



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

February 1, 2022

Memorandum for Heads of Executive Departments and Agencies

From: Kiran A. Ahuja
Director

Subject: Infrastructure Investment and Jobs Act Schedule A Hiring Authority

OPM is authorizing the use of excepted service Schedule A appointments under 5 CFR 213.3102(i)(3) to address the need for hiring staff in support of the Infrastructure Investment and Jobs Act (IIJA), otherwise known as the Bipartisan Infrastructure Law.

The IIJA follows through on President Biden's commitment to rebuilding America, investing in America, and Building a Better America. Agencies need to hire now to fill a variety of essential positions including mission-driven roles: scientists to combat climate change, engineers to repair and rebuild our roads and bridges, and workers to help ensure that every community in America has clean water, just to name a few. These are exciting jobs, and they are critically important.

OPM is providing support to Federal agencies by helping them to develop staffing plans, bring great talent onboard quickly, and align urgent hiring needs with their agency's mission in the future.

To date, OPM has:

- Released a [talent surge playbook](#) that includes information on various applicable hiring authorities, such as the recently implemented authorities for post-secondary students and recent graduates, the expansion of the military spouse authority, and the streamlined process for rehiring former federal employees;
- Surveyed agencies on their staffing needs for implementing the Bipartisan Infrastructure Law;
- Authorized direct hire authority for HR professionals and launched a multi-agency job announcement for HR;
- Authorized specific hiring flexibilities to address discrete agency critical hiring needs related to Bipartisan Infrastructure Law implementation; and
- Launched a special Bipartisan Infrastructure Law jobs page on [USAJOBS](#).

Schedule A offers another tool to help agencies hire additional staff to support the implementation of IIJA. Agencies may use this authority to fill positions on a temporary basis for up to 1 year as needed to carry out provisions of the IIJA. These appointments may be extended in increments of up to one additional year.

No appointments may be made under this authority after September 30, 2027. Appointments are limited to individuals who will be performing work directly associated with IJJA efforts. Agencies cannot use this authority to fill any position for which OPM has granted direct hire authority in support of the IJJA, any agency-specific direct hire authority, or governmentwide direct hire authority.

When using this authority, agencies must apply the provisions of 5 CFR part 302. Agencies must apply veterans' preference when filling positions under this authority and must have procedures in place for accepting applications. If seeking to select a non-preference eligible over a preference eligible, agencies must follow the pass-over procedures in 5 U.S.C. §3318(c) and 3319(c)(7) as described in the [Delegated Examining Operations Handbook](#). Although public notice is not required when filling positions in the excepted service, OPM strongly encourages agencies to conduct appropriate recruiting and notice to meet agencies' technical needs.

Agency headquarters-level human resources offices may contact OPM at employ@opm.gov with additional questions or clarifications. Agency field offices should contact their appropriate headquarters-level agency human resources office. Individual employees should contact their agency human resources office.

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