), series, and grade level(s)}.

The {insert name of requesting agency} is requesting this exception under the criteria in 5 CFR 330.1300, Timing of Suitability Inquiries in Competitive Hiring in order to conduct {choose appropriate exception request: [criminal conduct inquiries], [financial inquiries] or [both criminal conduct and financial inquiries]} prior to making a conditional offer of employment. The justification for approving an exception for these position(s) is as follows:

1. Reasons the agency needs this exception. {Describe the specific job-related reasons why your agency needs to evaluate an applicant's criminal and/or adverse credit history earlier in the process or consider the disqualification of candidates with criminal backgrounds or other conduct issues.} **Check all options below that apply and provide sufficient details/documentation to support the request:**

An exception is needed to ensure compliance with a specific statutory or regulatory requirement, as outlined in: {provide the citation for the statutory requirement and describe its correlation to the agency need to conduct early criminal and/or financial inquiries}

An exception is needed because the qualifications requirements of the job include: {describe the specific qualifications requirement as it relates to the agency request to conduct early criminal conduct and/or financial inquiries before the qualifications assessment process can be completed}

The expense of the examination process makes it appropriate to adjudicate suitability before expending funds on other examination elements because: {describe the specific examining processes that are conditions of employment (e.g., pre-employment government-sponsored training/certification or medical examinations, etc. and the cost

that would be incurred by the Government should the criminal and/or financial inquiries be deferred until a conditional offer of employment is made}

[] The public trust or national security would be impacted negatively if inquiries are delayed until a conditional offer of employment is made because: *{describe the specific concerns; include data, where available, to quantify and clearly define the potential impact to public trust or national security}*

[] Other: *{Describe other specific impacts of delayed criminal conduct or financial inquiries; include data to quantify and define the potential impact, where available}*

2. Timing and extent of applicant background inquiries (current and proposed). *{Describe at what point in the hiring process (e.g., at the point the person applies for the position, after a certificate of eligible is issued, after interviews are conducted, etc.) your agency currently makes criminal and/or financial background inquiries. Include information collected directly from the applicant or from other sources and describe the specific information collected and method of collection (e.g., applicant forms, law enforcement inquiries, credit checks, fingerprint checks, etc.). If different, also, describe the stage of the hiring process at which the agency proposes to make criminal and/or financial inquiries and the specific information to be collected and method of collection.}*

If you have any questions regarding this request, please contact **{Agency Point of Contact (POC)}** at **{insert POC's telephone number with area code, and email address}**.

Sincerely,

[Name of requestor]
[Title (Chief Human Capital Officer or equivalent)]