



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Thursday, March 12, 2009

MEMORANDUM FOR: Heads Of Executive Departments And Agencies

FROM: Kathie Ann Whipple, Acting Director

Subject: American Recovery and Reinvestment Act of 2009 Schedule A Hiring Authority

The U.S. Office of Personnel Management (OPM) is authorizing the use of excepted-service appointments under 5 CFR 213.3102(i)(3) to address the need for hiring additional staff in support of the American Recovery and Reinvestment Act of 2009 (ARRA). Agencies may use this authority to fill, on a temporary basis for up to one year, positions needed to carry out provisions of the ARRA. These appointments may be extended in increments of up to one year. No appointments made under this authority may extend beyond September 30, 2012. Appointments are limited to individuals who will be directly associated with ARRA efforts.

When using this authority agencies must apply the provisions of 5 CFR part 302, as well as the procedures for passover of compensably-disabled preference eligibles in accordance with the Acting Director's March 12, 2009, memorandum for Chief Human Capital Officers, (<https://www.chcoc.gov/content/clarification-procedures-passover-compensably-disabled-preference-eligibles-excepted-service>). Per 5 CFR part 302, agencies must apply veterans' preference when filling positions under this authority and have procedures in place for acceptance of applications. Public notice is not required when filling jobs in the excepted service. However, OPM strongly encourages agencies to conduct some form of recruiting in order to meet their particular human capital challenges under the Act. OPM will provide additional guidance on reporting requirements in conjunction with agencies' use of this authority.

When documenting the SF-50 "Notification of Personnel Action" for such appointments, cite as the first authority "W9R/Sch. A, 5 CFR 213.3102(i)(3)" and cite "ZEA/Pub. L. 111-5" as the final authority.

As discussed at OPM's March 3, 2009, interagency forum on the Recovery Act's Human Capital Management issues, there are a number of talent strategies and authorities, to include competitive hiring, that can be used to meet your human capital challenges under the Act. Workforce planning is the critical first step to identifying which talent strategy is best suited to accomplish your human capital goals for Recovery Act implementation. OPM strongly encourages agencies to deploy hiring strategies that support our veterans, such as the Veterans Recruitment Appointment, the Veterans Employment Opportunity Act, and the 30 percent or more disabled Veterans authority.

Your assigned OPM Human Capital Officer (HCO) is ready to assist you in reviewing your workforce plan, recruitment options and deployment strategies as you execute this authority.

cc: Chief Human Capital Officers

Human Resources Directors