



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT  
Washington, DC 20415

The Director

## MEMORANDUM

**TO:** Heads and Acting Heads of Departments and Agencies

**FROM:** Charles Ezell, Acting Director, U.S. Office of Personnel Management

**DATE:** January 20, 2025

**RE:** Temporary Transition Schedule C and Schedule C Authorities and Noncareer Senior Executive Service Appointing Authorities.

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To support agencies' transition needs, the U.S. Office of Personnel Management (OPM) is providing the following hiring flexibilities regarding Temporary Transition Schedule C and Schedule C appointments, and Noncareer and Limited Term Senior Executive Service (SES) appointment authorities.<sup>1</sup>

Schedule C positions are excepted from the competitive service because of their confidential or policy-determining character, and most Schedule C positions are at the General Schedule (GS)-15 or lower grade level. Schedule C positions above the GS-15 level are either senior-level (SL) positions or are specifically authorized in law. The SES is a personnel system applicable to the highest-level executive, managerial, supervisory and some policy positions in most Federal agencies.

### **I. Temporary Transition Schedule C (TTC) and Schedule C Authorities**

After the inauguration on January 20, 2025, federal departments and agencies are authorized to use the TTC authority for a period of one year beginning January 20, 2025, or when a new agency head has entered on duty—whichever period is later (5 CFR 213.3302(a)). Ordinarily, the number of TTC positions established by an agency cannot exceed either 50 percent of the highest number of permanent Schedule C positions filled in any one of the preceding five years, or three positions – whichever is greater (5 CFR 213.3302(b)). However, in accordance with 5 C.F.R. 213.3302(b), “OPM may approve an increase in an agency’s quota to meet a critical need or in unusual.” By this memorandum, OPM approves the unlimited use of TTCs. This expansion

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<sup>1</sup> This memorandum replaces and supersedes the January 8, 2025 Memorandum from Acting OPM Director Rob Shriver for Heads of Executive Departments, Independent Agencies, Inspectors General and the Council of the Inspectors General on Integrity and Efficiency re: Governmentwide Temporary Transition Schedule C Authority and Temporary Transition Senior Executive Service Appointment Authorities. In particular, any permission granted by that memo for Inspector Generals to hire temporary transitional Schedule Cs is hereby rescinded.

of the use of TTCs is necessary to drive the unusually expansive and transformative agenda the American people elected President Trump to accomplish.

An individual may be appointed to a TTC position for a period of up to 120 days, and this period may be further extended once for an additional 120 days without OPM 2 approval. Agencies shall notify OPM within five business days of each appointment by entering the appointment into the Executive and Schedule C System (ESCS) and submitting the completed OPM Form 1019 generated by ESCS. Agencies shall ensure all appropriate fields are completed in the form and the Certification Statement is signed and dated by the department/agency head or designee. Agencies shall notify OPM within three business days when a TTC position is vacated, by submitting a completed OPM Form 1019.

## **II. Noncareer and Limited SES Appointing Authorities**

When filling an SES position by noncareer or limited-term appointment, an agency is not required to hold a competition or even announce the position is available. For noncareer (but not limited) positions, the agency head must certify that the appointee meets the qualifications requirements for the position. Any noncareer or limited SES appointee may be removed by the appointing authority at any time and do not have any appeal rights.

OPM approves each use of a noncareer authority by an agency, and the authority reverts to OPM when the noncareer appointee leaves the position. 5 U.S.C. 3134(a), (c).

Upon OPM authorization, a Presidential nominee may receive a noncareer or limited term appointment to an SES position while awaiting Senate confirmation for the permanent position for which he/she is nominated. However, the individual cannot serve in the position for which he/she is nominated until confirmed by the Senate. Thus, individuals awaiting Senate confirmation normally serve in an advisory or consultative capacity in another position until confirmed.

To support the transition of the incoming administration, OPM is delegating a temporary allocation of noncareer SES appointments authorities to all agencies subject to the 25 percent or other applicable limit on noncareer appointments in the agency, which may be used for the time-limited noncareer appointment of an individual for no more than 30 days. The purpose for these authorities is to support efficiency in establishing agency programs and to enable agencies to begin the pre-appointment background investigation process for these appointees. OPM may grant additional noncareer SES appointment authorities on a case-by-case basis upon request.

Consistent with legal and statutory requirements, these noncareer SES authorities may not be exercised prior to the inauguration on January 20, 2025, or after February 15, 2025. The SF-50 initiating temporary appointment shall include remarks noting the temporary appointment with a "Not to Exceed" date, which may serve as the removal notice required by 5 CFR 359.902. Agencies shall notify OPM within five business days of appointment by entering the appointment into ESCS and submitting the completed OPM Form 1652 generated by the system. Agencies shall also notify OPM within three business days when a temporary noncareer SES appointment ends, by submitting a completed OPM Form 1652.

For an individual the agency wishes to retain beyond the 30-day temporary appointment, the agency should request OPM approval for any noncareer authority that is not time-limited (or other appropriate appointing authority), at the earliest possible date within the 30 days. This is essential to enable the approval process for any new appointment to be concluded before the 30-day period elapses. This may be done by entering a new request through ESCS and submitting the completed OPM Form 1652 generated by the system.

All forms should be submitted to the OPM Agency Operations and Services (AOS) Group by uploading the completed form in ESCS.

If you have any questions on this or other SES or Schedule C staffing matters, please contact the OPM AOS Group via email at [SERS@opm.gov](mailto:SERS@opm.gov), with a copy to Amanda Scales at [amanda.scales@opm.gov](mailto:amanda.scales@opm.gov).

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