



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: March 6, 2025
RE: Guidance Regarding Redesignating CHCO Positions

I. Overview

Pursuant to its authority under 5 U.S.C. §§ 1103(a)(1), (5), and (7); 3132(b)(1) and 5 C.F.R. § 214.403, the U.S. Office of Personnel Management (OPM) is providing guidance to agencies regarding agency Chief Human Capital Officer (CHCO) positions currently designated as career reserved Senior Executive Service (SES).

CHCOs oversee Human Resources (HR) policies and operations for their agency. As discussed below, CHCO positions across the federal government have “responsibility for or substantial involvement in the determination or public advocacy of the major controversial policies of the Administration or agency.”¹ The relevant regulations indicate that such a position should appropriately be classified as SES general—allowing the position to be filled by either a career or non-career official.² Presently, although many CHCO positions are filled by career officials, there is inconsistent classification of these positions across the federal government.

Thus, to ensure accurate and consistent classification of CHCO positions, OPM recommends that each agency with a CHCO role designated career-reserved SES send a request that OPM convert the role to SES general **no later than March 24, 2025**.

II. Analysis

HR policy has become intensely politicized in recent years. The 2024 presidential race showcased how starkly the candidates differed on aspects of HR policy, particularly Diversity, Equity and Inclusion (“DEI”) issues.

President Biden made DEI a centerpiece of his administration—and expected the CHCOs to advocate for these policies in the public square. A 2021 CHCO Council Report to Congress

¹ 5 C.F.R. § 214.402(c)(1).

² *Id.*

observed that “CHCO input was integral to our workplace safety policies and contributed to our broader efforts to instill diversity, equity, inclusion, and accessibility (DEIA) practices throughout the Federal employment cycle.”³ The Report noted that “more than 40 promising practices for *embedding DEIA in all areas of human resources* including outreach, recruitment, onboarding, advancement, learning & development, performance & awards, and retention.”⁴

It is hard to imagine a more vivid example of advocacy of the “major controversial policies of the Administration” than an HR leader and policymaker implementing and embedding DEIA policies throughout their agency and the government more broadly.

By contrast, President Trump campaigned vehemently against government DEI programs. On Day 1 of his administration, President Trump followed through on his promises, issuing an Executive Order ending these programs.⁵ The current administration rightly expects that agency CHCOs will advocate for such major HR policy changes before Congress and in the public square.

Agency CHCOs determine policy when they choose which policies, including DEI policies, their departments should prioritize and fund—and which should be deemphasized or defunded. These policies determine who gets to serve the country as an agency employee, and who might not even get an interview. The same policies may dictate who will be promoted within the agency, and who will be passed over. HR policies and priorities can siphon funds and manpower that would otherwise be dedicated to different policy objectives, with tangible effects on everyday Americans. The public rightly expects that government officials who make these policy choices should be democratically accountable.

To be sure, like many policy-determining and policy-advocating jobs throughout the federal government, CHCO positions require a baseline of specialized knowledge necessary to understand broader issues and make decisions for the agency. But the CHCO’s authority goes beyond mere technical matters. Instead, the modern CHCO makes, implements, and advocates for some of the most controversial policies in modern American politics on behalf of their Agency Head and the Administration.

Career reserved SES roles are meant for “impartial” or “technical” positions, not policy advocates.⁶ Congress was clear that “a position shall be designated as a career reserved position *only* if the filling of the position by a career appointee is necessary to ensure impartiality, or the public’s confidence in the impartiality, of the Government.”⁷ The CHCO role is not the sort of

³ See [Chief Human Capital Officers Council Annual Report to Congress for 2021](#).

⁴ *Id.* (emphasis supplied)

⁵ See, e.g., Executive Order 14151, [Ending Radical and Wasteful Government DEI Programs and Preferencing](#), 90 FR 8339 (January 29, 2025).

⁶ See 5 C.F.R. § 214.402(c)(1)(I).

⁷ 5 U.S.C. § 3132(b)(1) (emphasis added).

“impartial[]” or “technical” position that is fit for career reserved SES positions,⁸ a fact reflected in the decision by many agencies to historically classify CHCO positions as SES General.

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

⁸ See 5 C.F.R. § 214.402(c)(2)(i)-(ii); 5 U.S.C. § 3132(b)(1).