



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

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Memorandum for Heads of Departments and Agencies

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Subject: Appointments and Awards During the 2024 Presidential Election
Period

During this Presidential election year, we would like to remind agency heads of the need to ensure all personnel actions remain free of political influence or other improprieties and meet all relevant civil service laws, rules, and regulations. All official personnel records should clearly document continued adherence to Federal merit principles and remain free of any prohibited personnel practices. In particular, any appointments of political appointees, Schedule C employees, and noncareer Senior Executive Service (SES) members to competitive or non-political excepted service positions or to career SES positions require careful attention to ensure they comply with merit principles regarding fair and open competition.

The U.S. Office of Personnel Management's (OPM) policy requires the pre-appointment review of all competitive and non-political excepted service appointment actions that involve the permanent appointment of a current or former political appointee, Schedule C employee, or noncareer SES member. OPM will continue to conduct merit staffing reviews of proposed career SES selections of political, Schedule C, and noncareer SES appointees before those selections are presented to a Qualifications Review Board (QRB) for certification of executive qualifications. Under [5 CFR 317.502\(d\)](#), OPM may determine the disposition of agency QRB requests where the QRB has not yet acted if the agency head leaves office or announces an intention to leave office, if the President has nominated a new agency head, or if there is a Presidential transition.

We have attached additional guidance concerning these appointments, incentive awards, and other employment matters, as well as instructions for submitting requests for pre-appointment review. If you have questions or need further information regarding pre-appointment reviews, contact Ana A. Mazzi, Principal Deputy Associate Director for Merit System Accountability and Compliance, at (202) 606-4309 or PoliticalConversions@opm.gov. For questions concerning executive resources management or incentive awards, contact Nicole Wright, Deputy Associate Director for Executive Services and Workforce Development, at (202) 606-8046 or Performance-Management@opm.gov.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resource Directors

Attachments:

1. Guidelines on Processing Certain Appointments and Awards During the 2024 Election Period
2. Do's and Don'ts When Selecting Political Appointees for Career Civil Service Positions

Guidelines On Processing Certain Appointments And Awards During The 2024 Election Period

OPM and Federal agencies share basic responsibility for ensuring all personnel actions adhere to the Federal merit principles at [5 U.S.C. 2301](#) and remain free of any prohibited personnel practices set forth at [5 U.S.C. 2302](#). Additionally, in accordance with [5 CFR 4.2](#) and [5 CFR 7.1](#), the political affiliation of a current or former political appointee applying for a civil service position may not be a basis for discrimination nor preference or special advantage. During an election period, these requirements demand particularly close attention to ensure all agency personnel actions adhere faithfully to these principles.

I. Appointment of Current or Former Political Appointees to Career Civil Service Positions

Agencies must seek prior approval from OPM before appointing a current or recent political appointee to a competitive or non-political excepted service position at any level under the provisions of [5 U.S.C. 1104\(b\)\(2\)](#) and [5 CFR 5.2](#). A former or recent political appointee is someone who held a political appointment covered by OPM's policy within the previous five-year period. OPM reviews these proposed appointments to ensure they comply with merit system principles and applicable civil service laws. OPM's [December 30, 2022, memo](#) provides instructions regarding Political Appointees and Career Civil Service Positions and includes Pre-Appointment Review Checklists to assist agencies in preparing their submissions for review.

Note: Schedule C employees may not be detailed to competitive service positions without prior OPM approval [see [5 CFR 300.301\(c\)](#)] and no competitive service vacancy may be created for the sole purpose of selecting a Schedule C or Noncareer SES employee.

OPM prepared a series of [Questions and Answers](#) to respond to agency inquiries about its policy for pre-appointment reviews and to provide additional details that will help agencies meet the policy's requirements.

II. Appointing Employees to the Senior Executive Service

OPM will continue to conduct merit staffing reviews of proposed career SES selections that involve a current or former political, Schedule C, or Noncareer SES appointee before such cases are formally presented to a Qualifications Review Board. Agencies should carefully review all actions which would result in the career SES appointment of a political, Schedule C, or Noncareer SES before such cases are forwarded to OPM.

Note: All SES vacancies to be filled by initial career appointment must be publicly announced ([5 CFR 317.501](#)). Only a career SES or career-type non-SES appointee may be detailed to a Career-Reserved position ([5 CFR 317.903\(c\)](#)).

In accordance with [5 CFR 317.502\(d\)](#), OPM may determine the disposition of agency QRB requests where the QRB has not yet acted if the agency head leaves office or announces an intention to leave office, if the President has nominated a new agency head, or if there is a Presidential transition. When a presidential transition occurs, OPM will determine the disposition of QRB cases consistent with the policy of the new Administration.

III. Prohibition on Awards to Certain Appointees

Under [5 U.S.C 4508](#), an incentive award may not be given during the period beginning June 1, 2024, through January 20, 2025, to a senior politically appointed officer, defined as:

1. An individual who serves in an SES position and is not a career appointee as defined in [5 U.S.C. 3132\(a\)\(4\)](#); or,
2. An individual who serves in a position of a confidential or policy determining character as a Schedule C employee.

Because Limited Term/Limited Emergency appointees are not “career appointees,” they meet this definition of senior politically appointed officer and cannot receive incentive awards during the 2024 election period.

In addition, all political appointees continue to be covered by a freeze on discretionary awards bonuses and similar payments. This freeze was established by [Presidential Memorandum](#) on August 3, 2010 (see also [OPM guidance](#)) and remains in effect until further notice.

For additional guidance regarding appointments of current or former political appointees to competitive service, non-political excepted service, or career SES position, please contact Ana A. Mazzi, Principal Deputy Associate Director for Merit System Accountability and Compliance, at (202) 606-4309 or PoliticalConversions@opm.gov. For guidance on awards during the 2024 Presidential election period, please contact Nicole Wright, Deputy Associate Director for Executive Services and Workforce Development, at (202) 606-8046 or Performance-Management@opm.gov

IV. Do's and Don'ts When Selecting Political Appointees, Schedule C, or Noncareer SES Employees for Competitive Service, Non-Political Exceptive Service, or Career SES Positions

Effective January 1, 2010, OPM conducts ongoing pre-appointment reviews of current or former political appointee, Schedule C employee, and noncareer SES member appointments to the competitive or exceptive service. OPM seeks to ensure that the merit system principle of fair and open competition is protected. With this in mind, the two most common reasons for OPM not to approve a selection are:

1. the new position appears to have been designed solely for the individual who is being selected; and/or
2. competition has been limited inappropriately.

Below are "Do's" that will help agencies with the pre-appointment approval process:

- **Do** make a public announcement through OPM's USAJOBS when filling competitive or excepted service vacancies from candidates outside your own agency's workforce.
- **Do** carefully consider the Interagency Career Transition Assistance Plan for Displaced Employees regulations ([5 CFR 330, Subpart G](#)) before making selections.
- **Do** ensure the Chief Human Capital Officer and Human Resources Director closely review all such proposed actions to determine if they meet the test of merit.
- **Do** ensure the Chief Human Capital Officer and Human Resources Director gather all necessary internal agency approvals before a case is presented to OPM for review.

And Don'ts:

- **Don't** create or announce a competitive or excepted service vacancy for the sole purpose of selecting a current or former political appointee, Schedule C employee, or noncareer SES member.
- **Don't** remove the Schedule C or noncareer SES elements of a position solely to appoint the incumbent into the competitive or excepted service.