



PERSONNEL AND  
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

APR - 1 2025

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP  
COMMANDERS OF THE COMBATANT COMMANDS  
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Identification of Positions for Placement in Schedule Policy/Career of the Excepted Service

- References: (a) Executive Order 14171, "Restoring Accountability to Policy Influencing Positions Within the Federal Workforce," January 20, 2025  
(b) Executive Order 13957, "Creating Schedule Policy/Career in the Excepted Service," January 20, 2025, as amended  
(c) Office of Personnel Management Memorandum, "Guidance on Implementing President Trump's Executive Order titled, 'Restoring Accountability To Policy-Influencing Positions Within the Federal Workforce,'" January 27, 2025

Pursuant to the references above, this memorandum directs the Secretaries of the Military Departments, Chairman of the Joint Chiefs of Staff, and all other DoD Component heads<sup>1</sup> to conduct an initial and a final review of their respective civilian positions to identify candidate positions that may be appropriate for petition to the Director, Office of Personnel Management (OPM), for placement in Schedule Policy/Career, because the duties of the position are of a confidential, policy-determining, policy-making, or policy-advocating character.

For the initial and the final review, DoD Components will review positions covered by 5 U.S.C., Chapter 75, Subchapter II, and identify positions that may be appropriate for petition using the guideposts in Section 5(c) of reference (b), and the guidance in reference (c) concerning additional categories of positions that should be considered. A summary of these criteria is attached (Attachment 1). These criteria are not determinative; DoD Component heads may identify positions of a confidential, policy-determining, policy-making or policy-advocating character based on additional characteristics.

Following the initial and final reviews, DoD Component heads will prepare a list of the identified positions, using the attached reporting template (Attachment 2). For each identified position, provide a written explanation documenting the basis for the determination that such position(s) should be placed in Schedule Policy/Career. Written explanations must demonstrate that the position's duties are policy-determining, policy-making, or policy-advocating, or require working closely with senior officials in the case of confidential positions. The objective definition of the position's duties must be derived from a statute, regulation, or internal Agency document such as the position description.

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<sup>1</sup> Directors of Defense Agencies and DoD Field Activities will submit and coordinate through their Principal Staff Assistants. Commanders of the Combatant Commands will submit and coordinate through the Chairman of the Joint Chiefs of Staff.

DoD Component heads will provide the results of their initial review to the Defense Civilian Personnel Advisory Service (DCPAS) not later than April 11, 2025. This first review should focus on positions that are the most obvious candidates for consideration. After the initial review, DoD Components will conduct a final review and submit a list of any additional positions not later than August 1, 2025. DCPAS will provide subsequent information on where to send submissions.

I will review DoD Component head submissions and petition the Director, OPM, to recommend that the President of the United States place those positions in Schedule Policy/Career. OPM will determine categories and position types for further recommendation, and the President of the United States will make the final determination about which positions to transfer to Schedule Policy/Career. A subsequent Executive Order will effectuate the transfers.

My point of contact is Mr. Zev Goldrich, Acting Deputy Assistant Secretary of Defense for Civilian Personnel Policy, at (703) 571-9284 or zev.n.goldrich.civ@mail.mil.



Jules W. Hurst III  
Performing the Duties of the Under Secretary of  
Defense for Personnel and Readiness

Attachments:  
As stated

# **Attachment**

**1**

## SCHEDULE POLICY/CAREER POSITION CRITERIA

Positions (not in the Senior Executive Service) involving the following duties will be considered for placement in Schedule Policy/Career:

- Substantive participation in the advocacy for, or development or formulation of policy, especially:
  - substantive participation in the development or drafting of regulations and guidance; or
  - substantive policy-related work in an agency or agency component that primarily focuses on policy.
- Supervision of attorneys.
- Substantial discretion to determine the manner in which the agency exercises functions committed to the agency by law.
- Viewing, circulating, or otherwise working with proposed regulations, guidance, executive orders, or other non-public policy proposals or deliberations generally covered by deliberative process privilege and either:
  - directly reporting to or regularly working with an individual appointed by either the President or an agency head who is paid at a rate not less than that earned by employees at Grade 13 of the General Schedule; or
  - working in the agency or agency component executive secretariat (or equivalent).
- Conducting, on the agency's behalf, collective bargaining negotiations under chapter 71 of title 5, United States Code.
- Directly or indirectly supervising employees in Schedule Policy/Career positions.
- Functions statutorily described as important policy-making or policy-determining functions, principally:
  - directing the work of an organizational unit;
  - being held accountable for the success of one or more specific programs or projects; or
  - monitoring progress toward organizational goals and periodically evaluating and making appropriate adjustments to such goals.
- Authority to bind the agency to a position, policy, or course of action either without higher-level review or with only limited higher-level review.
- Delegated or sub-delegated authority to make decisions committed by law to the discretion of the agency head.
- Substantive participation and discretionary authority in agency grantmaking, such as the substantive exercise of discretion in the drafting of funding opportunity announcements, evaluation of grant applications, or recommending or selecting grant recipients.
- Advocating for the policies (including future appropriations) of the agency or the administration before different governmental entities, such as by performing functions

## **SCHEDULE POLICY/CAREER POSITION CRITERIA**

typically undertaken by an agency office of legislative affairs or intergovernmental affairs, or by presenting program resource requirements to examiners from the Office of Management and Budget in preparation of the annual President's Budget Request.

- Publicly advocating for the policies of the agency or the administration, including before the news media or on social media.
- Responsibilities described in position descriptions as entailing policy-making, policy-determining, or policy-advocating duties.

# **Attachment**

**2**

***DO NOT ALTER OR ADD ADDITIONAL COLUMNS TO THIS TEMPLATE***

## **Reviewing and Requesting Approval for Schedule Policy/Career Positions**

In accordance with Executive Order (E.O.) 13957 agencies may request Office of Personnel Management approval to place positions it has determined to be of confidential, policy-determining, policy-making, or policy-advocating character in the excepted service under Schedule Policy/Career. Please provide information for each

- 1.** Agency/Component
- 2.** Position Description Number
- 3.** Schedule Policy/Career Criteria. Indicate whether the position is of a policy-determining, policy-making, policy-advocating, or confidential nature. Indicate all that apply.
- 4.** Brief description of factors demonstrating confidential, policy-determining, policy-making, or policy-advocating character. Provide information about the position that supports the determination to include the position in Schedule Policy/Career. The objective definition of the position's duties must be derived from a statute, regulation, or internal agency document, such as the position description.

***DO NOT ALTER OR ADD ADDITIONAL COLUMNS TO THIS TEMPLATE***

