



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

Thursday, August 15, 2019

MEMORANDUM FOR: AGENCY HEADS AND CHIEF HUMAN CAPITAL OFFICERS

FROM: MARGARET M. WEICHERT, ACTING DIRECTOR

Subject: Modified Agency-Specific Senior Executive Service (SES) Qualifications Review Board (QRB) Moratorium during Agency Head Transitions

I am pleased to announce changes to the existing policy for placing a Senior Executive Service (SES) Qualifications Review Board (QRB) moratorium on an agency. In accordance with its authority under 5 U.S.C. 3393(c) and 3397, and its regulation at 5 CFR 317.502(d), the U.S. Office of Personnel Management (OPM) will continue to accept and process new agency QRB cases when an agency head departs, announces his or her departure, or when the President announces the nomination of a new agency head, in certain circumstances. Effective immediately, placement of agency-specific QRB moratoriums will depend upon the means by which the individual serving as the acting agency head received that designation —

- When an acting agency head was serving under a Presidential Appointment (with or without Senate confirmation), immediately preceding the designation, the agency is not placed on a QRB moratorium.
- Bi-Partisan Boards and Commissions, and agencies that have acting agency heads that are not currently serving on a Presidential Appointment, may request a blanket exception to the moratorium, which OPM will consider on a case-by-case basis.

In circumstances where an agency blanket exception is not approved, agencies will still be able to request exceptions for specific positions, using the previous process.

The Governmentwide QRB moratorium issued when there is a change in Administration will continue to be followed to provide the incoming Administration some ability to determine its executive leadership.

As agencies may already process noncompetitive SES selections (e.g., reassignments, transfers, etc.), the modified SES QRB moratorium provides them with similar latitude as to merit staffing selection, in accordance with applicable regulations. This will also reduce burden to agencies and their SES time-to-hire, and create a more efficient process for agencies to respond to critical and exigent needs. OPM will adjust its published guidance accordingly.

Please direct any questions or requests to: Laura Lynch, Deputy Associate Director, Senior Executive Services and Performance Management, at Laura.Lynch@opm.gov or (202) 606-8046, or to Tommy Hwang, Manager, Senior Executive Resources Services, at Tommy.Hwang@opm.gov or (202) 606-4097.

cc: Deputy Chief Human Capital Officers, Human Resources Directors, and the Council of the Inspectors General on Integrity and Efficiency